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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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House of Representatives

The House was not in session today. Its next meeting will be held on Wednesday, September 25, 2013, at 12 p.m.

Senate

TUESDAY, SEPTEMBER 24, 2013

The Senate met at 10 a.m. and was called to order by the Honorable Edward J. Markey, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, supreme source of light and love, as the American people experience jitters because of an impending government shutdown, we look to You, the fountain of wisdom. Give our Senators the wisdom to know what is right and the courage to do it. Lord, thank You for the doors You open to us, providing us with opportunities to accomplish Your purposes. Open for our lawmakers new and wide horizons, leading them to ever-increasing usefulness. Give them the backbone to go through the doors You open, setting aside fears that intimidate and discourage, as they seek to obey Your commands.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Clerk will please read a communication to the Senate from the President pro tempore (Mr. Leahy).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Edward J. Markey, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

Patrick J. Leahy,
President pro tempore.

Mr. Markey thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—MOTION TO PROCEED

Mr. Reid. Mr. President, I move to proceed to Calendar No. 195, which is the continuing resolution.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant bill clerk read as follows:

Motion to proceed to Calendar No. 195, a joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes.

SCHEDULE

Mr. Reid. Mr. President, following my remarks and those of the Republican leader, there will be a period of morning business until 11:15 this morning. The Republicans will control the first half and the majority the second half. At 11:15 a.m. the Senate will proceed to executive session to consider the nomination of Todd Hughes to be a U.S. circuit judge for the Federal Circuit. At 11:45 a.m. there will be a roll-call vote on confirmation of that nomination. Following that vote, the Senate will recess until 2:15 p.m. to allow for the weekly caucus meetings. At 2:15 p.m. we will resume consideration of the motion to proceed to the continuing resolution. Senator Mikulski will make opening remarks at that time, and Senator Cruz will be recognized after her.

Mr. President, on the morning news I hear there will be a filibuster today. I want to disabuse everyone. There will be no filibuster today. Filibusters are to stop people from voting, and we are going to vote tomorrow. Under the rules, no one can stop that. We can advance the time and do it more quickly. We could do that at any time, and I would be happy to make sure we accomplish that, if both sides agree that, in fact, is something we should do. But we are going to vote tomorrow regardless of what anyone says or does today, unless it is a consent agreement to collapse the time, and that vote will occur sometime around noon tomorrow. So I want to make sure everyone understands there will be no filibuster today.

ECONOMIC RECOVERY

Mr. President, for millions of American families, the road to economic recovery has been long, long, and very, very hard. Now, just as the economy...
begins to gain steam, some Republican leaders in Congress seem determined to derail 4 years of progress. They are obsessed with defunding health care. They are pushing us closer and closer to a government shutdown that would tank the economy, and that is an understatement.

The business community is greatly concerned about the impacts of a shutdown on the economy, and middle-class Americans are really upset and concerned about this threat. Yesterday Republican and Democratic leaders in both Houses of Congress received a letter from the Business Roundtable, an association of chief executive officers who employ more than 16 million people. It is reprinted by Democrats and Republicans. The CEOs cautioned us about the economic dangers of a government shutdown. They warned of the catastrophic effects of a first-ever default on the Nation’s debt—the next looming crisis Republicans hope to exploit to their own short-term political benefit. I should say some Republicans.

This is what the Business Roundtable wrote yesterday:

"Failing to reauthorize the basic business of government and adjust the debt limit in a fiscally responsible manner would risk both the immediate and long-term health of the U.S. economy. Even a brief government shutdown would have serious economic consequences and default, however temporary, would be calamitous."

Five years removed from the worst of the Great Recession, job creation, economic growth, and other key economic indicators are not where they should be, but they are headed in the right direction. The private sector has created 7.5 million jobs in the last 42 months. Jobless claims are at a 5-year low, and consumers feel more optimistic about the economy than they have at any point in the last 5 years. A government shutdown would reverse these trends and stunt future economic growth. It would panic consumers and financial institutions, and it would cost the economy more than $30 billion for every week the government remained shuttered—each week, $30 billion. We know this from experience. According to the nonpartisan Congressional Budget Office, the shutdowns of the mid-1990s—which lasted 27 days, all told—reduced GDP by half a percent. That is a huge amount of damage to our economy.

The U.S. Chamber of Commerce has joined the Business Roundtable in calling on Congress to keep the government open. Here is what they said:

"It is not in the best interest of the U.S. business community or the American people to risk government shutdowns that might trigger disruptive consequences or raise new policy uncertainties washing over the U.S. economy."

But the dire effects of a shutdown would not just impact the economy; a shutdown would send half of the Defense Department’s civilian workforce home without pay and delay paychecks for many military families who already live paycheck to paycheck. Although checks would go out to seniors already on Social Security, no new applications for benefits would be processed, putting seniors and disabled Americans at risk. Likewise, veterans applying for education, disability, and pension benefits would suffer. The Centers for Disease Control would stop monitoring disease outbreaks. Passport applications would languish, costing airlines and travel-related businesses millions of dollars. By a 3-to-1 margin, Americans already oppose this senseless Republican plan—some feel more strongly than others—to hold the government hostage to defund ObamaCare.

As I said here yesterday morning, CNN, CNBC, in separate polling, show 59 percent—the same number in both polls—59 percent of the American people support ObamaCare, and even a larger number of people think the government shutdown is the worst idea that ever came along. But if ObamaCare could be kept, you can guess what happened. And guess what happened. These predictions are all coming true.

ObamaCare has not even been fully implemented yet, but we can already see the train wreck happening. Premiums are soaring, and companies are dropping health plans. Major companies have been dropping the health care plans their employees have and like. And every week it seems there are new reports about glitches that will hurt families, compromise personal information, and expose the American people to fraud—all of which helps explain why even some of the bill’s fiercest early backers are looking for an escape hatch.

But there is one escape hatch that will fully help those trapped by this law, and that is full repeal. That is why I am supporting the House-passed CR. Not only does it defund this terrible law, it does not increase government spending by a penny, and it keeps the government from shutting down, which nobody wants. It does something else—and this is really important—it puts the focus right where it belongs: on the Democrats who voted for and continue to support ObamaCare. Once we invoke cloture, the focus will then turn to our friends on the other side of the aisle, the Senate Democrats. The majority leader is counting on his Democratic allies to amend the bill. He is counting on them. This is a rare opportunity to hold the government hostage to defund ObamaCare. Once we invoke cloture, the focus will then turn to our friends on the other side of the aisle, the Senate Democrats. The majority leader is counting on his Democratic allies to amend the bill. He can only afford to lose four Demo- cratic senators if he wants to get the funding for ObamaCare. So if five Senate Democrats vote against the major- ity leader, ObamaCare will be defunded. That is a vote we should have and in all likelihood will have.

Democrats have been hearing the same complaints about ObamaCare that the rest of us have. The spotlight—the spotlight—really should be on them. This is a rare opportunity to defund the law with a simple majority—a simple majority to defund this law. Members of the other side of the aisle, for goodness sake, go back to those days, days of working together. We could start in many places. We could start by funding the government without a big hassle. We could work together to do postal reform, which affects 6 million working Americans. We could work together to do agricultural reform, which under the bill we passed out of this body will save $23 billion. We cut the deficit by $23 billion. We could work together to pass immigration reform. My Republican colleagues are concerned about the debt. That reduces it by $1 trillion. Mr. President, the American people at least deserve that we work together and get things done. I would hope that with this crisis facing us we can put all our obsessions about health care and President Obama getting reelected and our still controlling the Senate behind us and move on to do good things for our country again.

Mr. M CCONNELL. Mr. President, for years a Democratic campaign right here on the Senate floor against a bill that would come to be known as ObamaCare. Nearly every day we were in session, I spoke about the dangers of this bill for individuals, for families, for businesses, and the very character of our country. I predicted that it would be a complete disaster and that anyone who voted for it would come to regret it because the promises that were being made about ObamaCare could not be kept. And guess what happened. These predictions are all coming true.

Premiers are facing bankruptcy. Major companies have been dropping the health care plans their employees have and like. And every week it seems there are new reports about glitches that will hurt families, compromise personal information, and expose the American people to fraud—all of which helps explain why even some of the bill’s fiercest early backers are looking for an escape hatch.

But there is one escape hatch that will fully help those trapped by this law, and that is full repeal. That is why I am supporting the House-passed CR. Not only does it defund this terrible law, it does not increase government spending by a penny, and it keeps the government from shutting down, which nobody wants. It does something else—and this is really important—it puts the focus right where it belongs: on the Democrats who voted for and continue to support ObamaCare. Once we invoke cloture, the focus will then turn to our friends on the other side of the aisle, the Senate Democrats. The majority leader is counting on his Democratic allies to amend the bill. He can only afford to lose four Demo- cratic senators if he wants to get the funding for ObamaCare. So if five Senate Democrats vote against the major- ity leader, ObamaCare will be defunded. That is a vote we should have and in all likelihood will have.

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Mr. M CCONNELL. Mr. President, about a year ago I went on the Senate floor and said the fiscal cliff of 2012 was not so much a fiscal cliff as it was a revenue cliff. There was an agreement in Congress and the President to increase taxes, and we all know what happened. That reduces it by $1 trillion. Mr. President, the American people at least deserve that we work together and get things done. I would hope that with this crisis facing us we can put all our obsessions about health care and President Obama getting reelected and our still controlling the Senate behind us and move on to do good things for our country again.
The Senate: 60-40, who could make a deal, or 40-60, who could not. The majority政协 to reach an agreement. This is not just about the peace of mind of people, but also about the protection of health insurance.

When it comes to Medicare prescription Part D, seniors, because of the so-called doughnut hole, were paying sums out of their own savings, their own savings, and their own pocketbooks, for prescription drugs. ObamaCare fills that doughnut hole and gives those seniors more peace of mind when it comes to prescription drugs. The Republicans want to repeal that.

Finally, they want to repeal the insurance exchanges. Today, every Member of Congress who uses the health insurance available to us as Senators and Congresswoman is part of the Federal Employees Health Benefits Program. Each year, Senators, Republicans and Democrats, have an opportunity under an insurance exchange to pick the plan best for their family. That privilege is something we appreciate and want to maintain available for everyone across America. That is what ObamaCare does. The Republicans want to repeal it. Republican Senators want to keep using the insurance exchange for their families and their benefit. They do not want to extend it to our families across America. That is what repeal of ObamaCare would do.

Those are the specifics. For Senator McConnell to come to the floor and challenge those of us who voted for ObamaCare as to whether we still stand by it, I do. Is it perfect? Of course not. There are changes that can be made to this law and should be made but in a constructive and positive fashion. This is not just about the peace of mind of people, families and businesses and others when it comes to health insurance, it is about our deficit. If we took the Republican approach of doing nothing when it comes to the cost of health care, sadly, we are condemning ourselves to deficits as far as the eye could see.

Sixty percent of our deficits and looming national debt relates to the increased cost of health care. If we took
the Republican approach of doing nothing, ultimately, it would mean that deficit, those debts, would be even larger for future generations. So ObamaCare is a step in the right direction.

Finally, let me say I understand what is going on now with several Members of the Senate Republican caucus who want to take to the floor and argue that we should shut down the government if it means funding ObamaCare, and dare they are wrong on the merits. They are wrong politically. Both the Wall Street Journal and Karl Rove admonished them not to take this suicidal strategy. I think they are right. It is a strategy which is not appealing to anybody across America except a handful of extremists. Those who are Independents and others believe that funding our government is a basic responsibility of the House and the Senate. It is important we accept that responsibility.

Standing to make a speech on your beliefs on the floor is certainly every Senator’s right, but let’s get on with the business of government. We should vote on a motion to proceed instead of wasting an entire day and into tomorrow. If we can get bipartisan consent, we can come to that motion quickly. The sooner we satisfy America that we are not going to shut down the government, the better it will be for our economy to continue to grow and create jobs.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

THE ECONOMY

Mr. THUNE. Mr. President, I rise to talk about the economy generally and the negative effect President Obama’s policies are having on the economy and its health and particularly on middle-class families. I do not think we have to look very far to see that impact; in fact, this economy, which is growing at a very sluggish rate, the slowest recover ever in other words for the economy, in terms of coming out of a recession that we had a few years ago, is recovering at a slower rate than in any recession in the past 50 years.

The labor participation rate—in other words, the number of people in the workforce—is at a lower level, percentagewise, than it has been in 35 years. We have to go back to the administration of Jimmy Carter to find a time when the labor participation rate was at a lower level than it is today.

In fact, in the last year, of the jobs that have been created, 60 percent of those jobs are part-time jobs. We are not creating full-time jobs, we are creating part time jobs. American workers are having to work more than one job to make ends meet and are having lower take-home pay. In fact, the take-home pay, the average household income is down by about $4,000 since the President took office.

So we have lower take-home pay, fewer jobs, at least fewer full-time jobs, a slow, sluggish economy.

Why is that the case? Frankly, it is because the policies the President is putting in place are making it more expensive and more difficult to create jobs. Obviously, one of those policies that is having a profound impact on the economy is the President’s health care law, which he calls ObamaCare. Since that bill was debated, going way back many years ago in the committees in the House and the Senate, a number of my colleagues and I have been raising concerns about the impact it would have.

For 4 years we have worried about the negative effects, such as increased premiums, which we are now saying is actually the case, reductions in jobs, fewer jobs. We have fewer jobs being created out there. More and more businesses are saying the reason they are not hiring people, the reason they are reducing their workforce is because of the mandates, the requirements, the uncertainty associated with ObamaCare.

People are losing access to health care that they like and were promised they would be able to keep, but for 4 years this President and his administration have looked the other way. Today, corporate organizations that strongly supported the health care changes are coming to terms with their impact.

In fact, in 2009, the Cleveland Clinic hosted President Obama during the first 3 years of the health care law’s implementation. The Cleveland Clinic is the largest employer in Cleveland and the second largest employer in Ohio. They are the premier hospital and medical research center that is now paying for the consequences of ObamaCare.

The Cleveland Clinic is not the only company cutting jobs or wages in order to deal with increased costs due to ObamaCare. According to Investors Business Daily, more than 250 employers have cut jobs or slashed hours as a direct result of ObamaCare’s high costs and job-killing regulations.

That should not come as any surprise, when a 2,700-page law has already yielded 20,000 pages of regulations. Democrats overpromised on ObamaCare. Now their signature piece of legislation is underdelivering. It turns out, if you like your health care plan, you can’t keep it—just ask the employees at GE or at IBM or at UPS or at Walgreens or at Home Depot.

Not only has ObamaCare failed to make health care more affordable but family premiums have actually jumped by more than $2,500 since ObamaCare became law. According to the Chamber of Commerce, nearly three in four small businesses plan to fire workers or cut hours as a result of ObamaCare.

All of this is shaping public opinion of this law. ObamaCare continues to be a gut punch to middle-class families who are already struggling and public opinion is at an all-time low.

In a recent NBC-Wall Street Journal poll, 12 percent of Americans believe the Democrat’s signature law will have a positive effect on their families. According to a recent CNN/ORC International poll, nearly 5 percent of Americans now oppose ObamaCare, which is up 17 percent since January.

Americans are opposing this law for good reasons. There is a CMS Actuary report that says: Health care costs are going to rise by $621 billion. Just yesterday, Forbes published an article. The title of the article was “ObamaCare Will Increase Health Spending By $7,450 For A Typical Family of Four.”

By taking information from the non-partisan Medicare Actuary report which was published last week, Forbes calculated that the mandates will boost health care spending by roughly $621 billion above amounts that would have been spent without the law.

By spreading across all American families, the increase in health care spending between 2014 and 2022 will amount to $7,450 per family.

A critical component of the health care law is the exchanges, which are scheduled to open for enrollment a mere 7 days from today. Yet it appears the administration is unprepared, yet again.

In fact, recently the Congressional Research Service reviewed the administration’s missed deadlines during the first 3 years of the health care law’s implementation. As of May 31, the administration has failed to total of 41 out of 82, 50 percent—41 out of 82, 50 percent—of the law’s deadlines. So it should be no surprise these exchanges aren’t ready, which I find particularly concerning given the amount of personal information Americans will be required to provide to the government in order to apply for ObamaCare coverage through the exchanges. Personal data such as Social Security numbers, household income, and other tax return information will be entered into a Federal data services hub.

CMS recently signed a $1.2 billion contract with a British company to sort and evaluate exchange applications containing personal financial data. According to the New York Times, the company “has little experience with the Department of Health and Human Services or the insurance marketplaces.”

Last year, congressional hearings uncovered that the company exposed more than 120,000 Federal Thrift Savings Plan enrollees to identity theft when personal financial data, including Social Security numbers, was stolen from a compromised computer. This is not exactly a track record that inspires confidence.
Only last week the Wall Street Journal reported a pricing glitch is affecting roll out of the exchange. This pricing glitch is producing wrong pricing information. To me, this is further evidence ObamaCare is not ready for prime time. Unfortunately for the American people, when it comes to ObamaCare, the worst is yet to come. I would argue that it is time to give the economy—the American economy, middle-class families, middle-class workers—a break by permanently delaying the law for all Americans, not just a select few such as some of the waivers the President gives to his favorite constituencies but for all Americans so they are not subject to the harmful impact and harmful effects of this law.

ObamaCare is not the only one of President Obama’s policies that is hurting the middle class. President Obama’s war on affordable energy is also driving up energy costs and destroying jobs. During his first Presidential campaign, the President promised that under his energy policies, “electricity rates would necessarily skyrocket.” Many people remember that statement. And they said “electricity rates would necessarily skyrocket” if he were elected President. Unlike his campaign promises to lower health care premiums and allow families to keep their health care plans, this is one promise the President has kept.

Last week the administration rolled out a new energy tax that will slash jobs, restrict access to abundant domestic energy, and make electricity rates skyrocket. When combined with other EPA regulations, the President’s policies will destroy more than 500,000 jobs, cause a family to lose more than $1,000 in annual income, and increase electricity costs by 20 percent.

These burdens hit lower and middle-income families the hardest. These families pay a much higher percentage of their income on energy costs. Forcing these families to pay an additional $1,000 per year reduces what they have available to buy a home, pay for their children’s education, or simply make ends meet each month. Even union laborers have expressed concern that the new energy tax is going to have a harmful impact on them and on their families. The head of the International Brotherhood of Electrical Workers said the tax will “threaten economic growth and America’s energy future.”

I ask unanimous consent to have printed in the Record the IBEW article.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the International Brotherhood of Electrical Workers, Sept. 23, 2013]

EPA COAL RULE THREATENS ENERGY INDEPENDENCE, SAYS IBEW

The International Brotherhood of Electrical Workers President Edwin D. Hill issued the following statement today:

“The draft regulations issued by the Environmental Protection Agency regarding emissions from newly-constructed power plants threaten economic growth and America’s energy future.”

“The new rules would in effect stop the construction of new coal-fired power plants in the United States by enforcing emissions-reduction goals that simply are not realistic using today’s technology for carbon capture and sequestration.

“The International Brotherhood of Electrical Workers remains strong supporters of clean coal technology and federal and industrial investment to make it a realistic option for the energy industry. However, new coal plants use technology that is not even commercially available or affordable, the EPA is unfairly singling out the coal industry and setting back efforts to grow the economy and promote energy independence.

“The energy industry says the new rules would lead to higher energy costs. These families pay a much higher percentage of their income on energy costs. Forcing America into heavy reliance on the volatile natural gas market, abandoning our nation’s largest fossil fuel base and large parts of coal-producing America along with it.

“Strong job growth and energy independence cannot be achieved without coal, a key component of the energy mix.”

Mr. THUNE. The middle class has been hit hard by the Obama economy. Unemployment remains above 7 percent. Middle-class incomes have fallen by over $3,000 since the President took office. Unfortunately, the President’s health care and energy policies not only destroy jobs but hit the middle class with higher health care and higher energy costs. It is time for Congress to get the President’s agenda and to stop these policies before more hard-working families are further harmed.

I yield the floor.

The ACTING PRESIDENT pro tempore, The Republican whip.

Mr. CORNYN. Mr. President, until ObamaCare was passed in 2010, virtually every major piece of legislation involving domestic reforms in this country has passed with solid bipartisan support to secure reform. From Medicare to tax reform, from civil rights to No Child Left Behind, Presidents as different across the ideological spectrum as Franklin Roosevelt, Lyndon Johnson, George W. Bush, Ronald Reagan, and Bill Clinton all understood there is more to making sure that legislation succeeds than just jamming it through on a partisan-line vote. Indeed, after the bill passes and it needs to be implemented, aren’t you going to need that bipartisan support to see that the legislation is actually implemented and actually works for the benefit of the American people?

By contrast, during the health care debate in 2009 and 2010, President Obama did not seek any kind of genuine compromise with Republicans. Instead, he chose to ram it through on a controversial party-line vote which has generated nothing but division and bitter fights since this legislation was first passed.

Four and a half years later, ObamaCare is more unpopular than ever. One recent poll showed that 68 percent of American voters, including a majority of Democrats, are concerned about how the law will affect their health care coverage. Medicare recipients are worried about losing access to their current doctors. Middle-class families are worried about losing their existing insurance coverage. Young people are worried about seeing their premiums skyrocket. People on Medicaid are worried that America’s health care safety net is going to become even less effective at protecting the neediest and most vulnerable members of our society.

Day after day, not a day passes that we don’t read stories about doctors who are dropping patients because of ObamaCare or employers who are ending the existing health care coverage their employees have because of ObamaCare or businesses that are slashing full-time work into part-time work because of ObamaCare. States are projecting a spike in the insurance premiums their people will pay, because of ObamaCare, in the individual market.

Even the New York Times is now acknowledging that because of ObamaCare “many insurers are significantly limiting the choice of doctors and hospitals available to consumers.” Rather than expanded access to coverage, consumers are finding their choices are even more limited under ObamaCare.

The President’s own Department of Health and Human Services has estimated that America already has a massive shortage of primary care doctors. Indeed, just to meet current needs, we will have to add more than 250,000. As a senior official at the American Academy of Family Physicians recently told Bloomberg News, “The shortfall of primary-care access is not an insignificant problem, and it is going to get worse.”

That is bad news for all Americans, and it is especially bad news for Medicaid beneficiaries who already have a hard time finding providers who will accept their insurance. In my home State, 82 percent of primary care physicians aren’t in a position to take any new Medicaid patients. This is because Medicaid pays them at a fraction of what private health insurance or even Medicare pays. So many doctors simply can’t afford to see new Medicaid patients. We all know you have the terrible irony of a promise of coverage but no real access to a doctor.

Most physicians in Texas believe Medicaid is broken and should not be
used as a mechanism to expand coverage but, rather, as a last-resort safety net program. Unfortunately, by dumping millions of additional Americans into Medicaid without fixing it, ObamaCare will make our health care safety net even more fragile and even weaker.

Meanwhile, the President’s health care law continues to discourage job creation and hamper our economic recovery. If there is one thing we need more than anything else in this country, it is a stronger economy. Because greater economic growth means more jobs and more opportunity. Then the people who have simply given up looking for work because the economy is growing too slowly will begin to find work again.

As of last week more than 300 different employers had, according to Investor’s Business Daily, “cut work hours or jobs, or otherwise shifted away from full-time to part-time staff because of ObamaCare.”

The administration seems to realize this.

Particularly, the employer mandate is discouraging job creation and prompting many businesses to turn full-time work into part-time jobs. It is just common sense. ObamaCare gives businesses a powerful financial incentive to not hire more than 49 workers. What else did we think would happen? If you hire more than 49 workers, you have to extend health care benefits, but if you are underneath that cap you don’t.

In early July the administration unilaterally delayed enforcement of the employer mandate, recognizing this phenomenon of full-time work shifting to part-time work.

On the very same day it also announced it would not be verifying taxpayer eligibility for ObamaCare premium subsidies until 2015, even though the subsidies will begin flowing in 2014.

What this means is people will qualify for taxpayer subsidies for their health care even though the Federal Government will not be verifying that information for a year. What do we expect to happen? I think one reasonable prediction is there will be massive fraud in the program.

Of course, we know the President again tried to go it alone and do this unilaterally without congressional action and, of course, without constitutional basis. But there is one question my constituents ask me back in Texas, it is how can the President keep ignoring the law? How can he keep issuing waivers or delaying the implementation of laws Congress has passed?

My only answer to them is Congress could pass the laws, but the Constitution gives the President the authority—the sole authority in the executive branch—the sole authority to enforce them.

When the Attorney General and the executive branch refuse to enforce the laws, their only remedy is at the ballot box and possibly lawsuits filed by outside groups that may take many years to be resolved. It is enormously frustrating to them, and they worry that our whole constitutional framework is being undermined by the administration and this White House selectively deciding which laws it is going to enforce and which it is not.

The President is basically saying ObamaCare means whatever I want it to be. He is showing contempt for the rule of law, contempt for the separation of powers, and our constitutional framework.

The President looks to the IRS. America’s tax collection agency is in shambles due to the scandals that we all know way too much about. Unfortunately, this same organization is going to be the one that actually helps to implement ObamaCare. It will issue tax subsidies through the Federal exchanges, even though the law makes clear that only State exchanges qualify for these subsidies.

Americans are concerned about how ObamaCare will affect their privacy rights. After all, the health care exchanges are scheduled to open exactly 1 week from today, but there hasn’t been adequate time to even test the data security system.

Meanwhile, according to the Wall Street Journal, the government’s software can’t reliably determine how much people need to pay for coverage—not quite ready for prime time.

Finally, there is the issue of fraud. I mentioned that a moment ago. The ObamaCare subsidies start next year, but the government won’t actually be verifying it until 2015. In other words, the President is effectively inviting people to game the system without fear of consequences.

Mr. President, the only way to effectively stop ObamaCare is to dismantle it entirely. That is why I strongly support the House bill that would defund ObamaCare and save the American people from this public policy train wreck. My colleagues stand ready to work with the House leadership to enact patient-centered health care reforms that will actually reduce costs and improve access, but we refuse to help him salvage a law that has proven to be so unaffordable, unworkable, and so completely at odds with what the American people were told the law would do when this bill was passed.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, this morning, upon coming in, I found this morning’s copy of Politico with the front-page headline: “ObamaCare: One Blow After Another,” with a picture of a pill bottle that says: “Promises vs. Reality.”

I am going to read a little bit of the way this article begins.

The ObamaCare that consumers will finally be able to sign up for next week is a long way from the health plan President Obama promised first pilots into the Nation. Millions of low-income Americans won’t receive coverage. Many workers at small businesses won’t get a choice of insurance plans right away. Large employers won’t need to provide insurance for another year. Far more States than expected won’t run their own insurance exchanges. And a number of businesses won’t get to keep their employer-provided coverage.

What is the President going to do about it? He made all the pitches, he made all the promises, and the American people have found out it is not true. So today President Obama is going to turn one more time to his so-called “secretary of explaining stuff” to answer the real problems with the Obama health care law. ObamaCare and former President Bill Clinton will be holding a pep rally attempting to convince people to sign up for health insurance in the new exchanges that open 1 week from today.

This health care law was supposed to be the signature achievement of the Obama Presidency. Why does the President need to call for backup to explain it? It was supposed to be overwhelmingly popular by now. Why does the President believe the Obama administration need reinforcements to sell it? Maybe because there are new polls out every day showing the new law is more unpopular than ever. In an NBC poll, only 31 percent of people said the President was right. The law was a good idea. CNN found 57 percent opposed most or all of the proposals in the law.

Washington Democrats have been spinning their hardest but the American people know the health care law is unaffordable, it is unworkable, and it is very unpopular.

The last time Bill Clinton took to the stage to sell the health care law was about 2 weeks ago. This was the Washington Post headline on that speech. It said: “Clinton on Stump for Health Care Law: Obama has dispatched ex-president to drum up support. As crucial stage nears…”

Bill Clinton spoke for 50 minutes. He repeated a lot of the same old broken promises about what the law will do. He also gave the same old tired excuses for what it will fail short. He said there might be some glitches, there might be some unanticipated issues, but he said there were simple fixes to all of these. In 50 minutes—nearly an hour of talking—what Bill Clinton didn’t do was honestly and seriously talk about the real problems with the Obama health care law. He never spoke directly to the American people who will be hurt by the law.

So when Bill Clinton takes to the stage again today I hope he will finally talk to some of those folks. For starters, he should speak to the workers who have had their work hours cut because of the law. It is a direct hit to their paychecks. It is happening all across the country. Many towns, counties, and school districts have had to cut back the hours of their workers. They need to keep more employees at a part-time status to reduce the burdens and the expenses of the health care law. They are limiting the hours they can pay bus drivers, librarians, coaches, substitute teachers, and other middle-class workers.
More than 250 different employers across the country have had to take steps to reduce the burden of the President’s health care law. President Obama owes part-time workers an explanation and he owes them an apology. And if he won't do it, Bill Clinton should.

The last time he spoke, President Clinton failed to mention the serious economic consequences of the law. The Obama administration did the same thing. They said there was only anecdotal evidence that major labor unions happen to disagree with the President. They sent out a letter recently to Democrats in Congress warning about the damage the health care law is doing to their care and to their paychecks. They wrote this, saying the health care law—

...will shatter not only our hard-earned health benefits, but destroy the foundation of the 40-hour workweek that is the backbone of the middle class.

Even the President’s strongest supporters are being hurt by his health care law. They are getting hit in their paychecks and they are getting hit hard. I believe President Obama owes union members an explanation. And if he won't do it, then Bill Clinton should.

Those union leaders are also upset that a lot of the generous health care plans they have had will have to be cut because of the law. They said the unintended consequences of the health care law are severe, and “perverse incentives are already creating nightmare scenarios.” That is from the unions.

But it is not just the unions. Walgreen’s, Home Depot, IBM, Sears, Darden Restaurants—one company after another has had to make changes to their insurance plans under the Obama health care law. President Obama owes those middle-class workers an explanation and he owes them an apology. And if he won't do it, today Bill Clinton should.

The next group President Clinton should talk to are the spouses who are losing their insurance coverage. The University of Virginia recently announced plans to drop spousal coverage for some of its employees. The school said it was the President’s health care law, and that it would add $7.3 million to the cost of its health plan in 2014.

In a recent memo to employees, the shipping company UPS said it also plans to drop spousal coverage, and that might not be right for them. UPS won't be covering them.

President Obama owes those spouses an explanation. And if he won’t do it, Bill Clinton should.

Finally, I hope President Clinton will be honest and speak directly to the young people who are going to see their insurance premiums skyrocket. The health care law needs healthy young people to sign up for these exchanges in record numbers or the whole thing will collapse. That is what is at stake for the Obama administration. So they are spending millions of dollars in advertising to convince young people to buy expensive Washington-approved insurance.

“The Los Angeles Times ran a headline over the weekend: ‘Hollywood plays key role for health law: White House subsidizes industry to promote its plan, especially to young people.’”

Hollywood celebrities and Bill Clinton are trying to convince young people to sign up. Many of those young people will be paying more, they will be buying coverage they may not need, and that might not be right for them. But they have to do it. They have to do it to help subsidize insurance for older individuals.

This is happening at the same time these young people can’t find a job—can’t get full-time work. Why? Well, a lot of that is due to the perverse incentives of the health care law. President Obama owes those young people an explanation and an apology. And if he won’t do it, Bill Clinton should.

The American people deserve more than sound bites and talking points and excuses. They deserve better than what they have gotten under this terrible health care law. A few months ago the White House saw its employer mandate was a bad idea, so they delayed the mandate for 1 year. Republicans think all Americans deserve a delay.

There are real problems with this health care law and there are a lot of unanswered questions, a lot of unintended consequences, and a lot of ways the new health care law can do more harm than good for middle-class Americans. We should delay the law permanently and work out a better replacement that actually reforms health care the right way. The American people wanted health care reform. They want the care they need and deserve.

Mr. SANDERS. Mr. President, I want to make a few points this morning and what I think is on the minds of many Americans.

There is a reason why the favorability rating of Congress is at 10 percent or less, and that is because the middle class of this country—the vast majority of our people—is hurting. They are worried about what kind of future their kids are going to have, and they look at Washington and they ask: What is going on?

Our Republican friends in the House on 42 separate occasions attempted to defund ObamaCare. And on 42 separate occasions, they failed. There was a Presidential election in which this issue of whether we expand health care to another 20 million Americans—whether we end the obscenity of pre-existing conditions, where people who have had serious health problems are denied health care; whether we make sure kids 26 years of age or younger are on their parents’ health insurance plan, whether we do more for disease prevention, etcetera—was debated very heavily. Guess what. The Republican candidate who wanted to defund ObamaCare lost that election. Now, quite incredibly, what the Republicans are saying is: Yes, we failed 42 times, we lost the Presidential election, but now we are prepared to shut down the entire government unless we end this legislation.

Well, that is not going to happen. They are not going to end ObamaCare. Surely we need to improve it. But myself believe we need a Medicare-for-all single-payer program. And let us discuss how we can improve the program, how we can join the rest of the industrialized world in guaranteeing health care to all people as a right of citizenship.

There is a furor in New Hampshire regarding the exclusion of 10 of the State’s 26 hospitals from health plans that it will sell through the insurance exchange. I think it is time for the President to admit the health care law is terribly flawed. Promise after promise has been broken, and it is time for Democrats and Republicans to work together to give the American public the care they need and deserve.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.
My Republican friends have nothing to offer on this issue. We have 48 million Americans with no health insurance. What are the Republican ideas? They do not exist.

The point here is that no matter what they say about ObamaCare, it is incredibly irresponsible and reckless, and makes this country look incredibly foolish to the rest of the world, that they are prepared to shut down the government unless the tax was significantly increased on the health insurance. But most importantly, all over America, while people are struggling, they are seeing this absurd debate about Republican efforts to shut down the government unless they defund ObamaCare.

People are saying: What about us? While you have this silly political fight, what are you doing to improve our lives, what are you doing to address the fundamental economic realities in this country, which is that the middle class of this great country is disappearing, more people are now living in poverty than at any time in history—46½ million—and the gap between the very wealthy and everybody else is growing wider.

We have this unbelievable economic situation where, while the vast majority of Americans have seen a decline in their standard of living, people on top are doing phenomenally well.

A report that came out last week from the Census Bureau quite incredibly tells us that in terms of median family income, that family right in the middle of American society now is earning less income than they did 24 years ago. Despite all of the increases in productivity, despite all of the new technology, that family in the middle is earning less income than 24 years ago. A typical middle-class family has seen its income go down by more than $5,000 since 1999 after adjusting for inflation. The average male worker earned $283 less last year than he did 44 years ago. The average female worker earned $1,700 less last year than she did in 2007. Meanwhile, people on the top are doing phenomenally. Between 2009 and 2012, the wealthiest 1% earned $1,700 less last year than they did 44 years ago. The average female worker earned $1,700 less last year than she did in 2007. Meanwhile, people on the top are doing phenomenally well. The middle class is disappearing. What that means is the wealthiest people in this country are doing phenomenally well. The middle class is disappearing. What that means is we end the ability to ask the wealthiest people in this country to start paying their fair share of taxes. We put the tax burden on the middle class and working families—so lower taxes for the rich, raise it for the middle class and working families.

The vast majority of people in the scientific community who study global warming think that global warming is a crisis today that is only going to get worse, and the only way to deal with it is an important to unthought policy. They want to abolish the Department of Education. Millions of young people all over this country cannot afford the cost of college today. Low-income kids, middle-class kids are struggling educationally all over this country. They want to abolish the Department of Education.

Furthermore, “We oppose mandatory kindergarten.” One of the great crises in this country is childcare and the crisis of early childhood education. Working families in Vermont and all over this country are having a hard time getting and affording care.

“We believe the Environmental Protection Agency should be abolished”—not cut but abolished, so we can go back to the days when companies could throw their garbage into our rivers and streams, pollute the air, make kids sick, and get away with it with impunity because there is nobody there saying it is against the law. Nobody can enforce the law. They want to abolish the Environmental Protection Agency and endanger the health and well-being of kids and Americans all over this country.

Furthermore, “We recommend repeal of the Sixteenth Amendment of the U.S. Constitution, in favor of abolishing the I.R.S. and replacing it with a national sales tax collected by the States.”

What does that mean? It means the ending of any form of progressive taxation, as I pointed out earlier, the wealthiest people in this country are doing phenomenally well. The middle class is disappearing. What that means is we end the ability to ask the wealthiest people in this country to start paying their fair share of taxes.

I give them credit for being upfront and straightforward about the issue that is ending Social Security. That is it. Social Security has been the most effective and successful program in modern American history. It has taken tens of millions of seniors out of poverty. Basically, what the Texas Republican Party is saying is, We don’t want to just cut Social Security, we want to end it. If you are old, what happens to you when you are 75 years of age and have no income coming, is that not their worry?

Furthermore, speaking now as the chairman of the Veterans’ Committee, I want every veteran in America to understand long-term goals. This is from the 2012 Texas Republican Party platform: ‘‘We support the privatization of veteran’s health care.’’

In other words, we have some 6 million veterans who are receiving good, quality health care at the VA. I myself think we should expand the program. There are at least 1 million veterans out there who are uninsured right now who could utilize VA health care. I myself think the eligibility requirements are too stringent. We should bring more people into the system. But our Republican friends in Texas, becoming mainstream, want to end veterans health care.

Next point:

We support abolishing all federal agencies whose activities are not specifically enumerated in the Constitution, including the Departments of Education and Energy.

The vast majority of people in the scientific community who study global warming think that global warming is a crisis today that is only going to get worse, and the only way to deal with it is an important to unthought policy. They want to abolish the Department of Education. Millions of young people all over this country cannot afford the
The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF TODD M. HUGHES TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided in the usual form.

Mr. FLAKE. Mr. President, I ask unanimous consent to speak as in morning business.

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

CONTINUING RESOLUTION

Mr. FLAKE. Mr. President, as we debate legislation to keep the government running, we should not be debating a budget number that is higher than the Budget Control Act asks for. Frankly, there is nothing that should not have to be said here on the Senate floor. Why would we even begin to consider a budget number that is higher than the law allows, or risking a government shutdown.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, is the Senate considering the Hughes nomination?

Mr. LEAHY. Mr. President, the nomination of Todd Hughes to fill the judicial vacancy on the U.S. Court of Appeals for the Federal Circuit, which is an extremely important court. It is also an important milestone for our country. If confirmed, Mr. Hughes will be the first openly gay judge to serve on the Federal Circuit. He has extensive experience on issues that come before the Federal Circuit. He joined the Department of
Justice in 1994 and, since 2007, has served as Deputy Director for the Commercial Litigation Branch of the Civil Division. Mr. Hughes earned his B.A. cum laude from Harvard and his J.D. with honors from Duke Law School. Upon graduation, he served as a law clerk to the Honorable Robert Krupansky of the United States Court of Appeals for the Sixth Circuit.

Mr. Hughes’ nomination was reported unanimously by the Judiciary Committee 2 months ago. Some still could—and in my view should—have been confirmed within days. At a time when judicial vacancies are once again above 90, this kind of needless delay undermines the serious work we have to do to ensure the ability of our Federal courts to provide justice to Americans around the country. In addition to Mr. Hughes, we have 13 other Federal circuit and district nominees pending on the Executive Calendar. Of those nominees, 11 were reported by voice vote and there is no good reason to not confirm them today.

The delays in confirming non-controversial consensus nominees have a real life impact on the American people and the economy. It does not benefit anyone that these cases delayed for months and months because our Federal courts are understaffed. Americans are rightly proud of our legal system and the promise of access to justice and speedy trials that is embedded in our Constitution. Also critical to the functioning of our courts is doing all we can to alleviate the harmful impact of sequestration. As we debate the continuing resolution to fund the Federal Government we must look to streamline wherever we can, but we should do so with care and not simply cut indiscriminately across the board. We have the benefit of the greatest justice system in the world for less than 1 percent of our GDP. I urge that the cuts to the judiciary be made thoughtfully and efficiently and that we refuse to provide this coequal branch with the adequate resources it needs. Let us work to reverse the senseless cuts to our legal system from sequestration so we can help our coequal branch meet the Constitution’s promise of justice for all Americans.

I congratulate Mr. Hughes on what I expect will be an overwhelming vote in support of his confirmation. And I commend President Obama for his continued commitment to nominating highly qualified and diverse individuals.

Continuing resolution

Mr. President, I have another important matter to address.

I remember the Bill Murray movie “Groundhog Day”—a wonderful movie, farcical but nowhere near as farcical as the groundhog day we have once again in Congress. We find ourselves in a funding crisis manufactured by a small, partisan faction. They say they are doing this for the good of the country, to protect our future. But, they are destroying our safety net, compromising our health care system, and are doing this for the good of the country? I think not! They are doing this for the good of the bank—of the high road—of the highway" ultimatums to the rest of the country, which is preventing a bipartisan solution on the funding bill and is leading us to the brink of a government shutdown.

I love my grandchildren. They range in age from 5 to 15 years old. I have watched them grow up. I saw them on the playground when they were 1, 2, 3, and 4 years old. Sometimes they would have little squabbles, but they would work it out. This is a playground that would be a terrible example to children in a schoolyard. This crisis is again artificial and manufactured for political posturing. Even its effects on the American people as we all again must anticipate a shutdown—are as real as they can be avoided. The American public is rightly weary and wary of this brinkmanship and of one Made in Congress, manufactured crisis after crisis. This artificially induced uncertainty is harmful as well to our American economy. The economy is still tentatively regaining its footing after the great recession.

Some could come and posture—in this body or the other body—about how they will shut down the government if they do not get their way. They say they have this figured out better than everybody else.

They will get their 2 or 3 minutes on television, and they will be very happy that they did. The American people who will see their businesses close, their stocks go down, their savings dry up, and their jobs closed off just so someone can get on television, are not thrilled about this, especially when it is totally unnecessary.

The Senate is preventing even a temporary spending bill from making it to the President’s desk is the Affordable Care Act. Unfortunately, ever since its enactment, many Republicans in Congress have been determined to derail the law and prevent its implementation. They don’t come up with a better idea. They say it is all or nothing. They don’t come and say: What are we going to do to help pay for your kids’ insurance while they are in college? How are we going to do to help your family if they have a preexisting condition? No, no, no. We are just going to say no to everything.

Instead of doing the people’s business, such as enacting routine budget measures before the end of the fiscal year, the House has voted more than 40 times this year alone to defund this landmark law, the Affordable Care Act. They have no interest in fixing problems or making it better—only in blow it up. Even though the President and the Senate had included this provision and the Senate has voted down similar measures in the past, the law’s opponents perceive this short-term spending bill as an opportunity to hold the rest of America and all government activities hostage to their ideological demands.

They have not come up with one single idea of how they might make it better. They have not come up with anything. They haven’t proposed an idea and said: Here is our idea that could be better. No, just get rid of it all.

Actually, I would remind them that was the position of their candidate for president 1 year ago. He said if he were elected President, he would do away with it. What did the American people say? I recall how that election came out.

