

100-percent tax rate for 10 years would still leave Democrats far short of \$93 trillion.

The Green New Deal is not a plan that can be paid for merely by taxing the rich. Actually implementing the Green New Deal would involve taking money not just from the well-off but from working families—and not a little bit of money either. Ninety-three trillion dollars breaks down to over \$650,000 per household over 10 years. That is more than \$65,000 per household, per year—more than the median household income in the United States. In other words, the cost per household for just 1 year of the Green New Deal is more than the yearly income of 50 percent of American households.

Let's leave aside the stratospheric cost for just a minute and talk about the other consequences of the Green New Deal.

Democrats' Green New Deal would put the government in charge of a large portion of the economy and significantly shrink Americans' freedom. Under this bill, the government will impose new and stringent regulations on your appliances, your car, your house, and your place of business. It will limit your electricity options. It will put the government in charge of your healthcare. I know that is not really energy-related, but the Green New Deal's authors went beyond energy to include a full socialist wish list.

Your options for travel may be limited. A fact sheet released—and later deleted—by one of the authors of the Green New Deal called for a plan to “build out high-speed rail at a scale where air travel stops becoming necessary.” Well, that might work between DC and Boston, but it is not going to work so well if you have family in Hawaii. I don't think the high-speed rail is going to reach that far. I would say that you could make the trip by passenger ship, but, of course, we don't know whether ships as we know them would exist under the Green New Deal. After all, the plan's authors want to eliminate fossil fuels, which power ships, as well as your car and your home.

Incidentally, while we are on the subject, it is worth mentioning that the Governor of California recently scaled back California's high-speed rail project. Why? Because it was costing too much money.

Under the Green New Deal, if you like your car, you probably won't be able to keep it. If you like your healthcare, you probably won't be able to keep it. If you like your house, you may not be able to keep that either. That same fact sheet from one of the Green New Deal's authors says that we need to “upgrade or replace every building in [the] U.S.”

There is no question that we need to protect our environment. There is no question that we should be developing clean energy sources and building on our existing clean energy technologies.

I would tell the Chair that my home State of South Dakota is leading the way on this issue. In fact, my colleagues may be surprised to know that according to the U.S. Energy Information Administration, South Dakota generates an average of two-fifths to half of its electricity from hydroelectric facilities along the Missouri River. Combined with our abundant wind generation, which provides roughly 30 percent of our electricity, South Dakota's net utility-scale energy generation is over 75 percent renewables.

I am proud of South Dakota's renewable energy achievements, and I think we should be encouraging improved domestic energy production, increasing America's renewable energy supply, and reducing consumption through improved efficiencies. What we should not be doing is adopting a wildly irresponsible, completely unworkable, and utterly unrealistic proposal that would drive taxes through the roof, reduce Americans' standard of living, and permanently damage our economy.

We are going to be voting on the Democrat's Green New Deal proposal in the coming weeks, and it will be interesting to see where all of my colleagues stand on this socialist fantasy.

You just heard the Democratic leader, the Senator from New York, say that it is a gimmick and we shouldn't be voting on this. It is the first time I think I have ever heard a leader of one of the parties here in the Senate come forward and say that we shouldn't vote on something that 11 of his Democratic colleagues have cosponsored. He doesn't want to vote on a piece of legislation that is put forward by 11 Democrats here in the Senate.

Well, I think it is important for the American people to know. I think it is important for Members of the Senate to go on record on whether they think this is a good idea or whether they think, as I think most Americans would believe, this is a crazy idea that would wreck the economy, cost Americans' jobs, and punish working families in this country with higher costs for literally everything they face in their daily lives.

For the sake of our economy and for working families, I hope that when this vote comes, at least some Democrats will slow their party's headlong rush to become the Socialist Party and not what we have historically known as the Democratic Party in this country.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Ohio.

