



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, TUESDAY, DECEMBER 1, 2015

No. 173

## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

God of grace and glory, on Your people place Your power. As we turn our hands and hearts in grateful praise to You, use us for Your glory.

Touch our Senators. Lift them from valleys of pessimism as You fill them with Your abiding hope. Prepare them to receive Your best gifts, helping them to remember that You are able to do more than they can ask for or imagine.

Thank You that You are the beginner of our yesterdays, the mystery of our today, and the hope for our tomorrows.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

### RESTORING AMERICANS' HEALTH-CARE FREEDOM RECONCILIATION ACT

Mr. McCONNELL. Mr. President, when Washington Democrats passed ObamaCare over the objections of the American people, they were confident Americans would soon warm up to this new law, but more than 5 years later,

the American people continue to oppose this unprecedented Democratic attack on their health care. Is it any wonder? When Americans think ObamaCare, they think increased costs, runaway premiums, surging deductibles, and tax hikes on the middle class. When Americans think ObamaCare, they think decreased choice, fewer doctors, far-away hospitals, and a frightening scarcity of options for too many when they get sick. When Americans think ObamaCare, they think broken promises and endless failure, imploding State-based exchanges, collapsing co-ops, insurers eyeing the exit door, fewer jobs, and the lie of the year: If you like your health care plan, you can keep it. It is not as though ObamaCare's structural failures are just going to go away. They are baked right into the law. They only seem to get worse as time moves along.

Just as we have seen costs rise, choices narrow, and failures mount, we have seen congressional Democrats block attempts to start over with real health care reform. Well, this week we finally have a chance to vote to end ObamaCare's cycle of broken promises and failures with just 51 votes. This week we will take up the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 that already passed the House of Representatives. It is a bill that will take the first steps necessary to build a bridge away from ObamaCare. By building upon the House's good work, this bill will also save billions in spending and eliminate more than a \$1 trillion tax burden on the American people.

By employing the same tactics Democrats used to help get ObamaCare across the finish line, this bill will not be subject to a filibuster. In other words, it cannot be blocked by defenders of ObamaCare's failed status quo. In other words, the President cannot be shielded from the weighty decision he will finally have to make when this

measure lands right on his desk. When the President picks up his pen, he will have a real choice to make. He may decide to stick to his rhetoric that the law is working better than even he intended and veto the bill, but he should instead decide to finally stand with the middle class that has suffered enough from this failed law and actually sign it. We will see. It is a choice the President has never faced before. It is a choice he is going to face after Senate action this week.

### ACCOMPLISHMENTS OF THE NEW SENATE

Mr. McCONNELL. Mr. President, on another matter, the new Republican Senate has been working hard to get Congress back to work over the past year. We have obviously had a lot of success. As I noted yesterday, the new Republican Senate will soon pass two very significant bipartisan bills for a second and final time: the bipartisan multiyear highway bill and the bipartisan replacement for No Child Left Behind. We will send them to the President for his signature.

These are the latest examples of a new Congress that is back to work on behalf of the American people. They are hardly the only examples we will be talking about. Take another important issue that languished for too long but passed the new Senate: cyber security. By a vote of 74 to 21, we ended years of Senate inaction on this issue by passing an important bipartisan cyber security bill that even the White House has endorsed. That bill was the product of a lot of hard work by the top Republican and the top Democrat on the Intelligence Committee. I am glad that the new, more open, and more inclusive Republican Senate made their cooperation possible because even though the old forces of gridlock tried to trip that bill up several times along the way, we kept moving forward, and we always knew we were doing the right thing for the American people.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S8197

My hope is that we can ultimately get this bill into conference and send it to the President closer to its current form because the challenges posed by cyber attacks are real and they are growing. A cyber attack can be a deeply invasive attack on personal privacy. The voluntary information sharing provisions in the bill we passed are key to defeating cyber attacks and protecting the personal information of the people we represent.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### CYBER SECURITY

Mr. REID. Mr. President, my friend the Republican leader talked about the old forces of gridlock when he talked about cyber security. He and his caucus were those old forces of gridlock. We tried for 5 years to pass a cyber security bill; it was filibustered every time. The bills, quite frankly, that were filibustered were very strong, good, in-depth bills. We passed a cyber security bill—better than nothing, but that is about it. It was not really a resoundingly good effort to go after the problems we are having with cyber security, but we finally got it done because the problems on the Republican side disappeared.

#### AFFORDABLE CARE ACT

Mr. REID. Mr. President, my friend the Republican leader has an obsession with the Affordable Care Act, ObamaCare. He cannot give up on this obsession. The share of Americans without insurance is at the lowest point in history. And one need look no further than renowned Republican—Republican—columnist of the New York Times, David Brooks. Here is what he wrote. I am sorry to take so much time reading something that was written by this man who is a Republican columnist for the New York Times. Here is what he said. Regardless of what the Republican leader may claim, the Affordable Care Act continues to work. It is increasing quality health care coverage and improving care, and there is no question about that. Brooks noted that health care costs are rising at the lowest rate in years. He said:

The good news is that recently health care inflation has been at historic lows. As Jason Furman, the chairman of President Obama's Council of Economic Advisers, put it in a speech to the Hamilton Project last month, "Health care prices have grown at an annual rate of 1.6 percent since the Affordable Care Act was enacted in March 2010, the slowest rate for such a period in five decades—

Fifty years—

and those prices have grown at an even slower 1.1 percent rate over the 12 months ending in August 2015."