Let’s think about what defunding and repealing the Affordable Care Act would really mean: Our country would return to a time when insurance companies could deny coverage because of a preexisting health condition. Benefits would be stripped for those who get sick. And seniors would lose their prescription drugs. Tens of millions Americans are currently without health insurance, but the health insurance marketplace opening next month will provide access for these Americans to obtain coverage. And while we often hear about this “stimulus” bill that is adding trillions of dollars to our deficit, that rhetoric could not be farther from the truth. Repealing the Affordable Care Act would actually add to our deficit, because the reforms we passed a year ago are designed to save health care costs in the long run.

Beyond that damage, the House continuing resolution also would drastically affect current Medicare beneficiaries. The House bill would eliminate free wellness visits, which this year alone have helped 16.5 million seniors gain access to quality preventative care. The House’s short-sighted CR would also stop Medicare prescription drug coverage and tens of millions as known as the “donut hole” forcing seniors to pay more out-of-pocket for their prescription drugs. And sadly, seniors are not the only ones who would be harmed by this cynical House legislation. Community Health Centers, which provide necessary care to our rural communities across the Nation and especially in Vermont, would be hit with a 60 percent reduction in Federal funding. Lifesaving nurse visitation programs for low-income mothers caring healthy babies to term would be eliminated, and more than 92,000 individuals who currently have coverage under the Pre-Existing Condition Insurance Plan Program would be dropped. The list goes on.

The ill-conceived, short-term spending bill passed by the House last week is not the only bill approved by the other body that would deal firm blows to the most vulnerable in the country. After refusing to bring a farm bill to the House floor that would garner enough bipartisan votes to pass—as the chair of our committee, Senator Stabenow, did in the Senate, where we had
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CONGRESSIONAL RECORD—SENATE

a bipartisan bill—House leaders took the unprecedented step earlier this year and split food assistance from the other essential programs supported by the farm bill, even though we passed a farm bill that would save $25 to $30 billion.

After months of delay, last week the House voted on a separate nutrition title, which only moves us further away from enacting a farm bill before the programs expire on September 30. This latest lurching maneuver means even more uncertainty for farmers.

Instead of standing with the millions of Americans who are still struggling to put food on the table—these House Members never have to go hungry, except by choice, because of the huge salaries they make—it is regrettable and inexcusable that the House Republicans are turning to slashing essential nutrition help for struggling Americans. Ensuring that these programs can continue to serve Vermonters and all Americans fed is a key part of enacting a strong farm bill for our country. It is a reality recognized by the bipartisan Senate-passed farm bill.

The House cuts SNAP benefits by levels 10 times as high as the bipartisan Senate and twice as high as the House’s original bill. These cuts would mean that each year an average of 3 million people would be kicked off food assistance, even those who are working and making as little as $2,500 per year. What’s more, the bill would mean hundreds of thousands of children will lose access to school meals. Ask any teacher, whether in Hawaii, Vermont or in any other State, does a hungry child learn? Of course not.

These school meals are an investment in our future and an investment in our children. Having young people who are able to learn is an investment in the future of the U.S. economy. So what do we say? Oh, no, we are not going to feed them. This is a country that spends billions of dollars just to get rid of excess food and on needless diet programs, but we cannot feed children in school. It is shameful. It is mean-spirited, shortsighted, and it hurts America.

If that were not enough, the House Republicans also assert with their bill that 3 months of benefits every 3 years is plenty of time for out-of-work Americans to find a job that pays well enough to feed a family. Get real, have they seen what happened to the economy in this country? Have they seen what happened as we try to drag ourselves back from the horrible recession they put us into a few years ago? Unfortunately, when there is only one job for every three unemployed workers, Simply telling out-of-work Americans to get a job is easier said than done. Somebody ought to ask them why don’t they do their jobs.

Times of high unemployment are the very reason we have food assistance. These food programs were always carried by Republicans and Democrats who worked together to help Americans get back on their feet. Despite the heated rhetoric, our Food Stamp Program is working as intended.

I was fortunate to come here when we had two men with entirely different philosophies. Both men became nominees of their party to sound out President, George McGovern and Bob Dole. They worked together to feed the hungry people in this country, especially in the School Lunch Program.

The Congressional Budget Office forecasts that the SNAP costs will fall over the next several years. As the economy improves and people get back to work, those costs will come down. Children who are educated will create jobs.

Instead, we have bumber sticker politics—appealing to our worst instincts. It is churlish, childish, and irresponsible. I might also say it is immoral.

The House-passed CR and the House so-called farse bill will only worsen the gridlock that crippled the Senate since our return from the August recess. We are not elected to grandstand but to legislate. Let’s legislate around here. Members need to stop running to the cameras getting little sound bites and saying things as such: I am standing up for America, as they do everything to kill the American economy.

We were not elected to make the government less efficient. We are even unable to make the most basic decisions that the American people elected us to make. The American people want us to solve the problems now through fair solutions and through the give-and-take of our elected government.

I appreciate the fact that the people of my State—Republicans and Democrats together—give me the honor of serving here. I have become the longest serving Senator from our State and also the longest serving Senator in this body. I have seen Republicans and Democrats work together on these problems. I have seen people in the past do that. I know it can be done but not when a tiny minority says: We are not going to do that. We will make the decision. No. We have good men and women from both parties in the House and Senate. Let’s stop the bumper sticker politics. Let’s get back to work and do things the way they should be done. There is still time to show the American people that we know why we were sent here and that Congress can still do the work of the Nation.

Mr. President, I yield back all time.

The clerk will call the roll. The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAKENEN) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Roll Call Vote No. 204 Ex.]

YEA—98

Alexander
Ayotte
Balanced
Barrasso
Baucus
Begich
Bennet
Bennett
Binns
Boozman
Boxer
Brown
Brower
Canwell
Carlin
Casey
Chambliss
Chesas
Coats
Cooper
Collins
Coons
Corker
Corbyn
Crapo
Cruz
Donnelly
Donnelly
Enzi
Feinstein
Fischer
Feinstein

NOT VOTING—2

Shaheen Udall (CO)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table, and the President will immediately be notified of the Senate’s action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate from Maryland.

Ms. MIKULSKI. Madam President, as the chair of the Appropriations Committee, I rise to oppose the continuing resolution the House passed last week.
on a party-line vote of 230 to 189. On behalf of all of the people of Maryland and all of the people of the United States, I am so frustrated; they should have a government that they can count on to operate, that they could count on to work as hard as they do; they should be able to count on to have the government they pay for. However, what we have here is a manufactured crisis, with histrionics and theatrical politics attempting to bring us to the brink of a shutdown. It is shutdown, slam-down politics.

The CR that was sent over to us is loaded with political ideology. What does it do? First it wants to defund the President’s Affordable Care Act and take health care away from those who need it. It also is designed to create a crisis over the debt ceiling and undermine the full faith and credit of the United States. Our President has been clear that he will veto any bill with these toxic political riders. He is right, and I support him.

Much will be said in the media over the next several days about something called the continuing resolution. Well, here we go again using Washington-speak that nobody in America understands. The President threatened to shut down the government without a budget. And the American people are saying: What are they trying to accomplish? Well, let me explain it in a straight-talk way.

A continuing resolution is a straightforward, simple act where we extend the government’s funding beyond October 1 to a date certain. It is meant to continue the funding. It is always, historically, meant to be, No. 1, short-term and, No. 2, a stopgap measure as we work on getting final resolution of budgetary and fiscal matters. It is also designed to keep the U.S. Government open and functioning while we work out our difficulties.

So that is what a continuing resolution normally means. It was never meant to be a vehicle for controversial, provocative, poke-it-in-your-eye and stick-it-to-you controversial legislation. It was never meant to be a negotiating chip for a grander bargain to resolve issues, nor was it ever designed to be a weapon in the fight over the size and role of government. That is for the authorizing committee. That is what we do in our appropriations committees at the subcommittee level. That is what Senator MURRAY in her Budget Committee does. We work on something that would then become the budget. That is where those fights come in, not at the end of the fiscal year.

Here we have the same old tricks and techniques that have been seen year after year since President Obama was elected. They not only want to throw sand in the gears of the Obama administration, they want to throw cement into the gears of the functioning of government. Well, I think that is outrageous. The House continuing resolution is a manufactured crisis driving us toward a shutdown. We have plenty of real crises in our country. How about the crisis of sustained chronic unemployment at 7 percent or higher in many of my communities or in certain sectors, such as construction, or in the rural parts of my State? There is also a real crisis for those who need health care. There is a real crisis for those who are seeking higher education and can’t afford it. And look at our crisis in the foreign policy arena.

On the very day the President is speaking at the U.N. to project American power, the other side is trying on the Senate floor to make us powerless to function. If they want to project American power, they should be willing to show that the greatest parliamentary, deliberative and representative body in the world, can be parliamentary and deliberative in solving our problems. If they want to project power, it starts here, showing we can govern ourselves. We start by acting right and focusing on solving fiscal problems, rebuilding our human infrastructure and getting off of this brinkmanship.

The President has said he will veto it, so the riders are veto bait. This is all designed to use a lot of time and a lot of resources to the Senate to be a legislator, not a prop for a political farce. This is not Gilbert and Sullivan, this is the real deal.

The American people are fed up with these manufactured crises, and so am I. So let’s get moving about where we want to go. And who is the “we”? I believe it is not only the Democrats in the Senate, but I believe there are pragmatists on both sides of the aisle who want to find a sensible center. And if we achieve fiscal stability, begin to draw down our public debt but also have an opportunity to be progrowth in our country, where we focus on important issues of national security, rebuilding America with infrastructural education and also our research and development, coming up with the new ideas that will lead to the new jobs in the new century. The way we want to do this and the way I am suggesting is the way the American people would like us to vote.

The other party would like us to have a continuing resolution until December 15. That is one more gimmick to bring us to Christmas Eve, where we will have a lot of theatrics and jingle bells-jingle bells while we try to solve our situation.

I want a short-term CR. I would like one between now and November 15—not long term, not something just to dilly and dither. I am tired of diluted and dither. So I suggest a short-term CR for sometime around mid-November. The purpose of that would be that we would have a time to get to a vote in December that would be on the funding of all of our bills, arrived at by a vote here, a conference committee with the House, where our spending would be sensible, it would be affordable, it would meet compelling human need, the national security issues of the United States, and would rebuild our infrastructure.

This isn’t hard, but in order to get that, we need to clear out the toxic political items in the CR. So I want a clean CR. A clean CR means getting rid of the political riders of defunding ObamaCare and striking the debt limit riders.

Second, we need to have a shorter date. My recommendation would be around November 15 because the longer term CR means more autopilot functioning of government—in other words, more government dysfunction. November 15 keeps the pressure on both sides of the aisle to get the job done.

What is getting the job done? First of all, we would like to cancel sequester, and we would like to cancel sequester in a balanced way. What is sequester? We have to come up with about $110 billion in debt reduction. We can do that through additional strategic cuts. As an appropriator, I am willing to look at them. Secondly, revenue. What about those loopholes Mitt Romney about? Let’s take those back and examine them. Let’s look at some of the items in mandatory spending. This is the way we can enact our bills, invest in and protect our country.

Our Nation faces long-term fiscal challenges. It does not come from the Congress. But the place for these negotiations is not in a continuing resolution. It belongs in the Budget Committee. And the six Republican Senators who are planning to filibuster the work are the ones who threatened and blocked the budget the Senate passed going to conference in the House. So they blocked the budget. Then they blame us because we didn’t have a budget. Go figure.

The House and Senate Appropriations Committees, the appropriators, have marked up annual funding bills. We are ready to make sure we can do our work, but we need the Budget Committee to give us a top line. We can’t go to conference bargaining if the cans have objected. Now they want to have a simple stopgap that leads to a show-down and a shutdown.

If we don’t come together, we will have very serious consequences. If we do not enact a clean continuing resolution by October 1 that enables us to get to a sensible outcome in early December, the government will shut down. Doesn’t that look great for the United States of America. We say to emerging democracies all over the world, Look at us.

We need to show we can govern. It has not only consequences in the way we are viewed in the world; it provides uncertainty for business, it will be terrible for our economy, and it will have a direct impact on jobs. Business will not know what the government is going to do and so they don’t know what they can do, so they will not be spending to create jobs. All we are doing is creating more chaos.

We want to be sure that the Small Business Administration approves loans—they need to be open to do that—that rural housing development and farm
Mr. DURBIN. Madam President, it is my understanding that under unanimous consent the Senator from Texas is to be recognized, but I ask if he would allow me 5 minutes to follow the Senator from Maryland and then yield the floor to him.

I thank the Senator from Texas.

Madam President, I rise today in opposition to ObamaCare. I rise today in an effort to speak for 26 million Texans and for 300 million Americans.

All across this country Americans are suffering because of ObamaCare. ObamaCare isn’t working. Yet fundamentally there are politicians in this body who are not listening to the people. They are not listening to the concerns of their constituents, they are not listening to the people who are suffering because of ObamaCare. Yet fundamentally there are politicians in this body who are not listening to the people who are suffering.

I hope to play some very small part in helping provide that voice for them. I intend to speak in opposition to ObamaCare, I intend to speak in support of defending ObamaCare, until I am no longer able to stand, to do everything I can to help Americans stand together and recognize this grand experiment 3½ years ago is, quite simply, not working.

I also say at the outset that I am particularly honored to be standing side by side with my friend and colleague Senate Mike Lee from Utah. Senator Lee has shown visionary leadership in standing and taking the mantle of leading the effort to defend ObamaCare and to challenge this train wreck of a law, and Senator Lee has been repaid at times with vilification from official Washington.
In my judgment there is no Senator in this body, Republican or Democrat, who is more principled, who is more dedicated, who is more fearless and willing to fight for the principles that make this Nation great than is Senator MIKS LEE. It is a singular privilege to serve with him and to stand beside him and so many others in this body, and, even more importantly, so many millions of Americans all across this country.

The problem in Washington, and the problem is bigger than a continuing resolution. It is bigger than ObamaCare. It is even bigger than the budget. The most fundamental problem and the frustration is that the men and women in Washington aren’t listening. If you talk to the man and woman on the street, that is the message you hear over and over again: Why don’t they listen to me? Why don’t they hear what we have to say? They aren’t listening to the millions of people, Democrats and Independents, across the spectrum who say our elected officials get to Washington and they stop listening to the people.

We just had a 6-week recess during August where a substantial percentage of Members of Congress chose not to hold townhalls during the 6 weeks we had to be back in our home States, not even to give their constituents a chance to say their views, because it is very easy when those of us who are in elected office are here in Washington for big time to believe Washington knows better; to believe that all the solutions are found in Washington, DC, and the rest of the country is better—as they say of small children—seen but not heard.

We need millions of people to get an answer. Millions of people are asking for accountability, for responsibility, for truth from their elected officials, truth about how ObamaCare is failing for health benefits. It is shattering the economy. All across the country in all 50 States—it doesn’t matter what State you go to, you can go to any State in the Union, it doesn’t matter if you are talking to Republicans or Democrats or Independents or Libertarians—Americans understand this thing is not working.

Yet Washington is pretending not to know. Washington is pretending to have no awareness. Instead we have people talking about how wonderful ObamaCare is. At the same time they go to the President and ask for an exemption from ObamaCare for Members of Congress.

If ObamaCare is so wonderful, why is it that its loudest advocates don’t want to be subject to it? I will confess that is a very difficult one to figure out. DC is using a rigged process to keep ObamaCare funded. It is keeping the job-killing bill funded. What they want to do fundamentally is ignore the millions of people, and women of America and keep up with business as usual. People wonder why Congress has such low approval ratings. I remember when all 100 of us were in the historic Senate Chamber for a bipartisan meeting. Multiple Senators were up there talking about the frustration and the anger with the low approval ratings that Congress has. It varies—sometimes, 10, 12, 14 percent—but it is always abysmal.

Some suggested the reason was that we are not legislating enough. We just need to pass some more laws and the American people will be happy. I have to admit, that does not comport with anything I have ever heard in the State of Texas. That doesn’t comport with anything I have ever heard from constituents. I am going to suggest the most fundamental reason Congress remains in the low teens in approval ratings is because Congress is not listening to the American people.

For years, when we ask the American people what is their top priority, the answer is consistently jobs and the economy—over and over, jobs and the economy. That is national. That is in your State, my State. That is in all 50 States. Jobs and the economy is the answer you get. It is also not partisan. You can ask Republicans, ask Democrats, you can ask Independents. They say we need jobs, we need economic growth has to be our top priority.

Yet I will tell you, Madam President—you and I have both served in this institution some 9 months, not very long, but in the time we have been here we have spent virtually zero time even talking about jobs and the economy. It doesn’t make the agenda. It apparently is not important enough for this body’s time. We spent 6 weeks talking about guns, talking about talking away law-abiding citizens’ Second Amendment rights, and we spend virtually no time talking about fundamental tax reform, about regulatory reform, about getting the economy going. And politicians wonder why it is that Congress is held in such low esteem. This is unfortunately a bipartisan issue, on both sides.

We need to do a better job of listening to the people. If the top priority of the American people is jobs and the economy, I am going to suggest the top priority of Congress should be jobs and the economy.

Madam President, you and I should both be scratching our heads, trying to think about a time when we weren’t talking about jobs and the economy because, I tell you, we certainly have not gotten it taken care of yet. The American people are frustrated because their elected officials do not listen.

When we are home on the campaign trail, we say we listen. Yet something about this Senate floor, something about Washington, DC—I don’t know if it is the water, something in the air, the cherry blossoms, but people get home here and they stop listening to the American people, who traveled throughout the State of Texas—I spent the month of August and the beginning of September traveling virtually every day on the road throughout Texas and across the country listening, hearing the stories. The American people are frustrated because it is a difficult time. The very rich, they are doing fine. In fact, they are doing better under President Obama than they were before. But hard-working American families are struggling and their leaders become harder and harder and harder.

ObamaCare is the biggest job killer in this country. The American people want to stop this madness, and so do I. In Washington, we pass million-dollar bills, billion-dollar bills no one has ever read, often without even voting on them. We call it unanimous consent. It is only unanimous because they don’t let anyone know.

In Washington, we spend $2 trillion more than last year and then tell voters we saved money. The system is deliberately designed to hide what we are actually doing.

In this debate right now over ObamaCare and the continuing resolution, voting to pass bills is called procedure, as if it doesn’t matter. We pretend it doesn’t matter. It does matter. Our leaders right now demand approval for bills before they are amended: Everyone come to the floor, vote for the bills when we will all laugh at it to make it say the opposite of what it says right now, but you have already voted so don’t worry about it. We are told to agree to the bills without even knowing what the final product will be and that is what is happening right now. Our leaders in both parties are asking us to support a bill, to cut off debate on a bill without even knowing what is in it.

It is as the former Speaker of the House NANCY PELOSI once observed: Please it to find out what is in it. That is how Washington does business.

Let me tell you how this is likely to unfold. Senate majority leader HARRY...
REID has said he intends to offer an amendment to determine the future of our health care system and based on the public press reports—and I would note you have to rely on the public press reports because this body doesn’t know, but based on the public press reports that is going to be my fight to fund ObamaCare. It is going to strip the language the House of Representatives passed to defund ObamaCare and listen to the American people.

The Senate will take on this fight will not occur today and it will not occur tomorrow. The first vote we are going to take on this is a vote on what is called cloture on the motion to proceed. Very few people not on this floor have any idea what that means and even, I suspect, a fair number of people on this floor are not quite sure what that means. That will simply be a vote whether to take up this bill and to begin debating this bill. I expect that vote to pass overwhelmingly, if not we will try to stop it. Everyone agrees it ought to take this up, we ought to start this conversation.

The next vote we will take will occur on Friday or Saturday and it will be on what is called cloture on the bill. That is the matters. Cloture on the bill, the vote Friday or Saturday, is the vote that matters.

Why is that? Because that vote is subject to a 60-vote threshold. If Republicans vote with Democrats, then this body will cut off debate on the bill. Cloture is simply cutting off debate. It is saying we are not going to talk about it anymore, we are silencing the voice of the Senate, we are silencing the voice of the people, and we are cutting off debate.

Why does that matter? Because once cloture is invoked, the rules of the Senate allow the majority leader to introduce the amendment to fund ObamaCare and then to have it pass with 51 votes. As the Presiding Officer is well aware, there are more than 51 Democrats in this body. Postcloture, after this body has voted to cut off debate on the bill, the vote Friday or Saturday, is the vote that matters.

But Washington tells our constituents, No, you can't. It can't be done. It cannot be done. It is impossible. There is nothing we can do.

Are millions of Americans out of work? Yes. Are millions of Americans struggling? Yes. Are millions of Americans seeing their health insurance premiums skyrocket? Yes. Are millions of Americans at risk of losing their health insurance because of ObamaCare? Yes.

But Washington tells our constituents, No, you can't. It can't be done. It cannot be done. It is impossible. The rules of Washington say this cannot be done.

And we wonder why this body has such low approval among the people. When we go out and tell the American people it cannot be done, there is nothing that can be done to stop ObamaCare, what we are saying is we are not willing to do it. We are not willing to stand and fight.

We are not standing and fighting. No, you can't. There are speeches. Oh, yes, if we want to have a speech contest, we can line up and fall over backward who can give the best speech against ObamaCare. But when it comes to actually standing and fighting, when it comes to actually having the opportunity to listen to the American people, an awful lot of Members of this body, at least so far, have not shown up to battle.

There are a lot of folks in the Washington establishment who don’t want to do anything. The chattering class is quick to discipline anyone who refuses to blindly fall in line. That is the way Washington plays. There are rules. We are not supposed to speak for the people. There is a way things are done in Washington and make no mistake, DC depends upon Americans not paying attention.

They know most Americans are quite ready to work hard to provide for their family. They are too busy spending time with their friends and family. They are too busy working to try to make sure their family is provided for. They are going to church. They are dealing with the day-to-day burdens of life. You know what they have learned? The American people have learned when we get involved, even then it seems as though Washington politicians rarely listen.

I believe that change can happen. I am standing here today to salute, to celebrate the American democratic system. I am standing here today to suggest that if Senators listen to their constituents, if we listen to the American people, the vote would be 100 to 0 to defund ObamaCare. Even those Senators who voted for it might have believed it would work. Many of us would have disagreed. Had I been here, not surprisingly, I would have voted against ObamaCare 3½ years ago. A number of us would have voted in favor of it. Regardless of how Members voted 3½ years ago, one of the great virtues of life is learning, looking at the evidence, looking at the facts, and seeing when something is not working.

Look at the labor unions. Three-and-a-half years ago the labor unions were enthusiastically supporting ObamaCare. Why? Because they heard the promises. They heard it was going to work, and that it would be a bonanza for all. They believed the promises, and that is understandable. Yet one of the things we have seen this year is one labor union after another after another saying: Whoa. This thing isn’t working. This thing is hurting us. This thing is hurting our Members.

(Mr. MANCHIN assumed the Chair.)

By the way, the people whom it is hurting are hard-working men and women and hard-working American families. They are the ones getting hammered.

James Huff, the president of the Teamsters, has said ObamaCare is destroying the 40-hour workweek. It is destroying the backbone of the American middle class. That is not me saying that, that is not any politician from Washington saying that, that is the Teamsters.

We should submit the question to the American people: Do the American people want to destroy the 40-hour workweek that is the backbone of the American middle class? That is not a close question. People talk about how we are a 50-50 Nation and how there is a tight partisan divide. I don’t believe it. I think on questions such as that there is an overwhelming majority of Americans who say of course we should not destroy the 40-hour workweek. Of course we shouldn’t break the backbone of the American middle class.
If more politicians listened to the people, we would respond and avert this train wreck. Yet the politicians of Washington tell us: Don’t worry about it. ObamaCare is going to be pretty keen. The Senate is too busy to do anything. It is making speeches. It is making speeches. It is making speeches.

Mind you, the Senate is not too busy to exempt ourselves from it. We know enough to say: We don’t want to be a part of this thing. The American people know it can’t be done. Nothing can be done. We need to accept it.

Americans have never been people who accept failure. Americans have never been people who accept impossibility. If we look to a ragtag bunch of colonists in the 18th century, the idea that we would stand up to Great Britain, the British Army—the most mighty military force on the face of the planet—was impossible. It can’t be done. I guarantee that all of the pun-dits we see going on TV and intoning in deep baritone voices: This cannot be done. I guarantee that all of the pun-dits we see going on TV and intoning in deep baritone voices: This cannot be done. I guarantee that all of the pun-dits we see going on TV and intoning in deep baritone voices: This cannot be done.

You can’t stand up to the British Army. It can’t be done. It is impossible. It is incom-plicable. Accept that this is impossible.

If we fast forward to the Civil War—a time of enormous pain, anguish, and bloodshed in the United States—there were a lot of voices then who said the Union cannot be saved. It cannot be done. Accept defeat. I suspect those same pun-dits, had they been around in the mid-19th century, would have writ-ten the same columns: This cannot be done. We cannot do it.

If we go to the 1940s, Nazi Germany—look, we saw it in Britain. Neville Chamberlain told the British people: Accept the Nazis. Yes, they will domi-nate the continent of Europe, but that is not possibly stand against them. Why? Because it can’t be done. We can-not possibly stand against them.

In America there were voices who lis-tened to that; I suspect the same pun-dits who said it couldn’t be done. If this had happened in the 1940s, we would have been listening to them. Even then they would have made tele-

vision. They would have gotten beyond the carrier pigeons and letters and they would have been on TV saying: You cannot defeat the Germans.

If we fast forward to the late 1960s and early 1970s when a President, John F. Kennedy, told this country: We are going to send a man to the Moon—when John F. Kennedy told this country we are going to send a man to the Moon there were a lot of people who said it couldn’t be done. It is impossible. It cannot be done. Yet John F. Kennedy had the vision to say Americans can do things—whatever we set our minds to.

If we fast forward to the late 1970s and 1980s, we were in the midst of the Cold War. I re-member growing up in the Cold War. I remember being told the Soviet Union cannot be defeated. It cannot be done.
are bound by 20,000 pages of ObamaCare regulation, and more and more is coming. There is another 3,000 pages added every 6 months. So it is going to keep coming and coming and coming.

I remember doing a tele-townhall several months ago, and a woman asked: How do I comply with all of these regulations? How do I comply with the burdens of ObamaCare? It was quite striking. She said: I don’t even know where to start. I will confess that I felt embarrassed because I thought I knew. I don’t know how to tell you that.

The complexity is so much that it is causing more and more small businesses to stay small—avoid ObamaCare altogether. They can’t decipher the rules and regulations so they don’t. If they have under 50 employees, they can get out from under it.

I cannot tell you how many small businesses are not hiring right now. If they have 30 or 40 employees, they are not hiring under ObamaCare, but if they get the fiftieth employee, that fiftieth employee better be one heck of an employee, because the instant he or she shows up on the payroll, boom, the entire business is subject to 20,000 pages of regulations and crushing costs.

To the men and women at home today who are out of a job, I point out to you that if it were not for ObamaCare, every small business that has an opportunity to expand right now and hire new jobs so you can go to work and get the fiftieth employee, that fiftieth employee is the last one you will hire. That is how ObamaCare— that is a job you are not able to get.

Do you want to know why the job economy is so bad, why there are so few jobs, why we have the lowest workforce participation in decades in the United States? Small businesses generate two-thirds of all new jobs in the economy, and small businesses have been hammered under ObamaCare unlike ever before.

If you were to listen to our constituents, we would step forward and act to avert this train wreck. The only way that will happen is if the American people demand it, if together we make DC listen. That is what this fight is about. It is about ensuring that the American people have a voice, ensuring that those who are struggling, those who are without a job, those who are afraid of losing their health insurance—that Washington listens to them, that Washington acts on their needs.

America needs to know why this body is held in low esteem only has to look out to the empty chairs. If you are out of a job, wondering what the Senate is doing to get our economy moving, to help small businesses create new jobs so you can go to work, to provide for your family, the answer is displayed right in front of you.

If you are concerned about the health care for yourself, for your family, if you are seeing more and more people losing their health insurance and you are saying: “What about my family? What if I lose my health insurance because of ObamaCare?” and you ask what the Senate is doing to listen to you, the answer, right now, is an empty Chamber.

Our system was based on a profound notion: that sovereignty resides with the American people, that every one of us— every person who does not live in this Senate because of if there are no bosses, as if they are autonomous rulers. And Washington is a little bit of a town that treats the people in Washington—they behave like kings and queens of their own fiefdoms. Yet every one of us has to vote for every other. In fact, I know 26 million bosses back home in Texas. Who are the 26 million Texans whom I work to represent? Those who supported me and those who did not. It is my job to represent every one of them, to fight for every one of them.

The most fundamental problem, bigger than ObamaCare, is the problem that Washington has stopped listening to the American people.

It is quite striking that in discussions with officials, we hear more complaints about “I don’t like all the phone calls I am getting from my constituents” than we do about ObamaCare. It is apparently an imposition on some Members of Congress. Our constituents are phones and express their views. It is viewed as somehow illegitimate. How dare they? Apparently, standing on those steps and taking the oath of office invests 100 people with some greater wisdom, greater insight, than we— our constituents—there is a tendency in this town, particularly as time goes on, to view our constituents as an annoyance.

Today—just today—I have heard multiple Senators complaining: too many phone calls from my constituents. What a remarkable complaint. What a remarkable complaint.

Mr. President, you and I have both worked in the private sector. In the private sector, if you were picked up the phone and called, I suspect neither you nor I sat at our computer playing Solitaire when our boss picked up the phone and called. Neither one of us said: Boss, I am too busy. Boss, I don’t want to listen. You may have some priorities for the business but not me. I know better than you.

None of us did that. Because in the private sector, there is a quick and immediate response. If you tell your boss in the private sector: Hey, boss, my time is too important for you, I don’t care about your priorities: I am not going to listen to you, I suspect that will be your last day at that place of employment.

Why is Washington broken? Because you have 100 people, a significant number of whom, on a daily basis, tell their boss, tell their constituents: I am too busy for you.

Don’t even bother to call my office because it just ties up my staff. It is an annoyance. If you do. I know the priorities better than you do.

What a broken system. What a broken system. We work for the people. Why are the people unhappy with Washington? Why are they disgusted with Washington? Because Washington is not listening to them. There is a game in that is focused on maintaining the status quo. Staying in office—that is what is important because if you don’t, you are not invited to all the right cocktail parties in town. I will confess, I do not go to a whole lot of cocktail parties in town. I am pretty sure you do not either. But there are Members of this body for whom that is very important.

At the end of the day, we do not work for those holding cocktail parties in Washington, DC. We do not work for the intelligentsia in the big cities who write newspaper editorials. We work for the American people. We work for single moms. We work for young people. We work for seniors who are struggling. We work for Hispanics, for African Americans. We work for every American who believes in the American dream.

This body is not listening to the people. Indeed, the very fact that over 1.6 million Americans have signed a petition, have picked up the phone, have been calling offices in this great Chamber is viewed as an inappropriate imposition. What an indictment of this body that we think it is somehow illegitimate that the American people would ask us not to focus on irrelevant priorities. It is not like the American people are calling, saying focus on some parochial issue. By the way, phone calls are not coming from our districts saying: Senator, please take more of the American people’s tax money and send it back to our district. We would like some more pork.

Those are not the calls. Those are not the calls we are getting. The calls are from people who are saying: Listen, jobs and the economy is my No. 1 priority. Why isn’t Congress’s? Jobs and the economy is my No. 1 priority. That is why you are working, if you are working in a good job, you are providing for your family. It makes it easier for families to stay together. Moms and dads—it makes it easier for them to raise their kids, raise them with good values. It makes it easier for them to provide a good education for their kids.

When you have one job, it lets you begin to climb the economic ladder to a better job and a better job and a better job. That is the American dream. Yet we have tens of millions of people in this country out of work. Every month we get the reports from the Bureau of Labor Statistics that say even more people have given up looking for work.

The odd way our unemployment statistics work, that makes the number the newspapers report go down. Because when a few hundred thousand people say: All right, I give up, it is so hopeless, I will never find a job, that, our only result in the unemployment number going down because the number that gets reported in the papers is a measure of a percentage of how many
of the people looking for work are unable to find it.

I am going to suggest that people giving up is even worse. What a sad testament, given the American spirit, the American spirit that we can do anything with the mind to do, that everyone—the great blessings of this Nation have been fundamentally that it does not matter who you are, it does not matter who your daddy was, it does not matter whether you were born into great economic privilege or whether you were born into humble means, anyone in this country can achieve anything based on hard work, perseverance, and based on the content of your character. What a tremendous, unique blessing that is in the United States of America. The reason this ObamaCare fight matters so much is that is imperiled right now. In order for anyone with nothing to achieve anything, they have to be able to get a job to start. They have to get on to the first rung of their economic ladder, have a chance of getting to the second or the third or the fourth or the fifth.

Just a week ago the Wall Street Journal had a long article about the “lost generation,” about young people coming of age in the last few years who have not gotten their first job or who have gotten a part-time job. Because of ObamaCare, their employer does not want to hire them for 40 hours a week, so they get hired for 29 hours a week.

Think about young people. If they do not get that first job, they are not going to get the second, they are not going to get the third. The impact for young people right now that ObamaCare is having is absolutely devastating. What this Wall Street Journal article was saying is that the economic data shows that impact will be with them their entire lives; that when they start off their career not gaining skills and not moving up the economic ladder, that delay will stick with them forever.

What a travesty that young people are being denied a fair shot at the American dream because of what we have wrought because of ObamaCare. That should unite all of us. If we were listening to the American people, that would be where our attention would lie.

Fundamentally, what this week is about is that we need to make DC listen, make them listen to the single mom working at a diner, struggling to feed her kids, who has just been told she is being reduced to 29 hours a week. Who is speaking for that single mom right now? Who is talking about how ObamaCare is forcing more and more people into part-time employment? And, by the way, she does not get health insurance. Instead, every day she is going through the motions, hour by hour, does that single mom do? She gets a second job. So now she is working two jobs, with 29 hours a week for both of them. Now she is away from her kids even more. She does not have health insurance at either job now. But she has to travel from one to the other. She has to deal with two conflicting schedules because one job wants her to work Tuesday, and the other job wants her to work at all odd hours that she has to go to both of her bosses. Both of them say: You need to be there Tuesday afternoon. Who is speaking for that single mom right now?

On one hand of the debate this week we will vote on cloture. Anyone who votes yes for cloture, anyone who votes to cut off debate on this bill, is voting to allow Senate majority leader HARRY REID to fully fund ObamaCare. That is a vote that I think is a profound mistake. It is a vote that I hope all 46 Republicans will stand united against. It is a vote that, in time, I hope more than a few Democrats will stand against.

To fix the problems in this country, this does not have to be a partisan issue. Many of the President’s most vocal supporters have started coming out against ObamaCare. Why? Because the facts show it is not working, because if you get beyond the team mentality to the real issues beyond the partisan focus in Washington and you ask, is this thing good for the American people, it is very hard on the merits to make the case that it is.

It is very hard. It is quite interesting that in the Wall Street Journal article there have been more than a few newspaper articles, more than a few attacks from our friends on the Democratic side of the aisle and also from our friends on the Republican side of the aisle.

I told my wife that I now pick up the newspaper each day to learn just what a scoundrel I am and just what attacks have come, some on the record and some—actually the ones that are often even better are the anonymous ones. I have to say that I have lost a lot of courage in the anonymous congressional staffers. I have chickened at more than a few of them. You know, it says something when Members of this body, the congressional staffers, and members of the media want to make this about personalities. They want to make this about a battle of this Senator versus that Senator, this person versus that person, so it is all personal. It is like reading a soap opera. That is really how this issue is covered. It is not by accident because one of the ways Washington has discovered for not listening to the people is distraction. Distract the voters with smoke and mirrors.

This fight is not about any Member of this body. This fight is not about personality. Look, most Americans could not give a flying flip about a bunch of politicians in Washington. Who cares? You know, almost all of us are going to have to go to the hairdressers, get our hair cut. Who cares? What the American people care about is their own lives. What the American people care about is giving their kids a better future. What the American people care about is having a job with a future, not a job where they are working 29 hours a week, where they are punching a clock, where they feel as though they are just going through the motions, but a job where they say: Hey, I have a career. I can give my kids a future for my family. That is what the American people care about.

So regardless of the rocks that will be thrown—and they will continue to be thrown—I am engaged in this game, this battle of personalities is trying to change the topic from the topic that should matter: whether ObamaCare is helping the American people.

If we focus on the substance, the evidence is overwhelming. This law is a train wreck. Every day the headlines come in: more jobs lost, more people pushed into part-time work, more premiums going up, more people pushed into part-time work. Yet every day the Senate goes about its business and says: We are too busy to listen to the American people.

I see debates about games, to be sure, that go on on both sides of the aisle. Many of our friends on the Democratic side of the aisle right now endeavor to convince the American people: Pay no attention to your lying eyes; ObamaCare is really bad, but under no circumstances could we ever do anything about it. That is not going terribly well. But on the Republican side of the aisle, there is a lot of energy and attention focused on saying: Well, yes, ObamaCare is terrible, but under no circumstances could we ever do anything about it. That is beyond us. We are destined to lose. So what we are interested in on the Republican side of the aisle is let’s cast a show vote—2, 3, 10—as many votes as possible to say: ObamaCare is really bad but we cannot fix it.

You know, that problem—it crosses that middle line. Whether you are telling your constituents it is really working out well despite the objective facts to the contrary or whether you are telling your constituents: I agree, it is a terrible thing, but I cannot do anything to fix it, in both cases you are not listening to the people. That is something we need to correct. All of us, all 100 of us—we need to listen to the American people.

That is going on on both sides of the aisle. Whether you are telling your constituents: I agree, it is a terrible thing, but I cannot do anything to fix it, which is where they say: Hey, I have a career. I can give my kids a future for my family. That is what the American people care about.

It is my fervent hope that over the course of this week, over the course of this debate, that all 46 Senators on the Republican side will unite and that
more and more Democrats will come together and say: Listen, we have an obligation to our constituents. That is an obligation we are going to honor.

Mr. LEE. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. LEE. I would ask my distinguished colleague, the Senator from Texas, a series of questions with regard to this concept to make DC listen. It is interesting that we are having this discussion right now at a time in our history when never has it been easier for so many people throughout the country with so few resources to be heard by so many.

In the past, you had to own a newspaper or perhaps in more recent years you had to own a radio station or a television company or something like that. You had to be heard by a lot of people. But these days pretty much anyone can gain access to a telephone or the Internet, they can send an e-mail, they can submit a post. It is one of the things that have made possible a groundswell of people—just a few minutes ago the Senator mentioned 1.6 million Americans just in the last few weeks signing a petition asking for Congress to make a decision to protect the American people from the harmful effects of ObamaCare.

They want government funded, just as we want government funded. They want government to be able to continue to do the things government does. They want people to be able to rely on government to protect them, to protect our borders, to protect our sovereignty, protect our homeland against those who would harm us. They want government to be able to carry out its basic functions and its responsibility. They want their government funded. But they do not want that held hostage by something else. They do not want that funding tied to the funding of ObamaCare, because that is what they want to keep government funded but they want us to defund ObamaCare.

The House of Representatives shows that at least that side of DC, that side of the Capitol was listening. I applaud the Speaker of the House and the other leaders in the House of Representatives who did that. That suggests to me that they were listening on that side of the Capitol. They had many millions of Americans calling out on the telephone through mail, e-mail, every conceivable medium for relief from this bill. They listened. They listened because they understand that the American people are being hurt by this. They ask the same questions the Senator from Texas and I and others have asked: How many more Americans will have to lose their jobs because of ObamaCare before Congress acts? How many more Americans will have to lose their wages or their hours cut as a result of this ill-conceived law that has done so much damage to this? How many more people will have to lose access to health coverage before Congress does something?

Just last Friday we saw Home Depot—one of America’s great companies, one of America’s great success stories, one of America’s great employers—announce that 20,000 employees will be losing their health coverage. How will we have to hear before Congress does something to protect Americans from the harmful effects of this law—a law that was passed a few years ago without a single Republican vote in the House of Representatives; a law that was passed a few years ago without a single Republican vote in the Senate; a law that was passed—all 2,700 pages as it was then constituted—without, as far as I know, many, if any, Members of this body or the other body in the Capitol having had the opportunity fully to read it. Since then, of course, it has expanded. We have had an additional 20,000 pages of regulations promulgated, increasing rather exponentially the impact of this law. The population of the country expanded with the time, just as the complexity of the law has not become less problematic in the intervening 3½-year period.

So as we look at this, we think about the fact that it is important for Congress to listen carefully to American people. Again, today it has never been so easy to see a dip in their well-being, a dip in their standard of living if, instead of receiving welfare benefits, they decide instead to shed those benefits and go on to an entry level job. That is sad. That is sad because that suggests that our government’s well-intentioned actions, many of those programs might be, they will have set in place a series of conditions that trap people, especially parents, into a vulnerable, poor condition.

If there is one thing that I think parents feel somewhat universally, it is a degree of risk aversion. People do not like to take risks that could jeopardize their ability to provide for their children. If we set up a set of conditions in which people, in order to maintain their level of certainty that they might have while surviving under a system of welfare benefits provided by the Federal Government—if they become locked into that, locked into poverty perpetuity because of that, that is disconcerting because the risk is always too high to make that jump to an entry level job. Without the entry level job, there will never be the secondary job, there will never be the first raise or the second raise or the first, second, or third promotion. Without those things, there is no laddering. Without those things, there is an opportunity lost and people remain on the bottom rungs of that very ladder.

We see at the top rung a system of crony capitalism that sometimes has the impact of keeping some people and some big businesses artificially held in place at the top of the economic ladder at the expense of others, at the expense of would-be competitors who are driven out or held out from the beginning from the competitive marketplace through the oppressive intervention of the government, through the government’s favoritism, and through the government’s ability sometimes, regrettably, to choose winners and losers in the marketplace.

You see where most Americans are, right in the middle of the ladder. On the middle rungs of that ladder, working, trying to get by from day to day. They are able to survive, able to provide for the basic needs of their families. But they would like to do better. They would like to be able to provide a more comfortable living for their families.

They find very often that no sooner do they find an increase in their income than that same increase has been gobbled up by a combination of oppressive taxes, oppressive regulations, and a devastating impact of inflation. When those things happen, we find people are unable to make their way up that economic ladder.

We find ourselves at a precipice of sorts. We find ourselves about to embark on a very bold experiment in which we rather dramatically expand the role of the Federal Government, injecting it more directly, more completely, more dangerously into one of
the most personal aspects of most people’s lives, into the health care industry. This is an industry that comprises a very significant portion of our Nation’s economy in an area in which people feel strongly about their own right, about their own innate, inalienable need: the idea of maintaining a degree of control that is not subject to the will and whim of government bureaucrats in Washington.

At the same time the government is doing all of this, the government will be consuming an increasingly large share of the resources moving through our economy, making it even harder for people who are trying to get by to do so and to do so without undue interference from the government.

