rates based on the efficiencies achievable using existing technology that is commercially available. ''Commercially available'' is defined as any technology with proven test results in an industrial setting. It also must be subcategorized by fuel type. Different fuel types must have different emission rates to be reflective of what is realistic for fuel producers using all available technologies.

Our amendment develops an NSPS for carbon dioxide emissions to protect our environment while also ensuring that the regulations do not excessively burden Hoosier families and businesses that rely on affordable power. The EPA is scheduled to release its updated standards tomorrow. I urge them to make sure that any NSPS regulation is something that reflects existing technology. We must prevent anything that would jeopardize the affordable, reliable energy that allows many Hoosier families—and families and businesses across our country—to make ends meet.

Again, I thank my friend Senator BLUNT for working with me on this issue.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I am pleased to work on this with Senator DONNELLY. This is an amendment which, as he said, requires that we categorize fuel types and that we say what works for various types of fuel as opposed to setting some standard that makes it impossible for other resources we have to be used. It says that the technology has to be commercially available.

We had the Acting EPA Director before the Appropriations Committee earlier this year. I asked the Acting Director: The rule that you are talking about, is this technology available? Can somebody go out and buy this? And the response was something like: Well, parts of it are out there, but nobody has ever quite put it together yet—which, of course, meant that the rule, for the first time ever, set a standard that couldn't possibly be reached.

In States such as ours, Missouri and Indiana, where Senator DONNELLY and I are from, we are more than 80 percent dependent on coal. Some of our constituents are 100 percent dependent on coal. If you do things that raise their utility bills, families know it and their community knows it.

This amendment simply would force the EPA to use common sense when setting standards for any facility. The new source performance standards, based upon emission limits for powerplants, for refineries, for manufacturing facilities, for whatever else they can cover, simply don't meet that commonsense standard. In fact, last March when the proposed rule went out, there were more than 2 million comments. You have to work pretty hard to find this rule, and you have to really be dedicated to read it, and 2 million comments said this won't work. It is so obvious that it won't work.

The rule said that if someone wants to build a coal plant, they have to install carbon capture technology, which according to the rule would add 80 percent to the cost of electricity. It would overstate it a little bit initially, but not very far in the future—if you get your utility bill and multiply it by two, you will be pretty close to what your utility bill would be if the proponents of this rule—if what they say will happen is what happens. What happens if you double the utility bill? How many jobs go away? How many families find themselves in stress?

When cap and trade failed, the President—who had said earlier that under his cap-and-trade plan electricity rates would necessarily skyrocket—when it failed, the President said that was only one way of skinning the cat. Obviously, the EPA is looking for the second way to skin this cat and to impact families. It would make it expensive to do what can be otherwise done in the country. Businesses and households would need to make a decision about that.

What we need to be doing is looking to use all of our resources in the best possible way. More American energy is critical, and we ought to be doing everything we can to see how we produce more American energy, a more certain supply, easier to transition from one fuel to another, not harder, not putting one electric plant out of business and requiring that you build an entire new electric plant. Do you know how you pay for an electric plant? Somebody gives you the authority to pass all that cost along to the people who are served by it. There is no free electricity out there. It makes a real difference.

The most vulnerable families among us are the ones who are most impacted by the higher utility bill. The Bureau of Labor Statistics said that nearly 40 million American households earn less than $30,000 a year, and those households spend almost 20 percent of their income on energy. Do you want to make that 30 percent or 40 percent? Surely that is not the answer for vulnerable families.

If you read the press reports today, the EPA will come out with a rule tomorrow. I hope this amendment becomes part of the law that would make that rule, frankly, make common sense.

The American people want the administration to stop picking winners and losers through regulatory policies. If the Congress wants to have that debate and change the law and do that in the open, that is one way to do it, but I think we all know that American consumers have figured out where this road takes their family, and they don't want to go there.

So I urge support for the amendment Senator DONNELLY and I are working on—common sense and real cost-benefit analysis. New standards that work are essential, not new standards that you know won't work. I am glad to be a cosponsor of this amendment and urge my colleagues to join Senator DONNELLY and me if we get a chance to vote on it as part of this bill.

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. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 1533 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LEAHY. Madam President, are we in morning business?

The PRESIDING OFFICER. Yes, the Senate is in morning business.

TRIBUTE TO WILL GOODMAN

Mr. LEAHY. Madam President, as many of my current and even former staff can tell you, I am fond of saying that I, like other Senators, am merely a constitutional impediment to my staff. But I don't mind being just a constitutional impediment. Mine is one of the finest staffs on Capitol Hill.

Tomorrow my office will say goodbye to Will Goodman, one of the finest. He is going to be leaving for a challenging new opportunity. Will joined my staff in January of 2010 as a legislative fellow from the Office of the Secretary of Defense. We barely got him to his desk and he had to jump right in with both feet and hit the ground running. He was a valuable member of my legislative team, working on that year's debate over the repeal of ''Don't Ask, Don't Tell,'' and the ratification of the New START treaty. Importantly, Will was a trusted staffer, a willing ear, and a source of support as the Vermont National Guard prepared to deploy for Afghanistan.

When his fellowship ended, I was pleased when Will accepted my offer to become my senior defense adviser. In that role, he was instrumental in helping to pass the National Guard Empowerment Act, one of my longtime legislative priorities. Will has been a go-to aid for many Members and their staffs, particularly for the more than 80 Members of both parties of the Senate National Guard Caucus, which I am proud to cochair.

I know that Vermonters appreciate Will's steadfast commitment to the State, to the many veterans who live there, to the Vermont National Guard, and to our State's economic development. He has always been eager to help and has always been a fierce advocate for Vermonters.

After nearly four decades in the Senate, I have had dozens of staffers come

and go, but we like to think they always remain part of what we call the Leahy Family.

