

to hike premiums 15 percent without justification.

In June and August, they expanded access to Association Health Plans and what are called short-term plans, which we also call junk health plans because they are a lot cheaper, but they don't cover much, and people don't realize that until they get sick. These plans don't have to cover prescription drugs or mental health or maternity care.

By the way, as the person who led that fight in the Senate Finance Committee, I can tell you that the vast majority of insurance plans prior to the Affordable Care Act did not cover maternity care and prenatal care, which is pretty basic as part of healthcare for women. Remember when being a woman was considered a preexisting condition? That is what we meant. These plans are bringing that back, which means if you are a woman, you have to pay more to be able to get basic healthcare, and that is wrong. We did away with that 10 years ago.

In July, the Trump administration slashed funding for programs that help people enroll in health insurance coverage and began steering people toward the junk plans. So instead of giving people information through healthcare.gov and encouraging people to find out what would be the cheapest plan that would be effective and cover what they need, they made it harder to sign up for comprehensive coverage and pushed people toward these junk plans.

In October, the Centers for Medicare and Medicaid Services announced that healthcare.gov would be shut down for 60 hours during open enrollment season for "maintenance," so you couldn't even get online to be able to sign up for more affordable, comprehensive insurance that actually would cover things you and your family need.

In November, the Trump administration released information for States on how they could use waivers to undermine consumer protections. Consumer protections are things like not getting dropped if you get sick. Prior to the Affordable Care Act, so many times people said to me: I have paid for insurance all my life and never needed it. I finally need it, and I got dropped after I got sick. What do you mean it only covers 1 day in the hospital or doesn't cover maternity care? What do you mean the insurance company can cap the number of cancer treatments I need? Isn't that up to my doctor?

Well, it is now, and it has been under the Affordable Care Act. Instead, we are in a situation where they are trying to get States to waive consumer protections and put decisions back in the hands of insurance companies.

Thanks to all of this sabotage, it is estimated that comprehensive health insurance costs 16.6 percent more this year than it otherwise would.

Madam President, I ask unanimous consent to complete my statement, which will be about 2 minutes.

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

Ms. STABENOW. Thank you very much.

It is estimated that comprehensive health insurance costs 16.6 percent more this year than it otherwise would because of all of this sabotage, upheaval, and chaos in the healthcare markets.

In case those sabotage attempts were too subtle, last week the Department of Justice announced that it agrees—the Trump administration now agrees with the Federal judge in Texas who said that the entire Affordable Care Act must be struck down. There would be no more coverage for preexisting conditions, no more consumer protections, no more capacity to have your child on your insurance until age 26, no more capacity to be able to expand what we are doing for minimum wage workers, et cetera.

In other words, if they can't take away your health insurance through the legislative process, they are trying to do it now through the courts, which also goes to what is happening now in terms of changing the rules so they can more quickly put judges through and pack the courts with folks who will agree with taking away people's healthcare.

What is the Republican alternative to the ACA? Unfortunately, these folks still don't have one. Don't worry. President Trump now says that he is going to have a "really great" healthcare plan after he is reelected in 2020. Just wait.

By the way, to emphasize the fact that Senate Republicans support what President Trump is doing, they passed a budget resolution out of committee last week through a partisan vote—only Republican votes—that includes repeal of the Affordable Care Act with no replacement in place.

In the meantime, the Affordable Care Act could be struck down by the courts, and more than 20 million people who gained health coverage through the Affordable Care Act could be out of luck.

Let me say, in conclusion, that just this week I heard from one of those 20 million people. Lisa from Norton Shores graduated with a marketing degree in the middle of a recession and worked a low-wage job at the local hospital for 8 years. When a part-time, temporary job opened up at a local marketing agency, the Affordable Care Act allowed Lisa to take the job and get the experience she needed for a career in her field. She was able to get healthcare separately from her job. That job led to another marketing job with a local company—this one with benefits.