This is an issue that is important to so many people. This is an issue that reminds people of the fact that whenever government acts, it does so at the expense of our own individual liberty. It does so at the expense of our ability to live the lives we would like to live. It does so very often at the expense of the American economy. It does so very often at the expense of economic opportunity for Americans, you see, because when we expand government, we expand the size of ourselves as a country less free. We leave ourselves with fewer alternatives.

Is there a role for government to play in health care? Absolutely. Of course there is. No one disputes that. Are there improvements that can be made to our health care system? Certainly there are.

But a 2,700-page law that was passed after Members of Congress were told they had to pass it in order to find out what is in it, that has expanded since then to include within its penumbra 20,000 pages of regulatory text, a law that has become less and less popular, less and less something that the American people support.

I would ask if Senator CRUZ feels this American people support.

I would ask if Senator Cruz feels that the American people have every right to speak out on this. Specifically does the Senator feel the American people have every right to expect that those of us serving in the Senate will do everything we possibly can, even casting difficult votes, even casting procedural votes that might be difficult to cast or difficult to explain? Do they have every right to do that even if it causes great inconvenience for them and for us in the process of complying with their wishes?

Mr. CRUZ. I thank my friend from Utah for that very good question. The answer is absolutely yes. That is the foundation of our Nation. If you look at the history of government in the world, it hasn’t been pretty. The history of government for most of the existence of mankind has been a story of oppression, a story of rulers imposing their will on their subjects. For millennia, we were told that rights come from government. They come from kings and queens, and they are to be given to the people by grace, to be taken away by the whim of the ruler. That has been the state of affairs for most of the history of humanity.

The founding of our Nation embodied many revolutions. The first revolution was a revolution that was a bloody revolution fought with guns and bayonets. But even more important than that revolution was the revolution of ideas that occurred. The revolution of ideas that began this Nation was twofold.

First, America began from the presupposition that our rights come from God. It is for that reason the Declaration Of Independence begins: “We hold these truths to be self-evident, that all men are created equal,” that we are endowed—not by a king, not by a queen, not even by a President—but “endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

That is and was a revolutionary idea, and it led to the second revolutionary aspect of the founding of our Nation which was the concept of sovereignty. For millennia sovereignty began at the top. It was the ruler who was called the sovereign. The word sovereignty derives from that notion. Of course, the sovereign is where sovereignty resides.

The American Framers turned that notion on its head. We said: There is no sovereign. Sovereignty resides with the people. That is why our Constitution begins “We the People,” because we inverted the concept of sovereignty. That was that we inverted the concept of sovereignty. For millennia sovereignty began at the top. It was the ruler who was called the sovereign. The word sovereignty derives from that notion. Of course, the sovereign is where sovereignty resides.

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The Constitution, in turn, was created to lend power to government, not to give it, to lend it and to lend it, I would suggest, only in good behavior. Thomas Jefferson referred to the Constitution as the “higher law,” the “law of laws.” It was that the Constitution is the place where the chief of government, that sovereignty is an idea we need to get back to.

I am going to suggest that for some time now the Senate has not behaved as if we the people are sovereign. For some time the Senate has not behaved as if each of us collectively has 3 million bosses. For a long time the Senate has behaved as if the rules that matter are the rules in Washington, DC. That is why my message of this week is to make DC listen. The most important objective of this week is to reassert that sovereignty is with the people, that calls from our constituents and town halls are not a pesky annoyance, or expanded into a new aspect. One after another said: We will not do it, hands down, not even close, there is nothing that comes close.

It was striking. Of those 20, there were probably 4 or 5 of them who relayed some version of this same story. One was the fellow who owned the restaurant we were meeting in. He said: You know, we have a great opportunity to expand our business, but I have an opportunity to make the restaurant even bigger, expand it, and from a business perspective, this opportunity looks good. But he said: You know, we have not even 20 employees. If we expand the business, we will go out of business. And if we go over 50, and we are subject to Obamacare. If that happens, I will go out of business. So you know what, I am not going to do it. We are going to stay the size we are.

One person after another around the table said the same thing. They had 30 employees, 35, 40 employees. They had great opportunities to go open another location, expand into a new aspect. One after the other said: We will not do it, because if we get over 50 employees, Obamacare will bankrupt us.

I want you to think about each of those 4 or 5 businesses and the 10 or 20 jobs that each of them didn’t create, isn’t creating right now because of Obamacare. Then I want you to multiply that by thousands or tens of thousands of small businesses all across this country that could be creating jobs if we want to think about all the people right now who are home wanting to work.

There are, by the way, I will note, some politicians who suggest that if we get people in this country are lazy and don’t want to work. I don’t believe that. I think Americans want to work. Americans want the self-respect that comes from going to the office, from working, from providing for your family, from working to achieve the American dream.

Do some people give up? Sure. Can you give in to hopelessness? Yes. When
you keep banging your head against a wall over and over again, trying to get a job, and you don’t get anywhere, it is only natural for people to feel despair. I want you to think of the millions of jobs we could have but for small businesses that are not growing, not expanding, and not creating jobs.

Another small business owner around that table owned several fast food restaurants. She had a problem. She owned enough fast food restaurants that she had over 50 employees. I will mention that the restaurant business and the fast food business side in particular is quite labor dependent. I doubt if there is a sector in this economy that has been hurt more than the labor in the fast food business. But her problem was she had enough stores so she was over 50 employees, so that strategy wouldn’t work for her. She described how she has already forcibly reduced the hours of every one of her employees to 29 hours per week.

I will tell you this woman almost began to tear up. She was not happy about this, to put it mildly. She said: Listen, we have been in business a long time. Many of these employees we have known 10 or 20 years. People make families. These are people—look, if you are working in a fast food restaurant you are not at the pinnacle of your career. You are struggling to pay the bills. These are single moms who are working hard and they can’t feed their kids on 29 hours a week. But they can’t feed their kids if I go out of business either. If we are subject to Obamacare, we go out of business.

Why 29 hours a week? Well, just like the 50-employee threshold, Obamacare kicks in and counts an employee if he or she works 30 hours a week. One of the things that is forcing small businesses all over the country to do is to force their employees out of good full-time jobs into 29 hours a week because they can’t afford the costs and burdens of Obamacare.

I will mention another small business owner who I think will particularly hit home with the Presiding Officer because I know the issues that resonate with him. This is an individual who manufactures hunting blinds—actually very interesting. They are hunting blinds that are camouflaged to look like trees. They are really very clever creations. He described how he has been forced to move his manufacturing overseas, to move it to China. So right now he is manufacturing in China.

He said: Listen, I want to manufacture here in the United States. That matters to me. I care about that.

He said this would be 150 to 200 good manufacturing jobs here in the United States.

The Presiding Officer and I both come from States where there are a lot of people who are struggling and who would really love to see 200 more manufacturing jobs. Manufacturing used to be a tremendous strength of our economy, but the manufacturing sector has been hammered in recent decades. Yet this small business owner said that because of Obamacare, if he brought his manufacturing back to the United States, his workers would all be subject to Obamacare and he couldn’t be competitive in the business. It would drive him out of business.

I would ask my colleagues to consider each of these small business owners and multiply it by the millions of small businesses this country—the millions of small business owners who aren’t growing, the millions of small business owners who are forcibly reducing their employees’ hours to 29 hours a week, the millions of small business owners who are considering moving operations overseas or have already because of Obamacare. Why is the economy gasping for breath? Why are people not able to get jobs? Because Obamacare is killing jobs, and the Senate should listen to the people. We need to make DC listen.

Mr. VITTER. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question with your permission.

Mr. VITTER. I thank the Senator. Does he acknowledge that he understands, as I do, that as this monstrosity goes into effect October 1 and as it has all of these really devastating impacts on individuals and small businesses, under a special illegal rule from the Obama administration, Congress and Washington get an exemption; they get a special pass; they get a special deal no other American gets under the law?

Mr. CRUZ. I thank the Senator for his question, and he is absolutely right. There are many scandalous aspects of Obamacare: how it was passed—on a brutal partisan vote rammed through with late-night deals that have earned rather infamous nicknames, such as the “Cornhusker kickback,” which has sadly become part of modern political lore; and the Louisiana purchase, the giveaway to a friend from the great State of Louisiana, who was not involved in that. And one of the most sorry aspects of Obamacare is the aspect Senator Vitter refers to, which is that President Obama has chosen, at the behest of majority leader HARRY REID, at the behest of Democratic Members of the Senate, to exempt Members of Congress and their staff from the plain language of the statute. When Obamacare was being passed, Senator Cruz—Senator Cruz—a towering giant in this body, a strong, principled conservative—introduced a commonsense provision to Obamacare that said: If you are going to force Obamacare on the American people, if you are going to force these health insurance exchanges and you are going to force millions of people into these exchanges, then Congress should not operate by better rules than the American people. So he introduced a simple amendment that Members of Congress just like the American people so that we didn’t have this two-class system.

It has been reported—I was not serving in this body at the time—that amendment was voted on and accepted because Democratic Senators believed the bill would go to conference and in the conference committee they could strip it out and it would magically disappear. But the procedural games it took to pass it, they didn’t have the opportunity to do that, and suddenly, horror of all horrors, this bill saying Congress should be bound by the same rules as the American people became the law of the land.

So what happened? Majority leader HARRY REID and Democratic Senators had a closed-door meeting with the President here in the Capitol where they said, according to public news reports: Let us out of Obamacare. We don’t want to be in these exchanges.

One would assume they are reading the same news reports the rest of us are reading—that Obamacare is a train wreck, that it is not working—and the large number Members of Congress wanted to do was to have their health care jeopardized. And the President directed his administration to exempt Members of Congress and their staff, ignoring the language of the statute, disregarding the language of the statute and saying: You guys are friends of the administration. We are taking care of you.

I want to take a minute, in response to this question, to commend the Senator from Louisiana peremptorily. He said: If you are going to force Members of Congress should be subject to the same rules as the American people. We shouldn’t be treated by special or different rules for us. Indeed, the amendment of Senator VITTER said Members of Congress should be subject to Obamacare, our staff should be subject to Obamacare, and the political appointees of the Obama administration, who, by the way, are not in the exchanges—should be too. So if the President and Cabinet appointees and his political officials want to go into communities and tell everyone how wonderful Obamacare is, then let them do so from personal experience. Let them do so not being exempted but subject to the same exchanges and subject to the same rules the American people are.

The reason I wish to commend the Senator from Louisiana is his introducing that amendment prompted a response that, I will suggest, brought disgrace and discredit on this body. It prompted a political response that targeted the Senator from Louisiana personally.

Now, we have all heard the saying “politics ain’t beanbag,” but the nastiness with which the Democratic majority responded to Senator Vitter for daring to say that the Washington ruling class should be subject to the same rules as the rest of America was extraordinary even for Washington, DC.
In fact, I would note that the majority leader and the junior Senator from California, as I understand from public news reports, proposed a response to the Vitter amendment that said any Senator who votes for the Vitter amendment—regardless of whether it passes, or if you can win, for the simple majority of the Senate—would have committed a felony under the black letter definition, that conduct—threatening to pay someone individually thousands of dollars or take thousands of dollars away from them as a direct quid pro quo for how a Member of Congress votes—constitutes either bribery or extortion.

Now, let me be clear: No Member of this body is guilty of bribery or extortion. Why? The simplest reason is because the Constitution's speech and debate clause protects all of us, such that given their action was proposing an amendment themselves, there is a constitutional immunity. So I am not suggesting that anyone is guilty of bribery or extortion. But I am saying that if any private citizen who didn't happen to be a Member of the Senate did the exact same thing as the suggested content of their amendment, he or she would have committed a felony under the plain text of those definitions.

So if I really recommend Senator VITTER for shining a light on basic fairness, for enduring the vilification that was unfairly directed his way, and for making the point that outside of Washington is simple common sense.

I want to tell you, if any of us were to get a gathering of our constituents together, if we were to get a gathering of constituents from the opposing party and ask this question at any townhall gathering in our States: Do you believe that Members of Congress should be exempted from Obamacare, that we should have a special rule, that we should disregard the language of the statute, and not be subject to Obamacare? And given that the American people are, the answer would be overwhelmingly no. And it doesn’t matter where in the country you are or what your party is.

I thank Senator VITTER for having the courage and the principle to highlight this particularly unfortunate aspect of Obamacare.

Mr. VITTER. Will the Senator yield for a further question?

Mr. CRUZ. I will be happy to yield for a question without yielding the floor.

Mr. VITTER. Will the Senator also acknowledge that given that history on this issue, given that illegal rule to expand the special Congressional exemption rule, a special subsidy for Congress that the Obama administration is putting into law without valid authority, and given that we are debating and acting on a spending bill this week, we should be voting on that? We should get a vote on it. If Senator Cruz included the Cruz amendment together to block that illegal rule this week?

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congressional staff who tender their letters of resignation and leave. I have had one staff member already indicate she would retire after many years of service, and the possibility of being put on ObamaCare was a real factor in that decision.

If we lose some good talent from Congress, that will be a shame and a hardship for every office. But what does that say? If ObamaCare is such a disaster to those staffers—and, mind you, a lot of these congressional staffers who may tender their letters of resignation are staffers working for Democratic Senators who drafted ObamaCare, who fight for ObamaCare every day, and say that staffers would be willing to quit because the quality of health care under ObamaCare would be so poor that they would rather go somewhere else than be subject to those laws? I think that speaks volume.

Neither Senator VITTER nor I in the long term has any interest in seeing congressional staff and Federal employees on ObamaCare, but it does have the value of highlighting how bad it is. If we are not willing to live under those rules, if we say, Wow, ObamaCare scares the heck out of us, and we don’t want to be subject to it, then the proper answer is not to vilify the Senator from Louisiana or any other Senator in this body. The proper answer is to step in and say to the American people, look it over, let me suggest something that would have a powerful clarifying impact on this body.

If only Senators would behave as if their constituents were at least as important as their congressional staff; if only Senators were to behave as if their constituents were at least as important as they are—to be honest, our constituents are more important. Our constituents are our bosses. They are the reason we are fighting. The fact that members of this body think they want to leave the American people stuck in ObamaCare, then we ought to be subject to the same rules. If we are not willing to live under those rules, if we say, Wow, ObamaCare scares the heck out of us, and we don’t want to be subject to it, then the proper answer is not to vilify the Senator from Louisiana or any other Senator in this body. The proper answer is to step in and say to the American people, look it over, let me suggest something that would have a powerful clarifying impact on this body.

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Let me suggest to every Member of Congress, to every staff who is dismayed—and, to be honest, saying they are dismayed is an understatement, to describe just the depth of despair and even panic about this. Let me suggest to every Member of Congress and every staff who is feeling that panic, direct that panic not to our own skins; direct that panic to the American people. Direct the sense that one year from now, if the President exempting every big corporation in America, giant corporations, he said, for a year it doesn’t apply to you. The language of the law explicitly applies. There is no year delay of the language of the law.

For over 200 years we have operated as a nation of laws, not men. We have operated as a nation that says if that is what the law says, then it kicks in in January 1 and not a year from now, election. That fact that it wasn’t in January 1, No, Big companies have come to us. My friends in big business, I am going to give you a year-long exemption.

If ObamaCare were so terrific, why would the President want to delay it until after the next election? The year-delay timing is not entirely coincidental. The employer mandate was supposed to kick in in January 1 of next year, and the President unilaterally and contrary to law delayed it one whole year until after the November 2014 elections.

If the representations that so many Members of this body make to the American people were true that ObamaCare is terrific, wouldn’t then I would think the President would be eager to have it kick in before the election. If it were a good thing, you would want the good stuff to happen before the election and not after the election. The fact that it was moved for big businesses is an indication of how badly this law has failed.

But it is not just big businesses that have got an exemption. Members of Congress set up a closed-door meeting with the President of the United States. With much fanfare, the President came to the Capitol, met with the Democratic Caucus, and as was widely reported they asked for a special exemption and they got it. How about the American people? They can’t go in.

One of the reasons people are so unhappy with Washington is they get a sense that there are special rules that apply to their street gets special exemptions, the big banks get special exemptions. Dodd-Frank sets up rules that hammer small banks, hammer community banks, hammer the little guy. But what happens to the big guys? They keep getting bigger. Why? Because they get rules made in Washington that favor the big guy over the little guy. And you wonder why there is such dissatisfaction in this country. But if you have political friends in this administration, you too can get an exemption.

Labor unions have more and more been expressing their dismay about ObamaCare as they have realized in practice the thing isn’t working. Recently the labor unions came to the Obama administration and said, We want an exemption too. Big businesses got an exemption, Members of Congress got an exemption. Shouldn’t labor union President shouldn’t get an exemption? And with much fanfare the administration reportedly told them, No.

I am going to make a prediction right here and now. If the President wants to act, if the leadership in defunding ObamaCare, if we don’t stand together in imposing closure on Friday, if we don’t act to avert this train wreck for the American people, before the end of this President’s term we are going to see him grant an exemption for labor unions. That has been the pattern. Friends, political buddies—they get a slap on the back. They get special treatment.

It wouldn’t have been good politics to grant the labor unions an exemption right now, right in the middle of this debate. Right when you have over 1.6 million people signing a national petition, right when Congress is debating it—gosh, it would have looked bad to grant an exemption then.

It is a little reminiscent of the President’s remarks regarding Mr. Putin that were caught on tape before the last election—I forget the exact language, but, Tell Vladimir I will be able to work with him a lot more after the election.

I don’t think it takes any stretch of the imagination at all to understand that, give it a little time, let the pesky people who are sort of worked up a little bit on ObamaCare dissipate. Then we will quietly do the exemption for labor unions.

Let me note the point “quietly.” One of the self-described fact checkers—and we may talk long enough that I talk a little bit about fact checkers, because that is a particularly pernicious bit of yellow journalism that has cropped up that lets journalists be editorial writers and pretend they are talking about objective facts, and basically conclude as a factual matter—not as a matter of opinion—and anyone who disagrees with them is objectively lying.

One point that one of the so-called fact checkers in the Washington Post took issue with was an observation I made that President Obama is quietly granting exceptions.

I note that the exception for big business was announced in a blog posting by a midlevel political appointee in the Treasury Department. If I remember right, on a Friday, I may be wrong on the day but I think it was on a Friday. In Washington language, by any measure, when you announce a major policy that impacts the whole country that exempts giant businesses from your rule you break them. For the American people and you don’t do it from the White House, you don’t do it from the President, you don’t do it as
an announcement, you don’t take questions on it, you simply put a blog posting from a midlevel staffer, that counts as “quietly.”

It hasn’t been quiet since then because everyone happened to notice. So my prediction right now is if we get past this if the middle class in this body who defend the status quo—and, wow, are there a lot of forces that defend the status quo. There are a lot of people with a vested interest in maintaining the status quo. If they prevail, if ObamaCare goes into effect before the end of this President’s administration, mark my words, you will see an exemption for labor unions just like the exemption for big business, just like the exemption for Members of Congress.

What are we left with then? We are left with a system where ObamaCare is a rule for, as Leona Helmsley so famously described them, the little people. For everybody who doesn’t have power and juice and connections in Washington for everyone—look for the men and women at home, maybe you have an army of lobbyists working for you. Maybe you have Senators’ cell phones on your speed dial. Maybe you can walk the corridors of power. In that case you get an exemption. But if you are just a hard-working American, if you are just trying to provide for your family, if you are just trying to do an honest day’s work, make your community better, raise your family, you are the ones, the people who are left. And that means they are taking the message this President has sent—and sadly the message the Senate has sent—is you don’t count. We are going to treat everybody else better than you. That is exactly backward. It is the hard-working American we work for, not the lobbyists with tassels on their loafers who wander the halls but the single mom in a diner. They are the people who are losing.

ObamaCare is about the harm to jobs and economic growth that is coming from ObamaCare. Americans continue to suffer from high unemployment and severe underemployment. Instead of helping job growth, ObamaCare’s mandates and costs are causing businesses to stop hiring workers, to cut employees’ hours, and they are increasing the costs to operate businesses. Small businesses in particular are being hammered by ObamaCare.

Here is some working statistics on unemployment and underemployment. According to the Bureau of Labor Statistics report for August of 2013, there are 11.3 million unemployed persons. The unemployment rate, the official unemployment rate is listed at 7.3 percent. Yet college graduates, for example, the unemployment rate for college graduates is 3.5 percent. That is a profound difference. These are getting hammered, who are losing under ObamaCare, are the most vulnerable among us. They are young people, Hispanics, African Americans, single moms. For Black teens the unemployment rate was higher than it is for college graduates—38.2 percent. Let me ask, when small businesses are not hiring, when small businesses are laying off people, when small businesses are forcing employees to work 29 hours a week, whom do you think that is impacting? It doesn’t impact titans of industry. The rich and powerful are not losing their jobs. They are not finding themselves forced into part-time work.

We talked about the fast food business. The fast food business, that industry is being hammered. You want to talk about what a tremendous avenue for employment the fast food industry has been, particularly for the first and second generation Americans who are looking for a job? There are a lot of people out of work. Look at the unemployment rate of African-American teens of 38.2 percent, the fast food industry has been such a great avenue for advancement for minority teenagers.

I note I do not view that from the perspective of abstract numbers on a piece of paper. I view that from a very personal perspective, because 55 years ago, when my father came from Cuba, he was 18, he was penniless, and he couldn’t speak English. But he was lucky. He was lucky to get to America. He was lucky to be able to apply for a student visa, to be accepted to the University of Texas, to flee the Batista regime, where he had been imprisoned and almost killed in a Cuban jail as my father was a teenager, my father had endured more than the vast majority of Members of Congress will ever experience.

I will note with that background it does make the back-and-forth of Washington pretty mild by comparison. If someone says something mean about you in the newspaper, it may not be altogether pleasant, but it is pretty darned mild compared to being beaten and almost killed in a Cuban jail as my dad was a young man.

When he landed in Austin—if I could, Mr. President, I would ask you to put yourself in his shoes—not literally, because I think your feet are bigger than his, but figuratively. When my dad landed in Austin, he couldn’t speak English. He didn’t know anybody. Imagine being in a strange land where you cannot speak English, you have $100 sewn into your underwear that my grandmother put there. The first thing he needed was a job, so he went to look for a job. That was the problem. He needed a job. The problem is if you are an 18-year-old kid from Cuba and you cannot speak English, there are not a lot of jobs you can get. If you can’t speak English, it is pretty hard to get a job where you have to deal with customers who are going to expect you to speak English. At that point he didn’t have a lot of skills. He was a teenager. So his first job was washing dishes. He made 50 cents an hour.

Why did he get that job? Because you didn’t have to speak English. Even though he did not have a lot of skills as an 18-year-old kid, he was perfectly capable of taking a dish, putting it under very hot water, scrubbing it and setting it aside and he did it over and over.

When my father was here, he had no means of support other than washing dishes. So what he did, one of the reasons he wanted to work in a restaurant, is that restaurants would let you eat while you were working. It was one of the perks of working in a restaurant; the employees were able to eat. My father had no money for food. He barely had money for a little apartment. In fact, he started in the dorms, I believe, and tuition. That was it. He didn’t have money to buy food, so what my dad did is he ate at work. Since he liked to eat 7 days a week, he ate at work. He would go in and he only ate during those 16 hours. During the 8 hours he was working washing dishes, he would eat like crazy, I mean he would just feed his face. Because when he left, the next time he would come to the same eating he thing, wasn’t buying food until the next 16 hours he showed up at work. That was the next time he was going to eat.

Some people may look at a dishwashing job paying 50 cents an hour and turn up their nose at it and say: Who really cares about people in jobs like that? Sometimes this Senate behaves like that. Who cares about people in jobs like that?

But after some time, my father learned English. I will tell you how he learned English. He did a couple of things. No. 1, my father signed up for Spanish 101. When he was a freshman at UT, he signed up for Spanish 101. He might say: Why would a native speaker take Spanish 101? That seems a little dumb.

What my father would do is sit in the classroom and basically try to reverse engineer everything. So the professor would say milk is leche, and he would write it down and say leche is milk. He would try to sit and listen, and as the teacher was teaching Spanish he would try to do everything backward and try to figure out what the English was.

The other thing my dad would do, on Saturdays, he would go to movies. In fact, when I was a kid, we would go to movies all the time together. It was one of the things we loved to do together, still do. My dad used to go to movies on Saturday and he would sit next to me eating in English typically three times. He would just sit there and watch it. When he first came there to Austin, he would
He had all sorts of clever final exam questions that he would give. He taught college algebra. I remember one of his final exam questions was: You have a triangle with sides 11, 20, and 9. Compute the area.

You have students who would write pages and pages, trying to put all these various equations together, trying to figure out the area. Almost all of them were wrong. It is a basic rule of geometry, for a triangle the sum of any two sides has to be greater than the third side or else they don't actually meet. A triangle with sides of 20, 11, and 9 and 11 add up to 20. That is a straight line. The area is zero. So he enjoyed kind of coming up with clever final exam questions. That was one of them.

But from there, after being a teaching assistant, he applied for and got a job with IBM as a computer programmer. This was, I think, 1962, 1963. It was in the early 1960s. From there he got the skills as a computer programmer and became an engineer in the oil and gas business. Subsequently, with my mother, he went on to start a small business, a seismic data processing company in the oil and gas business.

So when I was a kid, as I grew up, my parents were business owners. When I talk about small businesses, similar to a great many Americans, the majority of Americans, it is not a hypothetical. I have grown up as the son of two small business owners, seeing one hand over the other, trying to run a small business. In fact, I saw my parents' business go bankrupt when I was in high school. I saw the up sides and the down sides of being in a small business. It ain't easy.

If my father had not been able to get that first job washing dishes and making 50 cents an hour, he never would have gotten his second job as a cook. If he hadn't gotten his second job, he wouldn't have gotten his third job as a teaching assistant. If he hadn't have gotten that job, he wouldn't have been hired by IBM. If he hadn't been hired by IBM, he wouldn't have started his own business.

Earlier, the Senator from Utah talked about opportunity and the American dream. When we look at a statistic, such as the fact that African-American teenage unemployment is 38.2 percent, we are talking about a generation of young people who are not getting a job. The equivalent today of that job of washing dishes and making 50 cents an hour. They are not getting the job of flipping burgers in the fast food business because the impact of ObamaCare on the fast food business is so devastating that it is not hiring workers. The travesty is that they do not get to flip burgers. Flipping burgers is honorable work. It is not necessarily the fulfillment of someone's life ambition, but it is so frequently a stepping stone to the next job and the next job and the next job.

As a young kid, one of the things you have to learn is basic work skills, such as how to show up on time. A lot of teenagers are not very good at showing up on time. They don't understand how to show up on time. Even some U.S. Senators have not figured that out. Yet, if a young American doesn't get a job or learn to work with his coworkers, they are not going to show up on time, to be courteous, respectful, diligent, and responsible, he or she can't learn the skills it takes to achieve in any job.

Ashton Kutcher gave. It was actually a terrific speech. It was a speech at one of those award shows where he talked about the value of hard work. One of the things I remember he said was this: In my life, opportunity looks an awful lot like hard work. That was a great message. It was a great message to young people. Part of the reason I tweeted it out and to salute him—I have watched his TV shows and his movies, but I don't know him personally. I thought he was an extraordinary person. He has been an abysmal 1.6 percent. The historic average since World War II is 3.3 percent. Our economy is stagnant, and ObamaCare is a big part of the reason.

So I ask the President, where is the urgency in this body? When the President goes home and talks to the men and women in West Virginia—or the men and women in Texas—he must hear that they are hurting. They understand that 1.6 percent is not sustainable and it is hurting the American people. Where is the urgency in this body? Where is the urgency to say: We have to stand and do something to turn it around.

Jobs are being lost because of ObamaCare. A U.S. Chamber of Commerce survey of small businesses in 2013 found that 71 percent of small businesses say ObamaCare makes it harder to hire workers. The study also found that two-thirds of small businesses are not ready to comply with ObamaCare rules.

Why do we care about small businesses? Look, on one level, we care about the entrepreneurs—the Horatio Alger success stories. We care because when a small business owner can speak to millions of young people who would never listen to me. I salute him for carrying a message about hard work, diligence, and working toward the American dream.

The greatest travesty of what is happening with ObamaCare is a generation of young people are being denied a fair chance at the American dream. If we look at economic growth, according to the Bureau of Economic Affairs, GDP growth has been an abysmal 1.6 percent. The historic average since World War II is 3.3 percent. Our economy is stagnant, and ObamaCare is a big part of the reason.

When I talk about small businesses, similar to a great many Americans, the majority of Americans, it is not a hypothetical. I have grown up as the son of two small business owners, seeing one hand over the other, trying to run a small business. In fact, I saw my parents’ business go bankrupt when I was in high school. I saw the ups and downs and the down sides of being in a small business. It ain’t easy.

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percent say they are holding off on plans to grow their businesses in direct response to the law.

By the way, the most egregious parts of ObamaCare still have not kicked in. Forty-eight percent of small business owners is held to be the worst. Less than 10 percent say it is good for business.

Jamie Richardson of White Castle explained how ObamaCare is impacting her business: In the 5 years prior to the health care law, we were opening an average of eight new White Castle restaurants each year. In 2013 we plan to just open two new locations. While other factors have slowed our growth, it is the mounting uncertainty surrounding the health care law that brought us to a standstill.

I want the Presiding Officer to think about that for a second. They were opening eight White Castle restaurants a year—I like their little burgers—and that number dropped to two. So six a year over the last 4 years amounts to 24 White Castle restaurants. No. 1, just as a consumer—and I am a big fan of eating White Castle burgers—that is 24 places we can’t go to get a White Castle burger. But that is not the real hardship. The hardships are all the jobs that are lost from those 24 restaurants that didn’t open. Every one of those stores would have multiple shifts with managers, cashiers, kids who were mopping the floor. All those jobs would have been a step on the economic ladder toward the American dream.

Even within a fast food restaurant there has been tremendous opportunity for investment. Maybe you get hired mopping a floor because you don’t have any other skills or, like my dad, washing dishes because you don’t have any other skills. If you work a little while, maybe you can move over to the fries and then to the griddle. You can move to the cashier desk and learn how to count kids. Whatever it is, you have to learn how to count change. Sadly, because of the educational challenges we have, a lot of kids don’t have the skill to count change yet. They can learn that. Then, if you demonstrate hard work, perseverance, and customer service, maybe you will get promoted to assistant manager, then manager, and then who knows.

Just a few weeks ago I had dinner with a number of franchisees who own fast food restaurants for one particular fast food restaurant, developed skills, advancement. So it was hiring an assistant manager and then as a manager. After that, he saved up and bought his own restaurant.

It was interesting. There were people—and some of the franchise owners had pretty extensive backgrounds. I think there was one fellow who had 27 fast food restaurants. So there were some people who were very successful businesspeople. I remember this African-American gentleman who had relatively recently saved up to buy his first restaurant that he owned and the pride he justifiably felt—and the pride I felt. I mean, what an incredible country. What was interesting is he described the exact same challenges as the fellow who owned 27 restaurants and was far wealthier and had a far bigger business.

What all of them said as we were going around the table was that ObamaCare is devastating. They didn’t say it was sort of a little problem. They didn’t say it was making life more difficult. They said: It is devastating. It is going to put us out of business. We don’t know what to do. This is a disaster business.

A March 2013 Federal Reserve report on current Federal economic conditions explains that employers in several Federal Reserve districts cited the effects of the ObamaCare act as reasons for planning layoffs and reluctance to hire more staff.

In May 2013 Moody’s economist Mark Zandi noted a slowdown in small business hiring due to ObamaCare.

The U.S. Chamber of Commerce, in the second quarter of 2013 small business survey, found that Washington policies continue to hamper hiring and growth, with over a quarter of small businesses saying they had lost employees in the last year. They cited health care as the very top concern.

Concern about ObamaCare has increased by 10 points since June of 2011 and by 4 points just last quarter. Seventy-one percent of small businesses say the health care law makes it hard to grow. Forty-eight percent say the law makes it harder to hire. Forty-seven percent say they are prepared for the requirements of the law—including participation in the marketplaces.

Among small businesses that will be impacted by the employer mandate, one-half of small businesses say they will either cut hours to reduce full-time employees or replace full-time employees with part-time workers to avoid the mandate. Twenty-four percent say they will reduce hiring to stay under 50 employees.

I want to repeat those numbers because those numbers are deeply troubling. Among small businesses that will be impacted by the employer mandate, one-half—50 percent—say they will either cut hours to reduce full-time employees or replace full-time employees with part-time workers to avoid the mandate. We are not talking about a few small businesses, we are talking about half of them. Twenty-four percent say they will reduce hiring to stay under 50 employees. That is a disaster for small business, it is a disaster for jobs, and it is a disaster for American families who are struggling.

The outlook for hiring remains grim. The majority—61 percent—of small businesses do not have plans to hire next year.

A Grand Rapids, MI, company reported that they had to lay off over 100 employees due to the medical device tax. Let’s think about that. In Grand Rapids, MI, there are 1,000 people out of a job directly because of ObamaCare. Now let’s think of their spouses and their kids. One of the American gentlemen who owned 27 restaurants and was far wealthier and had a far bigger business.

On September 18, 2013, the world-renowned Cleveland Clinic announced that it would cut jobs and slash 5 to 6 percent of its $6 billion annual budget to prepare for ObamaCare. This is not just impacting fast food restaurants, this is impacting everyone. The Cleveland Clinic has a $6 billion annual budget, and yet they are forced to fire employees.

Every 4 years during the Presidential election, both parties purport to care passionately about what happens in the great State of Ohio. Both parties focus and descend on Ohio to gain control of the other swing States—as the center of the universe. Yet, as we sit here now in 2013—not a Presidential election—somehow the concern about what is happening to the Cleveland Clinic in Ohio has diminished. The Cleveland Clinic is Cleveland’s largest employer, and it is the second largest employer in the State of Ohio after Walmart.

I would suggest that if all of the focus from this body, both parties who descend on Ohio every 4 years are genuinely concerned about what is occurring in Ohio in a non-Presidential year we should see the floor of this Senate filled with Senators concerned about the impact ObamaCare is having directly on Cleveland and the State of Ohio.

Cleveland Clinic is responsible for 80 percent of the economic output of northeast Ohio, according to a 2009 study. It is the largest provider of Medicaid health coverage for the poor, the program that will expand to cover uninsured Americans under ObamaCare.

The Cleveland Clinic has close to 100 locations around the State. They employ 3,000 doctors. Its main campus is recognized worldwide for its cancer and cardiovascular treatments.

(Ms. WARREN assumed the Chair.)

Madam President, some Members of this body might say: Well, these are hard times. Everyone is struggling, so maybe the Cleveland Clinic is responding to economic challenges. Who is to say what the Cleveland Clinic in 2013 is doing that is not good for Cleveland Clinic?

Well, the answer to that is, who is to say? The Cleveland Clinic is to say. A spokesman for the Cleveland Clinic said:

To prepare for health care reform, Cleveland Clinic is transforming the way care is delivered to patients.

She added that $330 million would be cut from the clinic’s annual budget.
You want to talk about direct job losses from ObamaCare, go to Cleveland, OH, go to those working at the Cleveland Clinic, go to those depending on the Cleveland Clinic for health care, and that is one very real manifestation of this bill. That is ObamaCare. According to the Star-Ledger, in a story printed on September 12, 2013, Barnabas Health, which employs over 19,000 people, is laying off employees. Why? Well, according to Barnabas Health, the reason is ObamaCare. According to a spokeswoman for Barnabas Health:

Healthcare reform, in combination with Medicare cuts, more patients seeking outpatient care due to increasing patient volumes—as a result, we have made the difficult decision to reduce our workforce. We need to make DC listen. We need to make elected officials in both parties listen to the very real hardship that is coming from ObamaCare.

I would like to share a number of real constituent letters concerning ObamaCare. So this is not me speaking. As I said at the outset, the reason Congress is held in such disrepute, so little approval, is because for many years now elected officials in both parties have refused to listen to the people, and there is a sense of despair that no matter what the American people say, our elected officials will not listen because they are more interested in themselves, they are more interested in getting an exemption for Members of Congress from ObamaCare than they have to place a higher importance on public service than self-service.

We are hurting badly because of this. As noted by the Star-Ledger, in a story printed on September 12, 2013, the 50 States, every one of the States across the country are having happen because of ObamaCare, they cannot provide for their family on that, so they cannot pay the rent, they cannot pay the people cannot. But not being able to pay the rent means some of them may move to government housing. And what is the answer? Look, they are losing their hours because of ObamaCare. The answer is not to pay them a rent subsidy. Let’s tax people even more. First let’s pass rules and laws and regulations that prevent people from getting decent jobs. Then let’s jack up the taxes even more so we can pay them to subsidize their rent and subsidize their housing because they cannot afford to pay their rent, they cannot afford to pay their housing because of a law we passed that forcibly reduced their hours. That is the path to destruction in this situation.

Far better that we get back to our founding principles, far better that we get back to what has made America great, which is our free enterprise system—a system that encourages small businesses to grow and to prosper, that encourages people working a job as a janitor to work hard and get a promotion and climb that ladder, to pay their own rent, to pay for their own food for their kids, to work and to advance.

These cries are coming from all across the country. Yet Washington is not listening. We need to make DC listen.

A small business owner from Port Clinton, OH, wrote, on September 19, 2013:

I strongly urge you to stand up for the middle class and small business and vote to DEFUND ObamaCare. As a small business owner, we have always offered health insurance. After meeting with our health insurance representative, we learned that the lowest monthly premium for the plan offered is estimated to be about $400 a person, twice what we pay now for excellent coverage.
With big business and government being exempted from this policy, again the SMALL BUSINESS OWNER and individual are left with all the costs for everyone else. This could very well put our business out of business. For and then there will be 15 more individuals collecting from the government.

A constituent from Nacogdoches, TX, wrote, on May 29, 2013:

I need a little help here! Can you explain something to me? My health insurance premiums for my wife, three children and myself were $850 or so back in 2010. After ObamaCare was passed my premiums are now $1,400 or so. This January, when ObamaCare is implemented it is estimated by Blue Cross Blue Shield I could see a 25% increase. That will be an additional $300 a month for premiums plus on my HSA plan my deductible is $10,000. If my calculator is correct, that is $21,600 per year out of my pocket before the insurance company pays a penny.

I also own a small business and have four others on our group plan. If this cost increase is across the board with the others as well, my business will stop the benefit of insurance and each will be on their own to get coverage. I understood this health care overhaul could actually hurt others. From what I am sitting it is only a burden. If you can, please repeal this before it gets worse.

We are hearing these voices from Americans all over the country, both Republicans and Democrats. I am currently under my husband’s insurance. However, a number of my colleagues use one of the various plans AVMA offers. The AVMA insurance is being canceled at the end of the year. This decision is due directly to ObamaCare. Here is the text of that notification. Group Health and Life Insurance Trust Programs and New York Life offers the program’s demise and requirements put in place as a result of the Patient Protection and Affordable Care Act signed by President Obama in 2010.

Company officials told trustees that the challenges of complying with provisions of the law that take effect in 2014 are the primary reason New York Life opted to quit the association health insurance market entirely. New York Life has underwritten the American Veterinarian Medical Association Trust medical coverage for the past 20 years. A number of veterinarians are contract labor, called relief veterinarians. These vets contract out on a daily or weekly basis to fill in for a variety of reasons. Sometimes the inferior someone takes a vacation or during seasonal business increases. Many of those vets do not have access to health care in any other way. This is a real tragedy for the country as we get closer to 2014. Since we are both on a fixed income, it will be impossible for us to maintain our mortgage and pay all of our health costs. Repeal ObamaCare.

These are voices from the people. This is a disabled man, a senior couple who is suffering, who is losing their health insurance because of ObamaCare. Every one of us has an obligation to listen to people.

I got a letter in May of this year informing me that I was going to lose that medical coverage come 2014. Since we are both on a fixed income, it will be impossible for us to maintain our mortgage and pay all of our health costs. Repeal ObamaCare.

In politics sometimes we cheer for our team, and other times we listen to the great many Democrats who take the view: Well, a Democratic President signed the law, Democrats passed the law on a straight party vote so we have got to cheer for our team. You know, I will note that more than a few Democratic Members of this body privately, when they are behind closed doors, are worried about what is happening to ObamaCare. They are seeing the problems. But yet publicly they are still cheering for their team.

This is not a team sport. This is life and death. There is a fundamental divide between the people and Washington. We need to make DC listen, listen to the people.

Mr. PAUL. Would the Senator yield for a question?

Mr. PAUL. You know, Senators do not always ask for advice from other Senators. I thought I would come down and make sure the Senator had comfortable shoes on, make sure he is getting enough to eat—try not to eat on television. That is a little free advice that sometimes shows up.

But my question relates to ObamaCare. I think the Senator has done a good job of bringing attention to something I think is going to be a real tragedy for the country. As we get closer to 2014, there is a letter that I am going to talk about, and I am going to talk about tactics and this or that, whether now is the right time, when is the right time to do this, but I think the question is, do we need to talk about something that is going to affect 16 percent of our economy, one-sixth of our economy? Do we need to bring up an issue? Do we need to draw attention and try to stop something that could be damaging to the people precisely it is intended to help?

I think it is personally not a good idea to shut down government. I think it is also, though, not a good idea to fund ObamaCare. Can they both go together? Can you do one without the
other? Some, like the President, have said: Oh, Republicans, they just want 100 percent of what they want or they are going to shut down government.

Well, can you say something so patently false and get away with it, is my question. The President wants 100 percent of what he wants. He wants ObamaCare as he passed it with only Democrats. He wants it never to be changed. He wants no compromise. He wants what he wants or he is willing to shut down the government. That is what he is driving for.

ObamaCare was passed with only Democrats, no Republican input, no Republican votes. When people are saying there are problems, his own people are saying there are problems. The Teamsters have said there is a problem. Authors of the bill are saying it is a train wreck. The former President came out this week and said: It is going to hurt the people it was intended to help. But the thing is, how do you get all of these people saying: For goodness sakes, slow this train down. Stop this train. Stop this train wreck of ObamaCare. All everybody cries about is: Oh, somebody wants to shut down the government. The President does not want to compromise.

What are we talking about? We do not want to spend money on something that is not going to work and hurt the people—precisely the people it was intended to help. What the thing is, is how do we fix it? What do we do? Can we scrap the whole thing? Well, the Democrats control one body, we control the other body, they control the Presidency.

Historically what would happen, and what I think the American people would like to see is, we stand up, as the Senator from Texas is, and say what we are for. We are for a different solution. We are for competition. We are for the free markets. We are for bringing about, everyone with a lower price. We went through this whole debacle of giving people ObamaCare and it is going to be expensive. Everybody is going to pay more.

Many people still will not have insurance. The ones who do have insurance are going to pay more. So what would we like? Why are we here today? Why is the Senator from Texas here today? To say to the President: We need to talk. What does the President say? He says: Take it away.

When the American people said they want dialog between Republicans and Democrats, how do we get there? We have to stand up, as the Senator from Texas is, and say: Enough is enough. When we look at this, if we want to ever get to the point of getting to compromise, the only way we get there is by standing and saying we believe in this.