As a result of the slowdown in health care inflation, the Congressional Budget Office

keeps reducing its projections of the future cost of federal health programs like Medicare. As of October, projections for federal health care spending in the year 2020 were \$175 billion lower than projections made in August 2010. That would be a huge budget improvement.

"Historic lows" and hundreds of billions of dollars saved by the Federal Government tell me that ObamaCare is working.

Enough of this haranguing about ObamaCare from my Republican friend. One need only go home and people come up to you and say: You know, ObamaCare is so good.

My daughter, who could never get health insurance because she was a diabetic—now she can get it. No one with a preexisting disability can be denied insurance. Young men and women struggling to finish their college education can stay on their parents' health insurance until age 26. That is important. That is part of ObamaCare. Community health centers around this country are booming. Why? Because of the Affordable Care Act, we put \$11 billion in there to provide for those essential community health centers.

I will have more to say about this because I am sure the Republican leader is going to come and talk about what a great victory it was on this reconciliation, which is an anomaly that we face every year. They are passing something that is just to satisfy the haranguing about ObamaCare. It means nothing substantively. It will pass and go to the President. He will veto it in about 10 seconds, and, of course, the veto will certainly be sustained.

Even in Kentucky—here is what one article said in Kentucky:

In a state of 4.4 million people, 500,000 people gained coverage because of [ObamaCare in that State]—4 in 5 through Medicaid. The effects were particularly dramatic in one Appalachian county, where many coal jobs have vanished and the poverty rate is 23 percent. From 2013 to 2014, the proportion of residents lacking health coverage plummeted by half—from 13 percent to 6.6 percent.

Half a million Kentuckians are using the Affordable Care Act. That is more than 10 percent of the State's population.

There are all kinds of personal accounts of how this has literally saved people's lives. One account is of an uninsured mother and daughter. This is from a news article:

Amid the coal fields of eastern Kentucky, a small clinic that is part of the Big Sandy Health Care network furnishes daily proof of this state's full embrace of the Affordable Care Act.

It was here that Mindy Fleming handed a wad of tissues to Tiffany Coleman when she arrived, sleepless and frantic, with no health insurance and a daughter suffering a 103-degree fever and mysterious pain. "It will be all right," Fleming assured her, and it was. An hour later, Coleman had a WellCare card that paid for hospital tests, which found that 4-year-old Alexis had an unusual bladder problem.

Quoting another Washington Post story:

[Dennis Blackburn] has a hereditary liver disorder, numbness in his hands and legs, back pain from folding his 6-foot-1-inch frame into 29-inch mine shafts as a young man, plus an abnormal heart rhythm—the likely vestige of having been struck by lightning 15 years ago in his tin-roofed farmhouse.

Blackburn was making small payments on an MRI he'd gotten at Pikeville Medical Center, the only hospital in a 150-mile radius, when he heard about Big Sandy's Shelby Valley Clinic. There he met Fleming, who helped him sign up for one of the managed-care Medicaid plans available in Kentucky.

So the facts never seem to get in the way of my Republican friend when it comes to ObamaCare—anything he could do to denigrate this system that is helping 17 million people.

#### NOMINATIONS

Mr. REID. Mr. President, one need only watch the news to see how our Nation is facing threats abroad. We are doing the best we can, but as the world grows more dangerous, Senate Republicans continue to block and obstruct the President's national security. They are blocking the very people who could help us respond to these threats.

Take, for instance—for week after week after week—Azita Raji, who has been nominated to be our Ambassador to Sweden. Nearly 300 Swedish citizens have left to fight in Syria or Iraq, making this nation the second largest country of origin per capita for foreign fighters in Europe. The Swedish Government is on heightened alert for an attack. Yet the United States doesn't have a Senate-confirmed Ambassador to represent us in Stockholm.

Similar to Sweden, Norway is also dealing with the growing threat of terror, and some of their citizens have joined the radical ranks of foreign fighters, but due to Republican obstruction, our Nation does not have a confirmed Ambassador in Norway.

Sam Heins, a Minnesota attorney nominated by President Obama, has been pending on the floor since July. We are now in December. So I personally applaud the Presiding Officer today for finally removing the holds on these two good people. I appreciate it very much. He and others have held up these nominees, and it is unfortunate. It is gone. I am pleased. In the wake of the Paris attacks and threats across the continent, it is imperative that we have Ambassadors working with European governments at the highest levels.

Perhaps the most egregious example of Republican obstruction is the nomination of Adam Szubin. This man would lead—if he were approved in the Senate—a team within the Department of State that disrupts terrorist financing networks, cutting off money for terrorists so they cannot finance their attacks. Hand in hand, they work with the Treasury Department. You would think that such an important nominee would be quickly confirmed, but Mr. Szubin's nomination has been pending

for more than 200 days. Remember what he does—remember what he would like to do, I should say. He would lead a team that disrupts terrorist financing networks, cutting off money for terrorists so they can't finance their own evil deeds.