A few years later, the original marketing agency offered Lisa a full-time job. Once again, the ACA allowed her to take it. Lisa wrote this:

It was only through the Affordable Care Act that I have been able to pull myself up to be a contributing member of society. It has allowed me to rise to my capabilities.

She added that if the ACA is overturned, "I will have to leave this job

for a position that includes health insurance. It would kill this awesome small business I work for. . . . This will be a top priority for me when I vote in 2020."

Lisa and millions of other people are sending a message. The only question is, Are folks listening?

Thank you.

I yield the floor.

#### KESSLER NOMINATION

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Kessler nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Maine.

#### CLOTURE MOTION

Ms. COLLINS. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

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

#### CLOTURE MOTION

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

The senior assistant legislative 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 Roy Kalman Altman, of Florida, to be United States District Judge for the Southern District of Florida.

Mitch McConnell, Johnny Isakson, Roger F. Wicker, Chuck Grassley, John Boozman, John Cornyn, Mike Crapo, Shelley Moore Capito, Pat Roberts, Roy Blunt, Deb Fischer, David Perdue, Todd Young, John Thune, Rick Scott, Mike Rounds, Marco Rubio.

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

The question is, Is it the sense of the Senate that debate on the nomination of Roy Kalman Altman, of Florida, to be the United States District Judge for the Southern District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 66, nays 33, as follows:

[Rollcall Vote No. 60 Ex.]

#### YEAS—66

Alexander	Burr	Cortez Masto
Barrasso	Capito	Cotton
Blackburn	Cardin	Cramer
Blunt	Cassidy	Crapo
Boozman	Collins	Cruz
Braun	Cornyn	Daines

Duckworth	Jones	Rounds
Durbin	Kaine	Rubio
Enzi	Kennedy	Sasse
Ernst	Lankford	Scott (FL)
Feinstein	Lee	Scott (SC)
Fischer	Manchin	Shaheen
Gardner	McConnell	Shelby
Graham	McSally	Sinema
Grassley	Moran	Sullivan
Hassan	Murkowski	Tester
Hawley	Perdue	Thune
Hoeven	Portman	Tillis
Hyde-Smith	Risch	Toomey
Inhofe	Roberts	Warner
Isakson	Romney	Wicker
Johnson	Rosen	Young

## NAYS—33

Baldwin	Hirono	Reed
Bennet	King	Sanders
Blumenthal	Klobuchar	Schatz
Booker	Leahy	Schumer
Brown	Markey	Smith
Cantwell	Menendez	Stabenow
Carper	Merkley	Udall
Casey	Murphy	Van Hollen
Coons	Murray	Warren
Gillibrand	Paul	Whitehouse
Heinrich	Peters	Wyden

## NOT VOTING—1

Harris

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 33.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Roy Kalman Altman, of Florida, to be United States District Judge for the Southern District of Florida.

Mrs. FEINSTEIN. Mr. President, I understand the majority is considering another change to how judicial nominees are considered.

My understanding is the majority leader may move to break the rules of the Senate and cut the time that Senators can debate nominees after cloture is invoked from 30 hours to 2 hours.

Just yesterday, the Senate rejected this change. The Lankford resolution was voted on and did not receive 60 votes, let alone the 67 votes required to change the rules.

The resolution would also have changed postcloture debate time on circuit court and Supreme Court nominees from 30 hours total to 30 hours divided between the majority and minority leaders or their designees. This means debate on a Supreme Court nomination could be limited to only 15 total hours of debate.

Despite bipartisan opposition to the Lankford resolution, the majority is now considering limiting debate time by breaking longstanding rules of the Senate.

Changing the rules is not only unnecessary, but also is dangerous, especially when we are talking about lifetime appointments. Further, given this administration's failure to properly vet its own nominees, the Senate should not restrict critical vetting and due diligence.

There is simply no need to limit debate on President Trump's judicial nominees. In fact, President Trump's

judicial nominees have been confirmed at a record pace.