NOMINATION OF CHAD A. READLER

Mr. BROWN. Mr. President, judges are making decisions around the country right now on voting rights, on civil rights, on women's rights, on LGBTQ rights, decisions that could limit those rights not just for a year or for a decade but for a generation. They make decisions on healthcare; they make decisions on sentencing; and they make decisions on corporate power. We have seen judge after judge, especially on

the Supreme Court, put their thumbs on the scales of justice by favoring corporations over workers, by favoring Wall Street over consumers, and by favoring health insurance companies over patients. That is, fundamentally, why we in Ohio cannot afford to have Chad Readler on the bench.

Look at an op-ed he took upon himself to write as a private citizen, which reads we should allow the execution of 16-year-olds—kids, children who are 16 years old.

This is at a time when we are taking important, bipartisan steps forward on sentencing reform, and this Senate doesn't come together very often. This Senate, under Senator McCONNELL's leadership, actually came together in a bipartisan way. After all of the mostly unworkable pieces of legislation he has written that always help the rich, the President of the United States signed a bill, in this case, in which we did the right thing by taking bipartisan steps forward on sentencing reform.

How do you turn around and put someone on the bench for life who supports executing children? That is what a 16-year-old is—still a teenager, still a child under the law. Yet he thinks it is something we should do—execute children who are found guilty.

During his nomination hearing, it was pretty unbelievable that Readler stood by his op-ed and refused to disavow his support for using the death penalty on high schoolers and, possibly, on even younger children. I guess I give him credit for consistency.

His record on voting rights is equally despicable. He worked on behalf of a far-right group and argued for the elimination of Golden Week, something passed by Republicans that had been in effect for more than a decade, which means he was limiting the amount of time people can vote early, and he defended restrictive voter ID and provisional ballot laws. We know exactly whom those laws target—people of color, the elderly, young voters. They are the same people, in many cases, who face literacy tests and poll taxes. They are the people JOHN LEWIS and the foot soldiers of Selma were marching for 54 years ago tomorrow across the Edmund Pettus Bridge.

It is shameful that, half a century later, we are fighting that same fight. Chad Readler again is on the wrong side. We can't afford another judge on the bench who works to undo Selma's legacy.

We can't afford another judge who has made it his mission to take away Americans' healthcare. Chad Readler's work threatens the healthcare coverage of 20 million Americans who have preexisting conditions. Last summer, Readler did what three career attorneys with the Department of Justice refused to do. He filed a brief that challenged the law that protects Americans with preexisting conditions. He filed a brief nobody else was willing to file. They all recused themselves. They all refused to do it. They thought it was

something improper and unconstitutional. One of them, I believe, resigned.

Do you know what happened then? The next day, he was nominated for this very judgeship.

So the message is loud and clear from the administration: If you go after pre-existing conditions under consumer protections, if you attack workers' rights, if you attack voters' rights within any job you hold—and there is a real incentive to do this from this administration—you may get a good, lifetime Federal judgeship. The arguments he made in his brief were unprecedented. As I said, three attorneys withdrew from the case. One resigned altogether in his objections to the Department of Justice's unprecedented actions.

One of our Republican colleagues, Senator ALEXANDER, who works with Senator MURRAY to run the HELP Committee, called Readler's argument as farfetched—Senator ALEXANDER's words, who is a conservative Republican from Tennessee—as he had ever seen. Yet, in December, a partisan Texas judge decided to go along with Readler's opinion, and he handed down the decision that undermines pre-existing condition protections for all Americans.

Right now, judges are deciding the future of Americans' healthcare every day. We can't afford to put another extremist—and he is way out of the mainstream—in my increasingly conservative, Republican State. He is way out of the mainstream among lawyers, way out of the mainstream among judges, and way out of the mainstream as a citizen. We can't afford to put another extreme judge on the court who will not defend Americans' right to healthcare.