The chairman of the banking committee, the senior Senator from Alabama, has previously called this position “a vital position in the effort to combat terrorist financing,” but in spite of this, the committee on banking continues to block Szubin, despite his qualifications. I am sorely disappointed so many Republican Senators have decided that scoring political points is more important than confirming these national security nominations.

Two weeks ago, I asked the senior Senator from Iowa to put an end to his partisan investigation of Secretary Clinton. For months, the senior Senator blocked more than 20 Foreign Service promotions. In fact, for a day it was some 600 nominations, just simply people who were in the Foreign Service who were entitled by law to a promotion. Well, he blocked these people for a long time, talking about how he wanted more documents from the State Department. I told the senior Senator that I thought it was a mistake to target career promotions, so I was surprised, happily so, when he appeared to change course and allow these good public servants to get the promotions they earned and deserved.

Unfortunately, though, just as he took one step forward, he immediately took another step back. Although he allowed the list of 20 Foreign Service promotions to proceed, he doubled down on his obstruction by placing a hold on Tom Shannon, President Obama's nominee to serve as Under Secretary of State for Political Affairs, an extremely important position that is not filled now. Ambassador Shannon is a career member of the Foreign Service, with more than 30 years of experience. He served as our Nation's Ambassador to Brazil, he worked on the National Security Council in the last Bush administration, and his experience will help the State Department strategy in combatting ISIS, but he can't do that because we were not able to approve him because of the holds.

The Senator from Iowa continues to block other important nominees, such as David Robinson to be Assistant Secretary of State in the Bureau of Conflict and Stabilization. He is a 30-year veteran of the Foreign Service. This is a man who has served the Nation in Afghanistan, Bosnia, and many other places around the world.

Brian Egan has been nominated to be the State Department Legal Advisor, their lawyer. He has been a senior member of the legal team in the State Department, Treasury, and the National Security Council at the White House, but he has been held up since June without a vote, all because of Republican obstructionism.

Remember, it would be nice if the State Department had a lawyer, but as the senior Senator from Iowa will tell you, he has nothing against Tom Shannon, David Robinson or Brian Egan. Senator GRASSLEY has expressed no substantive objections to these nominees or questions about their capabilities. Senator GRASSLEY is blocking these important nominations for the sake of his committee's political crusade against former Secretary of State Hillary Clinton—who as we all know is running for President. This good woman scares Republicans because she will likely win. It is all part of the disturbing trend of the Judiciary Committee to politicize the oversight process.

It appears the constitutional duties of the Senate are taking a backseat to a political hit job on a Democratic candidate for President. Just look at what he and his committee are doing; that is, the chairman and his committee. They are requesting transcribed interviews from the Clinton staff. They have asked for timesheets. The committee investigation has gone so far as to ask for the maternity leave records of one of Secretary Clinton's closest aides, Huma Abedin. It appears that until the senior Senator from Iowa gets the maternity leave records he has requested and everything else he has requested, he is going to continue to block State Department nominees. I am disappointed my friend from Iowa refuses to do what I believe is the right thing. He should drop these unwarranted holds. I am disappointed he continues—under the guise of oversight—his anti-Hillary Clinton crusade, which is hurting American security. Each day this investigation continues, we can see what a waste of taxpayer resources this has become.

Last month, when given the opportunity, my friend from Iowa refused to address the significant amount of resources his committee is spending to investigate Secretary Clinton. Why? If he is so confident of the work his committee is doing, why not readily acknowledge the amount of taxpayer resources that are being used? But aside from the wasting of taxpayer dollars, I am troubled by the way his committee staff is operating. The press reports have suggested the Republican Judiciary Committee staffers are selectively leaking confidential information. For example, in September, the State Department gave the committee information that Senator GRASSLEY requested, with specific instructions that the documents remain confidential. That is because the information shared with the Judiciary Committee contains sensitive information or other personal information from State Department employees. Included in the State Department's response to Senator GRASSLEY was a big warning in bold capital letters across the page—in very large bold letters: “US DEPARTMENT OF STATE PRODUCTION TO THE SENATE JUDICIARY COMMITTEE ONLY;

NOT AUTHORIZED FOR PUBLIC RELEASE.”

The email reproductions from the State Department also contained a watermark in red capital letters saying the emails were not for public release. It was across the entirety of that document. It had the watermark and the large bold letters.

Within 24 hours, that information was public and reporters began calling with questions. Within 48 hours, stories were published based on the emails given to the Judiciary Committee that falsely created the appearance of impropriety by Ms. Abedin—and I mean false. A reporter forwarded the watermark emails meant only for the Judiciary Committee to her and to her legal team for comment. How did the reporter get documents that were solely in the possession of the Judiciary Committee staff?

As I have said before, Ms. Abedin is an American success story. She has reached the highest levels of politics, as an aide to Secretary Clinton for decades, through her hard work and loyalty. Senator JOHN MCCAIN said that Ms. Abedin is “an honorable woman, a dedicated American, and a loyal public servant.” She doesn't deserve the treatment that has come from the Judiciary Committee. Republican investigators on that committee cannot stop their fixation on Ms. Abedin, even going so far to request her maternity leave records. As a result, her personal information, including Social Security number and payroll records, has been given to the press.