It isn’t about us demanding 100 percent of what we want. But right now, if you look at this objectively, the President is getting 100 percent of what he wants. One hundred percent by Democrats, not one Republican vote. Really, how do we get to what the American people want, which is dialog and compromise? We have to look at a deadline. We have to look at deadlines. The Senator from Texas is whether he wants to shut down the government. Is that his intention or is it the President’s intention to shut down the government or is it that perhaps when deadlines come forward, that is a good time for dialog because no one ever seems to talk at any other time?

I would ask the Senator from Texas, what are his intentions? Does he want to shut down the government or would he like to do something to make ObamaCare less bad? I know we would both like to repeal it, but would the Senator accept anything in between?

Mr. CRUZ. I thank the Senator from Kentucky for his very fine question. Let me respond directly to the question that I remember not too many months ago standing on this same Senate floor in the midst of the Senator’s historic filibuster. I will say it was one of the proudest moments of my life. Indeed, during that filibuster on drones, that was the first time I ever had spoken on the Senate floor.

I have observed multiple times that I will go to my grave in debt to RAND PAUL, to have the opportunity for the first time—and there will only be one first time—that anyone gets to speak on this floor—to have that first time be in support of that tremendous filibuster that mobilized and unified the American people.

I will note that one of the things I remember the Senator shared with me afterward was the advice he just gave a minute ago. I remember asking: What do you think? The Senator was pretty weary at the end. His comment at the time was, well, I wish I had worn more comfortable shoes. I will confess I thought about that. That struck me as pretty good advice.

I am going to make an embarrassing admission. I will get to the question in a second, but I wanted to make an embarrassing admission first. For many years, when I was in private practice and when I was solicitor general, I wore a particular pair of boots, my argument boots. They were black ostrich boots. Litigators are kind of superstitious, so anytime I went into court to argue a case I wore my argument boots. I had them resoled four or five times.

When I had the great honor of serving in this body, of being sworn into the Senate, when I was sworn in standing on the steps just in front of us, I wore my argument boots. I have worn them every day since. I don’t believe there has been a day on this Senate floor that I haven’t worn my argument boots.

I had a choice with which I was confronted, which was do I follow through my argument boots, and do I listen to the very sage counsel from my friend from Kentucky and go with some black tennis shoes. Actually, I think they are the same model the senior Senator from Utah ORRIN HATCH wears on a regular basis. I am not in my argument boots, and I will confess I do feel pretty embarrassed by that, I am pretty sure, since we are on the Senate floor and C-SPAN is covering it, that this may not be covered by the priest-penitent privilege, but I do feel it is a question of sorts.

The question Senator RAND PAUL asked was an excellent question. His question was whether I or anyone here wishes to shut down the government. The answer is absolutely not. We should not shut down the government. We should fund every bit of the government, every aspect of the government, 100 percent of the government except for ObamaCare. That is what the House of Representatives did. The House of Representatives—232 Members of the House, including 2 Democrats—voted to fund every bit of the Federal Government, 100 percent of it, except for ObamaCare.

I would note that last night on the floor of the Senate, I asked the majority leader to consent to passing the continuing resolution the House passed, passing it into law. Had the majority leader not stood there and said: I object, the continuing resolution would be passed into law and the government would not be shutting down. The majority leader had every opportunity to not shut down the government.

Let me be absolutely clear. We should not shut down the government. I sincerely hope Senator REID and President Obama do not choose to force a government shutdown simply to force ObamaCare on the American people. That would be a mistake. Instead, what we should do is listen to the American people. Make DC listen.

Mr. PAUL. Would the Senator yield for one quick question?

Mr. CRUZ. I am happy to yield for a quick question without yielding the floor.

Mr. PAUL. Since we are making it clear, the Republican message and alternative here is not to shut down the government; our desire is to have no ObamaCare. We desire not to have it. We think he went in the wrong direction. But we don’t control the government. We don’t control the government. We don’t control the Senate. It is controlled by the opposition party. We don’t control the Presidency.

My question to the Senator is, if he can’t get everything he wants, if he
can’t defund ObamaCare, which is ex-
actly what he and I both agree on, and
millions of people across America want
us to get rid of ObamaCare, if the Sen-
ator can’t, if he stands today and ar-
gues and cannot get rid of it, will he ac-
cept a fast-track vote? Will he work
with the President and will he work
with the majority leader if they are
willing to come and say: You know,
you are right. We messed up on a bun-
ch of this. There are a lot of people who
are going to be hurt by ObamaCare. A
lot of our real workers are also going
to lose their jobs or are going to lose
hours. There are going to be real work-
ers who are full time who are going to
lose their insurance or lose their jobs.
Is the Senator willing to work with us?
Is he willing to work with the leader,
Senator Reid, and with the President
to find a compromise?
Mr. CRUZ. I thank the Senator from
Kentucky for that question. I think it
is a very good question.
The Senator and I and all the Republi-
can Members of the conference spent
some 2 hours in a closed-
door strategy session. I am not going
to reveal what anyone else said there,
but I certainly feel comfortable reveal-
ing what I said there, which is that if
we are going to make real progress in
solving the problem that is ObamaCare,
in listening to the Amer-
ican people and mitigating the job
losses, with people losing their health
insurance, all of the harms that are com-
ing from ObamaCare, we have to stand
and fight right now.

The battle before this body is the clo-
cure vote that will occur on Friday or
Saturday of this week. If all 46 Repub-
licans vote together in unity to sup-
port the House Republicans and to
deny Majority Leader Reid the ability
to fund ObamaCare on a straight party-
line vote, that puts us in a position to
address the problem.

The Senator’s question was would I
vote for something less than defunding
ObamaCare. Personally, no. Why? be-
cause I have committed publicly over
and over to the American people that I
will not vote for a continuing resolu-
tion that funds one penny of ObamaCare.

I am reminded of when I first arrived
in the Senate. I spent 2 years cam-
paigning for the Senator from Ken-
tucky. Senator Paul campaigned with
me in Texas over and over.

If you want to talk about a rock star,
you should see, when Rand Paul shows
up in Texas, the huge number of fans
who come out for Senator Paul and for
his dad.

I spent 2 years campaigning in Texas
saying: The first bill I will introduce in
Congress will be a bill to repeal ObamaCare.

When I showed up, there were lots of
reporters. I introduced the bill to re-
peal ObamaCare.

They commonly say: Well, why did
you do that?

My response: Well, I spent 2 years
campaigning telling the American peo-
ple that would be first bill I would in-
roduce.

They were utterly befuddled why
anyone would actually do what they
said.

In answer to the Senator’s question
of what would be our first bill, I will do
what is a middle ground that funds
ObamaCare partially. no? Why? be-
cause, as I have repeatedly told the
American people, as I have told Texas,
I will not vote for a continuing resolu-
tion that funds one penny of ObamaCare.

But that being said, are there Members
of our conference who would like to see
a compromise, who would like to see a
middle ground that is perhaps not what
I very much want and will fight for
with every ounce of strength I have but
that mitigates some of the damage of
ObamaCare, that responds to the peo-
ple who are suffering from ObamaCare,
I think there are quite a few Senators
who would like to see that happen.

If Republicans roll over on the cl
osure vote on Friday or Saturday, if we
allow the majority leader to fund
ObamaCare with 51 votes, we will get
no compromise. There will be no mid-
gle ground because there will be no rea-
son to compromise. It is much like a
poker game. As a Texan, I will admit to
enjoying a good game of poker. As a
Texan, I will admit to not being en-
dowed with the courage of Mr. Cruz
to stand united and to deny the majority
leader the ability to fund ObamaCare on a
51-vote partisan vote.

Mr. ROBERTS. Would the courageous
Senator from Texas yield for a ques-
tion?

Mr. CRUZ. I yield for a question
without yielding the floor.

Mr. ROBERTS. Let me ask the Sen-
ator a question to cut to the chase.

Let’s get to the bottom line. Former
Speaker of the House Nancy Pelosi,
our respected leader of the Senate,
Harry Reid, because of his position,
Secretary of Health and Human Serv-
ces Kathleen Sebelius, and President
Barack Obama have all said publicly
that the Affordable Care Act is the
first step to a single-payer system. List-
en to the folks on the other side of the
aisle, and many of them say the same
thing.

We can call it a single-payer system,
we can call it national health insur-
ance, but is this not the first step to-
ward socialized health care—socialized
health care—and is stopping socialized
health care worth pulling out all of the
stops and fighting the fight?

Mr. CRUZ. I thank my friend from
Kansas for that very good question. He
is exactly right. Socialized medicine
is—and has been everywhere it has
been implemented in the world—a dis-
aster. ObamaCare—its intended pur-
pose is to lead us unavoidably down the
path to socialized medicine.

I thank the Senator from Kansas for
his good question on that front and for
his leadership.

I would note that there are some Re-
publicans, some commentators who
have said: Don’t fight this fight. Don’t
fight to defund. Why? Because
ObamaCare is going to collapse on its
own weight. If we just stay quiet, we
don’t take any risks. Give it time; it is
going worse and worse. Stay out of this
way; it is going to collapse on its
own weight. And there is both truth
and falsity in that prediction. There
is no doubt that ObamaCare is going to
collapse. But the problem is that the
way it will collapse, if it is imple-
mented, is likely to permanently dam-
age the private health insurance sys-
tem, which will result in millions of
people losing their health insurance
and having no ability to go back. That
is what enables Majority Leader Reid
to go on television and say: Fear not,
that lead us to say this is a righ-
term health care. Because when
ObamaCare collapses in shambles—he
doesn’t say this, but this is the nec-
essary reasoning that leads him to this—it will take down the private
health insurance business with it, so
there will be nothing left.

Listen, I commend the majority lead-
er for his candor. I mean, there is a de-
gree of courage in embracing socialized
medicine. There are a number of Mem-
bers of the Democratic caucus who em-
brace socialized medicine. I think
every one of them shows courage and
candor. I am very happy to debate in
great detail whether socialized medi-
cine would be good or bad for this Na-
tion.

I don’t think the American people
are conflicted. If you look at the na-
tions that have socialized medicine,
everywhere it has been implemented you
see low quality, you see scarcity, you
see waiting periods, you see govern-
ment bureaucrats getting between you
and your doctor. If you go in for
government treatment, you may be
told that you are going to have to wait
6 months, you are going to have to wait
a year or you know what. A bureau-
cratic system in the ministry of
whatchamacallit has determined you
don’t get that treatment. That is what
has happened in every socialized medi-
cine country in the world. And so to
those on the Republican side, those
commentators who say this is a risky
fight, I have never once suggested this
is an easy fight. But in my 42 years on
Earth, I have yet to see any fight that

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is worthwhile that is easy. In his years as a marine, I would venture to guess that Senator Roberts never saw a fight that mattered that was easy. None of us were elected to this body to do easy things.

If the majority leader is right, that leaving ObamaCare alone will necessarily lead us to socialized medicine because private health insurance will collapse—ObamaCare will collapse—and there will be nothing left, what a call to urgency. Indeed, I would say the majority leader, in making that argument, should be one of the most effective spokespersons for saying we ought to have 46 Republicans uniting and voting against cloture on this bill to say: No, we are not going to let a partisan Democrat vote fund ObamaCare because we are not going to be complicit in any way, shape or form with destroying private health insurance and forcing Americans into socialized medicine.

Let me note that in the meantime, even for those who somewhat serenely say: Fear not; this is going to collapse on its own. The process will inevitably be painful. Just a few minutes ago I read a constituent from Euless, TX, who is disabled and on a fixed income, whose wife has retired and who has lost his insurance because of ObamaCare. There are millions of Americans in Kansas, in Kentucky, in Alabama, and in States all over this country who are worried right now because their health insurance is in jeopardy. In my view the decision of some Members of the Senate to say: Well, let ObamaCare collapse—either on the Republican side because when it collapses it will lead us all to the perfect utopia of socialized medicine—is easy. It is easy for Members of this body to say such things from the cheap seats, particularly when the President has granted an exemption to Members of Congress from ObamaCare, where they feel that if the system collapses, if millions of Americans are suffering, it is not going to be us. It is not going to be our staff. The President has carved us out for special rules. It is just going to be the American people.

The most fundamental divide that is happening here is this body has stopped listening to the American people. We ought to have the urgency for this man and woman in Euless, TX, who is disabled and on a fixed income and retired and who wants to keep his health insurance, that we have for ourselves and our families. We ought to have that kind of urgency. And you know what. If it were our wife or our husband's health insurance, we wouldn't say: Let the system collapse because, in time, there will be a political victory. I guarantee if we are our spouse's, if it were our daughter's, our son's health insurance, particularly if they had significant health issues, not one of us would be serene in saying: Let it collapse, because we want to immunize ourselves from the criticism or because we want to ultimately move to socialized medicine.

I think the stakes have never been higher. In my view, the cloture vote we will take on Friday or Saturday of this week is the most important vote that I will have taken—I think that any Member of the Senate will have taken—in the 9 months I have served in this body because it goes fundamentally to: Will we respond to the suffering families? Will we respond to the millions of people who are jobless? Will we respond to the people getting forced into part-time work? Will we respond to the people who are losing their health care or will we continue to say: For me but not for thee. Different rules apply to Washington that apply to the ruling class. The President can grant exemptions to the big corporations and to Members of Congress, but hardworking American families, you guys are left in the cold. I would suggest that is a fundamental abdication of our responsibility. We are here—or we should be here—fighting for the people.

Mr. SESSIONS. Madam President, will the Senator yield for a question? Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. By chance, or maybe because of the significance of it, my first question is very similar to what Senator Sessions is asking as he has given a lot of thought to this. I haven't signed letters. I haven't said how I was going to vote on this issue. But it was called to my attention that Senator Reid, the majority leader, flatly stated a month ago he believed in a single-payer system.

They asked him: Is it the Senator's goal to move toward a single-payer system? And his answer is: yes, yes, absolutely yes. I just left the Budget Committee hearing. We have a great team there, on the Republican and Democrat side, and my friend SHELDON WHITEHOUSE and I had a little exchange about the new health care law, and I thought he was suggesting it wasn't much of a change. So I asked him this; I said: The majority leader said he favors a single-payer system. He said: I do too.

It wasn't long ago in the Budget Committee that Senator BERNIE SANDERS put forward the legislation as passed, certainly any change that would constrict its power and reach?

Mr. CRUZ. The Senator is absolutely correct. Once the government is paying for health care, it controls health care. That has proven to be the case in every country in the world.

I agree with the Senator from Alabama that it is commendable that there are some Members of this body who are openly embracing socialized medicine. That is commendable for candor. I don't agree with it as a policy matter, but I actually think there is virtue in speaking honestly about what is you support and not occupying the middle ground, as those—take a quote from Theodore Roosevelt slightly out of context—cold, timid souls who know neither victory nor defeat.

One of the problems in this debate over ObamaCare is the relatively few who are candid about what ObamaCare is designed to do. It isn't voting. Senator Sessions has, that Majority Leader Reid is not a passive observer from the sidelines. He is the man responsible, in his role as majority leader, for passing ObamaCare through this body with only Democratic votes—without a single Republican vote. So when he says it is designed to lead to a single-payer system, when he says it is designed to lead to socialized medicine, we should trust that he knows what he is talking about.

Mr. SESSIONS. Madam President, if the Senator will yield again for a question.

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. And is it not true—since Senator Reid has made his position crystal clear ideologically, and based on the actions the Senator from Texas and I have observed—that he has steadfastly resisted any change whatsoever in the legislation as passed, certainly any change that would constrict its power and reach?

Mr. CRUZ. I think Senator Sessions is exactly correct.

If we look at the way this vote is set up, Republicans are being asked to vote with majority leader HARRY REID to shut off debate on this bill. Any Republican who votes yes on Friday or Saturday to invoke cloture will be voting alongside majority leader HARRY REID to give Leader Reid the authority to vote ObamaCare using just 51 votes on a straight party-line vote, which is exactly how ObamaCare passed in the first place.
At the same time the majority leader has made clear he is not going to allow other amendments. He is not going to allow amendments that would improve ObamaCare or fix ObamaCare. He is not going to allow the amendment of Senator Vitter, as we talk who are privileged, that would correct or get rid of the congressional exemption and treat Members of Congress the same as the American people, get rid of President Obama’s lawless exemption, and stop treating Members of Congress like a privileged ruling class who are different from the American people. Leader Reid has said he is not going to allow a vote on that, not going to allow a vote on repealing the medical devices tax that has been crippling the medical devices industry, and that is killing innovation and killing jobs.

If Republicans are complicit in shutting off debate and allowing just a single vote on funding ObamaCare, then we have only ourselves to blame. If we give the majority leader the power to do this should not be surprised when he exercises it. It is within the power of the 46 Republicans in this body to say no, to say: No, we will not shut off debate that allows the majority leader to use 51 votes to fund ObamaCare on a straight party-line partisan Democratic vote. We will not be complicit in a process that treats Members of Congress like a privileged ruling class and that ignores the cries for help from the American people. All we have to do to accomplish that is for Republicans to stand together and stand united.

It is my hope, my fervent hope, that the voices of dissension within the Republican conference will stop firing at each other and start firing at the target. And let me be clear who the target is. The Democrats do not want us to start firing at Democrats or at the President or at anyone else. It is not about us. The target is ObamaCare. It is fixing this train wreck that is hurting the American people.

If Members of the Republican conference in the Senate could devote one-tenth of the ferocity they have devoted to fighting within the caucus on this issue, to actually stopping ObamaCare—not a symbolic vote, not a press release, not a speech, but actually fixing the problem—I could think of nothing better this Senate could do.

And you know what. If, instead of 100 Senators, this Chamber had 100 citizens picked from our States at random, I guarantee not one of them would say in discussing this: You know what we need is a bunch of symbolic votes. They wouldn’t say that. Regular people who live on planet Earth would know a symbolic vote is not a good thing or bad thing. They would say, if we grabbed any hundred—and I wouldn’t even have a partisan screen on it. I would at random and tell you guarantee you they would say: We have to fix ObamaCare. This thing is hurting people.

The problem is too many Members of this body are not listening, and we need to make DC listen.

Mr. SESSIONS. Madam President, without yielding the floor, will the Senator yield for a further question?

Mr. CRUZ. Mr. SESSIONS, I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I notice a real low number of jobs being created this year. And the reports were that 77 percent of those jobs created this year were part-time, not full-time jobs. Allan Melitzer, one of the great economists in the last 50 years, a knowledgeable observer of our economy, just testified in a Budget Committee maybe 3 hours ago that ObamaCare was a factor in that occurring.

Would the Senator agree that we have had this extraordinary increase in part-time jobs rather than full-time jobs, and that is hammering working Americans who need full-time work?

Mr. CRUZ. Senator SESSIONS is absolutely right. One of the most devastating consequences of ObamaCare is that it is forcing so many Americans into part-time work. The U.S. Chamber of Commerce small business survey found that among small businesses that will be impacted by the employer mandate, 50 percent of small businesses say they will either cut out to reduce full-time employees or replace full-time employees with part-time employees to avoid the mandate, and 24 percent say they will reduce hiring to stay under 50 employees.

As Senator Sessions knows, this is not one isolated anecdote here or there. According to the U.S. Chamber of Commerce, this is 50 percent of small businesses reducing employees’ hours forcibly or just hiring part-time employees instead. This is an enormous problem. Who gets hurt? When someone gets their hours reduced, they aren’t able to pay their rent without yielding the floor, they aren’t able to pay the rent, they don’t have health insurance. It is within the power of the 46 Republicans in this body to say no, to say: No, we will not make DC listen.

Mr. SESSIONS. Madam President, will the Senator yield for a question without yielding the floor?

Mr. CRUZ. I will yield for a question without yielding the floor.

Mr. SESSIONS. I know the Senator is aware that the number of people employed in the workforce today has fallen to the lowest level since 1975 and we have declined in a serious way today in our Budget Committee hearing we have had a surge from around 300,000 people working part-time to 1 million. These are bad trends, but one place has avoided that; that is, the Washington, DC, area. It has had more job growth, higher income job growth than any place in America.

If this bill becomes entrenched into law, will it not create a huge additional increase of workers and bureaucrats in and around this city, all riding on the backs of American workers?

Mr. CRUZ. The Senator from Alabama is absolutely correct. One of the disturbing trends we have seen in recent years is the boom business in our economy is government. There are lots of consequences to that; one is that the best and the brightest learn, hey, you want to have success, go into government, the private sector? That is actually not what America is about.

Look right now at government employees who are paid substantially more than their counterparts in the private sector. It is one of the reasons Senator Vitter’s amendment would say that Members of Congress shall be subject to the same rules as the American people and not have the special exemption President Obama has put in place is so important and why I support an even broader amendment that would include all Federal employees on the ObamaCare exchanges.

Our friends on the Democratic side of the aisle routinely say ObamaCare is terrific, it is great. If that is the case, then Members of Congress should be excited about being on those exchanges, which are apparently so great for our constituents, and so should Federal workers. But they are not, indeed, as the Senator from Alabama knows.

This issue has caused more consternation among Members and congressional staff than probably any
other issue because people are quite rightly afraid of losing their health insurance and losing their coverage.

That concern is not irrational. There are many good public servants, congressional staffers who are Federal employees, who are Members of the Senate. It is not irrational at all for them to be concerned about losing their health insurance and forced onto poor-quality health insurance. But that desire shouldn’t push us to say let’s exempt them. We don’t want to be subject to that desire should push us to fight for hard-working American families. That desire should say: If we don’t want to be on the exchanges, let’s not make anyone else be on them. That divide between Washington—the ruling class—and the American people is the most significant reason for the disillusion we see.

The view from Americans all over this country—and this is true of conservatives and liberals—is that Washington is a train wreck. Politicians don’t get us. We just had an August recess. A significant number of Members of this body held no townhalls, didn’t go back and listen to their constituents. You can’t fault Americans for saying politicians don’t listen to us when, in fact, politicians don’t listen to us. That is what this fight is about.

If it is just up to Washington, we are not going to have to do anything to stop ObamaCare. For one thing, Members of Congress and their staff are exempted so there is no urgency. But if we listen to the American people, there is urgency. That is why it is so critical that we make DC listen.

Mr. SESSIONS. Madam President, if the Senator would yield for another question.

Mr. CRUZ. I would be happy to yield for a question without yielding the floor.

Mr. SESSIONS. I know the Senator is aware that Senator BAUCUS, the chairman of the Finance Committee, a long-time Senator who I believe has announced he is not going to run again but shepherd this legislation through the Senate and worked in many ways to try to make it better—lost some battles in that time—has referred to this as a “train wreck” because there are so many things going wrong right now. Did the Senator hear that from him?

It seems to me we are at a point where we have to push hard. That is the conclusion I have come to, and I will ask the Senator’s opinion. It seems to me we are at a position where we need to push hard to force discussion of this legislation because the majority leader wants to make it even bigger government, to take it even further. He is blocking and going to resist any attempt to have real debate, real amendments being offered. He will not allow votes, and he is going to fill the tree and dilute the Senate and we can’t even have the classic debate and amendments and votes to improve this train wreck of a law.

Is that the way the Senator sees the situation we are in today?

Mr. CRUZ. Senator SESSIONS is absolutely correct. I would note, first of all, the Senate Democrat who is the lead author of ObamaCare has referred to it as a “major train wreck.” That is not my speaking. That is not Senator SESSIONS speaking. That is the lead author of ObamaCare, a Democratic Senator.

I commend his candor. It is indeed a major train wreck. I have no doubt that more than a few of his colleagues on that side of the aisle were unhappy with him for speaking the truth on that.

There should be a lot more truth-speaking in this body, not engaging in partisan team politics but speaking the truth for the American people. That was commendable for Senator BAUCUS to speak for the American people and say this is a major train wreck. We need to all acknowledge it is a major train wreck. We need to start moving forward to avert the train wreck.

Senator SESSIONS’ second point is a very important one. I note Senator SESSIONS is an elder statesman in this body, has served admirably a great number of years, literally hundreds of thousands of people in Alabama, and is well experienced when a day a time existed when the Senate operated like a deliberative body, where Senators would speak and offer amendments and amendments could be considered. That doesn’t occur now.

The practice Senator SESSIONS referred to, and I suspect some folks may not be familiar with, is called filling the tree. Filling the tree has become commonplace. Filling the tree is a procedural and parliamentary tree that only the majority leader can do. The majority leader has a privileged role under the Senate rules in that he has priority of recognition, the ability to insist he is the first Senator on the floor to speak. Filling the tree enables him to do what he has said he is going to do on this bill, which is file an amendment to fund ObamaCare in its entirety and then fill the tree so no other Senator can offer any amendments, so the other 99 Senators are muzzled, we can’t offer amendments to improve ObamaCare, we can’t offer amendments to fix ObamaCare, and we can’t offer amendments to do anything. Indeed, the more liberal Members of the Democratic caucus can’t offer amendments to adopt a single-payer socialized medicine system, which some of them openly embrace. That is a sign of a Senate that is not working.

There should be open debate and there should be open amendments. One of the great strengths of this body is that all 100 Senators for most of the history of the Republic could offer any amendment at virtually any time. That has all but disappeared. Why has it disappeared?

For folks who are at home watching this debate, it is easy to let the procedure make your eyes glaze over. When you hear someone talk about invoking cloture on the motion to proceed, it is utterly incomprehensible to virtually anyone in the country. Indeed, I suspect more than a few people on the floor of the Senate right now don’t quite understand what it means.

But what is all the procedure about? Why should you care about filling the tree? You should care about it because it is a tool of power, of silencing the people, and using the positions of power to enforce Washington’s ideological tyranny on the rest of the country.

If we got out of Washington, DC, if we went to the American people and said what are your top priorities—we actually have. We don’t have to hypothesize about that. The American people over and over again say jobs and the economy are their top priorities. The American people want ObamaCare stopped because it is not working, it is killing jobs, it is pushing people into part-time work. Yet this Senate has been listening to the American people.

We need to make DC listen.

Mr. SESSIONS. Madam President, will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I would also observe, and the Senator probably is aware, it does appear there is a budget point of order against this whole continuing resolution. I want to mention a couple of things.

I want to thank the Senator for having the courage to stand here and raise the concerns I am hearing all over my State. I had three separate meetings in August, as I traveled the State, with small business groups. It is difficult to overstate the concerns they have with this law. They tell me without a doubt it is impacting their willingness to hire and the uncertainty in the workplace is damaging business in America, and they are passionate about it.

They are struggling to get by. They are laying off people and they are not happy about it. They say this law alone is the primary thing that is hammering them in this country. I have given a lot of thought to it. I am beginning to see that we have to use the opportunities we have to confront this issue and talk about it and try to force some changes and improvements.

I appreciate the effort, and I am going to support the Senator. I am going to oppose any advancing of the final bill that does not provide some change in ObamaCare.

I did not sign the letter, and have some great friends who see it differently than I do who likewise are totally opposed to the health care law. I want to be sure people who are listening need to know good people, I think, can disagree on this. But the Senator stood up and raised the question and forced us to confront it and talk about it.

I commend his candor. It is indeed a major train wreck. I have no doubt the American people want ObamaCare stopped because it is not working, it is killing jobs, it is pushing people into part-time work. Yet this Senate has been listening to the American people.

We need to make DC listen.
meaningful discussion on one of the most historic, damaging laws in maybe the last hundred years that would basically move us to single-payer, government-run socialized medicine. I think that is where we are heading. I think for his leadership. Hopefully we can begin to force this Senate to act. The House has already acted. They have repeatedly acted to fix this legislation, because it is so damaging. But the Senate, the Democratic Senate, refuses to act. It refuses to listen. That is the problem I have. One way I have to express that is to support the position the Senator has taken. I thank him very much and wish him good luck.

Mr. CRUZ. I thank the Senator from Alabama for his question and fundamentally for his support. His support is very needed. Senator Sessions is a man who is respected in this body. He commands the respect of his peers.

If you read the newspapers, the votes have already been decided. If you watch the TV commentators, I read one newspaper article— it was an editorial style—that talked about the “effort to defund ObamaCare, which is doomed to fail.” That was the lead, the opening line of what purported to be an objective news article. A lot of folks in official Washington and the Washington establishment have said there is no way this can happen. Three weeks ago they said there is no way the House is going to vote to defund ObamaCare. Three weeks ago you read it was impossible, cannot happen, will not happen. Yet on Friday the House voted overwhelmingly to defund ObamaCare.

This week it is all the same pundits. A funny thing: Everyone who said it is impossible in the House—apparently there are no consequences for their being proved laughingly, totally, completely wrong. And they all come out with their baritone voices, to say It is impossible that the votes will be there in the Senate. Republicans will not stand together.

Let me point to just a minute ago. Senator JEFF SESSIONS who, as he knows, was not on the letter Senator MIKE LEE circulated, was not initially part of the group—according to all of the press, anyone who was not on the letter was necessarily going to oppose us, and the Senator Sessions is here, courageously standing, and I appreciate his leadership, his principle, and his courage. I am going to suggest this debate is having exactly the function it is supposed to have.

Back when this body was in fact the world’s greatest deliberative body, as it was reputed to be, debates were about moving hearts and minds and making the case. How can we best serve the American people? Now, sadly, debates usually occur in an empty Chamber and the Washington establishment tells us this is the result of the vote before it happens.

Let me note for those of you keeping score at home, the momentum has consistently been in favor of defunding ObamaCare. Two months ago everyone said it was impossible, the American people were not behind it, the House was not behind it, the Senate was not behind it. We saw over 1.6 million Americans sign a national petition, we saw the House unite, and now the Senate must unite, and I am grateful to Senator Sessions for his leadership in that.

Mr. RUBIO. I thank the Senator for his efforts here today and in the weeks that led us here. I ask the Senator from Texas—let me preface this by saying so much of the focus—if you read the coverage, all the focus is on what is going to happen, the process, the votes, who is going to vote what. I think that is important and I think we will have a conversation about that in the moments to come.

What is the most enthusiastic about in the last few hours is there is an increasing focus on why. Why are people so passionate about ObamaCare, particularly those who are opposed to it? Why is there a growing number of Americans saying ObamaCare is a bad idea? Why are Republicans united against ObamaCare? Let’s be clear. We do have a tactical debate going on in the Republican Party about the right way to stop ObamaCare. What is the debate about among Republicans is this is a bad idea for the country. Why are we so passionate about that? I only speak for myself in what I am about to say, and I think it speaks for others. I will ask the Senator from Texas to comment in a moment about that. I think sometimes when you are born and raised, as I have been, your whole life in this country, speaking for myself, sometimes it is easy to take for granted how special this place is. When this is all you have known, this is all we have ever been around so we take that for granted a little bit.

I had a blessing, similar to the same one the Senator from Texas had. I actually grew up around people who knew what life was like somewhere else. They knew what America had is special because they lived somewhere else and they knew what the world was like outside of America. It is a reminder of what we have lost and what is special from the rest of the world is that it is one of the few places in human history where no matter where you start out in life, no matter how poor you were, no matter how poor your parents were, no matter how disadvantaged they may be from power, if you are willing to work hard and you are willing to sacrifice, you can have a better life.

For us Americans, that seems, of course, right. That is what it has always been about. It is not. In fact, for almost all of human history that has not been the case. In much of the world that is still not the case. For almost all of human history almost everyone who has ever lived is basically trapped by whatever they were born into. If your parents were poor, you were poor. If your parents were farmers, you were a farmer. I want you to think about what that means for a moment. Imagine for a second that most of the time of that remarkable generation—those who have dreams and hopes, when you are young, especially. Imagine for a second if you are someone with talent and dreams and aspirations and ambitions but knowing that in the society you live in, you do not have a chance because you are not from the right people. You don’t come from the right family. Imagine how frustrating that must be.

That is the story of human history up until about 200 years ago when the American experiment began, based on something very powerful the Senator from Texas talked about a moment ago, the idea that every single one of us has a God-given right to go as far as our talent and our work will take us. The result is the most extraordinary story in all of human history. I point out today because I remember growing up knowing my parents wanted me to clearly understand that I would have a chance to do things they had a chance to do because I lived in an extraordinary place unlike any that had ever existed before.

Fast forward to today and the challenges we face as a country. The one thing that most worries me as I analyze American politics and the state of the American dream is almost everyone who is going to vote what. I think that out today because I remember growing up knowing my parents wanted me to clearly understand that I would have a chance to do things they had a chance to do because I lived in an extraordinary place unlike any that had ever existed before.
system. The evidence is all over the world. Look all over the world at people whose families have lived in poverty for generations, who now have joined the middle class. They live in countries that are trying to copy the American economic model. They don’t want to embark on a scheme that redefines what part-time work is, that is the story of free enterprise. That is why it is startling that over the last few decades, Federal policies have contributed steadily to undermining the free enterprise system.

We talk about all those policies, but ObamaCare is an example of that. You ask yourself how does ObamaCare undermine the free enterprise system? There are a few examples. First, because it has eroded more than all the gains made in the GFC and combined. That is the story of free enterprise. That is why it is startling that over the last few decades, Federal policies have contributed steadily to undermining the free enterprise system.

ObamaCare has a mandate. It has already been discussed here on the floor. It says if you have more than 50 full-time workers, you have to live by a bunch of mandates that it creates. Do you know what the result of that has been? Businesses close to that number are deciding I don’t want to have 50 employees, I want to have 48 or 49 so that doesn’t apply to me because I can’t afford it to apply to me. Do you know what that means? That means those were jobs that were going to be created or those are jobs that were there but now they are part time. That means you lost money out of your paycheck.

It also has redefined, ObamaCare has redefined what part-time work is. An American economic reality is that part-time work is anything less than 40 hours, except for ObamaCare, anything less than 30 hours. So what is happening? People working part time are losing their hours.

Real world example. Sea World in Florida just announced it is moving over 2,000 of its part-time employees from 32 hours a week to 28 hours a week. That is not just a statistic. These are people who are losing 4 hours’ worth of pay a week.

The very point that this bill is supposed to be helping, the working class and middle class—the people who are trying to get ahead—are the people it is directly hurting. That is just one example. There are multiple examples. Senator Cruz and I could cite examples all night of real people who will be hurt in this way.

I have one more point that has not been talked about. The reason the Medicare Advantage is a program that gives seniors choices. It has competition. There are different companies that provide Medicare Advantage benefits, and they compete for the business of seniors by offering additional benefits. My mother is a Medicare Advantage recipient. She is heavily marketed every year because—all seniors are in that area—they want her business. How do they compete? They offer transportation, free pharmaceuticals, or whatever it may be. Well, guess what, ObamaCare takes money out of Medicare Advantage, not to save Medicare, but to fund ObamaCare. Later this year—in early January—these seniors are going to get a letter in the mail that Medicare Advantage plans no longer offers X, Y, or whatever some of those benefits are. That is just another example of who is hurt by this.

Who are we passionate about? Why are we here about this? Look, we have an ideological belief that government should be involved in such a widespread way in health care, but now it is beyond that. We are passionate about this opportunity that we have to stop ObamaCare because of the impact this has on the real people. At the end of the day, that is what we are fighting for. We are not fighting against ObamaCare, and we are fighting for these people.

By the way, the people we are fighting for includes people who voted for the President. This includes, by the way, people who didn’t vote for me or the Senator from Texas or the Senator from Utah. We are fighting for them because they are going to be hurt by this.

If your dream is to open your own business one day and to grow it, ObamaCare will hurt you. It is going to make it harder for you to be able to do that. If your dream is to do what my parents did, which is to work a job so your kids could one day have a career, ObamaCare is hurting you too. It could cost you the insurance you have now that you are happy with. It could cost you hours out of your paycheck. It could cost you your very job. What about the student working part time while you go to school at night? If you are paying your way through school as a part-time worker, ObamaCare is going to hurt you. You are going to lose hours at work potentially because of ObamaCare. What if you graduated from college? You finished college and have done everything that has been asked of you.

What do we tell young people in America who go to school, get good grades, a degree, and dream of having a career and better life? What do they want to do? They want to graduate from college, get married, buy a house, and start a family. A lot of people are having to put that off for a lot of reasons. ObamaCare will be one of the reasons. You know why? Because that job or career you wanted to start may not be created now because of ObamaCare.

What if you worked your whole life—like the 3 million seniors who live in Florida—and are living with dignity, security, and stability, and can finally sign up for the Medicare Advantage plan, but now ObamaCare is hurting you? That is the irony in all of this. The very people they said this plan—this bill, this idea—would help are the very people it is hurting the most. That, by the way, is the experience of big government.

I know that big government sounds appealing sometimes when you are hurting and struggling to make ends meet and then a politician comes along and says: I’m going to create a new program called jobs for Americans and health care for everybody. When you are struggling, this stuff sounds enticing. The problem is it never works. Anytime and anywhere it has been tried, it has failed, and it will fail again. It doesn’t work.

In fact, big government hurts the people who are trying to make it. If you are a multimillion-dollar corporation or a millionaire or billionaire, you may not like big government, but you can afford to deal with it. If you are a major corporation in America, you can hire the best lawyers in America to navigate whatever complex rules the government throws at you. If you really don’t like it, you can hire the best lobbyist in this city to write the laws in your favor or try to get them written in your favor.

However, if you are trying to start a business by using the free wi-fi at Starbucks or you are a separate bedroom in your home to start a business, you can’t navigate all of that big government stuff. You can’t afford to hire a lobbyist to get a waiver from ObamaCare. That is the irony of this. The very people that government promisses to help are the people it hurts the most, and we are seeing it again with ObamaCare.

Who is getting waivers from ObamaCare? The people who can afford to influence it. That is the experience of big government. It is the experience of ObamaCare, and that is just not fair. It is not fair that in America the people who are willing to work hard and sacrifice are not able to achieve a better life. That is wrong.

The only way to assure that those opportunities are there is to embrace the free enterprise system, not to undermine it or try to replace it with an expansion of government that in the end will collapse under its own weight. But that is the direction we are headed in right now.

You want to know what the biggest issue facing America politically is? It
is not whether Republicans or Democrat win the next election, it is whether we will continue to be an exceptional country where anyone from anywhere can accomplish anything or whether we will become like the rest of the world. If we power-washed this country with a big economy, but no longer the place where hard work and sacrifice is enough. That is the choice we are being asked to make on issue after issue that comes before this body, and this one.

I will yield back to the Senator from Texas by just saying this: My parents were never rich. I told this story before, but I think it, not so much to talk about me, but to talk about us, because this is our story, not just mine. My parents were never rich. When they came here, they didn’t know anybody. They had no money or connections. They barely spoke the language. When they first arrived, they didn’t have a job. They were discouraged. Sometimes they wondered if they made a mistake. Sometimes they thought that maybe they should have stayed back in Cuba. Ultimately, they persevered and hung in there.

Ten years after they had been here, my dad was working as a bartender and my mom worked as a maid and a cashier. They bought their first home in 1966. In fact, by 1971, they were so optimistic about the future, that after both of them were over 40 years of age, they had me, and then my sister a year and a half after that. Talk about optimistic about the future. America fundamentally changed their lives because of free enterprise.

My dad had a job at those hotels because someone had access to money and risked it. They took a risk and said: I am going to invest this money into this hotel because I believe in my idea. Because someone took a risk, my dad and my mom had a job. They weren’t rich. We never owned multiple homes. We never had a yacht. We never traveled to Europe. There is nothing wrong with any of those things.

My parents lived the American dream. Why? Because they lived a life no one in their family history had ever lived in terms of stability and security, and they were able to provide opportunities for their children they themselves never had. That is the American dream. It is about being able to fulfill your God-given potential, whatever it is. You can’t be special and exceptional without the American dream, and that is what is being undermined by this wave of public opinion for ObamaCare.

At the end of the day that is why we are so passionate about this, and that is why this is an issue worth fighting for.

The Senator from Texas was reading stories and cases earlier today that he heard from around the country, and that is what these people are telling us. That is what they are saying to us. They are saying: All we want is a chance to turn our dreams into reality. All we want is a chance to work hard and sacrifice so we can achieve a better life. All we want is for you guys to give us a chance.

I ask the Senator from Texas: Isn’t that what the American dream is all about?

Mr. CRUZ. The reasons we value Senator Rubio from Florida is absolutely correct. I agree entirely. Senator Rubio is inspiring. Senator Marco Rubio is a critical national leader. When Senator Mike Lee began this fight, Marco Rubio was there from the beginning, despite the protests and despite official Washington saying that he should know better than to stand against the DC establishment and stand for the people. I don’t know if there is anyone more effective, more articulate, or a more persuasive voice for conservative principles than my friend Marco Rubio. His race in Florida 2 years ago was supposed to be impossible. I know that because I read it in the paper over and over.

Actually, many of the same people are saying this fight is impossible. They all said it with that same certainty and that same deep baritone voice: This young lad RUBIO has no chance and that same deep baritone voice: This young lad RUBIO has no chance. People are saying this fight is impossible. I know that because I read it in the paper over and over.

Mr. CRUZ. The junior Senator from Florida has come from a similar background. But his story resonates powerfully with me because I came from a similar background. But more important than that, Marco Rubio’s story is our story. There is not a Member of this Senate, or a person in this country, who doesn’t have a story just like that somewhere in their background.

The most unique aspect of the United States of America, I believe, is that we are all the children of those who risked everything for freedom. I think it is the most fundamental aspect of our DNA and what it means to be an American. What unifies all of us is that as a result of ObamaCare, the average family plan they have been struggling to maintain the most fundamental aspect of our DNA and what it means to be an American. What unifies all of us is that as a result of ObamaCare, the average family plan they have been struggling to maintain. Their premiums are going up and up and up, and they are unable to feed their kids or have to get a part-time job and go back to work hard and sacrifice, or risk living in poverty. Their children are full-time students and cannot get health insurance. That is what this issue is all about.

Senator Rubio is how he views issues in this Senate. He doesn’t look at it from how it impacts the titans of industry, the CEOs, the top 1%, but how it impacts people such as his dad and my dad, the people who struggled and climbed the economic ladder, seeking the American dream.

If today you are a bartender at a New York hotel or if you are a person washing dishes at a restaurant, like his father and my father, respectively, ObamaCare is hurting you. It is hurting you in a way that all the Senators who have a special exemption from Barack Obama don’t have to worry about. It is hurting you because your job is in jeopardy. You may well lose your job or you may not have a job to begin with.

Maybe you would like to be a bartender or wash dishes, but because of ObamaCare, there is no job for you. Maybe it is hurting you because what used to be a 40-hour a week job has become a 29-hour a week job and your boss has told you: I don’t have any choice. ObamaCare kicks in at 30 hours a week, and it will bankrupt me.

Suddenly you are struggling by either working 29 hours a week and are unable to feed your kids or have to get a second job and work 29 hours a week and have to juggle your schedule, which results in making your life more difficult than it needs to be. It is not to mention your concerns about health insurance. Maybe you have a health insurance plan they have been struggling to pay, but it is important to them and they want to make sure their kids are covered, they want to make sure their spouse is covered. Yet every year they see their premiums going up and up and up.

We remember when President Obama was defending the ObamaCare bill. He promised the American people that as a result of ObamaCare, the average people like this, we are not helping them. We are hurting them. If we hurt them, we hurt the country because there cannot be an America without an American dream. We can’t be special and exceptional without the American dream, and that is what is being undermined by this wave of public opinion for ObamaCare.