Will's own family is growing. He and his wife Marisha and their wonderful son Mark await the arrival of their newest member early next year, though Marcus—as we call him—will be the Big Brother. As his family grows, he is always going to be part of ours.

Marcelle and I wish Will the best.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

HEALTH CARE

Mr. MURPHY. Mr. President, I read the papers down here and across the country. It makes it look as if the issue of whether we are going to move forward with the implementation of the health care bill passed a few years ago is just about politics. It is just a political football that is being tossed back and forth between the two sides.

While the threats are empty, there is no way we are going to pass a continuing resolution that is not going to include funding of this vital health care law, it still gets an enormous amount of play out there. I think it is important for us to come down to the floor and explain to the American people that this issue is not political, that the health care law is not just a piece of paper.

The health care law is a lifeline to millions of families out there across America who have been absolutely drowning in health care costs and an inability to access the system over the past several decades. We did not pass this law to score political points. We did not do it to make ourselves feel good. We did it because we saw almost immeasurable human suffering out on the streets of America to which this place needed to respond.

It is not OK that in the most affluent, most powerful country in the world, about 15 percent of our society has the potential to go to bed sick every night simply because they cannot afford to see a doctor. It is certainly not OK that 50 percent of the bankruptcies in this country historically have been caused by the misfortune of an individual or a family member to get sick.

So I think it is time that when we talk about the implementation of the health care law, ObamaCare, whatever you want to call it, we are talking about consequences that are not political. They are consequences related to life or death.

That is not hyperbole. There are people out there every week dying because they do not have access to our Nation's health care system which, if you can find it, is and can be the best health care system in the world.

The problem is there are far too many people who have no insurance and no way to access it or who are vastly underinsured and cannot get the right access to it. So I just want to talk for a minute about what this is going to mean to our constituents, to your neighbors, and what it would mean if, by some miracle of politics, the tea party gets its way and this bill was no longer the law of the land come next month.

Let me tell you what it already means for a senior citizen who is living on $20,000 a year in New Britain, CT. Today, that senior citizen gets to walk in to their doctor to get a wellness visit. They do not have to pay anything out of pocket any longer. Previously they did. You would think that is not a lot of money. But for someone in Connecticut who is living on a fixed income or somebody in Delaware who is taking home a pretty meager Social Security check every month, the costs escalate when you are just trying to pay your rent or your mortgage, put food on the table, be able to put gas in your car to get back and forth to see your grandkids.

That extra expense of having to pay for preventive costs can actually make a difference.

For those seniors who have pretty high drug costs, one of the worst things this Congress did over the last 10 years was pass a prescription drug bill that had this doughnut hole sitting in the middle of it. If you paid for a bunch of drugs through the Medicare benefit, eventually you would have to start paying out of your own pocket. That could be thousands of dollars that senior citizens don't have.

This health care bill closes the doughnut hole, eliminates half of it almost overnight and then essentially eliminates it over time. That is thousands of dollars in savings for seniors. That is medication that, frankly, a lot of seniors would never have been able to buy but they will now be able to access because of this law.

Those things go away if Republicans get their way and ObamaCare is defunded. All of a sudden, if that happens, tomorrow senior citizens have to pay out of pocket for preventive costs. Seniors who have high drug costs all of a sudden have to go back to paying 100 percent of the cost of generics versus 50 percent, which is what they are paying now.

What about the average family of four who today in Connecticut is paying about $605 a month for health care? Probably the health care plan is not that good to begin with. It probably has some significant holes in it in terms of what it will cover.

If this health care bill is implemented, which it will be, that number goes down from $605 a month to $286 a month for the average family of four in Connecticut.

Let me tell you, the average family of four in Connecticut living in Stamford, Bridgeport, Norwalk, or Norwich, could use that extra $300 in savings to help save for college, to help put a bit more nutritious meal on the table, maybe to pay some back credit card bills. Three hundred dollars is a big deal. That is the big difference this health care bill will make, $605 a month down to $286 in Connecticut. It is a big difference. It is an even bigger difference because the health care plan they are going to get for $286 a month is going to be a good one.

We are going to finally have some standardization when it comes to the benefits you are getting. When you buy the health care plan in Connecticut or wherever you are, you are going to know what you are getting. There is going to be a minimum set of benefits that is going to be covered. You are going to be able to know that when you buy insurance you are getting ambulatory patient services, coverage for hospitalization, coverage for maternity and newborn care, your prescription drugs are covered, lab services, and rehab benefits. Every plan is going to be able to cover these things, but not if the health care law were magically repealed.

All of a sudden people who were counting on that number going from $600 to $300 in Connecticut will be paying $600, probably $700, $800, and they will continue to have to deal with a dizzying array of benefit packages, many of which simply don't measure up to what families need.

What about for Betty Berger? What does this mean for her? She is a constituent of mine in Meriden. She doesn't want anyone to ever have to go through what she went through. She and her husband had health care coverage for themselves and their kids through her husband's plan. Her husband switched jobs. In the week of time between when he was at his first job and his second job, their son was diagnosed with cancer. Her husband's second job identified it as a preexisting condition and effectively refused to cover the son.

The Bergers lost everything. They lost their house, they lost their car, they lost their savings simply because their son was diagnosed with cancer during the 1 week in which the husband wasn't employed. That will never, ever happen again after this bill is implemented. No insurance plan regulated under this bill can deny a family access for health care simply because one of their family members is sick. It is unconscionable that ever happened in this country, and it will not happen again if this bill is implemented. But if the Republicans get what they want and this bill is defunded, if this bill is repealed in that magical fantasy world, the example of the Bergers happens hundreds of thousands of times over across the country.

Lastly, what about the McCullough family, another family in Connecticut?