Violating the privacy of hard-working staff members—and in particular a staff member—to score political points against Secretary Clinton is unbecoming of the world's greatest deliberative body. The Senate has been through difficult times in the past when confidential information has been leaked. Senator GRASSLEY and I were both here in the 1990s when then-Senate Majority Leader George Mitchell came to the floor to address this disturbing trend. He said:

The unilateral decision by a Member or employee to release confidential committee information is inconsistent with the Senate's practice of making such decisions openly and collaboratively. Arrogation of this responsibility by individuals can destroy mutual trust among Members and be harmful to this institution.

That is an understatement. Senator Mitchell's quote gets to the heart of the matter. Leaking information undermines the institution of the Senate and the trust between its Members. In the Republican fervor to target Secretary Clinton over Benghazi, we should not lose sight of the rules that govern our behavior in the Senate. The Benghazi report on her is now over \$5 million. It is wrong to target a former Clinton aide with invasive requests about her maternity leave and pass her personal information on to members of the press.

It is wrong to politicize the legitimate oversight role of Congress ahead

of the 2016 Presidential election. Sadly, the improper disclosure of sensitive materials related to Secretary Clinton's aides only demonstrates the underlying political position of the Judiciary Committee's oversight. Going forward, I hope my Republican colleagues will exercise greater restraint in the relentless pursuit of Secretary Clinton, but, more importantly, I hope Senate Republicans take their constitutional responsibility more seriously to offer their advice and consent on the Presidential nominees. I hope they take them very seriously. It is shameful that the Republicans are blocking critical, national security nominees for political purposes. I would ask them to please change course because the American people are watching.

#### ROSA PARKS AND MONTGOMERY BUS BOYCOTT ANNIVERSARY

Mr. REID. Mr. President, 60 years ago today Rosa Parks boarded a city bus in Montgomery, AL. She had worked hard all day. She was riding a bus. She was asked to give up her seat by the busdriver, who was a White man. She was sick of having to give up her seat and she was tired, but she refused to give up her seat, so she was arrested.

On that day at that moment of courage, Rosa Parks sparked a movement that would end the legal segregation of public transportation, the Montgomery Bus Boycott. That boycott lasted from December 5, 1955, to December 20, 1956—almost 1 year, becoming the first large-scale demonstration against segregation in our country's history. The Supreme Court ultimately ordered Montgomery to integrate its public bus transportation system.

Rosa Parks went on to become a pillar of the civil rights movement, a lifelong freedom fighter who changed the course of history.

In 2013, a bronze statue of Ms. Parks was unveiled in Statuary Hall in the Capitol. In the decades since Rosa Parks refused to give up her seat on that bus, our Nation has made tremendous progress in the defense of civil rights for all Americans, but we have much more to do. Today, 60 years after Rosa Parks took a stand for equality, the fight for equal justice rages on. Just like Rosa Parks, many Americans across this country are very upset with the status quo, and they are taking a stand against injustice and discrimination.

As we remember the valiant actions of Rosa Parks, may we be inspired by her character and her determination. May we follow her example and continue the work of the civil rights movement.

Mr. President, what do we have the rest of the day?

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Georgia.

#### RECOGNIZING THOMAS G. COUSINS

Mr. ISAKSON. Mr. President, last Thursday was Thanksgiving in America. Like every Member of the Senate and every American, I paused to give thanks for the many blessings we have in the country, the blessings I have as a father and grandfather, and the blessings we enjoy from all those who serve in harm's way around the world who keep us safe and in peace.

I also took a second to participate in some charitable activities for those less fortunate and, in doing so, stopped to pause and give thanks for those people who on the day of Thanksgiving were giving of their time and their money to make the lives of those less fortunate better.

One of the people in my State I want to talk about who has done exactly that for five decades is a man by the name of Thomas G. Cousins, a real estate developer greatly renowned in Atlanta and, really, around the world, and who amassed millions and millions of dollars in the Cousins Foundation and invested that money in trying to solve the problems of poverty, crime, unemployment, and health care.

Thomas G. Cousins founded the Cousins Foundation to see to it that Atlanta, GA, and the State of Georgia were a better State. But he became frustrated. He recognized that of the 72 million children in the United States of America, 40 percent of them lived in poverty. He became frustrated because he found that isolated neighborhoods of concentrated poverty created unemployment, poor performance by students, and greater crime rates in the city of Atlanta. Worst of all, he found that the entrepreneurial gifts of charity trying to alleviate these problems often got consumed but never made a fundamental change. He thought it was time for his charitable money to become entrepreneurial, not just a giveaway. So in the decade of 1990, Tom Cousins decided to do something about making the Cousins Foundation investment make a meaningful difference in the lives of Americans around the country. He did exactly that.

He heard Dr. Todd Clear, a professor at Rutgers University, give a speech in New York City, where he had done research on the prison population of the State of New York and researched where they came from to find, amazingly, that three out of every four prisoners in the New York State prison system came out of eight neighborhoods in New York City. Concentrated poverty created concentrated crime and concentrated criminals. There was

a never-ending cycle of crime, poverty, and poor educational performance in those neighborhoods.