We know there have been a number of times this body has refused to take away the consumer protections for pre-existing conditions. We remember the vote late at night when we defeated the repeal of the Affordable Care Act. We know that all kinds of Republican candidates who were victorious went on television and said they were going to defend the consumer protections for preexisting conditions. We heard that over and over.

Why did we hear that? Even though that was not their position a few months earlier, in the cases of a lot of them, we heard it because they knew how popular it was and how much the public cared about the consumer protections for preexisting conditions. In a moment, I am going to share some letters from Ohioans who make the point that even though, this year, Republican candidates thought it was all OK to say we are going to preserve pre-existing conditions, a vote for Judge Readler is exactly the opposite.

Don't go home and say you support consumer protections for preexisting conditions and then vote for a judge who has a history of wanting to take that right away and who will now have a lifetime appointment and get another

chance to likely take away the protections for preexisting conditions.

Let me share a few letters from people.

A man from Sandusky wrote to me about how the marketplaces that were created by the Affordable Care Act helped him to start his own business because he had a way to purchase insurance. He was later diagnosed with lung cancer. He wrote: "I am watching the dismantling of the only program available to me with a pre-existing condition that I can afford. I am devastated."

I don't know what Mr. Readler thinks when he reads something like that, but let me give another example.

A woman from Cleveland writes:

Protect real health care coverage for all people with pre-existing conditions. Real people's lives depend on it. My husband's life depends on it.

Chad Readler wants to be a judge. Chad Readler did the President's bidding and the insurance industry's bidding at the Department of Justice. I don't know if he knows these people exist, like the woman from Cleveland or the man from Sandusky. I hope Chad Readler would have gone out and, as President Lincoln said, gotten his public opinion badge by actually listening to how the decisions he makes affect real people.

A woman from Chagrin Falls, which is a fairly wealthy suburb of Cleveland, wrote:

I've been a cancer patient since 2011. If pre-existing conditions are no longer covered, I—along with countless others—will probably be screwed.

A mother from Waynesville, OH, wrote:

My family has lived every day worrying about the ACA being dismantled. We have a son who was born with a neurological condition before the ACA.

We lived in constant fear of medical caps and pre-existing conditions.

Just putting Chad Readler on the bench increases people's anxiety. Is Congress going to take away the Affordable Care Act? Is Congress going to wipe away those protections for pre-existing conditions? If Congress isn't, are judges going to do that? No wonder people are so anxious about that.

A woman from Fairborn writes:

I previously lost health insurance from a possible preexisting condition and now, being a 2-time cancer survivor, I'm scared of losing coverage again.

The security of having insurance since the ACA allowed me to sleep at night and focus on my health.

My editorial comment on her comments is to focus on her health, not on whether she loses her coverage.

It is unimaginable that politicians want to deny so many Americans access to health insurance and quality of life.

Senator MURRAY and I sat and watched a bunch of mostly men on the other side of the aisle cast their votes—all who had good health insurance—to take away insurance for millions of Americans and for hundreds of

thousands in my State and to take away their consumer protections for preexisting conditions.

A mother from New Albany writes:

My daughter had two autoimmune diseases by the age of 6—SIX. That means her entire life she will be a "preexisting condition." But she isn't just a label. She is a person. Please protect my baby. She already deals with enough.

I mean, hear the passion in that letter, the strong feelings in that letter, the cries for help in that letter. Yet this body may be about to put on the Sixth Circuit, in a lifetime appointment, someone who clearly doesn't care about people like them.

Another woman from Hillsboro writes:

We are a family of pre-existing conditions and survive because we have insurance that we can afford. My husband works long, hard hours and has to work 60 hours a week for us to make it. I'm a teacher. I work about 18 out of 24 hours a day but make \$40,000 a year. We can't work any more than we already do.

Again, these are people who are working hard and who are doing everything right. They didn't ask to be sick. They didn't ask for their healthcare costs to go up. Are we going to put somebody on the court who wants to take away the consumer protections for people like this lady from Hillsboro?