Through his first 2 years in office, President Trump had more circuit court nominees confirmed than any other President had at the same point in their tenure—30 total. That is on top of two Supreme Court Justices and 53 district court judges.

Further, the current administration's circuit court nominees have been confirmed nearly twice as fast as President Obama's, 256 days for President Obama's nominees versus 139 days for President Trump's nominees.

The rules change is also unnecessary because Senate Democrats are in no way obstructing confirmations. Senate Democrats have not required cloture votes on more than half of President Trump's district court nominees.

On average, the Senate has used only 3 hours of floor time for debate on President Trump's district court nominees.

In addition, a higher percentage of President Trump's district court nominees have been confirmed by voice vote as compared to President Obama's district court nominees, 49 percent versus 35 percent. In other words, Senate Democrats have not required the majority to hold rollcall votes on nearly half of President Trump's nominees to the Federal district courts.

Finally, Democrats have worked with the Trump administration to identify qualified judicial nominees.

For example, Delaware's two Democratic Senators, Senators CARPER and COONS, worked with the White House to identify two qualified nominees to be judges on the U.S. District Court for the District of Delaware.

Senators DURBIN and DUCKWORTH of Illinois worked with this administration to identify two highly qualified nominees to be judges on the U.S. Court of Appeals for the Seventh Circuit. Both of those nominees were confirmed unanimously.

In addition, we are right now in postcloture time on the nomination of Roy Altman to the Southern District of Florida. Several Democrats voted for Mr. Altman in committee, and Democrats have not demanded a full 30 hours of debate time on Mr. Altman's nomination.

Despite all of this, Republicans are nevertheless breaking the rules and pushing the Senate closer to a body that is governed simply by the whim of the majority.

All of this leads to an unmistakable conclusion—shortening debate time is unnecessary. It is a response to a non-existent problem, and it is simply a power grab meant to stack the courts at an even faster rate.

It is also important to stress why it is so dangerous to allow the Trump administration to stack the courts in this way, without adequate debate time.

We have seen this administration fill lifetime positions with young, inexperienced nominees who are often outside the legal mainstream. We have seen

them try to do this without properly vetting those same nominees, as in the case of Brett Talley, who failed to disclose to the Judiciary Committee nearly 15,000 online comments, including one in which he defended the founder of the KKK.

The Senate needs sufficient time to scrutinize the records of these nominees—nominees like Matthew Kacsmaryk and Patrick Wyrick, who have led efforts to undermine the Affordable Care Act; nominees like Brian Buescher, who has argued that States should go after women's reproductive rights “bit by bit”; and nominees like Wendy Vitter, who refused to acknowledge that *Brown v. Board of Education* was correctly decided and who falsely claimed there is a connection between the use of contraceptive pills and the incidence of cancer.

Two hours is simply not enough time to scrutinize these nominees' records, especially when so many of this administration's judicial nominees fail to disclose materials to the Judiciary Committee.

In conclusion, all Senators, and not just those on the Judiciary Committee, need adequate time to review the records of these judicial nominees, who, if confirmed, will serve for life.

All Senators need adequate time to make an informed decision about whether these nominees are qualified to decide the fate of thousands of people's lives. After all, the American people deserve to know that, if they find themselves in a Federal court, they will have an impartial, qualified, mainstream jurist who has earned the right to sit on the bench.

This decision to break the rules and reduce debate time on judicial nominees not only harms the institution of the Senate, but also harms the Federal judiciary.

The PRESIDING OFFICER. The majority leader.

## POINT OF ORDER

Mr. MCCONNELL. Mr. President, I raise a point of order that the postcloture time under rule XXII for all judicial nominations, other than circuit courts or Supreme Court of the United States, is 2 hours.

The PRESIDING OFFICER. Under rule XXII of the Standing Rules of the Senate, the point of order is not sustained.

## APPEALING RULING OF THE CHAIR

Mr. MCCONNELL. I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.