So Tom Cousins decided that, instead of giving his money away in small, incremental bits to make a minor difference, he would become a charitable entrepreneur. He would go to a neighborhood of concentrated crime and poverty and try to make a meaningful difference. He found a neighborhood called East Lake Meadows in the 1990s in Atlanta, GA. It was the home of Bobby Jones and Charlie Yates, famous golfers of the 1920s, but had gone to seed, was dilapidated, and became a neighborhood of crime. In fact, it had become known as the Little Vietnam of Georgia. Police would not enter the area because of the crime rate. Drew Elementary School was the worst performing elementary school in the State of Georgia.

Tom Cousins came to the State board of education—and I know this because I was the chairman—and asked us to go to the city of Atlanta to get them to issue a charter for Drew Elementary School and a 99-year lease to the Cousins Foundation. Tom Cousins went in and built a new Drew Elementary School, hired Georgia State University to bring in a professor to be the principal there and manage the education of those children. Drew Elementary School went from being one of the worst performing schools in the State of Georgia to one of the best.

But he didn't stop with the school. He improved the neighborhood. He improved the facilities. He built a YMCA. He took a holistic approach to East Lake Meadows and turned it into a shining city once again in the State of Georgia. But he didn't do it just because he gave money. He did it because he invested his money in the lives of these people.

I will give some idea of the changes made in East Lake Meadows and Drew Elementary School. Drew Elementary went from 5 percent of its fifth graders reading and performing in math levels where they should, to where 90 percent of the fifth graders exceeded the math standards of the State of Georgia. Where the median income of the families in East Lake Meadows was \$4,536 when Tom Cousins went in, 15 years later it was \$17,260. There was a 90-percent reduction in the crime rate, to the point where it was 50 percent lower than the city's overall crime rate. He transformed the neighborhood because he invested his money entrepreneurially in trying to solve the problems and the poverty of these people.

He went to Warren Buffett, a leading entrepreneur of America, and formed a new organization called Purpose Built Communities, which is based on three fundamental discoveries they made at East Lake Meadows. No. 1, it can be done. How many times have people walked by declining neighborhoods of poverty, crime, and failing schools, and said: There is nothing we can do; we

cannot solve that problem. Tom Cousins proved that any problem, no matter how great, is solvable if you are willing to dedicate yourself to doing so.

Second, it takes a holistic approach—not just schools, not just playgrounds, not just housing, not just jobs but everything. The transformation of East Lake Meadows was a holistic approach for the entire community. Lastly, mixed-income housing was important to bring employed people back into the neighborhood. So they had mixed-use housing all throughout East Lake Meadows.

The result was a purpose-built community that is now home to the PGA FedEx Championship, a restored East Lake Golf Club, and a community that is proud of itself and one of the shining stars of the city of Atlanta.

Because a man with purpose, Thomas G. Cousins, invested his money, public purpose-built communities are now all over the country being started as renovation projects in Indianapolis, New Orleans, and in cities around the United States of America.

So we should all pause to give thanks for those who have done so much to make our States and our country better. I pause to thank Thomas G. Cousins for the great investment he made in the city of Atlanta, the children of our State, and the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. 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. CORNYN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

#### OBAMACARE

Mr. CORNYN. Mr. President, this week the Republican-led Senate will keep a promise we made to the American people. If they entrusted us with the leadership and the majority in the last election, we told them we would vote to repeal ObamaCare—the largest Federal overreach in recent history. It has been disastrous to thousands, if not millions, of people.

Unfortunately, the President's ill-advised health care law and the partisan push that made it law came with a lot of burdensome regulations. Both the law and those regulations have hobbled the American economy because they simply added additional burdens onto the small businesses that we depend upon to create the jobs so people can find work and provide for their families. It has hobbled those small businesses by burdening them with unmanageable costs, and it has failed the American people at every turn.

When the President said “If you like what you have you can keep it,” that was not true. Millions of Americans lost their preferred health insurance providers and the doctors who accepted that coverage. Instead of providing people with more affordable access to health care, millions of people faced higher premiums and higher deductibles. For all practical matters, the higher deductibles that come along with most ObamaCare health care policies make millions of Americans effectively self-insured.

More than 5 years after it became law, it is no surprise that a recent poll found that only 37 percent of the respondents approved of ObamaCare. ObamaCare is a textbook example of how bigger government does not necessarily lead to more choices or real solutions. Indeed, what it demonstrates is that it can lead to higher costs, inefficient health care delivery, and millions of Americans being let down by a system that was a partisan vote here in the Senate.

I remember being here on Christmas Eve in 2009 at 7 o'clock in the morning when Senate Democrats pushed through the ObamaCare legislation in the Senate. Again, without any sort of bipartisan commitment to actually improve health care choices and make health care more affordable for the American people, it was purely a partisan undertaking.

This bill that we are voting on to repeal ObamaCare will not only provide relief and more choices and the opportunity for the market to give people the health care they want at a price they can afford, but it also represents keeping a promise we made to the American people that we would deliver on if they gave us the majority. We will do that this week.

#### HUMANE ACT

Mr. CORNYN. Mr. President, there is another subject I want to raise because it is a matter of great concern. It is not only because I come from Texas and we see thousands and thousands of unaccompanied minor children continuing to cross our border, but you will recall in the summer of 2014, I believe the President himself talked about the humanitarian crisis as a result of the thousands and thousands of unaccompanied children—some with a single parent—who were streaming across the border in an overload of the capacity of local communities in the Rio Grande Valley and elsewhere to be able to deal with these children in a humane and acceptable sort of way.