These Americans work hard. They pay their premiums. Many of them deal with all that comes with caring for a child or a family member who has a chronic condition. How can Members of Congress and how can this President—all who have good insurance paid for by the taxpayers—stand by and allow activist, partisan judges to dismantle these protections that Americans rely on?

It is bad enough that so many Members of Congress want to take away these consumer protections. Now it is unelected judges the American public really doesn't know, and this body is about to put one more of them on the court, even more extreme and younger than so many other of these judges.

We can't afford another judge on the courts who will vote to take away Americans' healthcare, who will vote to take away Americans' voting rights, who will vote to take away Americans' civil rights.

I ask my colleagues to vote no on Chad Readler for the Sixth Circuit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleague from Ohio for his statement and his concerns, and I am here today to join him on the floor to oppose Chad Readler's nomination to the Sixth Circuit Court of Appeals.

I call on every Republican who said they were going to fight for families' healthcare coverage, protections for people with preexisting conditions, to prove they meant it by joining us.

I have heard my Republican colleagues claim time and again that they care about protections for people with preexisting conditions. I have heard

them say they want to tackle those skyrocketing healthcare costs. I have heard them say they want to help people get the care they need, but when push comes to shove, I have yet to see them join Democrats and actually vote to make that happen. In fact, they do have a long track record of working to move us in exactly the opposite direction.

People across the country have not forgotten how they had to speak up and stop Republicans from jamming through that awful TrumpCare bill, which would have spiked premiums and gutted Medicaid and put families back at the mercy of big insurance companies that could jack up prices for people with preexisting conditions.

Those people also will not forget if Republicans decide to ignore them again and rally around this judicial nominee, who wants to do the same damage.

Let's be clear. Chad Readler's nomination is the latest test of whether Republicans are serious about fighting for people's healthcare, and every Republican who supports him is failing yet again.

Make no mistake—Chad Readler has not only championed some of President Trump's most alarming steps, such as his travel ban, his family separation policy, his efforts to undermine protections for LGBTQ people and more; he has also been President Trump's right-hand man when it comes to undermining healthcare for people in this country.

When the Trump administration decided to abandon protections for people with preexisting conditions in court and throw its weight behind a lawsuit that would strike them down, Chad Readler signed on to the brief defending the decision. It is a brief that three other Justice Department officials refused to sign, and one even resigned over it. But Chad Readler led the Trump administration's legal argument for striking down protections for people with preexisting conditions, which will increase costs and throw healthcare for millions of people into utter chaos.

It was an argument one of my Republican colleagues, as you just heard, called "as far-fetched as any I've ever heard." I agree. It is farfetched, which is why it is also farfetched for any Republican who votes to confirm Readler to continue pretending they care about protections for people with preexisting conditions or helping families get affordable healthcare.

The choice, to me, is pretty simple and straightforward. You cannot be for protections for people with preexisting conditions and for making someone who wants to strike them down a circuit judge. You cannot fight for families' healthcare and vote to empower the very people who have been leading the charge to undermine it. You can't vote for Readler and stand with those families.

People across the country are watching this vote closely. They know, de-

spite Republicans' promises to fight for their healthcare, when it matters as it does here, when the care they need is truly on the line, Republicans have not come through for them.

I hope that changes today. I hope, instead of breaking their word and voting once more for President Trump's agenda of chaos and healthcare sabotage, they will live up to the promises and join us and people across the country and oppose Readler's nomination.

Before I wrap up, I want to talk about the larger issue here because Readler is not the only alarming judicial nominee from President Trump.

Just this week, in fact, Republicans jammed through Allison Rushing. She is an incredibly inexperienced circuit court nominee who has voiced some incredibly alarming ideological views, especially for women and the LGBTQ community.