At the end of the day that is why we are so passionate about this, and that is why this is an issue worth fighting for.

Mr. CRUZ. The junior Senator from Texas was reading stories and cases earlier today that he heard from around the country, and that is what these people are telling us. That is what they are saying to us. They are saying: All we want is a chance to turn our dreams into reality. All we want is a chance to work hard and sacrifice so we can achieve a better life. All we want is for you guys to give us a chance.

I ask the Senator from Texas: Isn’t that what the American dream is all about?

Mr. CRUZ. The junior Senator from Texas was reading stories and cases earlier today that he heard from around the country, and that is what these people are telling us. That is what they are saying to us. They are saying: All we want is a chance to turn our dreams into reality. All we want is a chance to work hard and sacrifice so we can achieve a better life. All we want is for you guys to give us a chance.

I ask the Senator from Texas: Isn’t that what the American dream is all about?
family's health insurance premium would drop $2,500. He said: That is going to happen by the end of my first term. I would point out that the President's first term ended 9 months ago, and by the end of the President's first term, that promise proven not just a little bit by the mark, not just kind of a sort of a little bit not entirely accurate; it was proven 100 percent, categorically, objectively false.

Let me suggest to every American, if your health insurance premiums have dropped, the President promised the average family—so there would be tens of millions for whom that is true—then I would encourage those Americans to enthusiastically stand and defend ObamaCare. But there is a reason it is so profoundly unpopular, and it is because it hasn't happened. Premiums have gone up, and the American people are hurting as a result. So DC should listen to the people. We should make DC listen.

Mr. LEE. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. LEE. I wish to ask the Senator from Texas whether he has received comments, such as those I received from Marcia, also from Utah, and Texas another comment I received from Michael who is also from Utah: The President does not have law-making authority. This is the legislative branch. We do have three branches of government, three branches of government, and the people are calling out for it. Is something they are requesting. It is something the House of Representatives acted boldly and bravely in doing, standing behind the American people. This really is what we are doing. This is the whole reason we are concerned about this, because we want to stand with the American people, and the House leadership, Speaker Boehner and the other leaders in the other body in Congress, who bravely put forward this legislation to keep government funded while defending ObamaCare.

One of the things we have been concerned about today and one of the things I think we need to focus on over the next few days is the fact that with the House of Representatives acting last week, passing this legislation, this continuing resolution to keep government funded while defending ObamaCare, in order for us to stand behind them, to honor the manner in which that legislation is reviewed over here.

Now that the House-passed continuing resolution has reached the Senate, we have a few options. There are a few acceptable ways of treating this legislation now that it has been passed by the House. One very acceptable approach would be for us to say: OK, let's bring up the House-passed continuing resolution—the resolution that funds government and funds ObamaCare—and let's have an up-or-down vote. Let's vote for it as is, the same way it was crafted in the House of Representatives. That would be an acceptable approach, I would be comfortable with that.

Another acceptable approach would be to say: Instead of just taking it up and passing it or not passing it as is, let's have an amendment process. Let's allow Democrats and Republicans as they choose to offer amendments. Let's debate those amendments, discuss their relative merits, the pros and cons. Let's put those before the American people in the few days we have left before the existing continuing resolution expires, let's vote on all of those, and then at the end of it we will get to the bill itself as it may have been amended by that point. That would be acceptable as well.

What is not acceptable is what many have suggested will occur. Many have suggested that the majority leader will bring up this bill and instead of saying "let's vote on it as is" or instead of saying "let's have an amendment process," he apparently wants to have his cake and eat it too. He wants to have it both ways. He wants to bring it up and subject it to one and only one amendment—an amendment that would strip out a very critical part of the legislation, a part of the legislation that is the "without which not" element for many of the House Members who voted for it: the proviso defunding ObamaCare. He wants that amendment and no other. That is not acceptable, under any circumstance, in my opinion and in the opinions of several of my colleagues, some of whom we have heard from today, the appropriate way to register that concern is to vote against cloture on the bill if, in fact, that is what the majority leader chooses to do.

That is why we are fighting this particular battle today. That is much of what we are discussing today, is why it is that we should not be facilitating the effort of Senate leadership to, in effect, gut the House-passed continuing resolution of an extraordinarily critical element, an element without which it could never pass in the House of Representatives and an element which, frankly, the American people expect us to take up and discuss and debate. So either way—an open amendment process, fine; an up-or-down vote on the bill as is, fine. What is not fine is an effort to try to have it both ways.

Let me share with the Senator from Texas another comment I received from a man named Michael who is also from Utah: We are getting a bigger and bigger government. They're telling us what we should have, what we are entitled to instead of protecting a free people paying our own path. Government gets bigger while the job market is getting crushed. I work for a company in the middle of layoffs and more are to follow. We can't continue on.

This is an acknowledgment that so many people across our great country are making as they discover the impact of this bill—passed into law some 3½ years ago—that has not increased in popularity over the years.

Time might not have increased its popularity—in fact, it has had quite the opposite effect—but time has had the effect of expanding its volume. It has gone from 2,700 pages when it was passed to more than 20,000 pages now when we add the implementing regulations. That is quite stunning. The length of it is quite stunning. It reminds me of something James Madison said—"I believe it was in Federalist No. 62. He said, if I may paraphrase him, it will be of little benefit to the American people that their laws may be written by individuals of their own choosing, if those laws are so numerous and complex that they can't reasonably be read and understood by the American people. Well, 2,700 pages is a little too long. It is a lot too long. And I certainly know that 20,000 pages is much too long:

That brings to mind a comment I received from Marcia, also from Utah, who writes this:
However well intentioned Obama care may be, I do not feel this is the best solution. I think something “less wordy” and more succinct would be a much better plan. If you can’t pass this law in 5 pages or less, it may not be unsaid! The changes already enacted have made it more difficult for me to get medical care. Not a big help!

Well said, Marcia, very well said.

When we vote on legislation people haven’t read, the American people tend to suffer. When we perpetuate a mistake once made embodied in a 2,700-page bill, things go from bad to worse to much, worse.

What I have above is that now is an opportunity for us to debate and discuss the merits of something that perhaps was not adequately debated and discussed 3½ years ago when this law was passed, when Members of Congress were told to pass this law to find out what is in it. Well, we know a lot more about what is in it now. The American people have concerns.

It is appropriate to have the discussion now in connection with spending legislation. Of course, after all, Congress does have the power of the purse. Congress is given this power, this responsibility of making decisions regarding taxing and spending. It was for this reason the founding generation wisely put it in the hands of the House of Representatives—the power of the purse—giving the House of Representatives the responsibility to initiate or originate bills relating to this power. It is the House of Representatives that is, after all, a part of a government and of Congress that is most directly responsive to the needs of the people.

It is appropriate that we have this discussion regarding funding or not funding a piece of legislation that is going to require a lot of money and is going to be proven costly to the American people in many, many ways in the coming years—I say “costly in many ways” to reflect the fact that it is not just the cost of government money; it costs American people all sorts of things as well. It is costing them jobs. It is costing them wages. It is costing them access to health care in many circumstances.

Let me read something I received from Randy. Randy is from my neighboring State of Idaho. Randy writes:

My wife and I have a small business with about 20 employees. We struggle to stay in business. We feel that if and when ObamaCare is implemented, we will not be able to continue to be in business.

Randy, I can’t tell you how many people I have heard make very similar comments from one end of my State of Utah to the other and from people across America. You are not alone, Randy. A lot of people out there are concerned as well.

That is one thing people lose in addition to wages or jobs or access to health care—some of them lose the opportunity they have to stay in business, the opportunity of talking about everyday problems, and billions and billionaires; we are talking about hard-working Americans who put a lot on the line in order to make a decent living, in order to provide jobs for their few employees. This is something we need to look out for. This is something we may not, we must not lightly brush aside.

Here is something else some Americans will sometimes do:—if that something is something they were promised they would not lose—access to a doctor they like, access to a doctor they have come to trust over the years.

This one comes from Jack of the State of Texas. Jack says:

My family is talking about an early retirement because of polities ObamaCare is going to require him to follow that will compromise the oath he took when he became an M.D.

This is sad, Jack. This is something we were promised would not happen, and it is something that should not happen. This is something that we are told is happening from time to time.

Ryan, also from Texas, writes:

My mother is a middle-class mortician whose health insurance is going up by 60 percent for this poorly envisioned law with no other changes. She simply cannot afford to maintain health care coverage without significant changes to her lifestyle, and for what?

Sometimes we have to ask that question: And for what?

Sometimes we have to ask the question, the same question that physicians are required to ask themselves: Are we doing harm? Is it my understanding that when a physician becomes licensed, he or she must take an oath, an oath that involves an obligation to first do no harm. We as lawmakers have to ask ourselves that question from time to time. We as lawmakers have to view ourselves as subject to a similar obligation to first do no harm.

(Mr. DONELLY assumed the chair.)

Some have said that when you are carrying around a hammer, everything starts to look like a nail. I wonder whether that is sometimes true of Congress and the law-making power. Because of the law-making power we wield, sometimes, when we view problems, we assume we automatically, necessarily, inevitably have the right solutions. Well, in some cases that may be true. In other cases, it might be true in part. But that power might be used incorrectly. Sometimes when legislation is hastily drafted, thrown together in a hurry, rather than for purposes of making sure it is part of a cohesive whole—something that will be a coherent mechanism that can be implemented in a commonsense fashion—sometimes if it is thrown together too hastily and these cautions are ignored, doing harm up in a lot of harm, we can find ourselves first doing harm above all else, and that is not OK.

When we look at this law, and we look at the fact that the American people are funding its implementation, we discover it is much deeper than something that will compromise an individual mandate or an employer mandate or a set of regulations governing the insurance industry. It is much more than that. It is much more than what people will have to do with regard to the reporting of some fairly personal details about their lives to the IRS, an agency that Americans have come to trust substantially less than they already did—did, that were already there.

It is about the fact that the American people—in addition to being made less free by this law, and in addition to being made less prosperous by this law—are also required to fund its implementation and all the enforcement against them. That is where the power of the purse must come into play. That is what makes it so appropriate, so essential, so vital that we have this discussion right here and right now as we consider spending legislation, spending legislation that may well represent our last best hope of achieving a degree of delay or defunding of this legislation before its primary operative provisions take full effect. That is why it is important for us to have this discussion right now.

Let me emphasize again the importance of the cloture vote and the position we are taking on that. It is grounded fundamentally in the understanding that the House of Representatives is not in a position consistent with what the American people have been asking. I cannot emphasize enough the fact that House Speaker JOHN BOEHNER and his leadership team in the House—the House Republicans have supported him in this effort. They did a great job.

They stood valiantly with the American people who were calling out overwhelmingly for them to take this step, to keep government funded but defund ObamaCare. And that is what they did. Now that they have acted, there are two approaches we could take to this that are perfectly appropriate. We could vote on that legislation as is, up or down, or we could subject it to an amendment process, allow Democrats and Republicans to present amendments to make the House-passed resolution better, as they might deem fit. We can debate and discuss and vote on each of those. Sure, it can be time-consuming. Sure, it can be grueling. But that is our job. We took an oath to do that job. We do this all the time—maybe not as much as we should. But a few months ago in connection with the budget resolution, we as Senators stood and sat—a little of both—here all night, until 5 o’clock in the morning. People got a little cranky at times, but that is what we are here to do—not to be cranky, but we are here to vote, to cast votes on amendments. That is what we had to do that day because there were a lot of amendments. This is what we should be doing with this if, in fact, we decide we want amendments to the House-passed resolution.

So vote on it up or down as is; fine. Subject it to an open amendment process; fine. Try to find ways the majority leader telling us this will be subject to one amendment, one amendment only—an amendment that
would gut and render nugatory the oper-ative provision that was so important to so many House Members—that is not OK. That is why those who agree with us on this point, those who feel that way, those who feel the American people are counting on us to stand up for them, should vote no on cloture today and comments the Senator has heard from his constituents as he has traveled through his great State, a State of great expanse and a State of close to 30 million people? What simi-larities does the Senator see between these statements and those he has heard around his State?

Mr. CRUZ. I thank my friend from Utah for that very insightful question. Let me note there are many reasons why I love the Senator from Utah. But very near the top of the list is the fact that when he “paraphrases” the Federalist Papers, it is darn near a word-for-word, verbatim quote. MIKE LEE is extraordinary and it is an honor to stand by his side and serve with him. The stories he has read are exactly consonant with the stories I have heard all across Texas and, frankly, all across the country. This thing is not working. It is not political. It is not partisan. It has nothing to do with what team you are on. The facts are clear. There is a reason why the unions are jumping ship. There is a reason why Teamsters President James Hoffa says ObamaCare is destroying the 40-hour workweek that is the backbone of the American middle class. There is a reason why the IRS employee unions have asked to be exempted from ObamaCare. These are the guys who are in charge of enforcing it on the rest of us. They have asked to be exempt because it is not working. The facts are clear. It is a train wreck. As the lead author Democratic Senator put it: It is a train wreck.

In fact, let me share some of the tweets that have come in the preceding days. In the preceding days, the American people have a chance to speak out about ObamaCare and in particular there was a hashtag “DefundObamaCareBecause.” In the last several days, Americans all over this country have tweeted their reason why ObamaCare should be defunded. I will note to Senator LEE that some months ago, he and I stood on this same Senate floor, side by side with our dear friend Senator RAND PAUL, supporting him in his historic filibuster on drones. At that time, we had the opportunity to read tweets that were supporting RAND’s filibuster. To the best of my knowledge, that was the first time tweets had been read on the Senate floor, which I have joked to my wife makes me happy because 20 years from now if there is some obscure political geek trivial pursuit game, I am pretty confident I am going to be the answer as to the first person to have the chance to read tweets on the Senate floor. I am going to do my best now to be the second person. Now I am reading tweets that concern the hashtag “DefundObamaCareBecause,” but I will note here that there has been another hashtag tonight: “MakeDCListen.” And that hashtag has been trending higher and higher—“MakeDCListen”—and as the evening goes forward, I fully expect for those of you who have something you want to say, but you are not currently able to come to the Senate floor—maybe in a few years you will be, maybe you will be elected to the Senate and stand at your desk and make your arguments, but right now you are not—and I encourage you to tweet the hashtag “MakeDCListen” and I expect later in the evening to read a sample of those tweets so we can help provide voice to those millions of Americans who are frustrated that DC is not listening.

But then I see some of the tweets in the past few days with the hashtag “DefundObamaCareBecause.” It is just another way to gain control over people. Defund ObamaCare because I don’t want the government dictating my health care. Because I don’t trust the government to run my health care. Because it would lead to us on lies. You can keep your insurance? No. My coverage reduced to nearly nothing, premiums the same. Because it’s too intrusive on our privacy. Because it’s killing jobs and stifling the economy. Because it’s forcing small businesses to lay off full-time workers and replace them with part-time workers to avoid bankrupting mandates. Because Congress should be representing us, the people. A majority of Americans don’t want ObamaCare. Because it adds layers of government, inefficiency, cost and benefit to Members of Congress? If it is a great idea, they would not have to force you to participate. If it was a great idea, Members of Congress would not have asked the President for an exemption so that Members of Congress get a special rule that does not apply to the American people.

Let me note something, by the way. That hashtag was a simple hashtag: “DefundObamaCareBecause.” That is the message that is coming from the people. Washington is not listening. It is why tonight, the hashtag “MakeDCListen,” is trending higher and higher as a hashtag because that is what this fight is about. Washington is not listening to the people.

Now that says something.

If it was a great idea, why is the Federal Government forcing you to be a part of it? By the way, why, at the same time, is the government working with big corpor-a-tions and to Members of Congress? If it is a great idea, they would not have to force you to participate. If it was a great idea, Members of Congress would not have asked the President for an exemption so that Mem-bers of Congress get a special rule that does not apply to the American people. Therefore, bureaucrats involved in my physician’s decisions on my health care. Because I value my freedom. Because it’s ruining the 40-hour work week, according to unions. Because it is a great idea, why is the Federal Government for the health care industrial complex. Because you don’t want a bunch of bureau-crats deciding which medical treatments you can and can’t receive. What do they know? Because the government SHOULD NOT own our medical data. Because the IRS will be enforcing it.

Now, that is a pair that gives you great comfort. The IRS in charge of it, the IRS employee unions publicly asked them to be exempted from ObamaCare. Right now they are assem-bling the largest database in the his-tory of our health care records. We have seen the IRS—theyir willingness to abuse their power. Under ObamaCare
right now, they just have access to our health care records so it is not like anyone should be concerned about it.

Because it is a job-killing, economy-de- stroying, health care-running, debt-exploding, out of control government mess.

I like that.

Because it is a job-killing, economy-de- stroying, health care ruining, debt-exploding, out of control government mess.

Because ObamaCare is all about socialistic control of we the people and nothing to do with fixing health care.

Because it was rammed through in the dark of the night, and that should matter.

Because it has already come between me and my doctors and it is not even fully implemented yet.

Next time you see your physician, do you want your friendly neighborhood Federal bureaucrat sitting down and being part of the physician’s meeting? I do not. I know Texans do not either, most Americans do not either.

Because it is a Trojan horse. Once inside it will destroy us.

Because even the unions agree it’s not working.

Because we need the IRS to get out of our lives, not make health care decisions for us.

Because it will cost Americans their jobs. Becoming being used to move the credit to a single-payer system.

As we noted earlier, that is not—some people dismiss that. Oh, single payer, this is designed to go there. You know that is just crazy, tinfoil hat-wearing stuff. But there is an old saying: Just because you are paranoid doesn’t mean they are not out to get you. Yes, there are people worried about single payer. They have every good reason to be, particularly when the majority leader of the Senate goes on television and says: The purpose of ObamaCare is to send people into a single-payer system, government-provided socialized health care.

That is the express purpose from those who are for ObamaCare, to de- stroy the private health insurance sys- tem and to move to single-payer gov- ernment socialized medicine.

Because honestly the people do not want it.

Because problems cannot be solved by a larger government than the one that created them.

Because after 3 years, they are still trying to sell it to us.

That is a good point. If it were such a great idea—don’t you remember at the time, they said: Gosh, when people get it, they are going to love it. It is going to be wonderful. You know what. If it had, we would be having a very differ- ent discussion. If it had worked, the American people would support it. We would see the results. We would see the benefits, and we would not have this debate. If it were working well, we would not be having this debate be- cause the American people would sup- port it. The facts are clear. So even those who voted 3 years ago, unless your view of serving in office is: Hey, once I vote, I stick to it no matter what, then the facts say, no matter how big a disaster it is, I ain’t chang- ing no matter what.

I cannot believe there are many Sen- ators in this body who want to ap- proach voting like that. That is not a responsible way to approach a job. The facts are clear. This thing is not work- ing. All 100 of us ought to act to avert this train wreck.

Because it will continue to destroy jobs, slow hiring, and move others to part-time status.

Because if you don’t, your doctor might just retire early.

How many know a doctor who is re- tiring early? I know quite a few who are retiring. Do you think that is good for our health care system, seeing docs- tors retire early? I know older doctors who are advising young students, do not go to med school. Do you think that is good for health care? Do you think that is going to expand our health care if we do not see bright young students going to medical school? That is what ObamaCare is doing.

Because you do not want an IRS agent de- ciding if your mom lives or dies.

Because it makes health insurance less af- fordable. My premiums will be higher to sub- sidize people who cannot afford insurance.

Because even the unions don’t want it.

Because the IRS has shown they are will- ing to abuse power for political gain.

Because it’s not about health care, it is about government control.

Because I shouldn’t have to pay for the murder of innocent, unborn babies through abortion.

Because if it worked, Democratic Senators would not have needed to be bribed to vote for it.

Because the death panel is an unchecked bureaucracy accountable to no one.

Because I love my current health care and doctors.

Do you like your current health care? Do you like your doctor? Do you want to keep seeing your doctor? I tell you, Americans all over this country are losing their health care because of ObamaCare. They are losing their abil- ity to see their doctors. That is what happens if the Senate does not act to defund ObamaCare.

Because the majority of the country is against it.

Because premiums up 100 percent after dropped off spouse’s plan. Elimination of meds coverage, reduction of choices and treatments.

These are real people tweeting. They are sharing their stories of why they do not like ObamaCare. Do you notice these stories are not: Because I am a Republican. Because I am a Democrat. Because I believe in this ideology. It is because: This thing is hurting me and my family. If this body were listening to the people, we would have 100 Sen- ators concerned about all of the Ameri- cans being hurt by ObamaCare and here at any hour of the night ready to act to stop it.

Because no one wants to live in their par- ent’s basement forever.

Because Reagan once said, you can’t be for big government, big bureaucracy and still be for the little guy.

Boy, ain’t that the truth.

Because I don’t want to pay more taxes to fund it.

Because it does nothing to reduce costs while hurting many full-time employees who are dropped to part time.

Because it makes health insurance less af- fordable, my premiums will be higher to sub- sidize people who cannot afford insurance.

Because it actually does add a dime to the deficit, and a lot of them.

Because—

Three words in all caps.

INTERNAL REVENUE SERVICE.

Because it is killing full-time jobs and stunting the growth of businesses that want to hire.

Because government should not be in charge of something as important as health care.

Because the devil himself wouldn’t put the IRS between you and your doctor.

I like that one too.

Because the more exemptions that are given out, the more ObamaCare won’t work.

Because I cannot afford to get two jobs, pay outrageous prices for crappy insurance. I will lose my full time.

Because that time Congress passed the law and then excluded themselves.

#healthcarehypocrisy.

Because doctors and hospitals are already becoming limited.

Because it is designed to collapse private insurance and force us all to single payer.

Sofar.

Again, I would note that is not hypo- thesis. That is what majority leader HARRY REID has publicly said on tele- vision.

Because insurance isn’t very helpful when you can’t find a doctor.

Because I don’t need to spend a decade of my life filling out government forms.

Because baby-boomer doctors will retire in droves, plus more who won’t practice in this environment.

Because if it is not good enough for Con- gress, it sure as shooting is not good enough for the people.

Those are sentiments we are hearing from all across the country. Those are sentiments that reflect the views of the American people, not just in Texas, in all 50 States, and not just Republicans but Democrats, Independents, Liber- tarians. The American people understand that when you have a law that is kill- ing jobs, when you have a law that is hammering small businesses, when you have a law that is forcing people into part-time work and to work 29 hours a week, when you have a law that is causing skyrocketing insurance pre- miums, when you have a law that is causing more and more people to lose their health insurance, you have a law that is not working.

That is a train wreck, as the Demo- cratic Senator who is the lead author of this bill described it. Yet right now the Senate is not listening to the American people. The Democrats in the Senate understandably have circled the wagons. They passed this bill, and even if it is a sinking ship, we have yet to see Democrats come out and say: We tried it. It didn’t work. Let’s listen to the American people. I hope the time comes this week where we see some courageous Democrats stand—and let me tell you, any Democrat who does so, he or she will receive with- ering criticisms from the partisans in your party.
Now I will know, as someone not entirely unfamiliar with receiving withering criticisms from one’s own party. There are worse things in life. I promise you that it is, in the order of things to be worried about, quite low. You know that I do not more concerned about a single mom working in a diner trying to feed her kids than I am about whether some Senator or some congressional staffer wants to run to a newspaper and say something mean about me.

So to the Democratic Senator who is thinking about responding to the concerns that I know you are hearing from your citizens, because we are hearing it all over the country, let me suggest a little bit of grief for breaching party discipline is a small price to pay for doing your job, for listening to the American people.

Let me say to the Republicans: There is a lot of concern about political blame. There is a lot of concern about: If we call ObamaCare a symbolic victory, we can all say we are opposed to it, but let’s not actually do anything to change ObamaCare. Let me suggest to my Republican friends that we should worry a lot less about blame and credit and politics and just worry about fixing the darn thing for the American people.

If we get back to an economy where jobs are booming, where small businesses are thriving, where people who are struggling—that want the American dream can get that first job and get that second job and climb that economic ladder and advance, provide for their families, that answers a whole lot of problems.

I have heard some partisan observers say: ObamaCare is not the biggest job killer in the country. No. 1, it is ironic that is the particular debate, about whether it is the biggest job killer or the second biggest job killer. But let me tell you this. Whether there is any debate on that question.

So let me point to a list by Investors Business Daily of 300 cuts to work hours or jobs.

Well, if you don’t believe ObamaCare is the biggest job killer in the country, take a look to the facts. This year report after report has rolled in about employers restricting work hours to less than 30 hours per week—the point where the mandate kicks in. The data also points to restricted workweeks in low-wage industries. It is low-wage industries in particular because the people who get hammered by this are not the CEOs. It is not the rich. The rich have done just fine under President Obama. It is hard-working American families, the people who are struggling. It is young people—Hispanics, African Americans, and single moms. They are the ones who are losing their jobs and being forced to work 29 hours a week.

Investor’s Business Daily compiled a list of job cuts that show the new ObamaCare employer mandate is behind cuts to work or staffing cuts. As of September 18, 2013, their ObamaCare scorecard included 301 employers.

In the State of Alabama, Houston County cut the hours of part-time employees to less than 30 hours per week.

In California, Biola University cut students to a maximum of 25 per week and suspended the limit due to the employer mandate delay. That is interesting. They cut it, and then when the employer mandate delay kicked in, they suspended that. If you want to understand cause and effect, look to the behavior, look to the suffering, look to the job losses that are coming as a direct result of ObamaCare.

In Florida, Bealls department store restricted part-time hours to less than 30 hours a week.

In Florida, SeaWorld Entertainment—have any of you ever taken your kids to SeaWorld? They cut hours for part-time workers from a maximum of 32 hours to 29 hours a week. That is SeaWorld, very burger.

In Illinois, Palmer Place Restaurant cut hours for some workers below 30 hours a week.

In Kansas, the Salina Family YMCA cut part-time employee schedules to a maximum of 25 hours per week.

In New Jersey, Middletown Township Public Schools cut hours for para-professionals to below 30 hours per week.

The great State of Texas—it actually doesn’t say “great State” on the list, but I view that as implied—Sam Houston State University limited student work hours to 29 per week, impacting multiple job holders.

In Michigan, Auburn Hills reduced hours for part-time seasonal workers to less than 30 per week.

In Pennsylvania, Friendship Community cut part-time hours to below 30 per week. That, by the way, is a group home for adults with disabilities. Not only is it a group home at Friendship Community working to help adults with disabilities, they are also getting their hours cut. That is their penalty for making a difference in their community.

In Michigan, Meridian Public Schools cut schedules of hourly workers to less than 30 hours per week.

In Arizona, Arizona State University limited course loads for nontenured associate faculty members.

In Maine, MaineSubway, the Subway franchise, reduced worker hours to no more than 29 per week.

In New York, Finger Lakes Community College capped course loads for adjunct faculty.

In South Carolina, Tsunami Surf Shops—I like that name; that is a surf shop with an attitude—will limit workers to less than 30 hours per week.

In Illinois, Southern Illinois University limited graduate teaching assistants to 20 hours per week at a maximum of 25 per week.

In Indiana, Vincennes cut the hours of part-timers to 29 per week.

In California, the Mexican American Opportunity Foundation cut the hours of employees working up to 39 hours a week to less than 30. I am talking about a real impact from this law.

In Georgia, Georgia Military College cut the hours of adjunct faculty to below 30 hours per week. In Virginia, the Subway franchise, reduced hours for hourly wage earners to below 30 per week.

In Indiana, Ball State University limited work hours for graduate assistants.

In New Jersey, Toms River will cut part-time hours to 25 hours per week, effective July 2014.

In North Carolina, Forsyth Community Technical College reduced hours for adjunct faculty to below 30 hours per week. Also in North Carolina, Wilkes Community College reduced teaching loads for adjunct faculty to below 30 hours a week.

Let me go through a few of these that are much the same:

Texas Consolidated Restaurant Operations and Dave & Buster’s; Pennsylvania, Philadelphia University; Virginia, K-VA-T Food Stores; Missouri, Three Rivers College. In Alabama, the University of Alabama capped student work hours at 20 per week; in fact, be justifiable punishment for having beaten Texas A&M, but it is still not good for the students who would like to work more than 20 hours per week.

In Florida, Buc-Elle, the Burger chain; Florida, Hillsborough Community College; Florida, St. Petersburg College; Georgia, Cherokee County School Board; Indiana, Hancock County; Indiana, Morgan County; Michigan, Central Michigan University; New Jersey, NEMP trucking company; North Carolina, Henderson; Ohio, White Castle. We read a letter from White Castle earlier today. They used to open eight new restaurants a year. They have reflected it to two. Two of all the restaurants who won’t get jobs because there is no White Castle over there, not to mention all of the hungry college kids who at 3 in the morning are just craving a White Castle and they can’t find one.

Oregon, Shari’s restaurants; Pennsylvania, Carnegie Museum; Tennessee, Oneida Special School District; Tennessee, Scott County School System; Tennessee, Stewart County School System; Texas, Jim’s Restaurant; Virginia, Christopher Savvides Restaurant; Wisconsin, Minocqua-Hazelhurst-Lake Tomahawk School District; Wisconsin, Trig’s Supermarkets; Alabama, University of North Alabama; California, Fatburger. Now there is truth in advertising. Iowa, Lee County; Michigan, Delta County; Texas, Bee County; Idaho, Boundary County; North Carolina, Rutherford County; Pennsylvania, Lawrence County; Michigan, Kenowa Hills Public Schools; New Jersey, City of Burlington Public Schools; Texas, the Lion & Rose, British Restaurant; Pub; Texas, MTC Inc. Restaurant Management; Utah, Millard School District; Arkansas, Area Agency on Aging of...
Western Arkansas: Arkansas, Walmart Stores, Inc. Has anyone heard of them? They increased temp share of workforce to “fewer than 10 percent” from 1 to 2 percent before this year. California, CKE Restaurants, Inc.

The last good job and on.

Every one of those programs forced

hours a week courtesy of the Senate

arrived, that young people will remain

my friends on the Democratic side of

prospecting. But there is a particularly

brighter side: the overall mix of work

time of young people: 14.9 percent of

The financial crisis and ObamaCare—talk about a failed
debt to pay my way through college

was only 2 years ago that I paid off my

dollars in student debt—

advancement. He has tens of thousands of

millionaire camps surrounding Washington, DC, they

days surrounding Washington, DC, are booming.
Why? Because government is growing, growing, and growing.

jobs, they are not able to do so. They are not able do so because of ObamaCare.

family who are suffering because of that. If you have a job, working hard, trying to provide for

family, and you are told: Congratulations; you will be working 29

hours a week courtesy of the Senate and ObamaCare—talk about a failed

the last election, young people voted overwhelmingly for the reelection of the President. Indeed, some of my friends on the Democratic side of the aisle believe that a new dawn has arrived, that young people will remain permanently Democrats and thus keep a Democratic majority in the Senate for time immemorial. I am not convinced of that.

will say it is interesting—you could not design a law to do more damage to young people. ObamaCare is a law that almost you sat down and tried. If you sat down and said: Let’s really pound the living daylights out of young people, you couldn’t do it.

We will talk later tonight about pre

sumption that everyone wanted to buy their own

home, a white picket fence, have a swing out front on which your kids could play. That was our parents’ dreams. That was their parents’ dreams. That has been the American dream for generations. I ask young people, how many of you feel that dream is a realistic prospect for you? It was for your parents when they were your age. Let me tell you, the policies this Congress has put in place because we are not listening to the American people are a direct cause of that. ObamaCare is a direct cause of that.

Mr. Wetherell continues:

He says he is more likely to move back in

the third. It impacts you for a long, long time. If you don’t get that first job, you don’t get the second, and you don’t get the third. It impacts you for a long, long time.

Just recently, I read an article in the Wall

Street Journal that I think is relevant for every young person to read because it explains how ObamaCare is impacting you not just today but for decades to come. I think young people have a particularly acute desire to see this Senate act this week to defund ObamaCare because it is young people paying the price. Don’t take my word for it, take the Wall Street Journal. On September 1, 2013, the Wall Street had a major article that was entitled “Wanted: Jobs for the New ‘Lost’ Generation.” If you are a young person, you should feel excited: there is now a title for your generation—the “lost generation.” I mentioned that if you were trying to make a law to hurt young people, ObamaCare—you couldn’t do better than that. Well, it has produced a lost generation.

Here is what the Wall Street Journal said:

Like so many young Americans, Derek Wetherell is stuck. At 25 years old, he has a good job, high paying, and a bright little prospect for advancement. He has tens of thousands of dollars in student debt.

I know what student debt is like. It was only 2 years ago that I paid off my student debt. I had to take out student debt to pay my way through college and law school. There are a lot of young people right now struggling to pay off student debt. I will tell you, if you combine student debt with a dead-end job or not being able to find a job at all, that is a recipe for a lost generation.

Continuing with Derek Wetherell:

He has tens of thousands of dollars in student debt, but no college degree.

That is becoming more and more common. People take out loans to get a college degree, but they are not finishing. They are not able to finish. He says he is more likely to move back in with his parents than to buy a home—

The American dream used to be that everyone wanted to buy their own home, have a white picket fence, have a swing out front on which your kids could play. That was our parents’ dreams. That was their parents’ dreams. That has been the American dream for generations. I ask young people, how many of you feel that dream is a realistic prospect for you? It was for your parents when they were your age. Let me tell you, the policies this Congress has put in place because we are not listening to the American people are a direct cause of that. ObamaCare is a direct cause of that.

Mr. Wetherell continues:

He says he is more likely to move back in with his parents than to buy a home, and he doesn’t know what he will do if his car—a 2001 Chevrolet with well over 100,000 miles—breaks down.

Is there anyone else in America who has a car that is 12 years old with 100,000 miles and is wondering what happens if they wake up one morning and turn the key and nothing happens? If you have a good job, if you are climbing the economic ladder, if you have career prospects, you can deal with that. If you are stuck in a dead-end job and living paycheck to paycheck, that is a huge problem.

“I’m kind of spinning my wheels,” Mr. Wetherell says. “We can wishfully think that eventually it’s going to get better, but we really don’t know, and that doesn’t really help us now.”

There are millions of Americans who feel exactly like that.

Mr. Wetherell is a member of the lost generation, a group that is now only beginning to gain attention from many economists and employment experts.

Young people should feel particularly privileged that they have coined a new term for their generation—the lost generation—because of ObamaCare and the policies of this administration.

From Oakland to Orlando—and across the ocean in Birmingham and Barcelona—young people have come of age amid the most prolonged period of economic distress since the Great Depression.

Most, like Mr. Wetherell, have little memo

of the financial crisis itself, which stuck while the towns in high school. But they are all too familiar with its aftermath: the crippling recession, which made it all impossible for many young people to get a first foothold in the job market, and the excruciatingly slow recovery that has left the prosperity of their parents’ generation out of reach—perhaps permanently.

“This has been for quite a while now a hostile environment for young people.”

Paul Taylor, executive vice president of the Pew Research Center, has studied the impact of the recession on young people.

“This is all they’ve really known.”

The financial crisis that struck five years ago this month opened up a sinkhole in the U.S. economy that swallowed Americans of all ages and backgrounds. Retirees lost life savings. Families lost homes. Millions of Americans lost their jobs. Five years later, the recovery is being glibly and slowly.

The unemployment rate is down to 7.3 per

cent amid slow, steady job growth.

Although, as we noted earlier, that 7.3 percent vastly understates it, be

cause so many have given up looking for work altogether.

The stock market has rallied to new highs. Home prices are rebounding. Total output has surpassed its prerecession peak.

But the recovery has left many young people

behind. The official unemployment rate for Americans under age 25 was 15.6 percent in August, down from a peak of nearly 20 percent in 2010 but still more than 2½ times the rate of those 25 and older—a gap that has widened during the recovery.

In other words, it has gotten worse for young people during the past few years.

Moreover, the unemployment rate ignores the hundreds of thousands of young people who have taken shelter from the weak job market by going to college, enrolling in training programs or otherwise sitting on the sidelines.

Do any of you know anyone—do any of you, right now, know anyone doing that—going to school because, gosh, jobs are so lousy, maybe, you think,
you will try to do something at school and maybe things will get better? If ObamaCare keeps hammering small businesses so they do not hire new workers and they keep reducing hours, the prospects for things getting better are not very bright. And, if it is true that every time we have imple-
mented pro-free-enterprise policies of restrain-
ting taxes, restraining regulation, controlling spend-
ment spending and debt, the result has been small businesses have prospered and thrived. They have created jobs, and the result has been young people could get jobs, full-time jobs that ad-
vance towards a career and towards the American Dream.

The economic legacy of the Great Depres-
sion was erased to a large degree by World War II and the boom that followed. No simi-
lar rebound looks likely this time around.

What a crying shame. Wouldn’t it be nice if this week we forced them to change that sentence. Suppose this week we try to change things. Suppose this week in this body—
Republicans and Democrats—decided we are going to do something we haven’t done in a long time. We are going to listen to the people. The American people’s top priority is jobs and the economy. Suppose Mem-
bers of the Senate said: Hot diggity, our top priority is jobs and the economy. Suppose Members of the Senate came together, and Republicans said: We are going to stand together on clo-
ture. On the one or Saturday, all 46 of us are going to vote against cloture because ObamaCare is killing jobs. It is the biggest job killer and it is hurting the American people. And suppose Democrats said: You know, even though we support ObamaCare, we have seen how it is im-
plemented, it is not working, it is a train wreck, the American people are hurting, and we are going to respond. We are going to respond to young people—this way. On Twitter and in social media we are reaching out to all the time.

You know, lots of politics is very in-
teresting, but nothing is better for a young person than a growing economy and an opportunity to have a job to work to achieve the American Dream. Yet the Wall Street Journal says no similar rebound looks likely this time around. I tell you what. If we act in an historic show of courage to defund ObamaCare, we would see a historic show of courage to get the American people. What evidence does exist suggests today’s young people will suffer long-term con-
sequences.

Now, this is important. You say may: Well, the job I have now is not great, but it will pay my bills. Here is the part of the problem. When young people are stuck in dead-end jobs, if they don’t get opportunity now, it echoes throughout that generation for decades.

One recent study by Yale University econom-
ist Lisa Kahn found that after the 1980s recession, new college graduates lost 6 to 7 percent in initial wages for every one per-
cent point increase in the unemployment rate. The effects shrank over time, but even 15 years after graduation, those who finished college in bad economic times earned less than similar people who graduated in better times. Some never caught up at all.

So this stagnant economic growth, if you are a young person, I am sorry to tell you, it is not just a problem now. If you don’t see the Senate finally lis-
tening to the American people, finally doing something, then we are going to look at the future of our young people is jeop-
dardized.

Mr. Wetherell, the son of an electrician, grew up in Imperial, MO, a very small town south of St. Louis, where job opportunities were limited even when the economy was strong, and it wasn’t when he graduated from high school in 2008. He enrolled at the University of Missouri, worked a full course load, had a full-time job at a local grocery store, and tracked his near-constant commitments on a dry-erase board in his room.

Eventually, the schedule wore him down. He withdrew from school in 2011, though he still plans to complete his degree. He owes $27,000 in student debt—roughly his an-
nual pretax earnings—with three semesters still to go. Mr. Wetherell is better off than many of his peers. He works at Schnucks, a locally owned supermarket chain where he is a union member.

And, by the way, that is one of the reasons why so many unions that have sup-
ported ObamaCare are turning on it now. It receives health benefits and is paid $12.65 an hour. That is enough to cover $400 monthly rent and $200 in student loan payments. But it leaves little left over for an emergency fund, let alone retirement savings.

How many young people right now are trying to save for retirement? That is something else that will echo for dec-
ades. Savings when you are young are most important for retirement because through compounding interest they can grow over the years. It is kind of unsettling not being able to put anything away,” says Mr. Wetherell, a political science professor.

Even more unsettling: Wetherell has no-
ticed that more and more workers have college degrees, some from well-re-
garded colleges like Washington University. What he had intended as a job to help pay his way through college ended up as a destination for college graduates, “I think a lot about whether I’m ahead or behind,” he says. “I really hope I’m not ahead.”

What does that say about what used to be a part-time job that would help people pay their way through school becomes a destination for college grad-
uates?

You know, my dad worked his way through the University of Texas as a dishwasher and then as a cook. That job is what let him get the education. How much different would it have been if, after he had gotten his degree, he had shown up and they had said: Let’s start washing dishes.

Americans aren’t the only ones asking such questions.

I’m going to pause in this article be-
cause it is 8 o’clock right now, and I men-
tioned before that Heidi and I are blessed to have two little girls, Caro-
line and Catherine. Caroline is 5 and Catherine is 2. I love my daughters with all my heart. They are the joys of my life. I will tell you the hardest as-
cpect of public service is not someone
saying something mean about you—the press. The hardest aspect of public service is being away from those little precious angels and coming up here to DC. I tell you, it breaks your heart on Monday morning when I walk out of the house and one girl grabs one leg and one girl grabs the other and they say: Don’t leave, Dad.

Well, right now, Caroline and Catherine are both at home getting ready to go to bed, and they have both turned on the television. They are both watching C-SPAN. I’m going to confess that Caroline and Catherine don’t usually watch C-SPAN since there are far too few animated features on C-SPAN. But because the girls are watching, and my wife Heidi is watching with them, I wanted to take an opportunity—an opportunity I don’t usually have when I am in DC—to read them a couple of bedtime stories. They are watching right now, and if you will forgive me, I want to take the opportunity to read two bedtime stories to my girls.

But there is a point to this also. The point is very simple: The urgency we have and should feel is because of our kids. It is because of the future they are facing. It is because of the limited opportunities they have.

I wish to read first to Caroline and Catherine Bible stories from the Old and New Testaments. We often read similar stories at home. This one is entitled “King Solomon’s Wise Words.” It is from Proverbs 10, 11, 12, 14, 16, 17, 20, and 21.

So, Caroline and Catherine:

King Solomon had good advice for how people could live a good life and be happy. Here are some of his wise sayings:

Children with good sense make their parents happy, but foolish children make them sad.

Sweetheart, you make your mommy and me very happy.

You will say the wrong thing if you talk too much, so be sensible and watch what you say.

I will have to confess to my colleagues, that is not an encouraging Proverb for someone in the midst of a filibuster.

Kindness is rewarded—but if you are cruel, you hurt yourself.

Try hard to do right, and you will win friends; go looking for trouble, and you will find it.

Good people are kind to their animals, but a mean person is cruel.

We trap ourselves by telling lies, but we stay out of trouble by living right.

It’s wrong to hate others, but God blesses everyone who is kind to the poor.

Kind people are like honey—they cheer you up and make you feel strong.

Don’t trust violent people. They will mislead you to do the wrong thing.

Even fools seem smart when they are quiet.

I suppose that may counteract the other one.

Good people live right, and God blesses the children who follow their example.

Hearing and seeing are gifts from the Lord. The food you get by cheating may taste delicious, but it turns to gravel.

And, if you try to be kind and good, you will be blessed with life and goodness and honor.

