

in Oregon and 37 percent in Virginia. They face premium spikes as high as 43 percent in Iowa and 45 percent in New Hampshire. In Tennessee, the State's largest health insurer is planning additional rate hikes that are even higher than the 36.3 percent implemented just this past January.

Remember, this is the same law whose champions promised it would make health care more affordable for American families. But nearly half of all Americans reported increases in their insurance premiums, and more than a third reported increases in copays and deductibles in the past 2 years.

Consider this dad from Jackson, KY, who learned that his insurer would no longer offer his current plan as a result of ObamaCare. He said that the most inexpensive replacement plan would be an 80-percent increase over his current monthly premium. "This ill-conceived health care reform," as he put it, "is going to be the end of good-quality care for the whole nation unless it is repealed and replaced." That is from Jackson, KY.

Part of the reason insurers are seeking such dramatic premium rate increases is to help cover the losses they have experienced as a result of the unworkable policies of ObamaCare. Some are pulling out of the exchanges altogether. Several States and hundreds of counties now only have a single insurer to pick from in the ObamaCare exchanges—just one, no choices.

That is true in parts of Kentucky, too, and it is terrible for consumers. What if these sole insurers pull out of the exchanges? An administration official couldn't rule out that possibility, and it doesn't appear they have a serious plan to deal with it either. The administration hardly ever seems to have an ObamaCare answer that doesn't boil down to this: more money from taxpayers.

Look, this is not a law that is working. This is not a law that is fair. This is a partisan law that is a direct attack—a direct attack—on the middle class.

The Democratic leader recently said that Americans just need to "get over it"—just get over it—"and accept the fact that ObamaCare is here to stay." ObamaCare, he says, is "doing so much to change America forever." Maybe Democrats think the middle class should just get over double-digit premium increases. Maybe Democrats think it is funny that millions of Americans lost their plans because of ObamaCare.

Republicans think we should work toward better care instead. That is why we recently passed a bill to repeal ObamaCare and start over with real care. ObamaCare may be changing America, but this partisan law's attacks on the middle class do not have to go on forever, as the Democratic leader would like. We can give our country a new and better beginning.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, my friend, the Republican leader, continues to complain about ObamaCare. This has been the mantra of the Republicans since it passed. But the true facts are these: ObamaCare has reduced the number of uninsured to the lowest rate since we have been keeping records in America. The uninsured are going down, not up. People are healthier now as a result of being able to go to the doctor or the hospital when they are hurt or sick.

Now, we talk about ObamaCare in a vacuum. What was going on before ObamaCare? Insurance companies ravaged the American people. The people who were fortunate enough to have health care had to be aware that at any given time they could have their insurance canceled. If you were disabled, there was no insurance. But that isn't all. If you had a prior malady of some kind—if you had cancer, if you had diabetes—you couldn't get insurance—but not anymore. Under ObamaCare you cannot be denied insurance for any condition.

They used to charge women more than men—for no reason, except that some statistical analysis had taken place in some dark room by a guy with green eyeshades who determined that maybe, statistically, women cost a little more than men. They can't do that anymore.

I am always so stunned by this mantra: "We have to replace it." With what? It has been 7 years. With what? The Republicans have come up with nothing.

So, in short, is ObamaCare perfect? Of course not. Could we improve it? Yes, we could. But it would be nice to have a little cooperation from the Republicans. They are unwilling to do anything other than complain.

FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, again the senior Senator from Kentucky complains about the fact that the most senior member of the Senate, the ranking member of the Judiciary Committee, Senator PAT LEAHY, is going to have a meeting today, and he has invited all the Judiciary Committee members to come—Democrats and Republicans. He has invited all Senators to come because he is going to have some witnesses testify about the importance of having a Supreme Court that is full of Justices—all nine. So that means full.

Republicans won't come to that hearing, meeting. Call it whatever you want. They won't be there. No, they are blocking that, obstructing that like they have everything else.