Later this week we expect a vote on Eric Murphy. He is another nominee who has taken extreme positions on women's healthcare, from endorsing misinformation by signing on to briefs that cite false—false—claims about women's health to standing in support of laws that were found to unconstitutionally infringe on women's reproductive rights and against laws to increase access to contraceptive care.

People across the country have been absolutely clear that they do not want to see our courts lurch to the far right. They know this is a threat. It is a threat to women. It is a threat to our workers and our families and our environment and so much more.

So Democrats are here. We are going to keep standing up and fighting back every time President Trump and Senate Republican leaders try to move us in that direction, and I hope some Republicans will do the right thing and stand with us.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WYDEN. Mr. President, today, the Senate considers the nomination of yet another unqualified, far-right nominee—Chad Readler, who is up for consideration for a seat on the Sixth Circuit Court of Appeals.

Let me just say at the outset that any whiff of credibility this nominee might have had as a judicial nominee disappears the minute he puts his name on the Trump administration's absurd legal argument that protections for preexisting conditions are unconstitutional.

To get a sense of how ridiculous this argument is, you have to look at a bit of recent history.

In 2012, the Supreme Court ruled that the individual mandate was a tax, that

it was constitutional, and that the Affordable Care Act would stand. For millions of Americans, particularly the ones who wouldn't have to go to bed at night fearing that when they woke up, they could get discriminated against for a preexisting condition, just as in the old days—under the ACA, they wouldn't have to worry about that anymore—it was a joyful day when the court ruled that the Affordable Care Act would stand, but it was a tough day for the Republican strategists who had been so desperate to bring down the law at any cost.

Next, in the process of jamming the Trump tax law through Congress, in late 2017, many Republicans said: Let's bring out our old attacks on the Affordable Care Act. They passed an amendment that said there would be no penalty for those who failed to sign up for health insurance, even though everybody understands that those who have coverage often pick up the bills for those who don't.

Then, in 2018, Republican Governors and attorneys general in 20 States made what was really the silliest legal challenge to the Affordable Care Act yet, and that was in the case of Texas v. United States.

Here, they said they were going to stipulate that the Supreme Court upheld the Affordable Care Act's individual mandate only because it was a tax. Then they said: We establish that the Trump tax law dialed the penalty associated with violating the individual mandate down to zero. At least that had a kernel of accuracy.

Let me describe how they got into the backbreaking legal acrobatics next. They argued that because there is no penalty associated with violating the individual mandate, it is no longer a tax and somehow it has become unconstitutional. Finally, they argued that since the individual mandate is unconstitutional, the whole Affordable Care Act is unconstitutional and ought to be thrown out the window.

My own take is that if you were a first-year law student, you would get a failing grade for that kind of work on constitutional law, but let's stick to the history.

The Justice Department has an obligation to defend the laws of the United States. It is a quaint idea, but that is the role of the Justice Department—defending the laws of the United States in court.

The Trump administration, however, said: Who cares? It doesn't matter. And they sided with officials who shared their view.

In fact, the Trump Justice Department focused this attack specifically on the Affordable Care Act protections for preexisting conditions. It said that the mandate was inseparable from two key protections in the law, which therefore ought to be struck down: the rule that bars insurance companies from denying coverage due to preexisting conditions and the rule that bars insurance companies from jacking

up premiums based on preexisting conditions.

Here is a little bit of a recap. A group of officials on the far right, who were out of good cases to bring against the Affordable Care Act, said: Hey, let's try bringing a bad case. At the President's direction, the Trump Justice Department decided not to fight but, rather, to take part in this preposterous attack on the law of the land.

To the incredible distress of millions of Americans who walk an economic tightrope because they have a pre-existing condition, somehow the Trump people got a Texas judge to rule in their favor. Fortunately, the ACA protections remained in place while the case worked its way through the courts.

There are colleagues here in the Senate, on the other side of the aisle, who have objected to what the Justice Department did. Our friend Senator ALEXANDER, a Republican from Tennessee, who knows a little bit about healthcare, said: "The Justice Department argument in the Texas case is as far-fetched as any I've ever heard."