While the memory here in Washington, DC, may have faded about this humanitarian crisis, I can tell you that most Texans remember it vividly. The picture was stark: tens of thousands of unaccompanied children coming from Central American countries that had set out to cross Mexico and to cross the border into the United States. Virtually all of these children had seen

their lives placed in the hands of violent criminals to get here. To say the journey was a perilous one is a gross understatement.

We recently had a hearing of the international drug enforcement caucus in the Senate. I asked one of the witnesses: Isn't it the case that the same criminal organizations that smuggle people into the United States for economic reasons are the same people who smuggle children for human trafficking purposes, that these are the same people and the same organizations that smuggle illegal drugs and perhaps dangerous and other hazardous materials into the United States? Without hesitation, the witness said yes.

It may have been some bygone era when an individual coyote, as we call them in South Texas, smuggled people in for the fee they could charge, but now this is big business. This is a business model that is being exploited day in and day out by the transnational criminal organizations, but that all seems to be lost on the administration.

I saw how this tragedy was unfolding firsthand in McAllen where I visited these children who made the journey—sometimes alone—only to end up here in this country by themselves, looking for a friendly face or somebody who might help them. It was heartbreaking to see young children without their parents and extremely heartbreaking to hear the horrific stories about the trips they made. Again, coming from Central America, across Mexico, perhaps on the back of a train they called The Beast, physically assaulted, some murdered and many robbed and otherwise mistreated.

The pressing question in that summer of 2014 was, Why now and why here? Why was all of this happening? How could we stem the tide of this seemingly endless migration of unaccompanied children from Central America?

You don't have to look much further than the President's own Department of Homeland Security. One internal memo analyzing the surge of child and female migrants flooding the southwest border stated: “The main reason the subjects chose this particular time to migrate to the United States was to take advantage of the ‘new’ U.S. ‘Law’ that grants a ‘free pass’ or permit.” I think they call them *permisos* in Spanish. In other words, they came here because of the widespread perception that these unaccompanied children and women traveling with children would be allowed to stay here in defiance of our immigration laws, even after they crossed the border illegally.

A similar study by the Department of Homeland Security's Office of Science and Technology Directorate concluded that the unaccompanied minors “are aware of the relative lack of consequences they will receive when apprehended at the U.S. border.” Apparently, at the time, these minors and their parents believed there would be no or little consequence to illegally

coming into the United States, and tragically, sadly, they were right.

In the wake of that crisis last summer, it became clear that the President's failed immigration policies, including his deferred action program and his overall lack of seriousness when it came to immigration enforcement, played a role in inducing thousands of families to risk their lives to travel to the United States.

Until recently, we had perhaps been lulled into the misconception that this flood of migrants had stopped. But over the weekend, I was startled by news reports—perhaps I shouldn't have been surprised but I was—that suggest this downward trend has started to reverse and in a big way. According to these reports, smugglers were again bringing hundreds of women and children into the United States across the Rio Grande.

One from the New York Times noted that according to official data, "border Patrol apprehensions of migrant families . . . have increased 150 percent" from last year. The number of unaccompanied children has more than doubled.

The bottom line is that, clearly, there is virtually nothing being done to deter these children and their families from illegally crossing the border and little or no consequences when they do.

I have to point out that the administration has done virtually nothing to make sure these children are not exposed to the same criminal organizations operating in this country. In fact, current law requires these children to be released by the Department of Health and Human Services to sponsors without any assurance or systemic protections that they are being sent to a safe environment. There are no criminal background checks. They are not required to be actual family members, and they could well be some extension of the same criminal organizations that smuggled them into the United States in the first place.

It is shocking to me that the Senate would not be moved to act on this because, of course, we passed a large anti-human trafficking law this last spring with a 99-to-0 vote. But to sit quietly while these children continue to stream across our border and are placed in the hands of potentially dangerous individuals is unacceptable.

Earlier this year, four individuals were indicted for their involvement in a trafficking ring that smuggled unaccompanied Guatemalan children into the country and forced them into slave labor at a farm in Ohio. These children were not only forced to work long hours, but they were abused and threatened and exploited. Many of them could have been spared if the Federal Government and Health and Human Services had an adequate system for screening and vetting the sponsors of these unaccompanied minors.

We have to do a better job of protecting these children, which is why I recently joined a letter with the chair-

man of the Senate Judiciary Committee demanding answers from the Department of Homeland Security and the Department of Health and Human Services.

It is clear that the Federal Government needs to step up and create a more effective review process before releasing these children to strangers and perhaps criminals. Our government has a duty to protect them once they are here and to ensure that they are no longer preyed upon by criminals and human traffickers.

Given the administration's inability to deter illegal immigration and the Federal Government's failure to deal with them reasonably, rationally, and humanely when they get here, we have every reason to believe that illegal immigration surges of this nature will continue and will grow until we reform this system. That is why I intend to introduce a piece of legislation called the HUMANE Act, which will reform the system to end the practice of automatic catch-and-release to nongovernmental sponsors. It would enhance the screening of these children to determine if they are victims of crime or in need of some specialized care. It will make sure they get a swift and fair court determination on whether or not they are eligible for any protected status under our immigration laws.