So that is the first story for Caroline and Catherine.

The second one is what they know is my favorite story. It was my favorite story when I was a kid and it is a story I love reading to them. I actually don’t get to read it to them often because we have a rule at home that they get to pick the books. For whatever reason, they don’t often choose Dr. Seuss’s “Green Eggs and Ham” all that often. I don’t get to read it that often because I tell them, Go pick the books you want to read, and I read to them. But since tonight, girls, you aren’t here, you don’t get to pick the book, so I got to pick “Green Eggs and Ham.” I love this story, so I am going to read it to you.

Sam I Am.

That Sam-I-am!

I do not like that Sam-I-am!

Do you like green eggs and ham?

I do not like them, Sam-I-am.

I do not like green eggs and ham.

Would you like them here or there?

I would not like them here or there.

I would not like them anywhere.

I do not like green eggs and ham.

I do not like them, Sam-I-am.

Would you like them in a house?

Would you like them with a mouse?

I do not like them in a house.

I do not like them with a mouse.

I do not like them here or there.

I do not like them anywhere.

I do not like green eggs and ham.

I do not like them, Sam-I-am.

Would you eat them in a box?

Would you eat them with a fox?

Not in a box.

Not with a fox.

Not in a house.

Not with a mouse.

I would not eat them here or there.

I would not eat them anywhere.

I would not eat green eggs and ham.

I do not like them, Sam-I-am.

Would you?

Would you in a car?

Eat them! Eat them!

Here they are.

I would not, could not, in a car.

You may like them.

You will see.

You may like them in a tree.

I would not, could not, in a tree.

Not in a car. Not in a tree.

They are so good, so good, you see!

And I will eat them in the rain.

And in a car. And in a tree.

And in the dark. And on a train.

I do! I like green eggs and ham!

I do I like them, Sam-I-am!

And I would eat them in a boat.

And I would eat them with a goat . . .

And I will eat them in the rain.

And in the dark. And on a train.

And in a car. And in a tree.

You may like them in a tree!

You will see.

Say! I like green eggs and ham! I do! I like them, Sam-I-am!

And I would eat them in a boat.

And I would eat them with a goat . . .

And I will eat them in the rain.

And in the dark. And on a train.

And in a car. And in a tree.

They are so good, so good, you see!

So I will eat them in a box.

And I will eat them with a fox.

And I will eat them in a house.

And I will eat them with a mouse.

And I will eat them here or there.

Say! I will eat them ANYWHERE!

I do so like green eggs and ham!

I do so like green eggs and ham! I do so like green eggs and ham! I do so like green eggs and ham! I do so like green eggs and ham! I do so like green eggs and ham! I do so like green eggs and ham!

I do! I like them, Sam-I-am!

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And I will eat them in a house.

And I will eat them with a mouse.

And I will eat them here or there.

Say! I will eat them ANYWHERE!

I do so like green eggs and ham!

Thank you!

Thank you.

Sam-I-am!

I want to say to Caroline and Catherine, my angels, I love you with all my heart. It is bedtime. Give Mommy a hug and a kiss, brush your teeth, say your prayers, and Daddy is going to be home soon to read to you in person.

Let me say more broadly to everyone, “Green Eggs and Ham” has some applicability, as curious as it might sound, to ObamaCare, because 3½ years ago President Obama and Senate Democrats told the American people, Just try ObamaCare. Just try it. There was an awful lot of Republicans who were very skeptical of it, I think for good reasons, but very skeptical. And we were told try it, try it, try it, try it. Unfortunately, through an exercise of brute political force, ObamaCare became the law of the land.

But the difference with “Green Eggs and Ham” is when Americans tried it, they discovered they did not like green
eggs and ham and they did not like ObamaCare either. They did not like ObamaCare in a box, with a fox, in a house, or with a mouse. It is not working.

One of the oldest definitions of insanity is not to do the same thing over and over expecting different results. I understand why many supported ObamaCare in the beginning. But if you look at the facts, if you look at the evidence, if you look at what is happening when the American people have not been working, if we listen to the people—if we listen to the American people, every one of us will stand together and say, We are going to stop this train wreck. Together, we need to make DC listen.

Mr. ENZI. Through the Chair, would the Senator yield for a question, retaining the floor?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. ENZI. I want to thank the Senator for the recitation of "Green Eggs and Ham." That is as good as I have heard. I loved the different voices in it. One of my favorites was "Hand, Hand, Finger, Thumb" by Dr. Seuss. And another one was "Hop on Pop." I think all of this would have related to the messages here. They might even be simple enough that we could get the message across.

I appreciate all the passion and preparation the Senator has put into explaining this and his careful way with words.

We are on a continuing resolution, and I don't know that people out there understand what continuing resolution is. It means that we failed to do our job on time—that we should have had 12 appropriations bills, one at a time, and been able to go through them with some care.

I think maybe the Senator would agree that perhaps if we had done that, when we got to Health and Human Services we might have had the issue on the individual items of defunding ObamaCare. Had we had those individual ones, I think some of those would have passed and it wouldn't have had to have been an all-or-nothing as we have now.

Would the Senator agree that doing it this way, particularly if we have no debate and no amendments, would be the wrong way, and that all we are doing is moving the money down the road that again should have been covered by appropriations in a very timely manner? Isn't that the same problem we had with sequester, where we went through two-thirds of the year when there was supposed to be a 2.5 percent sequester, so we only had 4 months left and those agencies had to pack it into the 4 months, and that made it 5.3 percent and that hurt worse? Of course, the President's note to everybody to "make it hurt" was not particularly helpful either.

But aren't we faced again with that when we are doing a 2-month delay on a CR, so that we have to go through this exercise again probably when we would like to be home at Christmas personally reading those stories to kids? I would like to be reading to my grandkids.

I note the Senator's kind of put in a box here that the American public doesn't like, I don't like, but it wasn't our doing.

If those bills would have been brought up one at a time, we could have dealt with and gotten into some details on them. It has been a long time since we got into details on trillions of dollars of spending. Health care is a part of that, and health care deserves some individual attention. That is what the Senator and I and a number of people are trying to give it, some individual attention. But we are being denied that right. We are not being allowed to go into it in detail so we can show exactly which parts we would defund, which parts we would dismantle and replace with something better.

I spent a lot of time on this bill because I was here when it was going through the committee process. In fact, I had a 10-step plan on my Web site that would have amended this bill and it would have been paid for. But that isn't a part of the bill. When they say the Republicans don't have solutions, they are not willing to look at any of the solutions even if they would wind up in a better situation.

This was passed with a partisan government. It is a health care that is failing and we are not getting a chance to change it. Of course, I am one of those who would have liked to have repealed it and started over again and gotten it right.

I know of another substitute bill that Senator Coburn and Senator Burr did, and that would have been a better replacement for the government. More of the things the President, in a joint session of Congress when he covered it—I was on a committee that was working on it particularly, and I sat there and took extensive notes. The next day in our meeting I said, There are 14 things that he said in that speech we did not cover and I think we should have covered them.

Instead, we wound up with the bill we have because there were 60 Democrats that didn't want all it took to pass the bill. They had to make a few deals in order to get the 60 to stick together, and it is surprising they did stick together.

I will end on that question. I have one other I would like to ask too. But I think our failure to do appropriations leads us to this point, and also gets us to a point where we can't go into the details of the bill. We have to take an all-or-nothing approach. That is not legislating. That is deal-making. I think we have an alternate approach to deal with. I would like the Senator to comment on it.

Mr. CRUZ. Thank you for your question. I thank him also for his early support of this fight to defund ObamaCare. When Senator Mike Lee and I began this endeavor, Senator Enzi was with us from the start. I am grateful for his support and for his leadership.

That question is exactly right. We would not be in this mess were it not for the failure of the Senate, the failure of the Senate to do its job, the failure of the Senate to have open debate, to have open amendments, the failure of the Senate to actually pass appropriations bills.

Continuing resolutions exist because Congress has fallen down on the job. Congress has not actually passed appropriations bills into law. One of the things the continuing resolution bill does—a continuing resolution essentially says let's keep everything going because we have not actually passed the appropriations bills that would properly make the funding decisions on the various agencies of government. But a continuing resolution enables those who want to keep funding ObamaCare to try to hold everything hostage to it.

For example, you hear some in the Democratic majority suggesting—they often run through a parade of horribles that if this is a government shutdown, if the continuing resolution doesn't pass, here are all of the horrible things that will happen.

One of the parade of horribles that are suggested are contrary to law. For example, if they are suggesting people will not get their Social Security payment or they will not get their Medicare or they won't get their Medicaid or we won't pay interest on the debt. That is not the way the Government works. All of those are paid through mandatory spending. The continuing resolution does not impact those continuing to happen. I note in 1995 when there were two partial temporary shutdowns, short term, and for his leadership.

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no circumstances ever should the United States not pay the men and women of our military who risk their lives on the front lines. Current law gives the President ample authority to continue to pay the military regardless of whether there is a temporary partial shutdown.

What has happened in the past, if and when there has been a temporary partial shutdown, is nonessential government services are temporarily suspended by any measure, the military of the United States is not nonessential. So if we had done our job, as the Senator from Wyoming puts it, if we had passed appropriations bills, we would have taken off the table one after the other after the other of these hostages that are being held as the price to force ObamaCare on the American people.

Part of the reason why the Democratic majority of the Senate does that is because the debate on the merits of ObamaCare is so hard to win. You notice we are, by and large, not engaging in a debate on the merits of ObamaCare, in terms of defunding ObamaCare. You don’t see Democratic Senators talking about all the people who lost their jobs, you don’t see Democratic Senators talking about all those people having their hours reduced or all the people seeing skyrocketing health insurance premiums, or who are losing their health insurance. Instead, we see Democratic Senators going on television and saying: Well, if they stick to their guns on this, it is going to shut down the government. That got remade, as you will recall, a little bit so that the committee staffs did not have to come under it because the committee staffs were actually going to finish up the bill. But we had intended for all of our staffs to be under that bill. Would the Senator agree that one of the amendments that we have not been able to vote on—it would have only taken 30 minutes to do a 15-minute vote. That is kind of standard around here; it takes us a little longer to do a 15-minute vote. Heck, it takes us 20 minutes to do a 10-minute vote and that has to follow on the heels of a 30-minute 15-minute vote.

We could have done that vote, but we were not allowed to. What that amendment is, as you will recall, what it would have done is put Congress back under the bill. It would have subjected Congress to suffering the same exact thing the American public is going to start experiencing on Tuesday as they go into the exchange or at the very latest by the 1st of January when they are required to do that.

If their company is no longer providing them with insurance, the company will pay a little penalty but they get to come under the exchange. But they do not get to bring the company’s tax-free donation to their health care along with them. But that is the way we had envisioned it working for Congress too. They would not get a special dispensation. So we brought up this amendment which would require that not only would Congress come under it, but since the President is the one who exempted this and did not have the authority to do it, we thought perhaps he and the Vice President and the political appointees maybe ought to come under that same bill. I mean, why wouldn’t the President want to come under it? After all, it is called ObamaCare. It is named after him.

Apparently there is a tremendous desire not to do that, to explain that the Federal Government is different. That is exactly what the American people are upset about, that we are different. We should not be different. That is one of the things that could have been done if we had taken this all through regular order.

I appreciate the efforts of the Senator to be able to do something. I ask if the Senator believes we ought to be exempted under any parts of this law or if these exemptions would be allowed for the President to do if it is not written in the law? As a lawyer, my colleague probably has better insight into that than I do—and a constitutionalist. That is why I ask the question. Does the President have the right to do that?

Mr. CRUZ. I thank my colleague for that very good question. The simple answer is no, the President does not have the authority to sign a law or to alter the law. We operate under a principle that no one is above the law. We are a nation of laws and not of men. There are many disturbing aspects of ObamaCare, but one of the persistent ones is this law has been such a train wreck that the approach of the President has been, over and over, simply to disregard the language of the law, to pretend as if the law of the United States does not exist because as passed it is such a bad law. That is manifested, as my friend from Wyoming pointed out so accurately, is to grant exemptions to politically favored classes.

It started out with big business. Giant corporations were all, with the wave of a pen, told don’t worry about ObamaCare. It is supposed to kick in for you January 1 of next year, but the President has decided he is going to do a favor for big businesses that he will not do for small businesses, that he will not do for hard-working American families.

The next significant waiver we saw was for Members of Congress. It occurred after a closed-door meeting here in the Capitol where majority leader HARRY REID and all the Senate Democrats, according to the public reports, came to the President and said: We want out of the ObamaCare exchanges. As my friend from Wyoming pointed out, if the ObamaCare exchanges were a good thing, if ObamaCare was working, why would there be panic among Senate Democrats saying please exempt Members of Congress? Why would there be panic among congressional staffs, as I can assure you there is, in a bipartisan way, about being subjected to these ObamaCare exchanges? Why would there be such opposition to subjecting the political appointees of the Obama administration or to the ObamaCare exchanges or, as my friend from Wyoming pointed out so correctly, the President himself?
Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. INHOFE. A lot of people have forgotten the cost of this. I would like to go over a couple of things if it is all right with the Senator. First, I wonder if the Senator from Texas understands why this law didn't have to be a new reality. It doesn't have to be that way. We can stop it. There are still lingering questions about exactly what this is all going to look like.

We do know this reform law, as they call it, continues to be expensive and overreaching. When it started out, it didn't sound too bad to the American people. It is estimated that the program will now cost as much as $2.4 trillion over 10 years once this is fully implemented, assuming they are successful in doing it. The cost estimates have only continued to rise since the law was passed.

Most recently the administration asked for another $5.4 billion in discretionary funds next year for implementation. That is $5.4 billion in discretionary funds. Let's stop and think about that. One of the worst things about the Obama administration—and the Senator from Texas understands this since he is on the Senate Armed Services Committee—is how this President has been disarming America. The discretionary money that would be coming out of this is money that otherwise could be used for our systems and to support our warfighters over there. That is just the cost of the Federal Government. It doesn't include the lost hours, wages, and employees who have lost their jobs and the cost it will be to their families.

Everyone agrees the premiums will rise. In my home State of Oklahoma we have a guy named John Doak. After talking to the insurance companies, he said Oklahoma's insurance will increase by a minimum of 30 percent and up to 100 percent. He also said that one in four insurers in Oklahoma will have their rates vary from $143 a month for a 30-year-old with basic coverage to $973 a month for a 64-year-old who wants the best coverage.

Remember, the President promised to lower the premiums by $2,500. What I want to do, if I could, is share a little bit of good news. I know the Senator from Texas is aware of it, but I don't know how many other people are aware of this. We have a great attorney general in the State of Oklahoma whose name is Scott Pruitt. I suspect the Senator from Texas has met Scott Pruitt. Before we voted on this issue, we had a question on whether some of these subsidies would go any further. Scott Pruitt, through the courts, filed a lawsuit and is leading the charge to dismantle ObamaCare and put an end to it.

Last month the judge overseeing the lawsuit ruled against a motion filed by the Obama administration to dismiss the case, which means the case will proceed. That is huge. If this goes through, this whole thing will be dismantled. That is why we need to go ahead and fight this as best we can, recognizing that there are other areas where the American people are speaking. Certainly Scott Pruitt is doing great things.

I heard the Senator mention Congressman LOUIE GOHMERT. Congressman GOHMERT is a very close friend of mine. We have been together on a lot of things. I was visiting with him. He is in the Chamber right now and would like to share some of the things that are happening in his district, which is eastern Texas.

These are some of the letters that he gets from constituents. This says:

To get setup on the software was too expensive. She also didn't want to be limited on the time she felt she needed to spend with her patients. Therefore, she stopped taking Medicare. Had to go on strictly cash basis.

This text says:

My wife's doctor has just retired because he did not want to deal with ObamaCare.

This is another letter from Riverside Cottages. I guess that is someplace in eastern Texas.

We were notified July 15, 2013 that my husband's insurance coverage, Blue Cross and Blue Shield of Montana, has the Comprehensive Health Association will terminate December 31, 2013. When my husband contacted Blue Cross Blue Shield, they told him that this policy will no longer exist due to ObamaCare. He will need to find new coverage.

And it goes on and on.

The interesting thing—and the reason I am reading Texas letters right now—is that we receive a lot of them, and they are up in my office someplace. So this hits home and hits home hard. I ask my friend from Texas if he has received a lot of these anecdotal letters from people who are suffering serious hardships and are now anticipating what will happen when this becomes a reality?

Mr. CRUZ. I thank my friend from Oklahoma for his excellent question. Let me say from the outset that I am grateful to Senator INHOFE's leadership throughout this whole thing. From the outset Senator INHOFE has been with me on this fight, fighting to defend ObamaCare.
I want to also note that Senator INHOFE, like some of the other Senators who have come to the floor of the Senate this afternoon—including Senator ROBERTS, Senator SESSIONS, and Senator ENZI—are respected veterans of this battle. They are leaders who have earned the respect of their colleagues.

I am grateful for Senator INHOFE being willing to stand up and be a leader in this fight. That courage is contagious, and it will continue to be even more contagious in the Republican Congress. I hope by the time we come to the cloture vote on Saturday, we will see all 46 Republicans united in voting against shutting off the debate and against allowing majority leader HARRY REID the ability to fund ObamaCare with a straight 51 party vote.

Mr. INHOFE, before that happens, I think it is important that the people of this country have to know what this is all about. This is socialized medicine. A lot of them didn't believe that. Last week majority leader HARRY REID was on the PBS ‘Nevada Week in Review.’ He was talking about his goal to move ObamaCare to a single-payer system. His answer was: Yes, yes. Absolutely yes. Do a lot of the people know what a single-payer system is? That is essentially socialized medicine.

I was around during the Clinton administration when there was a thing called Hillary health care. Does my friend from Texas remember Hillary health care?

Mr. CRUZ, I do indeed. I remember in particular at the time the press and all of the graybeards in Washington at the time saying that Hillary Care was unstoppable. It can’t stop it. Republicans need to get together.

If the Senator from Oklahoma will recall, initially the response was described as like Hillary care futile. Back then in the midst of the Hillary care fight there were a few courageous leaders in the House who stood up against Hillary. I know that changed that was the American people rising. At the end of the day, it is the only thing that can win any fights.

Mr. INHOFE. That is exactly what did happen. I can remember going from Washington to my hometown of Tulsa. Normally I have to go through Chicago. Chicago is where the AMA has its headquarters, and it is probably still there. I will always remember this. I was coming back after the long fight against Hillary health care or socialized medicine. I remember saying the question on the Senate floor: Try to explain this to me: If socialized medicine doesn’t work in Great Britain, or Canada, why would it work in this country? They never said it, but what they were thinking was: If I were running it, it would work. We got that point across.

They started way ahead with Hillary health care, and then we started to catch up. Just like now people are realizing this is a failed socialized medicine effort. We had won.

That kind of relates to what is happening today. I was on that plane going through Chicago to Tulsa, and I picked up the Wall Street Journal, and there was a full-page ad by the AMA supporting Hillary health care. Of course, when I stopped in Chicago, I went and visited the AMA. This many doctors’ organization that represents a lot of real smart doctors and others who were saying that we can’t win. We can’t win this and therefore let’s go ahead with it. We had already won when they ran that ad. I don’t know if they put the ad in, but nonetheless we had won.

I don’t know if my friend remembers that because my friend was not in the Senate at that time. That is exactly what happened, and it is very analogous to a lot of things that are happening today.

The other thing I wanted to mention is that anytime desperation starts to set in, there are a lot of things that go round and round. Let me tell everyone what happened in Oklahoma today. This will surprise my friend from Texas. There are 14 people who started this—the Senator from Texas, myself, and 12 other people about 6 weeks ago. Some weeks we have been in lockstep to see what we could do to stop this from happening to my 20 kids and grandkids and the rest of America.

People realized I was there from the very beginning, as the Senator from Texas mentioned, and yet we have some of the Obama people who are doing robocalls in my State of Oklahoma posing as tea party people and saying to call INHOFE because he is for ObamaCare.

I say to my good friend, I can’t believe something like that is happening. It shows a level of desperation where they are trying to get people confused as to what the issue is and want to get us away from this and have this as a reality. Every liberal in America is probably for it.

Mr. CRUZ. I thank my friend from Oklahoma for that question. I have to say I am not surprised. There is an old adage among courtroom lawyers: If you have the facts, pound the facts. If you have the law, pound the law. If you don’t have either, pound the table.

To be honest, the approach by ObamaCare defenders is an awful lot of table pounding. It is an awful lot of “let’s discuss anything other than what, in fact, happened.” Pick up any newspaper and it is talking about this issue. What will the reporters, the political reporters in Washington, DC, write about? I think some may be frustrated because they wanted to be Hollywood gossip reporters because they covered these issues as a battle of personalities. If you want to get a story on the front page of the paper, find some anonymous congressional staff to say something scurrilous, ideally include profanity in it, and the political reporters eat it up, because, apparently, the only thing that matters is the personalities bickering back and forth. In many ways, that is not surprising, because if one is trying to defend a law that the lead author calls a train wreck, that the unions who supported it are desperately trying to get it out of the way, and that the Democratic Senate colleagues are desperately asking for yourselves to be exempted from it, then you sure as heck don’t want to talk about how the law is operating. You sure as heck don’t want to talk about all the people who are losing their jobs because of ObamaCare. You sure as heck don’t want to talk about all the people who can’t get jobs, all the small businesses that aren’t growing because of ObamaCare. You certainly don’t want to talk about all the people forced into part-time work, 29-hours-a-week work. You don’t want to talk about the insurance premiums that are going up, pricing people out of the insurance market, and you especially don’t want to talk about all the people losing their health insurance.

My colleague read the stories from East Texas of citizens there losing their health insurance. That is happening all over the country.

So it doesn’t surprise me that the Senator from Oklahoma is seeing robocalls in the State of Oklahoma because they don’t want to debate on the merits of ObamaCare because it is indefensible. So the only strategy is smoke and mirrors. The only strategy is, if we can’t talk about the law, let’s convince them about something else. Let’s distract them. Let’s figure out anything to take people’s minds off of the underlying issue.

I would note to my friend from Oklahoma, the only way that strategy works is if the American people don’t believe Washington will listen to them. Look, there are a lot of reasons for that, because every day is not a good day. Washington is not going to listen to them because Washington hasn’t been listening to us for a long time. Politicians on both sides of this aisle have lost touch with their constituents. They don’t go home, don’t go to townhall meetings, and view the desires of their constituents as simply uninformed and not relevant to doing our jobs.

Mr. INHOFE. If the Senator from Texas will yield, because I said something that is apropos and...

Mr. CRUZ. I am yielding for a question but not yielding the floor.

Mr. INHOFE. Of course. The Senator from Texas said if you don’t have logic on your side or the facts on your side, or public on your side, what do you do? It is not just pounding the table. It is name-calling.

I went through this. I would suggest to my friend, 12 years ago when the Kyoto treaty was up and everyone thought global warming was coming, she went to talk to all of the people who one’s trip to the White House to support global warming, until we realized what the cost would be. I was the bad guy
because I stood and said: No, this isn’t true. First of all, it is a hoax; and secondly, even if it is not, we couldn’t do it. That is when all the name-calling started. I can remember being called—in writing and by a fairly prominent person—I should be hung for treason at that point. That is what the Senator from Texas is right on, but it means the behavior of people today is something that has happened many times in the past.

So I would just ask my friend to remember that and to realize that quite often, when a person is right on a controversial issue, they are going to be the subject of a lot of criticism, a lot of cussing, a lot of name-calling, and a lot of vitriol. The old phrase about sticks and stones—listen, someone say something mean about another is chickenfeed. The old phrase about arrows one deals with serving in public do, as do all 100 of us. The slings and arrows the son of a Cuban immigrant doesn’t take my breath away. The idea that the Senate from Texas is right on this, but it means the behavior of people today is something that has happened many times in the past.

Mr. CRUZ. I thank my friend from Oklahoma for his very kind remarks of support and encouragement and for his friendship from day one since I arrived in the Senate. Do others on the other side of this aisle have not done that?

I will know that at the end of the day—listen, the Senator from Oklahoma and I, and all 100 of us, are incredibly fortunate. We have lived in this country of relative privilege. We, everyone in the Senate, enjoys a good home, has a soft bed, I suspect, has air-conditioning, has food on the table. I feel blessed to have a wife who is my best friend in the world and whom I love with all my heart, to have two good children, and the girls who are the joy of my life. To be able to come to work every day, to walk on this Senate floor, there is not a day that when doesn’t take my breath away. The idea that the son of a Cuban immigrant with nothing, who finds himself suddenly elected to the Senate, to have the opportunity to come in every day, it is truly awesome, in the real sense of the word. There was a time when the word ‘awesome’ was a Valley girl phrase, but awesome in its real sense of inspiring awe—I will tell my colleague I find it awesome every day to walk into this Capitol and to have the amazing privilege to serve, as the Senator from Oklahoma and I do, as do all 100 of us. The slings and arrows one deals with serving in public office, to be perfectly candid, are all chickenfeed. The old phrase about sticks and stones—listen, someone saying something mean about another is nothing compared to the suffering that so many people across this country are experiencing.

I sat down with one single mom who is working her heart out to provide for her kids because she wants her kids to have a good home, she wants her kids to have an education, she wants her kids to have a future. Her hours have been reduced to 29 hours a week and she doesn’t know what is coming next. That is hard work. That is suffering. This isn’t nothing.

The Senator from Oklahoma speaks with disabled veterans, as I know he has done many times, and he is worried about the impact of ObamaCare on our economy, of jobs drying up. He is worried about his grandson who is just coming out of school right now but who can’t get a job. That is a lot more important than the political bickering back and forth. That was my point about all of the press coverage dealing with—it is not about any personality here; it is about listening to the American people.

The American people do not give a flying flip about any Member of the Senate who is not a personal friend. What the American people are interested in is what we have always been interested in, which is freedom, our families, providing for our kids, being a good example to our kids, working for a better world and working at our jobs and their kids have an even better future and opportunity than we have had. If we go back centuries, we see that every generation of Americans has been able to give to the next generation a brighter future, greater prosperity, greater opportunity, and this is the verge of being the first generation of Americans not to do so. If we want to put our fingers on the discontent so many Americans feel, that goes right to the heart of it: What are we doing in Washington isn’t working.

The economic malaise. I refer to the last 5 years as the ‘great stagnation’ because for 4 consecutive years our economy has grown on average 0.9 percent a year. It is not working. Intelligent, rational people looking at a set of policies that aren’t working would do the intelligent, rational thing. We would correct course. We would say, OK, this isn’t working. What has worked? But that is not happening. It is not happening because even though it is not working, the failures aren’t visited on Congress. The failures are visited on the American people. Congress exempts itself from ObamaCare. It doesn’t even do it in the law. The law clearly states that it is not a part of the law, but instead, Democratic Senators go to the President and say: We want a special exemption for us that doesn’t apply to the American people. So the fundamental problem is that elected officials are not listening to the people.

Earlier, I was reading the article about the lost generation of young people from the Wall Street Journal that ran on September 19. I made it about halfway through. Let me finish that article because I think it raises some very important issues. The last thing I read was about the young man, 23 years old, working a job where he says his job at the grocery store—he doesn’t have a college degree, but he is seeing more and more college degrees getting in, and he is saying: Gosh, I thought this was a job that helped me pay my way through school. If this is the end job after you get a degree, what does it say about opportunity?

The article concludes:

The article concludes:

Americans aren’t the only ones asking such questions. The financial crisis that began in the U.S. spread across the Atlantic, bursting similar credit and property bubbles in countries such as the U.K., Ireland and Spain, and crippling a European banking sector that had dense links with the U.S. financial system.

Much of Europe’s economy was plunged into its worst postwar slump and has struggled even more in the U.S. to regain its precrisis levels of growth and jobs. In Europe, the banking crisis also triggered a second-wave crisis—massive capital flights from Southern European countries that relied on foreign borrowing—that came close to unravelling the euro.

Let me move forward beyond the European countries, back to where it discusses American young people again.

But there are signs that the weak economy is leading to deeper societal changes. An entire generation is putting off the rituals of early adulthood: Moving away, getting married, buying a home and having children. The marriage rate among young people, long in decline, fell even faster during the recession, and the birth rate for women in their early 20s fell to an all-time low in 2012.

Why do we think it is that young people are putting off marriage and putting off kids?

According to a recent Pew Research Study, 56 percent of 18- to 24-year-olds lived with their parents in 2012, up from 51 percent in 2007.

Fifty-six percent of 18- to 24-year-olds lived with their parents in 2012—an increase that looks particularly dramatic because the share had changed little in the previous four decades.

Moreover, many young people are losing hopes of matching the prosperity of their parents again.

I talked a minute ago about the hope of all of us that our kids have greater opportunity. What does it say that young people are losing hope of even matching where we are, much less having greater prosperity?

Just 11 percent of employed young people in a recent Pew survey said they had a career as opposed to ‘just a job’; fewer than half said they were even on track for one.

John Connolly thought he was on the right track in life. The son of a New Jersey auto mechanic, he was the first in his family to go to college when he enrolled in Rutgers in 2007.

I will note as an aside, my uncle went to Rutgers. I went to college, to Princeton in New Jersey, and my uncle was often fond of reminding me that the very first collegiate football game that ever was played in the United States was played between Rutgers and Princeton. At every Thanksgiving, my uncle would then remind me who won and it was Rutgers who won. Princeton
got whipped in that Princeton game. I am sure John Connelly is quite aware that Rutgers won the first collegiate football game in the United States.

Four years later, the 22-year-old found himself $21,000 in debt, without a permanent job and barely enough to pay the rent in Jersey and Brooklyn. "I hear a lot of stuff that people in my generation aren't buying cars or houses, and I'm a step beyond that—I can't own time," Mr. Connelly says. "I have a hard time planning 10 years in the future when I can hardly plan three months in the future."

At Rutgers, Mr. Connelly was an honors student and president of the student assembly. But wary of taking on more debt, he ended up withdrawing from school with three credits to go until graduation. After a summer spent living with friends while working a temporary job at a Brooklyn nonprofit, he found a grant that allowed him to reenroll in school this fall, but he still doesn't know what he will do when he graduates at the end of the semester. "I kind of did everything I was quote-unquote "supposed" to be doing," he says.

I am still reading from the Wall Street Journal:

The costs of a "lost generation" go beyond the impact on young people themselves. A 2012 analysis commissioned by the Corporation for National and Community Service, a federal agency, estimated that the 6.7 million American youth who are disconnected from both school and work could ultimately cost taxpayers $1.6 trillion in lost tax receipts, increased reliance on government benefits and other expenses. Look at broader economic and social effects such as lost earnings and increased criminal activity and the impact tops $4.7 trillion, the researchers estimated.

Mr. DURBIN. Will the Senator yield for a question?

THE PRESIDING OFFICER (Mr. KANE). Will the Senator yield?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. My understanding is that the Senator's position is, if we do not defund ObamaCare, as he has characterized it—the health care reform act—that he believes we should shut down the government on October 1. Is that the Senator's position?

Mr. CRUZ. I thank the Senator from Illinois for that question. That most assuredly is not my position, so I thank the Senator for the opportunity to clarify it.

Let me be very clear. I do not believe we should shut down the Federal Government. The only reason we might shut down the Federal Government is if President Obama and Majority Leader Reid decide they want to force a government shutdown.

What I believe we should do is the same thing the House of Representatives did, the same thing the House courageously did, which was last Friday the House of Representatives voted to fund every aspect of the Federal Government—every bit of it, including parts of the President's political priority—except for ObamaCare. I would note to my friend from Illinois, they did so in response to the American people because the American people are hurting under ObamaCare.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CRUZ. I would like to finish answering the Senator's last question, and then I am happy to answer the next one. But let me finish answering the Senator's question.

The third step is where we are now as the Senate. In the Senate, we are going to have to do two things. The first thing is we are going to have to do in order to successfully defund ObamaCare is to unify Republicans, to bring together all 46 Republicans, opposing cloture, opposing Harry Reid being able to fund ObamaCare on a straight 51-vote partisan vote. I believe every Republican should be unified in that. Right now we are not. Right now there are divisions in the Republican caucus. I am hopeful Republicans will listen to our constituents. I cannot convince my colleagues. The only people who can convince my colleagues on this side of the aisle or that side of the aisle are the people all of us work for, the American people.

If we are able to unify Republicans, the next step—the Senator asked me: How do we ultimately get to 60? I would like to say that I assume the predicate of that question is that the first thing we would have to do is to get to 51—so if we got 46 Republicans and we initially got five Democrats. How would we get five more Republican votes? As the Senator from Illinois is well aware, there are quite a few Democrats who are up for election in red States, States where their citizens understand ObamaCare is a train wreck. It is not working. I believe if those Democratic Senators, particularly in red States, begin hearing from their constituents in overwhelming numbers, that will change their calculus.

Let me readily admit, as long as Republicans are divided, we are shooting at each other, there is not a lot of incentive for Democrats to come join us. But if we can unify Republicans, then I believe we will start with red State Democrats who will potentially lose their jobs if they continue not listening to their people.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CRUZ. Sure.

Mr. DURBIN. I might question the Senator's premise to the extent the House was going to vote the way it did. Since it has voted 42 times to abolish ObamaCare, it came as no surprise. But let me ask a specific question. One of the reasons I voted for health care reform—and I am proud that I did—was illustrated by a woman whom I met in southern Illinois. The Senator has spoken today about hard-working people, including members of his own family, and I do not doubt that.

This woman's name is Judy. Judy is a single mother of five living in a red State. The Senator's family, and I do not doubt that. Judy has worked her whole life in manual labor. She has been everything you
can imagine—a cook, a waitress, a housekeeper, all of these things. She is 62 years old. Judy told me that she had never had health insurance one day in her life, ever. She worked every single day she could, but she never had health insurance. It turns out Judy was diabetic. I have found some doctors and hospitals locally in her area to give her some care.

We have just had an announcement in Illinois that is going to be officially released tomorrow about what this new health marketplace looks like. In Illinois means for people such as Judy. It means we are going to offer 165 different health insurance plans in Illinois by eight different insurers. The premiums at the lowest level of health insurance, for those who are not under Medicaid, will be in the range of $84 a month. But the good news for Judy is that her income is so low she now qualifies for Medicaid for the first time in her life. For the first time in her life, Judy who would be turned down because of a preexisting condition in Illinois, is going to have the peace of mind of health insurance.

The Senate and I are blessed to have the best health insurance in America as Members of the Senate. So when the Senate says he wants to disband and stop ObamaCare, does he want to deny the opportunity for Judy and millions more just like her for the first time in their lives to have the protection of health insurance they can afford?

Mr. CRUZ, thank the Senator from Illinois for that question. I will say, I respect his sincerity and passion in believing that government solutions from Washington can fix this problem. I do not know if the Senator from Illinois shares the views that Majority Leader Reid expressed on television. I do not know if his objective is as Majority Leader Reid said his was: to move to single-payer, government-provided, socialized health care. But it may be. I do not want to put words in the Senator’s mouth. I do not know the way or the other what his view would be.

Mr. DURBIN. Thank you.

Mr. CRUZ. But I will say this. The Senator tells the story of Judy. The best way for Judy or anyone to have health insurance is to have an economy that is booming where people can get jobs and have opportunities. Indeed, let me respond with two things. No. 1, before the Senator from Illinois came to the floor of the Senate, I read a number of letters that have come from people all over the country. Let me just read the next one in my stack because it happens to actually be a counterpart to his story about Judy. This is a constituent from Brackettville, TX, who wrote earlier this year:

Since the passage of what is known as ObamaCare, my insurance premiums have gone up three times. That doesn’t count the increases in my Medicare Part A and B that have also risen. I was also informed prior to passage that certain retirees from one group would see their company support terminated after 2013 and my support will terminate after 2018. In the meantime, I’ve lost two family doctors who have left the practice and must now practice with my physician and assistant. I am fortunate to have good coverage, for which I pay dearly, that is accepted everywhere; but I fear the day I am no longer paying the Obama’s train wreck ever since the bill was passed. Surely, there must be some way to defund or repeal the bill. Please help.

I would note for the Senator from Illinois, these ideas for help are coming from all across the country.

Mr. DURBIN. Will the Senator yield for another question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. I think the Senator’s answer to Judy is: You need a better job. After working a lifetime—62 years, hard work, the best she can do; she has never had health insurance—and I think the Senator’s answer was: Judy, get a better job.

So let me ask another question. When I voted for ObamaCare, health care reform, one of the things that motivated me was the fact that health insurance companies would no longer be able to discriminate against those Americans with preexisting conditions.

I have had a situation in my family, a child who has a serious physical problem, who could not have qualified but for group health insurance that was available to me as a Member of Congress. If I had gone in the open market to buy a policy, I am not sure I would have bought one for my family to cover my child.

So when the Senator says he wants to abolish ObamaCare, does he want to abolish that part of ObamaCare which says you cannot discriminate against people with preexisting conditions when it comes to health insurance? If those people are victims of asthma, diabetes, cancer, treatment, mental illness, does the Senator want to abolish ObamaCare and that protection?

Mr. CRUZ. I thank the Senator from Illinois for that question.

Let me answer it in two different ways. Let me talk generally about what the Senator talked about, about his health insurance and my health insurance as a Member of the Senate and let me talk about preexisting conditions separately.

The first point I will make is that the Senator from Illinois is passionate and has been quite eloquent describing what he perceives to be the benefits from ObamaCare. Yet I think it speaks volumes that the Senator from Illinois and I and every other Member of Congress have been approached by President Obama from the plain text of the statute.

The statute provided—and it was inserted quite deliberately—if we are going to impose rules on the American people, we should be subject to the same rules that would be put in the exchanges similar to millions of other Americans. The Senator just talked about the wonderful exchange. The text of ObamaCare provides that he and I should be in those exchanges. It also provides that, just like the other people in the exchange, our employers cannot subsidize it once we get in that exchange.

Once it passed into law, the Democratic caucus met with President Obama. Obviously, I was not in that meeting. But I read the public reports of what occurred there. I read the press accounts. The press accounts all indicated that the majority leader and the Democratic Members of the Senate asked President Obama: Please get us out from under this. We do not want to be in the exchanges.

I see my friend from Illinois is shaking his head. I was not in the room. The press reports all say that is what happened. So that message was heard by the President because shortly thereafter the administration issued a ruling that exempted Members of Congress and exempted our staff.

I am curious, if the Senator from Illinois is such a fan of the exchanges, is such a fan of the health care that has been provided to Judy, would the Senator from Illinois say that Senator Vitter’s amendment to provide that every Member of Congress, every one of our staffs, every political appointee in the Obama administration—and, frankly, I would like to see every Federal employee and all Federal employees—just like the other Americans, so if we are going to make the rules for the American people, that we be subject to those same rules, those same plans, so that when we go on television and say the exchanges are very good, we are not talking about something someone else is experiencing, we are talking about our own health care.

Mr. DURBIN. If the Senator would yield, I would like to respond and ask a question.

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. The point I would like to make is that the Senator is just plain wrong. What he has stated is just plain wrong. Here is the state of the situation: The health insurance that you enjoy and the Senator from Alabama and I enjoy, as well as the Senator from Virginia, is the Federal Employees Health Benefits Program. It covers 8 million Federal employees and families. Including Members of Congress and our staff. The premiums we pay for the health insurance we choose—the Federal Government as our employer pays 72 percent of the premiums. This is an unusual situation—150 million Americans, which is half of our population, have exactly the same arrangement. These are employer-sponsored employer contributions to the health care of their employees.

What the President did was to say, No. 1, that you, Senator Cruz, I, and others will now have to buy our health insurance through the insurance exchanges that we created in ObamaCare.
With it, we will get the employer contribution, as we do now—as you enjoy now personally and I enjoy—for that purchase of health insurance.

My wife and I will be choosing a policy from the health insurance marketplace of Illinois, because we have 8 different insurance companies and 165 choices. That is our insurance.

What you quarrel with is the employer contribution to health insurance. If that is now your position and the position of Senator Vitter and the Republican Party, that it is a Federal subsidy which should be stopped, you are affecting the health insurance not just of Members of Congress and their staff but 150 million Americans. You better think twice about this. If you want to stop employer contributions to health insurance, that will be the headline for tomorrow morning. I do not support that. My question is, Do you?

Mr. CRUZ. I thank the Senator from Illinois for her genuine political advice and counsel. I would note that the experience Democratic Senators found under ObamaCare of suddenly facing the prospect of losing their health insurance, of being forced into the exchanges, health insurance that is suddenly much more expensive, being forced into the exchanges with no employer subsidy, is a disconcerting experience. It is an experience nobody liked. It is an experience that is lousy. There is a reason why Democratic Senators were so certain. There is a reason why congressional staff were so upset.

What my friend from Illinois is not focusing on is that right now there are Americans all over this country who are experiencing that same exact sentiment because of ObamaCare. Just a few weeks ago UPS sent a letter to some 15,000 employees saying: We are dropping spousal health insurance because of ObamaCare. That is 15,000 UPS employees who had insurance for their husbands, and suddenly, and suddenly, those husbands and wives are left without health insurance and being told: Go on an exchange with no employer subsidy. Senator DURBIN just made a passionate case for why that is a terrible thing to tell people. I agree.

Listen, my preferred outcome is not to subject Members of Congress, congressional staff, political appointees of the administration, and Federal employees to the exchanges and ObamaCare. My preference is to not subject nobody to that. But the reason Senator GRASSLEY inserted that amendment is because we have a problem of a ruling class in Washington—in both parties; this is a bipartisan affliction—that believes the rules that govern working Americans do not govern us.

So if we are going to set up a system, if ObamaCare is going to force Americans all over this country to lose their employer-provided health insurance, to be forced into the exchanges with no subsidies, then the men and women who serve in this body should feel that pain exactly the same. So when we go on television and say “this is great.” we should know of which we speak because we got skin in the game and we are not being treated better. I think under no circumstance should Members of Congress be treated better than nonworking Americans. That is why President Obama did. He did so by all reports, at the request of Democratic Senators in this body.

Mr. DURBIN. Would the Senator yield for one last question?

Mr. CRUZ. I would like to ask one last question.

Mr. CRUZ. I am going to yield to the Senator from Alabama. I am happy to return to the Senator from Illinois if he would like to remain, but I want to be fair because the Senator from Alabama has been waiting for some time. So I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I thank the Senator.

An econometric firm and others have studied what is likely to happen in our economy. As I understand it, they predict that far more people will be dumped from coverage into the exchanges than they have today. So people who are going to need health care coverage and let those individuals go into the exchange, and they may or may not provide any subsidy to them.

So I do think the extent to which we as Senators go into the exchange and are guaranteed the full subsidy we have been getting—that is different from what is going to happen to millions of Americans. I guess the Senator maybe has heard that argument and how it is possible that if businesses decide to drop health care, individuals can then be forced to go into the exchange with no subsidy at all. I would ask Senator CRUZ if he understands that is possible what could happen to large numbers of Americans.

Mr. CRUZ. I think the Senator from Alabama is exactly right. We are seeing Americans all over this country hurt by ObamaCare.