Senator LAMAR ALEXANDER is a Republican from Tennessee, chair of a key committee, and works with us on the Finance Committee. The Justice Department's argument, according to Senator ALEXANDER, is just light years from a reasonable and rational position.

Then the Trump administration went ahead and threw out centuries of Justice Department tradition—honored by Republicans and Democrats—of defending laws as long as there is a nonfrivolous argument in their favor. They didn't decide to throw out that vital legal tradition in a case involving some obscure, out-of-date statute. In effect, they chose to debase the Justice Department and undermine the rule of law in order to attack protections for preexisting conditions.

Chad Readler is the Trump appointee who stepped up and said: Sure, you can put my name on that legal brief. So what Chad Readler was essentially saying is that it was just fine with him to go back to the days in America when healthcare was for the healthy and wealthy. That is really what you had if you allowed discrimination against those with preexisting conditions again. If you are healthy, there is nothing to worry about. If you are wealthy, you can write out a check and cover the payments for a preexisting condition and the health services you need.

Make no mistake about it—by putting his name on that legal brief, what Chad Readler was interested in doing was taking America back to yesteryear when the insurance companies could beat the stuffing out of somebody with a preexisting condition and find every manner of reason not to get them affordable care.

People were stuck in their jobs because of something called job lock, where they couldn't move to another company, even when they got a pro-

motion, because they wouldn't be able to get coverage. That is what Chad Readler wanted to inflict on Americans.

The case he worked on was so obviously political and meritless that three career Justice Department attorneys withdrew from it. One senior official, an individual who had been praised for 20 years of extraordinary service, actually resigned. Mr. Readler said that was OK with him too.

He said: We will take America back to the days when healthcare was for the healthy and wealthy. I don't really much care that senior officials—non-political officials in the Department—are leaving because this was such an extreme way to handle this case. Mr. Readler said that all of this was OK and that he would be the public face of attacking basic protections for 133 million Americans with preexisting conditions.

On the very same day, the President announced his nomination to sit on the powerful Sixth Circuit. That is a lifetime appointment on the Federal bench, an extraordinarily important position.

If there is somebody following the nomination at home, you just might ask yourself: Doesn't that sound look a quid pro quo?

I am the ranking Democrat on the Senate Finance Committee, where we pay for much of American healthcare—Medicare, Medicaid, the children's health program, tax credits available under the Affordable Care Act, and we have the tax exclusions available to employers. On that committee, on which the Presiding Officer is a new member, you get a chance to review the credentials of lots of individuals who are involved in these decisions in which the Finance Committee is really faced with the question of how to make the best use of what is really \$2 trillion, or thereabouts, of healthcare spending, and I will tell you, in this area, it is so important to protect people with preexisting conditions.

The Trump administration just seems to have, with one nominee after another, an inexhaustible supply of far-right pretenders—persons who claim they will be for protections for preexisting conditions, only to turn around quickly and fight to take them away. So it ought to be clear that this isn't a routine nomination. Chad Readler thinks insurance companies should be able to deny care with people with preexisting conditions.

Colleagues, if you vote for Chad Readler, you are casting a vote to endorse the position of turning back the clock and rolling back time to the days when insurance companies could discriminate against those with a preexisting condition.

If Mr. Readler's history began and ended with the legal brief attacking preexisting protections, in my view, that would be disqualifying, but there is more.

He signed the Trump Justice Department legal brief green-lighting dis-

crimination against LGBTQ Americans in the Masterpiece Cakeshop case. He defended the transgender military ban. He defended the Muslim ban. He defended family separation at the border.

I am just going to close by way of saying that I think this nomination is a byproduct of what happens when the Senate abandons a long-held practice of consulting with home State Senators on nominees.