The American judiciary is in trouble, and that is why the ranking member of the Judiciary Committee is having this meeting today. To do its work, the U.S. Supreme Court needs nine Justices—not eight, not seven, but nine. But because of Senate Republicans' refusal to consider a senior judge on the DC Circuit—the second most influential court in the land—Merrick Garland, the Court is in trouble. The Court is short-staffed. The Court doesn't have enough people to do its work. People—we are talking about one person who has so much control over what goes on in the Supreme Court. But that person is not there.

In recent weeks, the Supreme Court has deadlocked on many important cases and questions before it. For example, the day before yesterday, the Justices punted on two more cases, remanding both to lower courts. These actions were a clear indication the Court was tied 4 to 4. Due to the wisdom of the people on that Court, they decided it would be better, since they could not write the decision, to send it back to the lower courts and see if they could help work out the problems.

Not having nine Justices is a serious problem. As was written yesterday in a New York Times editorial: "Every day that passes without a ninth Justice undermines the Supreme Court's ability to function, and leaves millions of Americans waiting for justice or clarity as major legal questions are unresolved."

Litigants take their cases to the Supreme Court in search of justice. It often takes years to get to that Court. They seek resolution. They seek clarity, but because of Republicans' unprecedented obstruction, Americans have gained neither. They are not getting clarity, they are not getting resolution, and they are not getting justice. The problem is only going to worsen, and that is the sad part of it. Already, the stalemate has created long-term issues for our Nation's highest Court.

This term, eight Justices on the Court have agreed to hear only 12 cases its next term, which begins in October through January 2017. If the Court continues to accept or, I should say, not accept cases at this glacial pace, the next term will have Justices hearing fewer cases than has been heard by that Court in more than seven decades, 70 years. It stands to reason that Chief Justice Roberts and his colleagues are calling cases according to their ability to hear and process them. A gridlocked Court can't accomplish the same work as a fully staffed Court. It is not the Supreme Court's fault. The blame belongs to Senate Republicans for their blocking Merrick Garland's nomination. For 7½ years, Senate Republicans have blocked anything President Obama has proposed. Who is behind this? Rightwing organizations led by the Koch brothers. They want to keep it just the way it is. They want to keep this Court so it can't do its job.

For 7½ years, Senate Republicans have blocked anything President Obama has proposed, including now a new Supreme Court Justice. Now, by preventing the Court from having nine Justices, Republicans are bringing gridlock in the legislative branch to the judicial branch. Previously, for the whole time Obama has been President, they were blocking what has gone on in the legislative branch. They have now broadened that to deadlock the Supreme Court. This is not acceptable. Justice delayed, we have heard, is justice denied, and that is certainly true. By bringing the Court to a standstill, Republicans are denying the justice all Americans deserve.

There is still time for my Republican colleagues to do the right thing—fill the Supreme Court vacancy—but to do that they must begin to process Garland's nomination. His questionnaire is here. It is filled out. It is done. I wonder how many Republicans have even looked at it. Has there been any? Shouldn't there be a hearing? The reason Republicans don't want a hearing is they know that a hearing, public in nature, would show the American people and the world what a good man Merrick Garland is, what a good lawyer he was, and what a good judge he has been, but they have to start processing this. Republicans seem to be refusing anything dealing with him. I think they should attend the meeting today on the Garland nomination organized by Judiciary Committee Democrats, calling on the finest people we can find to tell us what is going on in the judiciary.

My friend the Republican leader brings up Abner Mikva. Abner Mikva hasn't served in Congress in 40 years. He was a lawyer for President Clinton. We have been through quite a bit since then, but he has nothing else to refer to so he talks about Abner Mikva, who was going to come, who is not going to come. Do you think part of it can be he is more than 90 years old? Republicans should attend today's hearing.

The Judiciary chair, Senator GRASSLEY, should proceed with committee hearings. The American people deserve a full and transparent accounting of Merrick Garland's record and qualifications. After a hearing, of course we should move his nomination for a vote on the Senate floor. Every day that passes without confirmation, without a ninth Justice to serve on the Supreme Court, is another lost day for the Federal judiciary and American justice. Republicans claim their obstruction of President Obama's Supreme Court nominee is to give the people a voice, but their actions are doing just the opposite. Republicans are denying the American people the justice they deserve.