The HUMANE Act would also help ensure that if these children are in need of humanitarian assistance, they will never be released to sex offenders, criminals, or others who will seek to harm them. Of course, preventing these surges is not just a humanitarian issue; it is a national security issue as well. By tying up our law enforcement, customs, and other security officials with humanitarian care obligations, the cartels and other transnational criminal organizations create an environment where it is much easier to traffic drugs, weapons, and other contraband.

We know there are increasing ties between terrorist organizations and drug cartels, so the threat that they will work together to exploit another humanitarian crisis is very real. For instance, last year before the Senate Armed Services Committee, SOUTHCOM's commander, John Kelly, stated that he was "troubled by the financial and operational overlap between criminal and terrorist networks in the [Central American] region."

He went on to say: "Although the extent of criminal-terrorist cooperation is unclear, what is clear is that terrorists and militant organizations easily tap into the international illicit marketplace to underwrite their activities and obtain arms and funding to conduct operations."

I am not just talking about economic migrants. I am talking about immigrants from around the world who can potentially get through our southern border virtually at will. I am talking about transnational criminal organizations determined to spread violence and import narcotics into the United States.

I hope the administration will take these most recent reports seriously, before we experience once again the horrifying humanitarian disaster we experienced in 2014. But nothing short of real improvements to border security and our laws will work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### BURUNDI

Mr. CARDIN. Mr. President, I rise to call for urgent action to prevent widespread violence and mass atrocities in Burundi. Let us not allow Burundi to become the next Rwanda or Darfur. We are at a critical juncture. I call upon the Burundian Government and opposition to respect the spirit of the 2000 Arusha agreement and immediately stop all violence, disarm militias, including youth militia aligned with the government, and urge all legitimate stakeholders to agree to participate in an inclusive dialogue to determine a path forward for their country.

As my colleagues may know, the country has been in turmoil since April, when President Pierre Nkurunziza decided to run for a third term. His decision, which many feel violated the spirit of the very agreement that ended the Burundi 12-year civil war and the Burundian Constitution itself, has led to widespread violence. An attempted coup in May revealed an alarming split in the militia's military ranks, and I came to the floor in June to discuss my concern that the situation could escalate. Unfortunately, I was correct. It has. At that time, 90,000 people had fled the country, and now there are over 200,000 refugees. In June, an estimated 21 people had died during the protest. The U.N. now estimates that nearly 250 people have been killed since April, some at the hands of the security forces and others in a series of tit-for-tat targeted assassinations and killings.

The violence has taken on troubling overtones. Bodies of those who have been clearly victims of execution-style killings are found daily in the streets of Bujumbura, Burundi's capital. The families of political opponents are now being targeted and killed. Government officials have been murdered.

In November, Burundian officials engaged in alarming rhetoric reminiscent of language used to incite and carry out the genocide in Rwanda. The government was forced to issue a letter that claimed that the statements made by the President and the president of the senate were not intended to foment such actions. Intended or not, such comments are deeply disturbing.

The international community has engaged, but I fear our efforts may not be enough. I was very pleased to see the African Union Peace and the Security Council's October 17 communique, which urged dialogue, called for deployment of additional human rights monitors, and threatened targeted

sanctions against those who contribute to the escalation of violence and act as spoilers to a political solution. It sent a strong message to all parties that continued violence will not be tolerated and that an inclusive dialogue—one that includes the Burundian opposition that has taken refuge outside the country—is the only way to restore stability. The United Nations Security Council took a much needed step by approving a resolution in late November. The European Union has been forward leaning, imposing sanctions on government officials and requesting a dialogue with the government to discuss the current situation under the provisions of the Cotonou Agreement related to democracy and human rights.

The United States has been actively engaged in preventive action and diplomacy for some time. On November 23, President Obama issued an Executive order sanctioning four individuals whose actions have threatened the peace and security of Burundi. He also announced that as of January, Burundi will no longer be eligible for preferential trade benefits under the African Growth and Opportunity Act. Our Special Envoy for the Great Lakes, Tom Perriello, has been in the region numerous times. High-ranking officials, including our United Nations Ambassador and the Secretary of State have raised Burundi with our international partners on numerous occasions. Ambassador Power has traveled there herself, and I applaud the administration's consistent attention to the concerns of Burundi.

However, the violence continues. We must redouble our efforts to support a political solution to this current crisis. Let me be clear. There is no substitute for a commitment by the Burundians themselves when it comes to finding a way forward. They themselves must choose the path of peace, but I firmly believe we, in cooperation with our international partners, can provide the right incentives for them to do that. We can take other meaningful actions in pursuit of an agreement.

First, we must help the African Union to finalize contingency plans for an African-led mission to prevent widespread violence in the country.

Second, I call upon the AU to convene a meeting with special envoys from the United Nations, African Union, United States, European Union, and Belgium, as well as representatives from the East African community, to discuss coordination among donors, the United Nations, the AU, and the Security Council's recommendations and to identify ways that the international actors can support the increased number of human rights monitors and military observers authorized by the AU in October.

Third, it is imperative that we help put in place mechanisms for accountability for those who have engaged in extrajudicial killings during this period of time. Those who have committed these atrocities must be held

accountable. The international community must be firm about this. We cannot allow those who perpetrate these crimes to go unpunished.