Since the early 1900s, it has been a tradition for the Judiciary Committee to seek input from Senators on judicial nominees from their home States. Lower court nominees traditionally don't move forward until those home State Senators give the green light. They do so with what are called blue slips.

In this case, the nominee is from Ohio, and the majority leader, MITCH MCCONNELL, is in the process of blowing up that tradition and moving this nominee over Senator BROWN's objection.

In 2009, when Republicans were in the minority, MITCH MCCONNELL and all of his colleagues fought to protect the blue-slip tradition. They wrote everybody in sight to protect it—President Obama, Senator LEAHY.

They wrote: "We hope your administration will consult with us as it considers possible nominations to the Federal courts from our states."

So they made it very clear a few years ago that they strongly supported this, but here they are blowing up a century-old tradition of bipartisanship on judicial nominees after defending it.

This issue came to a head last year, when the Senate took up the nomination of Ryan Bounds to the Ninth Circuit, despite objections from my Oregon colleague, Senator MERKLEY, and me.

We were able to block that nomination. It was the right thing to do. This was a nominee who we felt had not been straight with our judicial selection committee. As Oregon's senior Senator, I had been dealing with these nominees—Democrats and Republicans—for years, but our judicial selection commission had never felt so misled. Senator MERKLEY and I led the fight, and we were successful in defeating that nominee.

Now the White House still wants, apparently, this body to act as a rubberstamp and just approve one nominee after another without any questions.

I want my colleagues to understand that by moving this nomination forward, they are going to be responsible for creating a new reality—in effect hot-wiring the process for considering judicial nominees in a way that will take us back again to a more partisan approach.

The bipartisan blue-slip process has worked for over a century. What is going on now would end it. This is a breach of bipartisan protocol that has further driven the judiciary to a partisan extreme.

Following these actions by the Trump administration and the majority, I seriously question, if you continue this, whether the current structure of the courts is going to survive.

Colleagues, Chad Readler does not deserve a lifetime appointment to the Sixth Circuit. The moment he put his name on the Trump administration's absurd legal attack on protections for preexisting conditions, he revealed that he was going to be partisan all the way and, on top of that, that he was going to exercise poor judgment. He has been a defender of discrimination in multiple forms. He has defended the indefensible abuse of vulnerable migrant families at our border. At this point, he cannot claim to be close to the standard of impartiality and evenhandedness that a Senator ought to expect from any judicial nominee.

I intend to vote against Chad Readler. I urge my colleagues to join me.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, today I rise to oppose the nomination of Chad Readler to the Sixth Circuit Court of Appeals.

I remember the 2018 campaign season, when so many Republicans suddenly became the world's most passionate defenders of patients with preexisting conditions. They told voters that never ever could they even imagine doing anything that would weaken the protections that stop health insurance companies from discriminating against people with preexisting conditions.

Whether they be breast cancer survivors or children born with birth defects or any of the tens of millions of Americans who manage chronic conditions like diabetes or depression or high blood pressure, well, Americans are about to find out whether my American colleagues meant a word of what they said on the campaign trail. Americans will soon see whether Republicans stand up for patients with preexisting conditions or vote to confirm Chad Readler to the Ohio Sixth Circuit Court.

This nominee's record of threatening patients with preexisting conditions is not up for debate. Chad Readler was the mastermind behind the Trump administration's effort to strip away the core of the Affordable Care Act—the principle that health insurance companies cannot deny coverage or kick a patient off their policy just because of their medical history.

On the campaign trail, President Trump spoke of protecting Americans with preexisting conditions, but we now know that was just another lie.

Apparently, it wasn't enough for this administration to stop defending the Affordable Care Act in court; the President sought to attack it in court. Initially, the Trump administration struggled to find someone at the De-

partment of Justice willing to take on this cause. In fact, three separate career attorneys at the Justice Department refused to argue the administration's position in court. One employee even resigned.