I want to suggest that the problem we are debating today is bigger than this continuing resolution, it is bigger than ObamaCare, and it is bigger even than ObamaCare. The problem is that the men and women of DC are not listening. They are not listening to the millions of Americans who are asking for more accountability, more responsibility, and more truth from their elected officials. It is time to make DC listen.

I would observe that during the course of this afternoon, the hashtag ‘MakeDCListen’ has been trending No. 1 because the American people are frustrated. They are frustrated that the Democratic Senate is not listening to them. They are frustrated that the Republican Senators are not listening to them. The whole debate we are having right now is not about strategy, it is not about process, it is not about procedures, and it is not about all of the pundits and pollsters and consultants. The problem is that DC is not listening.

Everyone in America knows that ObamaCare is destroying jobs. What the Senator from Alabama so eloquently talked about, the econometric predictions—you have to get outside the beltway to any of the 50 States and actually talk to people who are trying to find jobs and talk to small business owners who are struggling under the 20,000 pages of regulations. Everyone in America knows ObamaCare is destroying jobs and driving up health care costs.

Let me encourage right now everyone in America—President Obama 3½ years ago promised the average American that by the end of his first term, by the end of last year, the average American family’s premiums would drop $2,500. Let me encourage everyone in America whose premiums dropped $2,500 to go online and tweet “ObamaCare cut my premium.” You know what. I am willing to venture to that in every one of these States, if all of the Democratic Senators who support ObamaCare are willing to say “I will take only the votes of those of you whose premiums have gone down.” I can tell you right now on the Republican side that I will happily take the votes of everybody else because I am going to predict that is not even going to be a 60/40 election. Everyone knows this thing is not working, and Washington is pretending it does not know. This process is rigged. That is why we have to make DC listen.

In traveling across Texas, just like the Senator traveling across Alabama, I hear the stories everywhere I go. It does not matter what town I am in, it does not matter whom I am talking about, I hear the stories. I see people with disabilities saying: Please stop ObamaCare before I lose my health insurance. I see young people who would like to be working toward a career saying: Please, I would like a job.

I met with a whole bunch of service men and women who had just come back from Afghanistan at a military base in Texas. I asked them, as I try do in any gathering that is a small enough group that I can do this: Go around, share an issue that is weighing on your heart, that you pray about, that you are concerned about.

I remember one young soldier said: I am most worried about jobs. When I come out of the military, am I going to have a job? All of my buddies, when they come out, they cannot find jobs.

Everyone nodded and said: That is exactly right.

The American people want to stop this madness. So do I.

In Washington we pass million-dollar bills and billion-dollar bills no one has ever read, without even voting on them. We call it unanimous consent.
September 24, 2013

CONGRESSIONAL RECORD — SENATE

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It is only unanimous because we do not let the American people know. It would be very interesting to bring 100 of our constituents in on any unanimous consent that is spending $1 billion here, $1 billion there, and see what our constituents think about that. The system is designed deliberately to hide what we are doing.

In this debate right now there are many Members of this body who are happy that the debate is covered with obscurity over pressure, obscurity over a more would we feel gratitude for using a vote that is 100 percent destined to lose because it is offered in such a way that HARRY REID, on a party-line vote, can fund ObamaCare, and yet we can all have a symbolic vote. That’s because, frankly, is this is a town where for a long time neither side has listened to the team. This is the town where for a long time there have been elected politicians who want symbolic votes.

Let me be very clear. I don’t want any symbolic votes on anything. I think everyone—or our constituents should know what we believe. Whether or not we get a vote on it to demonstrate it shouldn’t matter, because if we are standing and fighting, and if we are talking, the walk, our beliefs should be self-evident.

DC responds, the DC establishment responds, if anybody tries to tell the truth—look, I promise you, my observations right now that there are some Republicans that would like a symbolic vote and then would like to lose so that they don’t have any risk of it actually being defunded, I promise you those comments are not getting me invited to any cocktail parties in Washington anytime soon. That is perfectly fine. I don’t particularly enjoy cocktail parties anyway.

This town needs a lot more truth telling. It is absolutely true. Everyone here knows it, but we are not supposed to say it out loud. People will wonder where we kind of wink at each other and say, listen, you are telling your constituents one thing, I am telling my constituents one thing. Let’s not bother to give them the opportunity to know the truth.

If we got 100 of your constituents or mine, if we got 100 citizens from any of the 50 States and we put them in this room instead of 100 Senators, I promise you, No. 1, our constituents would not pay to give some symbolic votes. If you got 100 people, why would you want a symbolic vote? What is the point of that?

It is only the politicians who make a living staying in office that want symbolic votes. Symbolic votes are useful for getting reelected. They don’t actually change the country. They don’t make the lives of people better. But they do help politicians who want to get reelected and want to run a campaign ad saying, here is what I voted to do.

If you have 100 citizens in the Commonwealth of Virginia, the great State of Texas, the great State of Alabama, what they would say on ObamaCare is,
we have to fix this. We have to get people back to work. We have to deal with all the young people that are stuck in dead-end jobs because they can't get a job coming out of school. We have to deal with all the people, all single mom's working in diner's who are finding themselves working 2 or 3 weeks a week because of ObamaCare. We have to deal with all of the people who are struggling because their health insurance premiums are skyrocketing under ObamaCare. We have to deal with all of the people who are losing their health care insurance under ObamaCare.

This is why I am speaking out today and why so many others have come here speaking out because we have to make DC listen. That is what this fight is about, to make DC listen to the American people. I very much hope that the debate over the course of this week has a real effect changing the culture. That is why this body has held 10, 12, 14 percent approval ratings. If I recall, 9 months ago when all of us were in the Old Senate Chamber, all 100 Senators. It was a bipartisan meeting, and it was actually a very interesting, productive conversation. I remember a number of Senators commenting about the low approval ratings that Congress has and saying something to the effect that it is because we are not more efficient, that we don't pass more laws.

I have to say I think that gets it exactly. We have never once found any constituent in the State of Texas—and I suspect there are not many in your State, in my State, or in anyone else's State—who says the problem is you guys aren't passing enough laws. That is not what I hear from people.

It is what you hear from politicians in Washington who would like to pass as many laws as possible so they can take credit for them. But it is not what you hear from people. The people at home say: You guys have done enough damage already. I will tell you why I think we are held in such low esteem. It is because we don't listen to the American people.

In every poll that has been done for years of the American people, in any State, whether your State, my State, any State, even bright blue States, Democratic States, if you ask the American people what is their top priority, the economy is the overwhelming answer. This is true if you ask Republicans, even if you ask only Democrats. If you ask only Democrats in bright blue States, the economy is still the top priority—or independents, Libertarians, anyone in the United States.

Yet the Presiding Officer and I have both served in this body 9 months. I would note the 9 months we have been here the Senate has spent virtually zero time talking about jobs and the economy. It is not even on the agenda. We don't talk about it. We spent 6 weeks talking about guns, talking about taking away people's Second Amendment right, and no time talking about fundamental tax reform, fundamental regulatory reform. Today we are talking about defunding ObamaCare, the biggest job killer in the country. If you want to get jobs and the economy going, there is nothing we could do more important than defunding ObamaCare.

What is the case? There are right now three Members of the Senate on the floor of the Senate and two Members of the House that are doing everything they can to make DC listen to the American people. I very much hope that the priorities of the men and women that the American people's top priority is jobs and the economy, the people would say to all 100 Senators, what possibly do you have that is more important to do? I expect some of my colleagues are at a fundraising dinner. Some of our colleagues are at home with their families.

Do you want to know why Congress is held in such low esteem? It is not that we don't pass enough laws; it is that the priorities of the men and women that the people say are the priorities of the men and women in America. We are not listening to America.

The most important objective, what I hope will come of this week, more important than the continuing resolution, and the budget, more important than ObamaCare, is that we make some real progress to changing the culture of this place so that both Democrats and Republicans start listening to the people. That is the bipartisan legislation is supposed to work. Right now, unfortunately, it is not how it is working.

Mr. SESSIONS. Will the Senator yield for a question?

Mr. CRUZ. I yield for a question without yielding the floor.

Mr. SESSIONS. The Senator made an important point about too often what goes on around here is that we have to obscure the reality of what is happening in this body. Most important, I wish to ask about it. The Senator asked Senator DURBIN—I didn't see exactly how he answered. I think the Senator asked him whether or not he believed in a single payer. I don't think he answered. We know for a fact, though, that Senator REID in August said, when squarely asked: Do you believe in a single payer, he said: Yes, yes, absolutely yes.

What we have learned since then is that others are making the same statement. This spring, Senator SANDERS of Vermont, a nice and able Senator in the Budget Committee, said this bill is not going to work; really, in my view, it is not going to work; It needs to be a single payer.

Senator SANDERS is one of our more liberal Members—and I think it was how he identified himself, as a socialist, but he is an honest, able advocate. He said the truth: this bill, as written, will not work. It has to be a single payer.

Only this afternoon in the Budget Committee, one of our esteemed Members of the Democratic Party, when asked—when I made a comment about Senator REID, that the majority leader of the Senate said he wanted a single payer—he said, this ought to be a single payer system.

I don't know how many others have. The President said, in 2003, when he was running, he flat out said he wanted to have a single payer. Then he backed off and began to obscure that position, it seems to me. It seems to me that they realize that the American people would not support a government, a new government that would take over health care. So what did they do? It seemed to me that they obscured what the reality of this legislation was. They began to move away from it, and they began to say that it was something that it wasn't.

In the last few days it is almost like they have come out here in the open and begun to say that is what should happen. I understand the Democratic leader in the House, NANCY PELOSI, has said that she favors a single-payer system.

I think I will say to Senator CRUZ that I feel you are doing important work because the American people may not yet fully know how huge an issue it is in this Congress.

Let me ask again, when we say there is a single payer—hair begins to stand up on my neck—I think I know who the payer is. Who would be the single payer? Who would be the single payer for all health care in America if that kind of agenda were put into place? The payer would be the U.S. Government, which means the payer would be the U.S. taxpayer, which means the payer would be hard-working Americans, once the Federal Government starts paying for all health care in all of America, which has been the stated position of the far left for a long, long time.

The Senator from Alabama made reference to Senator BERNIE SANDERS. I agree. I respect Senator SANDERS's commitment to his principles. As you know, he previously ran as a socialist. That is correct. I respect that degree of candor. Quite frankly, I would be very happy if this body had 10 more BERNIE SANDERS and 10 more MIKE LEEs, because I think there would be far more truth in advertising and then we could have real debate about what the role of government should be in our lives.

Should we have socialized medicine? That is a very good debate to have, especially because—and I know the Senator from Alabama agrees with me on this—the facts are on our side. In every country on Earth where socialized medicine has been implemented it hasn't worked. We know what the results are. If you implement socialized medicine, you inevitably see poor quality. You see rationing, you see scarcity. You see the government getting in your way. If you and the government decide you want a health treatment, your mother wants a health treatment, your child needs a health
treatment. And you have a government bureaucrat deciding whether you get one. Maybe the bureaucrat tells you: Well, you can get that hip replacement you want in 6 months, in 1 year. But they may turn to Senator LEE and say: You know, Mr. President, your mom can’t get that treatment. We have determined, in our tables it doesn’t make sense to give her that treatment. I guess she is at the end of her road.

That is what happens. It is the govern ment. It is the bureaucrats who decide who gets health care and who doesn’t. And you know what. Americans overwhelmingly don’t want that. This is another point that is critical. It is not just that Majority Leader REID said he likes single-payer socialized health care; it is that he says, and a number of others have, that ObamaCare is designed to lead to that. I think it is very important to ask the question: Why? How does it lead to that? Because that goes to both sides of the aisle.

There are many Republicans who have said: We shouldn’t fight this fight. It is risky. We will get political blame. All of the DC pundits say we shouldn’t do this. Let’s sit quietly and let ObamaCare collapse. It is collapsing of its own weight, it is not working. If we sit quietly, it will collapse and the Democrats will take the blame. I am suggesting there is far too much worry about blame and credit. Who cares? I don’t care if Democrats take the blame for avoiding collapse and spare the Democrats the blame. Who cares?

But if it collapses, why is it that Majority Leader REID says ObamaCare will lead to single payer? Because in the process of the collapse, it will take our private health insurance system with it. Yes, it will collapse, but it will leave a wreckage. It will leave millions of people losing their health insurance, being pushed more and more into the exchange, the one-carrier after the other pushed out of the market. So when it collapses, there is no private health insurance market to go back to. That is why Majority Leader REID can tell the American people: Hey, I want the single-payer socialized medicine. And relax, ObamaCare will take us to that.

But that is also a real message to all the Republicans who right now have not yet announced they are going to oppose this bill. Because if we wait for ObamaCare to collapse—yes, it will collapse—with it will go the private health insurance system, and we may find ourselves in single payer. I think instead of worrying about blame, instead of trying to play the politics and think through it—and listen, I am not nearly smart enough to play through all the political angles and everything else—it is a lot simpler to stand and do the right thing. One of the easiest ways to do the right thing is to listen to the American people.

You want to know what the American people are worried about. Go home and listen to your constituents. Their concerns are: I am trying to get a job and I can’t get a job. I am trying to grow my small business and ObamaCare is driving us out of business. I am afraid of losing my health insurance and ObamaCare is taking away health insurance. Look, we have read, and I have stack after stack that I am going to keep reading, from individual constituents—constituents in Texas and Virginia and Utah and Alabama and all over the country who are losing their health insurance because of ObamaCare, who are losing their jobs and being forced into part-time work. We need to listen to the people.

I told the women and who are watching tonight if they were to tweet the hashtag “MakeDCListen,” which has been, over the course of this, trending No. 1, that I would share some of the tweets they sent. So with your indulgence, I would like to do so to help give them a voice.

Many of these folks right now presumably cannot walk on to the Senate Floor and give a speech. Maybe in a few years some of them might. Maybe in a few years, if Charlie in this body don’t listen to the American people, we may get quite a few of these tweeters who show up as new Senators committed to listening to the American people. But in the meantime—Mr. SESSIONS, Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER. Will the Senator from Texas yield?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. When the Senator thinks about those people who have tweeted and e-mailed and called and written, most know something about the American system. If you were in Illinois or Alabama or Texas or Utah and you talked about this and said: This law has got real problems and it can’t work the way it is, wouldn’t the Senator think they would think he was a usable tool to take up this legislation and actually discuss it in a grownup way; that amendments could be offered that could fix it and be voted on up or down?

Doesn’t the Senator think the facts we are in this situation—the Senator called it a steamroller—where the majority leader is blocking all amendments, all ability to attempt to fix this legislation and make something that would actually work, even through the House has passed repeatedly changing this law and ending this law, that the average American would be shocked to think we are incapable in this Senate of bringing up legislation and having it voted on and debated?

Mr. CRUZ. I think Senator Sessions is absolutely right. The Senate isn’t trying to fix this bill. The Senate isn’t trying to respond to the needs of the American people. It isn’t trying to respond to the jobs that have been lost, to the women who are forced into part-time work, to the people who have lost their health insurance. Instead, it is responding to political power.

I will note that any Republican—on Friday or Saturday when we have the cloture vote—who votes to cut off debate is voting to give majority leader HARRY REID the ability to force funding for ObamaCare with no changes—no votes, no amendments. The Senator from Alabama can’t offer amendments. I can’t offer amendments, and we can’t do anything. It is a pure exercise of political power on a straight party-line vote.

That will make many Republicans happy because they will get to symbolically vote against it, and then we will be certain to lose it if it is a 51-vote threshold.

Part of the reason, I would suggest, and one can understand why the majority leader wants to do that. Listen, if you are defending a law such as ObamaCare, that is a train wreck, in the words of the Democrat who wrote the bill, you don’t want to debate the substance of it. When the esteemed Mr. CRUZ minces words from Illinois on the floor—and I appreciate his coming—he sure didn’t want to debate why there is a congressional exemption, why Members of Congress are treated better than average Americans, why President Obama has said he and his Congress are going to be exempted from ObamaCare but hard-working American families are not.

Look, I understand. If I were the Democratic majority leader and I were defending that position, I wouldn’t want to defend it either. Because I have to tell you there is not a State in the Union where our constituents wouldn’t just about tar and feather us if we stood in front of them and defended that, yes, there should be a special exemption for Members of Congress but not for you. And for big business. President Obama granted a special exemption for big business, but not for you, not for hard-working American families.

Look, what a perfect example of the broken system, of the disconnect between DC and the American people. It is indefensible on the merits, and so this whole process is designed not to debate on the merits. It is designed never to have that debate because, as I observed earlier, the old adage in the courtroom—and my friend Senator LEE will recognize this from his days as a litigator, as will the Chair—if you have the facts and you don’t want to talk about the facts and you don’t want to talk about the law, you want to threaten your audience and the people abroad, and women in the military, that is grossly irresponsible. I think Congress should never ever imperil the salaries
of the men and women who risk their lives to protect us.

This body should immediately take up the Defense authorization bill the House passed so that we can make sure the men and women in the military are always, by the way, paid without that—if there were a partial shutdown—the President has all the authority he needs in existing law to pay the men and women in the military.

But if you don’t want to debate the merits, you have to distract people. So it is a game. If you talk to a professional magician, magicians are good at banter and they are good at smoke and mirrors and distraction. Sometimes when they raise their hand and they have a shiny object over here and they want everyone to look over here, it is because they are pulling a card out of the deck with this hand. There are a lot of professional magicians in this Senate. I am happy to yield for a question. I would note my friend from Alabama seems bound and determined to stop the tweets. God bless him.

Mr. SESSIONS. I am interested in those tweets. I just wanted to thank Senator Sessions for her concern, because I think he is alerting all of us to the critical importance of the health care issue.

This is a plan, it seems to me, and the presently written, will not work, to take over health care by the U.S. Government. We can all disagree. I was here when everybody on the Republican side fought this legislation until Christmas Eve, when it was finally rammed through shortly before Scott Brown from Massachusetts could take office and kill it. That is how close it was. I know people disagree about how to deal with it, and I understand and respect the visions, but I wanted to say the Senator’s leadership has served a valuable purpose tonight, and I am pleased to be able to support his effort. I wish him every success in those efforts, and I hope, as the Senator continues tonight, he will drive home the critical importance of this issue as we go forward. It is a matter this entire Nation cannot look away from. It is a matter we need to consider fixing because the legislation, as presently written, will not work. We have two choices, it seems to me. We move forward to a single payer, as Senator SANDERS said we must do because this legislation won’t work as written. The single payer is the classical American view of insurance and private health care and our own personal physicians.

I thank the Senator from Texas and would be pleased to hear some of those great tweets. I know he has them.

Mr. CRUZ. I thank the Senator from Alabama, and I thank him for his perseverance, his leadership, and his courage. I say there have been more than a few legislative fights, and even a few while I have served in this body, on which JEFF SESSIONS and I have been fighting side by side, and I appreciate his friendship and wisdom, and it matters in this body.

Let’s hear from the American people some of the tweets that were sent this afternoon during this discussion:

Already got a second job again because taxes are squeezing me dry. Make D.C. listen.

Congress passes laws that they don’t follow, lives large off our money, and has contempt for those they represent. Make D.C. listen.

2700 pages when it was passed, over 20,000 pages now to implement. Make D.C. listen.

Vote no on our cloture is a vote to fund ObamaCare. Defund ObamaCare. Make D.C. listen.
ago, and $450 was that individual’s health insurance premium. Now it is $880 in 2013. That is the impact ObamaCare is having.

Here is a nice one:

Thank you for reading tweets so the American people can be heard. Make D.C. listen.

You are welcome. It is a privilege to have a chance to in some small way help provide a voice for the American people.

IRS bureaucrats don’t want ObamaCare, either, but they are happy to force everyone else to make D.C. listen.

ObamaCare has turned America into a part-time nation. People are losing their homes. They can’t feed their children properly. Make D.C. listen.

I wish to think about that last tweet for a second. ObamaCare has turned America into a part-time nation, and people are losing their homes. They can’t feed their children properly. If any Member of this body was forced to work part-time, was losing his or her home, couldn’t feed his or her children properly, it would be a crisis. Talk about getting our attention—it would be a crisis. If it was a family member, if it was us, if it was you, if our boss were facing that, we would move Heaven and Earth to address it. Yet here it is our boss, the American people who are experiencing that, and most Members of this Senate are doing something else other than being here.

I will note that we have Congressman LOUIE GOHMERT, Congressmant PAUL BROWN, and Congressman RICHARD HUDSON was here earlier. But where is the Senate?

We don’t feel the pain of the American people like it is ours, like it is us. It is not surprising because President Obama has exempted Congress from ObamaCare, so we are not feeling the pain. That is the problem.

ObamaCare has turned America into a part-time nation and people are losing their homes. They can’t feed their children properly. Make D.C. listen.

Three years and they still can’t get it going. Make D.C. listen.

Make D.C. listen, because D.C. is not listening to the American people. HELP US!

Defund ObamaCare because it is taking our freedom away. If you love true freedom and choice, oppose tyranny-style government laws, then make D.C. listen to you.

Tired of Senators who won’t listen. Make D.C. listen.

Make D.C. listen. Please stop ObamaCare. It is killing this country. We need the government to listen to the people and do what is best for the country. I support defunding ObamaCare 100 percent.

Make D.C. listen. Make D.C. listen. We don’t want government intrusion into our health care. D.C. isn’t listening. Everyone in America understands that ObamaCare isn’t working. Make D.C. listen.

The health care reform that the President sold America isn’t the health care reform that America is getting. Make D.C. listen.

ObamaCare. AIN’T NOBODY GOT TIME FOR THAT!!! Make D.C. listen.

Way to go. Make D.C. listen to our voices calling for individual liberty.

Make D.C. listen. We don’t get an exception, so we don’t get a free lunch. I agree. I think all of us should get an exception. Every American should get an exception. And there is no world in which Congress should be treated better than hard-working American families.

I don’t want more government. Make D.C. listen.

I wish the Senate would listen to us. Please listen to the people. We don’t want this bill. We want freedom. Make D.C. listen. Make D.C. listen. ObamaCare is turning us into a part-time economy.

Government is designed to go by the will of the people, not the other way around. Make D.C. listen.

We don’t want it, don’t need it, can’t afford it. Please tell them to listen to its citizens. Make D.C. listen.


Make D.C. listen. Analysts, experts, and business people agree that the ACA will hurt the economy. Americans are fed up with our elected officials not listening. WE don’t want ObamaCare. Make D.C. listen.

Let the free market make health care more affordable by allowing sales across state lines. Make D.C. listen.

Let me say, by the way, that is a terrific proposal. Once we defund ObamaCare, there will be a lot we will need to do on health insurance. There is a lot we need to do on health care reform to make it more affordable, to stop the government taking from our pockets, and to make sure policies personal and portable so they go with you regardless of what job you are in.

One of the best things we can do is allow interstate competition. Right now it is illegal to purchase health insurance across State lines. Why does that matter? Well, the biggest barrier to access for people who don’t have health insurance is the cost. You get government regulators who drive the cost up and up because they mandate this bill and this whistler, and you have to cover everything they want. It is a great thing for politicians because if you mandate that every health insurance policy has to cover this procedure, it lets politicians come to the people and say: I am giving you free what-have-you. But one of the simplest principles of government is that there ain’t no such thing as a free lunch. Every time you mandate that a health insurance plan must include whatever benefit it is that politicians want to give away to the people, it drives the cost up. Every time the cost goes up, there are more and more people who can’t afford it. So you can have a lot of politicians giving away free stuff, and when you do that, it will mean there will be a whole bunch of people who get no coverage at all because they can’t afford it.

If we were to allow purchases across State lines, we would see a true 50-State national marketplace, true competition. There would be real choice.

By the way, the people who may be the biggest losers of all under ObamaCare are the young. It is difficult to design a bill to do more damage to young people. The “lost generation” is what economists are calling young people, in significant part because of the consequences of ObamaCare. If you are a young healthy person, it may well make sense to purchase catastrophic health insurance—health insurance that if, God forbid, you get hit by a truck tomorrow, or you get diagnosed with some horrible life-threatening disease.

The odds are relatively small that is going to happen to any of us, but if it does, it is very bad, and that is when we want health insurance. If you could purchase insurance across State lines, there would be a 50-State market and you could get low-cost, inexpensive catastrophic health insurance.

If you think about health insurance right now, it doesn’t work like insurance. I wish to compare it to an insurance market that works. Most of us are familiar with car insurance. Most of us who have cars have car insurance. With car insurance, if you need to change the insurance policy, you call Allstate, and say: Change the oil in my car. If you get a flat tire, you typically do not call Allstate and say: Hey, I
have a flat tire, change the tire on my car. God forbid, if you get hit by an 18-wheeler and your car gets totaled, then you call your insurance company and say this catastrophic event happened; that is why I have insurance. A lot of people who claim to be low-cost health insurance, allowing people to purchase it across State lines after we defund ObamaCare would make a real difference, and if we added to that reforms that expanded health savings accounts so you could save in a tax-advantaged way to meet routine prevention and maintenance, to take care of the equivalent, in the auto context, of changing the tire, that would go even further; and if we changed the tax law right now—most people do not know that employer-provided health care is an historical anomaly. It actually arose during World War II. Shortly thereafter, when wage and price controls were in effect, employers had a challenge. They wanted to recruit employees—could not raise wages. It was against the law. So they began offering health insurance as a way to attract people, to say come work for my company, we will give you health insurance.

Right now the Federal tax laws heavily favor employer health insurance. The problem is, we don’t live in 1950s America now. There was a time when people would get a job in a big company and work 30, 40, 50 years, retire, get a gold watch, and that would be it. We don’t live in that kind of world anymore.

Most people will work for one company, then another company, then another company—relatively unlikely that Americans are going to stay with one company their entire life. They are going to switch jobs, possibly a lot, sometimes voluntarily and sometimes not voluntarily.

When you and I were in the private sector, Mr. President, if we lost our jobs and got fired, you didn’t lose your life insurance. You didn’t lose your car insurance. The only insurance you would lose if you lost your job was your health insurance. That doesn’t make any sense. Of all of them it is the worst one to lose.

The Senator from Illinois asked about preexisting conditions. If we could change the law so health insurance plans were personal and portable, just like your car insurance, regardless of where you happen to work it goes with you, it travels with you, that goes a long way to solving the problem of preexisting conditions, because where preexisting conditions have such a big impact on Senator Grassley’s life, and is trying to get coverage for the next job. If you could take your personal portable plan with you, that goes a long way to mitigating it. Let me point out all of those reforms have a fundamentally different philosophy than ObamaCare. ObamaCare has a philosophy empower government over your life, put a government bureaucrat between you and your people. The reforms I laid out are all about empowering you, the American people, empowering you, the patient, to make a choice, empowering you to make decisions about your health care with your doctor. ObamaCare people are asking us anywhere near you. I am going to suggest the difference is those plans come from listening to the people. ObamaCare is the opposite of listening to the people.

Mr. LEE. Will the Senator from Texas yield for a question?

Mr. CRUZ. I am happy to yield to my friend from Utah for a question, and I will return with yet more tweets at a later point.

Mr. LEE. I say to Senator Cruz I have come with some updates from the outside world, updates based on what I am hearing from my constituents at home. You may be interested in learning, for example, that just today in the last 12 hours or so my office has received nearly 1,100 e-mails, 1,093 to be precise. Almost every single one of those is asking us to do whatever we can do, whatever it takes, to defund ObamaCare. People are asking us to fund government, keep government functioning, but to defund ObamaCare.

I also have some news from a local paper in the State of Utah. This is from the Box Elder News Journal in the northern part of my State. In an article written by Mike Nelson, an associated editor with the Box Elder News Journal, we read about Brigham City changes are coming for paid on-call employees. They are going to dramatically impact the way we manage our fire and ambulance crews, ‘Back in February it became apparent the ACA—’

Or for those of you who see the newspapers, ObamaCare—

was going to dramatically impact the way we manage our fire and ambulance crews, ‘said emergency services director Jim Buchanan, while addressing the issue at an August 1 city council meeting. This is one of many examples of not just businesses but also local governments that are having to make cuts in their payroll in order to adjust for this law. This is having a real impact on real people.

It is having an impact also on students. I received a message from a student in Utah, Sarah. Sarah, today, a college student, writes:

I am a student facing a shrinking job market with fewer options. Now it seems ObamaCare is going to force me as a healthy young person to keep the President’s health plan functioning. How is that fair?
the other Republican leaders in the House of Representatives and by the rank-and-file Members of the House who voted for this legislation. When they voted for this legislation to keep government funded while defunding ObamaCare they stood with the American people who asked them for relief and ultimately voted against the House of Representatives and voting no would be supporting the House of Representatives. I say to my friend Senator Lee that I would be very happy if that were the case. If that interpretation were right and suddenly Harry Reid and every Democrat supported defunding ObamaCare, I say to my friend Senator Lee that I would be very happy if that were the case. If that interpretation were right and suddenly Harry Reid and every Democrat supported defunding ObamaCare, that would be terrific. We know for a fact it is not the case. We know for a fact it is not the case because they publicly said it. We know for a fact it is not the case because just yesterday I asked for unanimous consent to simply pass the House bill. If every Democrat and Harry Reid were supporting defunding ObamaCare, he wouldn't have objected.

Everyone understands that the cloture vote on Friday or Saturday will be a vote to allow Harry Reid to fully fund ObamaCare using only a 51-vote cloture. So that amendment that allows on a straight partisan line. There is no confusion on that. Every Democrat understands that, and every Republican understands that.

However, there is some confusion, but not in this body, and it is so Senators believe with the American people because Senators think, well, the politics and procedural mumbo-jumbo is confusing enough that I can vote yes, give Harry Reid the ability to fund ObamaCare and at the same time I can run paid advertisements—as more than a few of our colleagues may well be doing right now—that say: I want to defund ObamaCare. They can't do both. They can't hand Harry Reid the ability to fund ObamaCare and claim they want to defund it. Pick a side. Pick a position and stand by your beliefs.

I will give an analogy. The House of Representatives passed a bill that cut taxes, and then it came over to the Senate. Majority Leader Harry Reid announced that he wanted to file for cloture on that bill, and then after that happened, he would file an amendment to erase all the tax cuts and to jack up taxes by $1 trillion. Let's suppose he announced this publicly and told everyone: This is what I plan to do—and by the way, it is going to be the only amendment. I will totally gut the House bill and turn a tax cut into a tax increase. I am absolutely certain if that were the case all 46 Republicans would vote against cloture. We get the game.

Voting to cut off debate is voting to allow the majority leader to gut the
House bill. So any Senator who votes for cloture is saying: I want the major- ity leader to be able to gut the House bill. But it is even better than that. What was it that P.T. Barnum said? You can fool some of the people all the time, and all the people some of the time, but you can’t fool all of the people all of the time. There are a lot of Members of this body who think: Some of the people all of the time will be just good enough for me. If I can vote to give HARRY REID the ability to fund ObamaCare, and the beauty of all beauty, when we get to a 51-vote threshold on ObamaCare, I can vote against funding ObamaCare, I can go home and say: Hey, I voted twice the right way. Of course, I did it in a way that guaranteed 100 percent that we are going to lose. It guaranteed that ObamaCare would be funded.

Now, for that strategy to work, it depends upon voters being really gullible and confused. I was following tweets earlier. Earlier we talked about how we are not living in the 1950s. In many respects we are not living in the 1950s. One of those respects is we no longer have three big networks that control all the news and limit the avenues for the American people to find out what is going on. We have seen a democratization of information. We now have cable TV and more channels, it seems, than one could possibly imagine. We have avenues that the mainstream media can’t cover, or we can have content that the mainstream media won’t cover in an effort to provide fair and balanced news. We have talk radio. God bless talk radio. It is an avenue to reach out to millions of Americans, and it is able to go right around the mainstream media gatekeepers. We have the Internet. We have social media. We have Facebook and Twitter. We can disseminate information directly.

In the 1950s one could do some proceduralism to等工作。One could hide an obfuscation, and people wouldn’t know. One of the fascinating things—and I suspect the Presiding Officer has done this as well as an avid student of history—is listening to the old L.B.J. tapes. L.B.J. would be talking to one group on tape and say: I am totally with you. And then he would be on tape talking to the other side saying: I am totally with you. He would tell different groups things that were 180 degrees opposite of each other. He would say one thing to one group and another thing to another group. They were so different, they would never get a chance to reconcile.

I would suggest that in 2013 that is a lot harder to do. In 2013, if they tell one group they are totally with them get ou- better believe the other group will find out about them.

In 2013, if a Member votes—I hope they don’t, but some Republicans might—give HARRY REID the power to fund ObamaCare on a straight partisan 51-vote threshold, then that Member is voting to fund ObamaCare and their constituents are going to know about it. It is not anything any of us are going to do because our con- stituents are now engaged and follow- ing this debate directly. So the ad that says “I am for defunding ObamaCare” while at the same time fighting to keep funding ObamaCare doesn’t work in the Internet age. It doesn’t work.

What is the old line? I try not to lie. I try to tell the truth because it is so hard to keep track of the lies. Instead of telling people multiple positions, just stand and fight for what you believe in.

Earlier we were talking about BERNIE SANDERS. I respect the heck out of BERNIE SANDERS. Actually—and this is a comment that often surprises our friends in the media and even some Democrats—I respect President Obama. I respect the man a great deal because I think he is deeply committed to his principles. I think he has taken political risks for his principles. I think he is a true believer. Everything I have seen about his entire course of life—I think he believes genuinely, earnestly, and with all of his heart in government so- lutions, government control of the economy, redistribution of wealth. I have no reason to doubt that the President sleeps like a babe at night believing that he is fight- ing to better America. At the same time, I believe the ideas the President believes in are completely backward. His advanced are profoundly harmful—not a little bit wrong but profoundly harmful to this country.

You know what. That is a debate we can have. That is a policy debate I wel- come. Has it been good or bad for Americans to implement ObamaCare? Has it been good or bad for Americans to see jobs drying up? Has it been good or bad for Americans to see small busi- nesses not grow anymore? Has it been good or bad for America to see health insurance premiums sky-rocketing? Has it been good or bad for Americans to see more and more people losing their health insurance? That is a debate I am happy to have on the sub- stance. That is an honest debate. The President embraces that policy.

I will confess that what produces more of the cynicism and skepticism toward Washington are the politicians who don’t have the honest debates and don’t have the truly not all do. But not all. But to have the old fond of ObamaCare, but it doesn’t matter enough to me to risk anything on it. I care more about staying in of- fice than I do, actually, about fighting a fight. So I want to take some sym- bolic votes, and I don’t want to risk any chance of anyone blaming me for the downside.

I get why voters are frustrated with that. I get why voters are frustrated with politicians saying one thing and doing another. It shouldn’t be com- plicated. Do what you say. It shouldn’t be complicated. Stand for your prin- ciples. If you don’t believe ObamaCare should be funded and that ObamaCare is hurting Americans, then stand and say: Let’s defund ObamaCare.

I have made it very clear that we could end this debate right now if the majority leader would come down and say—look, the best way to end this de- bate would be if he would agree to pass the House continuing resolution to fund all of government except for ObamaCare. I recognize that is not likely to happen anytime soon, but it would be the best way, and it would be the way that is most responsive to the American people. But the best way to end this debate—and, by the way, to expedite this whole process—is to sim- ply have the majority leader agree to have open amendments and have those amendments subject to a 60-vote threshold.

The Presiding Officer and I have both been here the same number of months—9 months. During the time we have been here, we have seen vote after vote after vote with a 60-vote thresh- old.

The Presiding Officer will remember the guns debate we had. Guns are an emotional and passionate issue. It is an issue people on both sides care a lot about. I get that. The Presiding Officer and I have seen the member that stands on the floor of this Senate, every single amendment was subject to a 60-vote threshold.

In the course of that debate, I intro- duced, along with Senator HUGO GRASSLEY, the Grassley-Cruz bill. It was a law enforcement alternative. In- stead of restricting the Second Amend- ment rights of law-abiding citizens, it was targeting violent criminals. It was going after felons and fugitives who tried to illegally buy guns. It was going after those who commit violent crimes with guns. It was going after States that don’t report mental health records to the background check system.

We just saw a horrific shooting in Washington, DC. All of us are mourning for the victims and the families there. The individual, it appears, had significant mental health issues. The Grassley-Cruz bill would have mandated significant incentives and pen- alties for States to get them to report mental health records, because our background mental health system doesn’t work if we don’t have the mental health records in them. As of a date relatively recently—I don’t recall the date in the top of my head but rel- atively recently this year—I believe there were 18 States that reported 100 or fewer records.

The Presiding Officer will recall what happened with that bill, and every amendment. We got a majority. A ma- jority of Senators voted for the Grass- ley-Cruz bill. Indeed, nine Democrats voted for the Grassley-Cruz bill. It was the most bipartisan of any of the com- prehensive gun legislation that was considered by this body. There was no majority in the Senate, but close to that level of bipartisan support across the aisle. Yet the Grass- ley-Cruz bill did not pass into law. It
didn’t even get sent over to the House. Why? Because there was a 60-vote threshold because, effectively, Majority Leader Reid filibustered it.

As important as guns are, I think re-storing jobs and the economy, restoring our dealing with the train wreck that is ObamaCare, is at least as important to the American people. The idea that somehow a 60-vote threshold was OK there but here there has to be a partisan exercise in brutish law is inconsistent with the traditions of this great body. But I will note it serves the purposes of politicians on both sides of the aisle. It serves the purposes of Democrats because most Democrats right now still want to preserve ObamaCare.

Most Democrats, in my view, are privately getting more and more nervous about the train wreck that this is. They are seeing—we can’t go home and talk to our constituents without talking about the job loss and the health insurance premiums going up and people losing their health insurance. I think most Democratic Senators are nervous about it but not yet ready to abandon ship. On the Republican side, there is not a Republican here who doesn’t enjoy giving speeches about ObamaCare. We can give speeches, humdings sometimes. But there are more than a few Republicans who are nervous about actually doing anything that has a real chance of having outcomes that take a stand that has risk, there is downside to risk. If we hold our ground, if the House holds their ground, it is entirely possible that majority leader HARRY REID and President Obama will force a government shutdown. I don’t think they should. I think it will be a mistake. But they have said they are willing to shut the government down in order to force ObamaCare on the American people. That has a lot of people on the Republican side in the conference nervous because they think, Well, if President Obama and HARRY REID shut the government down, they will blame it on Republicans and the media will all repeat that attack. The mainstream media, every one of them, will repeat word for word the talking points. It will get to the point that the stories we read in the major newspapers will read as if they were written by the White House Press Office.

But Republicans have been the way of the world for a long time. So there are Republicans nervous about, Well, even if the President and HARRY REID force a shutdown, Republicans will get blamed and we don’t want the political blame so we don’t want to fight this fight. In fact, a lot of Republicans have been writing to the press and said, We can’t win, we can’t win, we can’t win. When we have a lot of Republicans saying we can’t win, that is one way to make it less likely we are going to win.

It is true Republicans don’t stand together on this, we can’t win. Some have asked, Why haven’t Democrats come over to join us? Listen, the Pre-siding Officer and I both know no Demo- crats is going to come join us as long as half the Republican conference is split and throwing rocks at us. There is no incentive for anyone to do that now. The only hope of bringing Democrats and Republicans is to unify Republicans. If we get all 46 Republicans to stand together opposing cloture and to say, No, we are not going to let HARRY REID shut down all amendments; we are not going to let HARRY REID fund ObamaCare on a straight partisan party-line vote; and then, if those Democrats elected in red States begin hearing from their constituents in incredible numbers—listen, I will tell my colleagues, the people of Ar- kansas, the people of Louisiana, the people of North Carolina, they understand ObamaCare is a train wreck. They would like their Senators to listen to them. The Presiding Officer and I both know, when we start to hear from 5,000, 10,000, 20,000, 50,000 of our constituents, it changes our calculus. If there is one thing the men and women of this body like, it is to get re-elected. The only way this fight is going to be won is if the American people speak so loudly that the politicians in this body have no choice but to listen to the people.

Let me give an example, an example the Presiding Officer and I spoke about at the time. About a month ago, we all remember the Obama public- ly announced his intention to launch a unilateral military attack on the na- tion of Syria. When that happened, bi-partisan leaders in both the House and the Senate fairly quickly came out in support of that plan. Just about every commentator—just about every talk- ing head in Washington—said there was no chance of stopping it. It was going to happen. It was a done deal. It was going to happen. In fact, they were the same voices who are saying now, with regard to ObamaCare. It can’t be done, accept it, accept it, it can’t be done, it can’t be done. All of those exact voices said about Syria: He is going to attack, there is nothing we can do, it will be done. The Pre-siding Officer and I both spoke out loudly, saying the President should bring the issue to Congress, and I commend the President for listening to bipartisan calls. That was not easy. I have no doubt there was significant dissension among his advisers who didn’t want him to do so, and I com-mend the President for listening to those bipartisan calls. It was the right thing to do. Once he submitted it to Congress, what happened next the Pre-siding Officer and I both know because we both went home to our respective States. People in our States were not evenly divided on the question of Syria. It wasn’t a close call. I can tell you from my colleagues in the House that calls were evenly divided, but I commend the President for putting his energy into getting involved in that sectarian civil war in a way that didn’t further our national security. We had over 5,000 calls from Texans opposing getting us in the middle of that Syrian civil war. We had roughly 50 in support of it. I think the percentage in our office at one point was 99.13 percent of the calls were against getting us involved in Syria. We saw something even more incredible. Everyone said it was a done deal and the Senate was going to vote to approve it. The more the American people spoke up, the more people in this body and in the press told them some of those who early on were fans of the military intervention suddenly began listening to their constituents and saying, I am not so sure this makes sense. And then astonishingly, remark-ably—and I give him credit for this—the President of the United States lis- tened, and the President went before this Nation and asked this body, do not vote on this. I am glad he did, because if we had voted, I think at that point it was very clear he would have lost the vote. If Congress said, you have voted to authorize military force. The House clearly would have voted against it and I think there is a good chance the Senate would have also, although the Senate is a little harder to predict. And I am glad he listened to the American people.

I want to point out, for everyone who says defunding ObamaCare is imper- sonable, they are the same voices who said stopping the attack on Syria was impossible—the exact same voices, graybeards—all of the media.

The only thing that is going to change the dynamic in this body, the only thing that is going to unite 41 Re- publicans against cloture, against ObamaCare and to defund ObamaCare is if the voice of the people becomes so loud it can’t be ignored. The only thing that is going to start moving red State Democrats is if the voice of the people in their States becomes so loud they cannot be ignored. Ultimately, that is how we win this fight. It comes down to the people.

I would also like to have a bit of a discussion on an issue that I would note the Presiding Officer and Senator Leahy both that vote. But I am glad he listened to the American people.
term for that argument: It is poppycock. It is complete and utter nonsense. That is not the way our constitutional system works.