For example, take the cases they referred back to the lower courts. They have already done it and litigants have waited years to get before the Supreme Court. Now, in effect, they have to start over. Republicans are denying the

American people the justice they deserve—the justice we thought was guaranteed by the Constitution. So instead of silencing the Supreme Court and gridlocking our entire judicial system, Republicans should give the Court the ninth Justice it desperately needs.

Focus has been on the Supreme Court, and it should be, but Republicans are doing the same thing with trial court judges. The Federal judiciary has many districts that have declared judicial emergencies. They don't have enough judges to do their work. Republicans are in a state of—the only thing they know to do very well is to block things. We, the American people, know we need to do something about the judiciary. Republicans should do their job and give Merrick Garland a hearing and a vote.

Mr. President, my friend from South Dakota is here. I would ask the Chair, prior to the Senator being recognized, to tell us what the schedule is for today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the second half.

The Senator from South Dakota.

ZIKA VIRUS

Mr. THUNE. Mr. President, I would like to take a moment to discuss Congress's efforts to combat the Zika virus. Combating Zika is a public health priority, and it is important that this not be turned into a political issue. The administration and Congress need to work together to combat the virus by funding necessary programs, such as mosquito eradication efforts, before the threat escalates further. Congress has already acted to provide incentives for manufacturers to develop new medicines to prevent or to treat Zika. We have also approved the use of nearly \$600 million to initiate a Zika response effort, including research into vaccines and treatments and improving mosquito control, because the best way to deal with any illness is to stop people from getting sick in the first place. We need to make controlling mosquitos a priority.

I introduced a measure to remove burdensome permitting restrictions on mosquito control efforts so we can immediately free up additional resources to keep the mosquito population in check. A vaccine to prevent the Zika virus isn't likely to be available until next year, at the earliest, which means

our primary weapon in combating Zika right now is controlling mosquitoes so people don't get infected. For that reason, we need to prioritize mosquito control programs and provide immediate regulatory relief.

Aggressive mosquito abatement is the most timely step we can take to keep women and children safe. I am pleased my approach was included in the Cornyn amendment the Senate considered yesterday. I only wish it had prevailed. I am hopeful we can still work with both sides of the aisle to get timely regulatory relief for all impacted industries in the final Zika response package. I believe it is important that if we are going to beat this thing, we do it by eradicating mosquitoes and making it possible for those who are responsible and tasked with that responsibility to be able to do that.

OBAMACARE

Mr. THUNE. Mr. President, back when the President and Senate Democrats were lobbying for passage of ObamaCare, they made a number of promises. The one thing they promised over and over again was that the President's health care plan would lower costs.

"Bringing down costs of health insurance and making it more affordable is job one for this health care reform." That is a quote that was made by the then-Democratic majority whip on the floor in December of 2009. Families will save on their premiums, President Obama pledged that same month. The Affordable Care Act, Democrats made clear, was the solution to the health insurance challenges facing American families. Well, 6 years down the road it is clear the Affordable Care Act was no solution at all.

The President promised that health care reform would reduce premiums by \$2,500 for the average family. Instead, the average family premium for employer-sponsored health insurance rose by \$4,170 between 2009 and 2015. Forty-five percent of Americans report that their health insurance premium has increased over the past 2 years, and 35 percent report that their copays and deductibles have increased over the same period. The President promised that Americans who liked their insurance plan could keep it. Instead, the President's health care law pushed more than 4.7 million Americans off their health care plans.

Then there is the centerpiece of the President's health care law, the exchanges. The exchanges were supposed to offer accessible, affordable health care to those who had struggled to get insurance, but a lot of Americans are finding out the health care offered on the exchanges is neither affordable nor accessible. Last year countless consumers around the country faced massive rate hikes on their exchange plans. One constituent wrote to tell me that her plan would cost \$1,600 a month for