Chad Readler, the nominee we are voting on today, was more than happy to take on this cruel and unjust cause. He became the chief architect of the Trump administration's legal brief, challenging the very constitutionality of the Affordable Care Act's protections for people with preexisting conditions. In other words, Chad Readler's legal brief took the administration's effort to sabotage the Affordable Care Act to a whole new level, threatening to bring us back to a time when health insurance companies didn't have to cover cancer survivors, or individuals with substance abuse disorder, or anyone who has ever faced, ever confronted a health challenge in their life. How does President Trump reward Chad Readler for leading this assault on patients and their families? Well, the day after he filed this reckless and morally repugnant legal brief, the President nominated him to serve on the Sixth Circuit.

Now, let me tell you, I spent a lot of time crisscrossing New Jersey over the past year, and I don't think I met a single constituent who came up to me and said: Senator, what my family really needs you to do is once again let health insurance companies deny us care. On the contrary, I heard from and continue to hear from New Jerseyans who depend on these protections. They can't even believe this is still an issue.

Last summer, I spoke with a woman from Highland Park named Ann Vardeman who told me she was diagnosed with PTSD after surviving a sexual assault. Ann told me that health insurers shouldn't be able to "charge me more for something that is a horrible thing that happens to millions of people in this country through absolutely no fault of their own." Indeed, without the Affordable Care Act, there would be no Federal health protections for survivors of sexual violence like her.

Perhaps one of my constituents—Anne Zavalick of Middlesex, NJ—said it best when she wrote about her battle against bladder cancer. She wrote:

It is crucial that I continue to receive scans to make sure there is no recurrence of the cancer. . . . If I don't have coverage for preexisting conditions, I will go bankrupt. . . . Then I will probably die. So, yeah, this is kinda super important to me, personally.

It should be personal to all of us. Everyone in this body should take it personally when this administration attacks protections that 130 million Americans rely on for their health and financial security.

People remember what it was like before the Affordable Care Act, and they don't want to go backward. They remember how a woman could be denied coverage for maternity care or charged higher premiums simply for being a

woman. Today, being a woman is no longer a preexisting condition. They remember how infants born with heart deformities could hit lifetime caps within days of being born. Today, families don't have to worry about lifetime caps. They remember how cancer survivors and Americans with chronic conditions like diabetes or asthma lived in fear of being denied coverage or dropped from their policies at a moment's notice.

Today, patients are protected from discrimination, but they will not be if the courts side with Chad Readler's shameful arguments on behalf of this administration.

This issue is personal for millions of Americans across our country—from 3.8 million in New Jersey, to 4.3 million in Georgia, to 4.8 million in Ohio, Mr. Readler's home State. All told, 130 million Americans with preexisting conditions may suffer the consequences of Mr. Readler's assault on the Affordable Care Act. These Americans are not Democrats or Republicans or Independents; they are human beings with a right to access affordable, quality healthcare.

Does this Senate really want to reward someone largely responsible for endangering the coverage our constituents depend on with a lifetime appointment to the Sixth Circuit Court of Appeals? I sure hope not. That is not the kind of judgement we want on any court.

Last fall, we heard a lot of talk from Republicans about protecting people with preexisting conditions. We know that actions speak louder than words, and it is action that we need right now. We need every Member of this body to stand up for the right of all Americans to get quality healthcare coverage. We need every Member of this body to stand up for the proposition that Americans cannot be discriminated against in their healthcare coverage because of a preexisting condition. We need every Member of this body to vote against the nomination of Chad Readler for the Sixth Circuit Court of Appeals.

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

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

DECLARATION OF NATIONAL EMERGENCY

Mr. DURBIN. Mr. President, if you ask the Trump administration about their highest spending priority in terms of their budget, it is pretty clear—national defense. Over and over, the President has asked and Congress has voted for more money for America's military for operations, readiness, and investment across the board. I don't think there is any question that the votes reflect the bipartisan commitment to our military and the belief