It is true that Democrats currently have a majority in the Senate and that a Democrat sits in the White House. That is true. But the Constitution gives different branches different responsibilities and in their respective spheres each branch has exceptional power. So when it comes to ordering our military troops into battle, to selecting targets, to making direct decisions of military conflict, the President of the United States is Commander in Chief, and it does not matter if the President is a Democrat or whether 535 Members of Congress are Republicans. When it comes to being Commander in Chief, when it comes to ordering our troops into battle, to making decisions in the midst of conducting war, the Constitution gives the President preeminent authority on that account alone.

When it comes to adjudicating the constitutionality of law—one could make arguments about whether this is right—but as a practical matter, the Constitution and modern acceptance gives the Supreme Court preeminence in adjudicating whether a law comports with the Constitution. I would note that is true even if five Justices of the Court are appointed by a different political party, the party that controls both houses of Congress and the Presidency. We could have five Justices appointed by a Democratic President and 535 Republican Members of Congress and a Republican President. Yet on the questions of adjudicating the constitutionality of the law, the Supreme Court would still have preeminence and very significant authority.

When it comes to appropriations, when it comes to the power of the purse, when it comes to spending, article I of the Constitution gives Congress preeminence and, in particular, the House of Representatives. So I will be perfectly honest. If I were to pick one thing for Republicans to have control over, particularly when it comes to funding or defunding something, it would be the House of Representatives. Every pundit who goes on television and says, Well, we just control one-half of one-third of the government—what complete and utter nonsense. Not a single dollar goes into law that does not go through the House of Representatives. It is a necessary but-for. And on questions of spending, the House of Representatives has preeminence. So this notion that it can’t be done—and a related point. There are some on the Democratic side of the aisle who make the argument this is the settled law of the land. Accept it already. You guys are bitter enders. We passed it into law. We won a Presidential election again. Game over. You lose.

I understand the political virtue of making that argument. It is always good to convince those who disagree with you to give up their beliefs. Sometimes those on this side of the aisle oblige by doing so. But it is not an argument that has any basis in the Constitution. Is ObamaCare currently the law of the land? Of course. It was passed into law, it is in the statute. It is on the books.

Congress has the power of the purse. Congress has the power—to let me finish this. Congress has been happy to yield for a question. Congress has the power to appropriate. There is no obligation for Congress to appropriate, to fund a law that is not working, that evidence and experience—that what the American people are experiencing has demonstrated it is not working.

So the House of Representatives in voting to defund ObamaCare, while funding the rest of government, is fulfilling its constitutional function. If this body took up that same gun battle, and says, Well, we just control one-half of the government—what is going to be done? Congress would be fulfilling its constitutional function as well.

(Mr. MURPHY assumed the Chair.)

I would note the Senator from Virginia rose for a question. I am happy to yield for a question without yielding the floor.

Mr. Kaine. I thank the Senator.

I would ask the Senator to yield for a series of questions around two issues—first, comments the Senator made earlier about helpful reforms that could be made to the health care system and, second, the Senator’s comments about the need for Members of this body to listen to their constituents. Being in the chair and hearing the Senator, I could not resist but to follow up.

On the issue of reforms, I understood one of the Senator’s points to be that a helpful reform might be for Congress to take up and potentially eliminate the current prohibition of purchasing insurance across State lines. Did I hear that correctly?

Mr. Cruz. Yes, that is correct.

I am happy to yield for a second question without yielding the floor.

Mr. Kaine. In addition, I think I understood, and agree with a comment the Senator made about potential reforms—that even the whole notion of health care provided through employers is a little bit of a historical anomaly that came up in the aftermath of World War II.

I was not sure if the Senator was suggesting that as part of a health care reform it would be a very significant authority.

Mr. Cruz. I thank the Senator for that question.

What I was suggesting is we should do tax reform that encourages policies to be personal and affordable. Right now, Federal tax laws, Federal laws heavily favor employer-provided health insurance, and that creates some real failures in the market where when someone loses their job, they lose their health insurance. We would be better served if they were able to get health insurance because of preexisting health care conditions. I do not think—but I want to make sure about this—I do not think the Senator was arguing that we should go back to that day and that we should go back to a status quo where that would be the case. I think the Senator was arguing that we would be better served if health insurance became like car insurance, something that went with you regardless of what job you were in.

Mr. Kaine. I say to the Senator, you engaged in a colloquy with the Senator from Illinois about a provision that I wanted to follow up on.

Prior to the passage of the Affordable Care Act, it was completely lawful and, in fact, common for insurance companies to turn down individuals for insurance because of preexisting health conditions. I do not think—but I want to make sure about this—I do not think the Senator was arguing that we should go back to that day and that we should go back to a status quo where that would be the case. I think the Senator was arguing that we would be better served if health insurance became like car insurance, something that went with you regardless of what job you were in.

Mr. Cruz. I thank the Senator for that question.

Let me point out that preexisting conditions and the individual mandate of ObamaCare are integrally connected because the way the insurance market works—let me take an example that does not deal with health care. Let’s talk about fire insurance, fire insurance in your home.

I suspect both our homes have fire insurance. Imagine if Congress were to pass a law that says fire insurance companies cannot take into account preexisting conditions, such as whether the home has already burned down in a fire.

If that were the law, what any rational person would do—would we both cancel our fire insurance policies because our house had not burned down, we would then buy a fire insurance policy and say: Please pay for my house.

Under that rule, the whole insurance regime collapses because the entire basis of insurance is you get people whose homes have not burned down to pay relatively small premiums to create a pool of capital that will be used to compensate—we do not know who, but somebody’s home is going to burn down. If enough people whose homes have not burned down put in money in premiums, there will be a pool to pay for whichever unlucky soul faces their home burning down.

The health insurance market works quite similarly. If the rule is simply that for anyone, regardless of their medical condition, any insurance company has to cover them, no matter what, then the incentive is the same as with fire insurance; that if the Senator and I are healthy, it is, frankly, irrational to get health insurance, if the rule is that if I get sick then I can get health insurance and they have to cover me. What you end up with is insurance that consists only of people...
who have sicknesses, who have grave diseases, and that bankrupts every insurance plan. If you have a mandate that you cannot take into account whether someone is already sick before giving them insurance, it means the insurance companies go out of business, and we do not what Majority Leader Reid has argued for—it leads ultimately to single-payer government health insurance.

Mr. Kaine. Does the Affordable Care Act require that insurance be provided to folks despite preexisting conditions at the same rate across the board?

Mr. Cruz. It restricts the terms at which the rates are given.

Mr. Kaine. So then, to make sure I understand, the Senator is opposed to the provision in the current Affordable Care Act that requires insurance companies to write insurance to individuals within those limitations, regardless of preexisting conditions.

Mr. Cruz. I will finish my explanation on that. I will answer the Senator’s question, but I wish to finish the explanation. That is the reason ObamaCare includes the individual mandate. Because, to use the fire example again, it would be the equivalent of, if you have to put out a fire policy regardless of whether their house has already burned down, it would be the equivalent of saying we are requiring everyone who has a house to buy a policy. Because that is the only way you prevent the insurance market from being bankrupt.

So the individual mandate, the reason ObamaCare says we are forcing everyone to buy insurance—whether you want to or not—is because of the preexisting condition.

Now listen, my view on preexisting conditions is we ought to reform the market to deal with that problem. I do not think ObamaCare is the right solution. I think ObamaCare is the wrong solution. I think we ought to defund it all now. I think we ultimately ought to repeal it in its entirety.

But on preexisting conditions, I will point out, No. 1, if you have an issue—and there have been issues with insurance companies acting in bad faith, with insurance companies dropping someone when they get sick, and I think there the legal system should work to prevent that. If you have purchased insurance, if you have paid your premiums, you company should not be dropping you when you become sick. I think there is a vital role for State insurance regulators to be involved there and for our contract and tort system—the legal system—to be involved.

I think if we move toward changing the Federal tax laws to make health insurance policies portable, personal, it will go a long way to solving the problem of preexisting conditions. I am not maintaining it will solve it in every instance 100 percent of the time. It is very difficult with preexisting conditions. It is not a Federal rule that will address 100 percent of the inequitable circumstances one could come up with, and if we tried to the unintended consequences could be staggering.

ObamaCare was justified in terms of wanting to provide insurance for those without insurance. Listen, I would like to see those without insurance get health insurance. We are like to see a competitive market where low-cost catastrophic policies were attractive to people and they chose to purchase. But one of the best ways for someone to get health insurance is for them to get a good job, for them to actually start a business. A number of ObamaCare says we are forcing everyone to buy a policy. Because that is the only way you prevent the insurance market from being bankrupt.

The unintended consequence of ObamaCare is it has ended up hammering economic growth, hammering small businesses. So a lot of the people the law was trying to help have been made worse off.

Mr. Kaine. If I could, let me ask you: A reform in the Senator’s view that might encompass a different solution for the preexisting condition of the ban on interstate purchasing of insurance, if we get through this week and we are into next week and ObamaCare has not been defunded and we have funded government operations? Mr. Cruz. I could introduce a reform bill proposing to do just those things, could he not?

Mr. Cruz. I thank the Senator for that question.

I could. I will confess, our policy team is working on a number of affirmative health insurance reform policies. I will confess—and for some reason we are kind of going with the home fire analogy, so let’s stick with it right now. There are some who, in the course of health care matters, argue that the heavy focus of those of us who are opposed to ObamaCare should be what is the alternative, that should be the heavy focus. Listen, I absolutely think the health care system needs reforms to help hard-pressed Americans. I am a strong believer in that.

But an analogy I have used before is, if your home is on fire, you put out the fire first before building an addition to the house. Likewise, with ObamaCare, I think ObamaCare is such a train wreck, is such a disaster that the first imperative is to stop the damage from ObamaCare. Then I think we should work, and I would like it to be in a bipartisan way. The Senator and I have talked about it. We could work together. We have yet to find a great opportunity to do so. But I am hopeful that will change because I would like to see us listen to our constituents and work constructively to fix the problems that hard-working Americans are struggling with.

When it comes to introducing affirmative health care legislation, I fully anticipate our team will do so, and we are working on proposals now. As the Senator knows well, our having been here just 9 months, it has not been a quiet 9 months.

Mr. Kaine. I say to the Senator, if we get to that point and he introduces affirmative legislation to reform the health care system—after we get through this debate—that would be legislation that would not be connected to the question, the existential question, of whether the government would continue to operate on October 1. So it would be the question of what would be wrapped up with sort of a threat to the economy that would be posed by a potential government shutdown, and it could be analyzed just on its own merits: Is this a good reform or a bad reform, without being wrapped around the question of whether we would shut down the government and do we lay off or put on some kind of furlough the nurses at Fort Belvoir Hospital who are taking care of wounded warriors every day. That would be a reform bill where we could dig into the reform and talk about the reform and analyze what is good and what is bad and what should be fixed and maybe what should not be, without it being wrapped around the question of a government shutdown. Would the Senator not agree with that?

Mr. Cruz. I thank the Senator from Virginia.

I would certainly agree that this bill should spend considerable time working, and working together, on positive, proactive health care reforms, to expand competition, to empower patients.

I also agree with something else the Senator from Virginia said, which is that we should not be threatening a government shutdown. I do not want a government shutdown. I want the government to continue.

I salute the House of Representatives for passing a continuing resolution that keeps the government funded. But it also defunds ObamaCare. In my view, that is responsive to the suffering that so many millions of Americans are experiencing—to the loss of jobs, to being forced into part-time work, to facing higher health insurance premiums, to losing their health insurance.

Mr. Kaine. I ask the Senator, would he not agree that the best way to avoid a government shutdown or threats of a government shutdown or talking about the consequences of a government shutdown would be to separate out his question of what are the right reforms of the health care system from the funding of government operations?

Mr. Cruz. Let me finish my answer. I did have an exchange with Senator Enzi from Wyoming, who pointed out that the entire reason we are having this continuing resolution battle is because Congress failed in its job to pass appropriations bills.

For example, the House of Representatives has passed a Defense appropriations bill. It is sitting here in the Senate. Majority Leader Reid has not taken it up. I think we should take it up and pass it immediately so that any discussion of government shutdowns does not in any way, shape or form make worse off.
even remotely threaten the salary of the men and women of our military. I am confident the Senator and I agree, under no circumstances should anyone who is risking his or her life to defend the rest of us find their compensation, their salary threatened.

In my view, existing laws allow and even require the President to fund the military regardless of what happens on the continuing resolution, regardless of if we had a partial temporary shutdown.

**NOTICE**

Incomplete record of Senate proceedings. Except for concluding business which follows, today’s Senate proceedings will be continued in the next issue of the Record.

**MESSAGES FROM THE PRESIDENT**

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

**EXECUTIVE MESSAGES REFERRED**

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

**EXECUTIVE AND OTHER COMMUNICATIONS**

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3105. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Foreign Relations.

EC–3109. A communication from the Associate Attorney General for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Special Counsel, Small Business Office, Department of Homeland Security, received in the Office of the President of the Senate on September 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3110. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the administration’s Fiscal Year 2013 Commercial Activities Inventory and Inherently Governmen
tal Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–3111. A communication from the Chairman of the Commodity Credit Corporation, transmitting, pursuant to law, a report of a rule entitled “Fiscal Year 2014 Budget Support Act of 2013”; to the Committee on Homeland Security and Governmental Affairs.

EC–3112. A communication from the Director of the Government Accountability Office, transmitting, pursuant to law, a report relative to the Importation of Mangoes from Australia into the Continental United States” (RIN9579–ADS5) (Docket No. APHIS–2011–0040) received in the Office of the President of the Senate on September 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3113. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, received in the Office of the President of the Senate on September 23, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–3114. A communication from the Associate Director, Office of Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Supplemental Standards of Ethical Conduct for Employees of the Department of Housing and Urban Development; Correction to Standards Governing Prohibited Financial Interests” (RIN2001–AD61) received in the Office of the President of the Senate on September 23, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3115. A communication from the Chairperson of the Export-Import Bank, transmitting, pursuant to law, a report relative to the Export-Import Bank’s commitment to support U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–3116. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled “Hydrogen and Fuel Cell Activities Program Plan”, to the Committee on Energy and Natural Resources.

EC–3117. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, an annual report relative to the implementation of the Formaldehyde Standards for Composite Wood Products Act; to the Committee on Environment and Public Works.

EC–3118. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a report of a rule entitled “Medicare Program; Obtaining Final Medicare Payment Amounts via Web Portal” (RIN0938–AR90) received in the Office of the President of the Senate on September 19, 2013; to the Committee on Finance.

EC–3119. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Arms Export Control Act (DDTC 13–121); to the Committee on Foreign Relations.

EC–3120. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–3561); to the Committee on Foreign Relations.

EC–3121. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (RAT–13–3517); to the Committee on Foreign Relations.

EC–3122. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–127); to the Committee on Foreign Relations.

EC–3123. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–125); to the Committee on Foreign Relations.

EC–3124. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–089); to the Committee on Foreign Relations.

EC–3125. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–079); to the Committee on Foreign Relations.

EC–3126. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–122); to the Committee on Foreign Relations.
EC–3127. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DPTC 13–123); to the Committee on Foreign Relations.

EC–3128. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0156–2013–0162); to the Committee on Foreign Relations.

EC–3129. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the export of an item that is not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:


SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, referred (or acted upon), as indicated:

By Mr. CRUZ:

S. Res. 252. A resolution expressing the sense of the Senate on steps the Government of Iran must take before President Obama meets with the President of Iran; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. Res. 253. An original resolution authorizing expenditures by committees of the Senate for the periods October 1, 2013, through September 30, 2014, and October 1, 2014, through February 28, 2015; from the Committee on Rules and Administration; placed on the calendar.

By Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, Ms. BALDWIN, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Mr. HORVEN, Mr. JOHANNS, Mr. LEE, Mr. MORA, Mr. PORTMAN, Mr. SCHUMER, Mr. Tester, Mr. THUNE, Mr. Udall of New Mexico, Mr. WHITEHOUSE, Mr. HATCH, Mr. BENNET, and Mr. ROBERTS):

S. Res. 254. A resolution designating November 2, 2013, as ‘‘National Bison Day’’; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 153. At the request of Mr. BEGICH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 236. At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FLINT) was added as a cosponsor of S. 236, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 264. At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. KOIBUCHER) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 357. At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 526. At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 526, a bill to amend the Medicare outpatient rehabilitation therapy caps.

S. 535. At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 535, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 666. At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FISCHER (for herself, Mr. INHOFE, Mr. JOHANNES, Mr. ENZI, Mr. THUNE, Mr. MORA, and Mr. COCHRAN):

S. 1539. A bill to require assurances that certain family planning service projects and programs will provide pamphlets containing the contact information of adoption centers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mr. MORA):

S. 1540. A bill to amend title 38, United States Code, to include contracts and grants for residential care for veterans in the exception to the requirement that the Federal Government recover a portion of the value of certain projects; to the Committee on Veterans’ Affairs.

By Mr. UDALL of Colorado (for himself and Mr. MORAN):

S. 1541. A bill to appropriate such funds as may be necessary to maintain the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel to receive pay and allowances for active service performed when a Government-wide shutdown occurs, and for other purposes; to the Committee on Appropriations.

By Mr. RUBIO (for himself, Mr. INHOFE, Mr. COBURN, Mr. ALEXANDER, Mr. GRAHAM, Mr. ENZI, Mr. MORAN, Mr. CORNYN, Mr. RISCH, Mr. FLAKE, Mr. THUNE, Mr. JOHNSON of Wisconsin, Mr. McCONNELL, Mr. WICKER, Mr. SCOTT, Mr. BLUNT, Mr. ISAKSON, Mr. ROBERTS, and Mr. HATCH):

S. 1542. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER:

S. 1543. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap occurs, to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Appropriations.

By Mr. PRYOR (for himself and Mr. BOOZMAN):

S. 1544. A bill to amend the Internal Revenue Code of 1862 to make permanent certain provisions of the Portand, Habitat, Harvest, and Horticulture Act of 2008 relating to global HIV/AIDS and to promote oversight of United States programs; to the Committee on Foreign Relations.
At the request of Mr. Nelson, the name of the Senator from Montana (Mr. Tester) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for verification of survivors' annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 742

At the request of Mr. Cardin, the name of the Senator from Minnesota (Mr. Franken) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 727

At the request of Mr. Nelson, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of S. 727, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses in the sale, manufacturing and distribution of traditional and premium cigars.

S. 820

At the request of Mr. Heinrich, his name was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 921

At the request of Mrs. Feinstein, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 921, supra.

S. 1108

At the request of Mr. Menendez, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 1108, a bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

S. 1158

At the request of Ms. Hirono, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1204

At the request of Mr. Coburn, the name of the Senator from Alabama (Mr. Sessions) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1245

At the request of Mr. Nelson, the name of the Senator from Hawaii (Ms. Hirono) was added as a cosponsor of S. 1245, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1988, and for other purposes.

S. 1262

At the request of Mr. Nelson, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 1262, a bill to require the Secretary of Veterans Affairs to establish a veterans conservation corps, and for other purposes.

S. 1276

At the request of Mr. Tester, the name of the Senator from Alaska (Mr. Begich) was added as a cosponsor of S. 1276, a bill to increase oversight of the Revolving Fund of the Office of Personnel Management, strengthen the authority to terminate or debar employees and contractors involved in misconduct affecting the integrity of security clearance background investigations, enhance transparency regarding the fraud and Federal department and agencies to determine when a security clearance is required, and for other purposes.

S. 1300

At the request of Mr. Flake, the name of the Senator from Montana (Mr. Tester) was added as a cosponsor of S. 1300, a bill to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects.

S. 1406

At the request of Mr. Heinrich, his name was added as a cosponsor of S. 1406, a bill to close the fence that has sat on the body of the Muslim world for years and needs to be removed; and

purchase in interstate or foreign commerce, or in a manner substantially affecting interstate or foreign commerce, of any live animal of any prohibited wildlife species.

S. 1463

At the request of Mr. Coats, the name of the Senator from Alaska (Ms. Murkowski) was added as a cosponsor of S. 1463, a bill to delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

S. 1503

At the request of Mr. Durbin, the names of the Senator from Oregon (Mr. Merkley) and the Senator from South Carolina (Mr. Scott) were added as cosponsors of S. 1503, a bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing school personnel to administer epinephrine and meeting other related requirements).

S. 1532

At the request of Mrs. Murray, the name of the Senator from Minnesota (Mr. Franken) was added as a cosponsor of S. 1532, a bill to provide grants to promote financial literacy.

S. Res. 246

At the request of Mr. Menendez, the name of the Senator from New York (Mrs. Gillibrand) was added as a cosponsor of S. Res. 246, a resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 252—EXPRESSING THE SENSE OF THE SENATE ON STEPS THE GOVERNMENT OF IRAQ MUST TAKE BEFORE PRESIDENT OBAMA MEETS WITH THE PRESIDENT OF IRAN

Mr. Cruz submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the newly elected President of Iran, Hassan Rouhani, is attending the 68th session of the United Nations General Assembly in New York City;

Whereas the Government of Iran has yet to take any practical steps towards halting Iran's nuclear programs and remains a committed state-sponsor of terrorist groups that have been responsible for American deaths in Lebanon, Saudi Arabia, Iraq, and Afghanistan;

Whereas, since the election of President Rouhani, the persecution by the Government of Iran of religious minorities, notably Christians, has increased not decreased, and the United States citizen Pastor Saeed Abedini has endured a year of brutal imprisonment for professing his faith;

Whereas President Rouhani has called Israel the "Zionist state" that has been "a wound that has sat on the body of the Muslim world for years and needs to be removed"; and

S. 1439

At the request of Mr. Pryor, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. 1439, a bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technologists (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act.

S. 1463

At the request of Mrs. Boxer, the name of the Senator from Vermont (Mr. Sanders) was added as a cosponsor of S. 1463, a bill to amend the Lacey Act Amendments of 1981 to prohibit importation, exportation, transportation, sale, receipt, acquisition, and

whereas the newly elected President of Iran, Hassan Rouhani, is attending the 68th session of the United Nations General Assembly in New York City;
 Whereas President Barack Obama has signaled a willingness to meet with President Rouhani in New York during the meeting of the United Nations Security Council or thereafter, be it resolved—

Resolved, That it is the sense of the Senate that President Obama should not engage in any meeting with President Rouhani before the Government departmen or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(S. Res. 253)

SEC. 1. AGGREGATE AUTHORIZATION.

(a) GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period October 1, 2013 through September 30, 2014 and for the period October 1, 2014 through September 30, 2015, to be paid from the appropriations account for “Expenditures of Inquiries and Investigations” of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2014 through February 28, 2015 under this section shall not exceed $1,742,121, of which amount—

(1) not to exceed $40,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).
(2) not to exceed $6,421,128, of which amount—

(a) $2,205,482, of which amount—

(1) not to exceed $5,978 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(b) $5,997,777, of which amount—

(1) not to exceed $359 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2014 through February 28, 2015 under this section shall not exceed $2,205,482, of which amount—

(1) not to exceed $5,978 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from October 1, 2013 through September 30, 2014, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2014 through September 30, 2014 under this section shall not exceed $1,657,470, of which amount—

(1) not to exceed $6,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2015 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2015 under this section shall not exceed $2,597,777, of which amount—

(1) not to exceed $6,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2014 through September 30, 2014 under this section shall not exceed $3,597,777, of which amount—

(1) not to exceed $6,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2015 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2015 under this section shall not exceed $2,499,074, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $15,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).
such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $5,683,591, of which amount—

(1) not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $5,194,253, of which amount—

(1) not to exceed $8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2013 through February 28, 2015 under this section shall not exceed $2,749,842, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $6,599,622, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2013 through February 28, 2015 under this section shall not exceed $2,749,842, of which amount—

(1) not to exceed $150,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;
(2) to employ personnel; and
(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration,
SEC. 11. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations or subcommittee designated by the chairman or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(5) SUBPOENA AUTHORITY.—All subpoenas

(1) to obtain information and testimony in connection with the

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use, for temporary purposes, in a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $3,953,730, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2014 through February 28, 2015 under this section shall not exceed $3,609,973, of which amount—

(1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and enforcement of any laws, including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of energy supplies owned or controlled by the Government;

(vii) existing energy programs in other countries;

(viii) the allocation of fuels for military purposes.

 SEC. 14. COMMITTEE ON ANY OTHER COMMITTEE.—Nothing contained in this subsection shall affect or impair the exercise of any other powers or functions of the Committee.

SEC. 15. SUBPOENA AUTHORITY.—All subpoenas

(1) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the efficiency of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation’s resources of knowledge and talents;

(iii) the adequacy of present intragovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(P) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and enforcement of any laws, including, but not limited to, their performance with respect to...
the Committee on the Judiciary is authorized from October 1, 2013 through February 28, 2015, in its discretion—
(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis, the services of personnel of any such department or agency.
(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $9,267,893, of which amount—
(1) not to exceed $200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act). SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.
(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from October 1, 2013 through February 28, 2015, in its discretion—
(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis, the services of personnel of any such department or agency.
(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $2,581,019, of which amount—
(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act). SEC. 16. COMMITTEE ON VETERANS’ AFFAIRS.
(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans’ Affairs is authorized from October 1, 2013 through February 28, 2015, in its discretion—
(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis, the services of personnel of any such department or agency.
(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through February 28, 2015 under this section shall not exceed $1,075,424, of which amount—
(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act). SEC. 17. SPECIAL COMMITTEE ON AGING.
(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the powers, duties, and functions conferred by section 3(a) of S. Res. 445, agreed to February 14, 2006, the Special Committee on Aging is authorized from October 1, 2013 through February 28, 2015, in its discretion—
(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis, the services of personnel of any such department or agency.
(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $2,375,377, of which amount not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).
(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2015.—The expenses of the committee for the period October 1, 2013 through February 28, 2015 under this section shall not exceed $989,749, of which amount not to exceed $4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).
SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.
(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under section 104 of S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 3(b) of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from October 1, 2013 through February 28, 2015, in its discretion—
(1) to make expenditures from the contingent fund of the Senate; (2) to employ personnel; and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable basis, the services of personnel of any such department or agency.
(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through February 28, 2015 under this section shall not exceed $3,549, of which amount—
(1) not to exceed $21,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and
(2) not to exceed $3,500 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).
2014 under this section shall not exceed $5,659,962, of which amount to not exceed $17,144 may be expended for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)).

SECT. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) General Authority.—In carrying out its purposes and duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from October 1, 2013 through February 28, 2015, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committees and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR FISCAL YEAR 2014 PERIOD.—The expenses of the committee for the period October 1, 2013 through September 30, 2014 under this section shall not exceed $2,274,984, of which amount not to exceed $7,144 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))).

SEC. 20. SPECIAL RESERVE.

(a) Establishment.—Within the funds in the account “Expenses of Inquiries and Investigations”, there is authorized to be established a special reserve to be available to any committee authorized by this resolution as provided in subsection (b) of which—

(1) for the period October 1, 2013 through September 30, 2014, the amount shall be available, not to exceed 7 percent of the appropriations for the account that are available for that period; and

(2) for the period October 1, 2014 through February 28, 2015, an amount shall be available, not to exceed 7 percent of the amount equal to 5/12th of the appropriations for the account available for the period October 1, 2014 through September 30, 2015.

(b) Availability.—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the periods referred to in paragraphs (1) and (2) of subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Committee on Rules and Administration.

SENATE RESOLUTION 254—DESIGNATING NOVEMBER 2, 2013, AS “NATIONAL BISON DAY”

Mr. ENZI (for himself, Mr. JOHNSON of South Dakota, Ms. BALDWIN, Mr. COCHRAN, Mrs. GILLIBRAND, Mr. HINCH, Ms. HEITKAMP, Mr. HOEVEN, Mr. JOHANS, Mr. LEE, Mr. MORAN, Mr. PORTMAN, Mr. SCHUMER, Mr. TESTER, Mr. THUNE, Mr. UDALL of New Mexico, Mr. WHITEHOUSE, Mr. HATCH, Mr. BENNET, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 254

Whereas bison are considered a historical symbol of the United States;

Whereas bison are intrinsically linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

Whereas there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

Whereas numerous members of Indian tribes are involved in bison restoration on tribal land;

Whereas members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

Whereas the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934, commonly known as “Indian Reorganization Act” (25 U.S.C. 477);

Whereas bison can play an important role in improving the types of grasses found in landscapes to the benefit of grasslands;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1904;

Whereas bison hold significant economic value for private producers and rural communities;

Whereas, as of 2007, the United States had 4,499 bison producers creating jobs and providing a sustainable and healthy meat source contributing to the food security of the United States;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

Whereas on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas on October 11, 1907, the American Bison Society sent 15 bison to the first big game hunt in the United States, which would later be known as the “Wichita Reserve Bison Refuge”;

Whereas in 2005, the American Bison Society highlighted cooperation with bison ranchers, managers from Indian tribes, Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison in National Wildlife Refuges and National Parks;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian tribes, bison producers, conservationists, sportmen, educators, and other public and private partners have participated in the National Bison Day on November 1, 2012, and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2, 2013, as National Bison Day; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. ENZI, Mr. President. Senator TIM JOHNSON of South Dakota and I are submitting this resolution today because of the significant role the North American Bison has played in the history of our Nation. This resolution has been supported by Senator Tester since November 2, 2013, as National Bison Day.

Since our frontier days, the bison has become a symbol of American strength and determination. The bison has also become intrinsically linked to the economic and spiritual lives of many Native American tribes over the centuries. The Department of Interior has depicted the bison on its official seal since 1912 and several sports teams across America have chosen the bison as their mascot. At one point in American history, bison were brought in to graze outside the original Smithsonian Institution Building here in Washington, DC.

In 1911, when sculptor James Earle Fraser was tasked with designing a new nickel, he wanted to “do something totally American.” On the reverse of his design, he chose to depict the American bison of America’s western background that was “100 percent American.” This coin came to be known as the buffalo nickel and played an important role in modernizing our currency in the early 20th century.

I must also add that my home state of Wyoming is one of three states that recognize the bison as its official state mammal and has honored an image of a bison on the Wyoming state flag since it was first adopted in 1917. Today, thousands of American bison freely roam Yellowstone and Grand Teton National Park in Wyoming. The bison is also important to our state’s economic well-being with a growing number of ranchers raising bison for consumers all over the world.

This resolution is supported by a wide variety of stakeholders. I want to recognize the National Bison Association that represents the interests of the bison ranchers in nearly every single State. Also behind this effort is the
Intertribal Bison Council that supports the cultural role the bison has played in Native American history. Finally, there is the Wildlife Conservation Society that wishes to honor the restoration of bison in North America since the 19th century.

I ask my colleagues to help me support and pass this resolution honoring the bison and designating November 2, 2013, as National Bison Day. The bison has and will continue to be a symbol of America, its people and way of life.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1966. Mr. NELSON submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table.

SA 1967. Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, Mr. INHOFE, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 1968. Mr. HELLER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1966. Mr. NELSON submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. None of the funds made available under this joint resolution may be used to implement, carry out, administer, or enforce the amendments made by sections 102036 and 102076 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 917) to sections 1332 and 1338 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014 and 4015).

SA 1967. Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, Mr. INHOFE, and Mr. CRUZ) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. (d) APPROPRIATION OF FUNDS FOR MILITARY PAY AND ALLOWANCES.—During a funding gap impacting the Armed Forces, the Secretary of the Treasury shall make available to the Secretary of Defense (and the Secretary of Homeland Security in the case of the Coast Guard), out of any amounts in the general fund of the Treasury not otherwise appropriated, such amounts as the Secretary of the Treasury (and the Secretary of Homeland Security in the case of the Coast Guard) determines to be necessary to continue to provide pay and allowances (without interruption) to the following:

(1) Members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, including reserve components thereof, who perform active service during the funding gap.

(2) At the discretion of the Secretary of Defense, such civilian personnel of the Department of Defense who are providing direct support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

By the authority of the Secretary of Defense, such personnel of contractors of the Department of Defense who are providing direct support to the members of the Armed Forces described in paragraph (1) as the Secretary considers appropriate.

(b) FUNDING GAP DEFINED.—In this section, the term ‘funding gap’ means any period of time after the beginning of a fiscal year for which interim or full-year appropriations for the personnel accounts of the Armed Forces for that fiscal year have not been enacted.

SA 1968. Mr. HELLER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. (a) If both Houses of Congress have not approved a concurrent resolution on the budget as described in section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(b)(1) Notwithstanding any other provision of law, no funds may be appropriated or otherwise made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (c), at any time after the end of that period.

(c)(1)(A) On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (B)(1) and (I).

(B) The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) determine the period of days following each October 1 that Senators may not be paid under that subsection;

(ii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the
Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (B)(i) and (ii).

B) The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—
(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (a) and whether the Members of the House of Representatives may not be paid under that subsection;
(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (a); and
(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(d) This section shall take effect on February 1, 2015.

(e) In this section, the term “Member of Congress”—
(1) has the meaning given that term in section 2106 of title 5, United States Code; and
(2) does not include the Vice President.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, September 26, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Newborn Screening Saves Lives: The Past, Present, and Future of the Newborn Screening System.”

For further information regarding this meeting, please contact Josh Teitelbaum of the committee staff on (202) 224-9243.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 24, 2013, at 2:30 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “U.S. Efforts to Reduce Healthcare-Associated Infections” on September 24, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on September 24, 2013, at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 24, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON CRIMINAL AND NUCLEAR SAFETY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Criminal and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 24, 2013, at 10:30 a.m., in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Black Carbon—A Global Health Problem with Low-Cost Solutions.”

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 24, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Certification in Rewarding Sustainable Fishing.”

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MARITIME INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee Hearing of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on September 24, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Rebuilding the Nation’s Infrastructure: Leveraging Innovative Financing To Supplement Federal Investment.”

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

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

Rear Admiral Patricia L. B. Davis of the United States Navy to be Lieutenant General, to fill a vacancy, and a position of importance and responsibility under Title 10, United States Code.

THE JUDICIARY

CIRCUIT.

BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

In the Senate September 24, 2013:

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 24, 2013, at 10 a.m. in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Newborn Screening Saves Lives: The Past, Present, and Future of the Newborn Screening System.”

The Committee will hold a hearing entitled, “Rebuilding the Nation’s Infrastructure: Leveraging Innovative Financing To Supplement Federal Investment.”

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

To be lieutenant general

MAJ. GEN. WILLIAM C. MAYVILLE, JR.

THE JUDICIARY

David Jeremiah Baron of Massachusetts, to be United States District Judge for the District of Massachusetts, to fill a vacancy created by the expiration of the term of Thomas P. Griesa, to a term of eleven years; and a position of importance and responsibility under Title 28, United States Code.

If confirmed, Mr. Baron will serve as a District Judge for the United States District Court for the District of Massachusetts.

The Committee will hold a hearing entitled, “Black Carbon—A Global Health Problem with Low-Cost Solutions.”

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 24, 2013, at 10:30 a.m., in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Black Carbon—A Global Health Problem with Low-Cost Solutions.”

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 24, 2013, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “The Role of Certification in Rewarding Sustainable Fishing.”

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

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MARITIME INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Surface Transportation and Merchant Marine Infrastructure, Safety, and Security Subcommittee Hearing of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on September 24, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Rebuilding the Nation’s Infrastructure: Leveraging Innovative Financing To Supplement Federal Investment.”

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

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under Title 10, United States Code, section 601:

To be lieutenant general

MAJ. GEN. WILLIAM C. MAYVILLE, JR.

THE JUDICIARY

David Jeremiah Baron of Massachusetts, to be United States Circuit Judge for the First Circuit, Vice Michael. Boudin, Retired.

Mark G. Mastroianni of Massachusetts, to be United States District Judge for the District of Massachusetts, Vice Michael. Boudin, Retired.

Indira Talwani of Massachusetts, to be United States District Judge for the District of Massachusetts, Vice Mark L. Wolf, Retired.

CONFIRMATION

Executive nomination confirmed by the Senate September 24, 2013:

THE JUDICIARY

Tod C. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6689–S6761

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 1539–1545, and S. Res. 252–254.

Measures Reported:


Measures Considered:

Continuing Appropriations Resolution: Senate continued consideration of the motion to proceed to consideration of H.J. Res. 59, making continuing appropriations for fiscal year 2014.

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 98 yeas (Vote No. EX. 204), Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

Nominations Received: Senate received the following nominations:

David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit.

Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts.

1 Army nomination in the rank of general.

Executive Communications: Pages 6752–53

Executive Reports of Committees: Page S6753

Additional Cosponsors: Pages S6753–54

Statements on Introduced Bills/Resolutions: Pages S6754–60

Amendments Submitted: Pages S6760–61

Notices of Hearings/Meetings: Page S6761

Committee Meetings

Business Meeting

Committee on Armed Services: Committee ordered favorably reported the nominations of Deborah Lee James, of Virginia, to be Secretary of the Air Force, Jessica Garfola Wright, of Pennsylvania, to be Under Secretary for Personnel and Readiness, and Marcel J. Lettre II, of Maryland, to be Principal Deputy Under Secretary for Intelligence, all of the Department of Defense, Frank G. Klotz, of Virginia, to be Under Secretary of Energy for Nuclear Security, and Kevin A. Ohlson, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces.

Jobs and the Economy

Committee on the Budget: Committee concluded a hearing to examine the impact of political uncertainty on jobs and the economy, after receiving testimony from Mark Zandi, Moody’s Analytics, West Chester, Pennsylvania; Chad Stone, Center on Budget and Policy Priorities, Washington, DC.; and Allan H. Meltzer, Carnegie Mellon University, Pittsburgh, Pennsylvania.

Sustainable Fishing

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the role of certification in rewarding sustainable fishing, after receiving testimony from Samuel D. Rauch III, Acting Assistant Administrator for the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Darren Blue, Assistant Commissioner, Office of Facilities Management and Services Programs, Public Buildings Service, General Services Administration; Stefanie Moreland, Policy Advisor for Fisheries to Alaska Governor Sean Parnell, Juneau; Jeffrey Rice,
Wal-Mart Stores, Inc., Bentonville, Arkansas; Michael Montelongo, Sodexo, Inc., Gaithersburg, Maryland; and John Connelly, National Fisheries Institute, McLean, Virginia.

REBUILDING THE NATION’S INFRASTRUCTURE

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine rebuilding the nation’s infrastructure, focusing on leveraging innovative financing to supplement Federal investment, after receiving testimony from Norman Y. Mineta, former Secretary of Transportation and Commerce; Matt Connelly, UPS, Atlanta, Georgia; Peter J. Basso, Peter J. Basso and Associates, LLC, and Robert Dove, The Carlyle Group, both of Washington, DC.; and J. Perry Offutt, Morgan Stanley and Co. LLC, New York, New York.

BLACK CARBON

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety concluded a hearing to examine black carbon, focusing on a global health problem with low-cost solutions, after receiving testimony from Robert D. Singletary, Oklahoma Department of Environmental Quality Supervising Attorney for Air Quality and Land Protection, Oklahoma City; Conrad G. Schneider, Clean Air Task Force, Brunswick, Maine; Timothy V. Johnson, Corning Incorporated, Corning, New York; Allen Schaeffer, Diesel Technology Forum, Frederick, Maryland; and Robert C. Harris, Jr., Alabama State Port Authority, Mobile.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Dwight L. Bush, Sr., of the District of Columbia, to be Ambassador to the Kingdom of Morocco, who was introduced by Senator Durbin, Mark Bradley Childress, of Virginia, to be Ambassador to the United Republic of Tanzania, Thomas Frederick Daughton, of Arizona, to be Ambassador to the Republic of Namibia, Matthew T. Harrington, of Virginia, to be Ambassador to the Kingdom of Lesotho, Eunice S. Reddick, of the District of Columbia, to be Ambassador to the Republic of Niger, John Hoover, of Massachusetts, to be Ambassador to the Republic of Sierra Leone, and Michael Stephen Hoza, of Washington, to be Ambassador to the Republic of Cameroon, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Tomasz P. Malinowski, of the District of Columbia, to be Assistant Secretary for Democracy, Human Rights, and Labor, Keith Michael Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the UN Human Rights Council, Crystal Nix-Hines, of California, for the rank of Ambassador during her tenure of service as the United States Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization, and Pamela K. Hamamoto, of Hawaii, to be Representative to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador, all of the Department of State, after the nominees testified and answered questions in their own behalf.

HEALTHCARE-ASSOCIATED INFECTIONS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine United States efforts to reduce healthcare-associated infections, after receiving testimony from Patrick Conway, Chief Medical Officer and Director, Center for Clinical Standards and Quality, and Acting Director, Center for Medicare and Medicaid Innovation, Centers for Medicare and Medicaid, and Beth Bell, Director, National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Ciaran Staunton, Rory Staunton Foundation, New York, New York; Jonathan Perlin, Hospital Corporation of America, Nashville, Tennessee; and Joe Kiani, The Patient Safety Movement Foundation, Irvine, California.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by committees of the Senate for the periods October 1, 2013 through September 30, 2014 and October 1, 2014 through February 28, 2015.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee recessed subject to the call.
House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 12 noon on Wednesday, September 25, 2013.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 25, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine reauthorizing the “Terrorism Risk Insurance Act” (TRIA), focusing on the state of the terrorism risk insurance market, 10 a.m., SD–538.

Subcommittee on National Security and International Trade and Finance, to hold hearings to examine assessing the investment climate and improving market access in financial services in India, 2:30 p.m., SD–538.

Committee on Environment and Public Works: to hold hearings to examine the need to invest in America’s infrastructure and preserve Federal transportation funding, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of the Philippines, Robert O. Blake, Jr., of Maryland, to be Ambassador to the Republic of Indonesia, Karen Clark Stanton, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste, and Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau, all of the Department of State, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Carol Waller Pope, of the District of Columbia, Ernest W. Dubester, of Virginia, and Patrick Pizzella, of Virginia, all to be a Member of the Federal Labor Relations Authority, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the nominations of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit, Pamela L. Reeves, to be United States District Judge for the Eastern District of Tennessee, Vince Girdhari Chhabria, to be United States District Judge for the Northern District of California, and James Maxwell Moody, Jr., to be United States District Judge for the Eastern District of Arkansas, 2:30 p.m., SD–226.

Special Committee on Aging: to hold hearings to examine the state of the American senior, focusing on the changing retirement landscape for baby boomers, 2:15 p.m., SD–562.

United States Senate Caucus on International Narcotics Control: to hold hearings to examine dangerous synthetic drugs, focusing on unregulated forms of ecstasy, PCP and LSD, 2:30 p.m., SD–138.

House

No hearings are scheduled.
Next Meeting of the SENATE
12 noon, Wednesday, September 25

Senate Chamber

Program for Wednesday: See next issue.

Next Meeting of the HOUSE OF REPRESENTATIVES
12 noon, Wednesday, September 25

House Chamber

Program for Wednesday: Consideration of the following measures under suspension of the rules: (1) H.R. 1961—To amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; (2) H.R. 3095—To ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted pursuant to a rulemaking proceeding, and for other purposes; and (3) H.R. 2600—To amend the Interstate Land Sales Full Disclosure Act to clarify how the Act applies to condominiums.

(Senate proceedings for today will be continued in the next issue of the Record.)