The United States has made a promise to actively prevent the commission of mass atrocities. As the unrest continues, people are suffering in refugee camps or living in fear in their homes, afraid to go out. Violence is on the rise, the economy is in a downward spiral, and civil space is closed. Every day that goes by without a civil solution the probability of atrocities increases. Preventing widespread violence and mass atrocities is everyone's business. Diplomatic engagement to prevent political violence that has the potential to become ethnically based killing is exactly what we and the rest of the international community must focus on addressing.

I submit to you that acting to prevent this from happening is all of our collective business, and I urge continued action to do so.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### OBAMACARE

Mr. THUNE. Mr. President, 5 years ago, days after President Obama signed the Affordable Care Act into law, the senior Democratic Senator from New York went on "Meet the Press" to discuss the bill. He told the host: "Well, I think as people learn about the bill, and now that the bill is enacted, it's going to become more and more popular." I don't need to tell anyone that never happened.

Five years after ObamaCare was enacted, a majority of Americans disapproved the law, and that is a pattern we have seen since the law's passage. Why has the law failed to earn the support Democrats predicted? For one simple reason: The law is just not working as President Obama promised it would. The Affordable Care Act was supposed to lower health care premiums. It didn't. It was supposed to reduce health care costs. It didn't. It was supposed to protect the health care plans that Americans wanted to keep. It didn't. The law was sold as a health care solution, but it turned out to be yet another health care problem.

Five years after the law's passage, here is where we are: Americans with job-based insurance are paying more for their health care, with the average employee seeing a \$400 increase in his or her deductible since 2010. Small business employees have fared even worse, with average deductibles now close to \$2,000. And Americans are paying more for their premiums as well. An average annual premium contribu-

tion for family coverage is currently \$12,591, up from \$9,773 in 2010. That is nearly \$3,000 in additional premium costs or another \$250 a month. For many families, that comes on top of an increase in their deductible. Meanwhile, thousands of part-time workers have lost their job-based insurance thanks to ObamaCare mandates that encouraged several large employers to stop offering health benefits to part-time employees.

The situation with the exchanges is no better. Exchange premiums will rise once again this year, with many Americans facing rate increases in the double digits.

Over the past few months, I have heard from numerous constituents wondering how they will be able to afford the massive premium increases they are facing. One constituent in Wessington, SD, wrote to tell me that her and her husband's health care plan is going from \$17,194 this year to a staggering \$25,370 next year. That is an annual increase of more than \$8,000. What family can afford an \$8,000 increase in expenses from one year to the next?

Another constituent of mine wrote to tell me this:

We just received our rate increase for our family health insurance. We have been paying \$1,283 a month and the \$557.45 increase will bring it up to \$1,841.26. This amount has gone from 26 percent to 37 percent of our income. It is over twice of our house payment. . . . After having insurance coverage for the past 38 years, we are faced with dropping coverage, which is ironic since that is not the purpose of the Affordable Care Act. We are considering dropping insurance and facing the penalty just so we can continue to live in our house, pay our bills, and buy groceries.

That is from a constituent of mine in South Dakota.

I have received far too many letters like these from individuals who are facing enormous premium increases.

Another constituent wrote to me and said they are facing a 69-percent premium increase—69 percent. She and her husband are facing a \$22,884 insurance bill. She could buy a brand-new car for less than that.

So it is no surprise that a recent survey from the Robert Wood Johnson Foundation found that nearly 80 percent of uninsured Americans who have looked for insurance report that they cannot find or cannot afford to buy health insurance. The grim reality for millions of Americans is that the Affordable Care Act is anything but affordable.

Unfortunately, higher health care costs are just one of the problems with this law. ObamaCare has already reduced Americans' health care choices. Faced with expensive ObamaCare mandates, insurance companies have chosen one of the few methods left to them to control costs, and that is restricting consumers' choice of doctors and hospitals. Americans were promised they could keep the doctor they liked, but for many Americans, that is not true.

Then there are the taxes imposed by the law. Because the administration did its best to hide the true cost of ObamaCare, many Americans don't realize that the law hiked taxes by \$1 trillion. In fact, the law imposed almost a dozen new taxes, including an annual tax on health insurance that is passed on to consumers in the form of higher premiums, a tax increase on flexible spending accounts and health savings accounts, and a tax on wages and self-employment income. President Obama promised not to raise taxes on those making less than \$250,000, but, as we all know, he broke that promise many times over when ObamaCare was signed into law. Many of these taxes directly impact low- and middle-income families.

Additionally, the law's tax on the makers of lifesaving medical devices, such as pacemakers and insulin pumps, which went into effect in 2013, has already eliminated jobs in the medical device industry and driven up the price of essential medical equipment.

The medical device industry is not the only industry in which ObamaCare is costing jobs. ObamaCare's requirement that employers provide their workers with government-approved insurance or pay a tax has made employing full-time workers more costly, which has discouraged employers from hiring. Workers in the retail and restaurant industries, many of them younger, less skilled workers, have been hit particularly hard. In all, the Congressional Budget Office has predicted that ObamaCare will result in the equivalent of 2 million fewer full-time jobs in 2017 and 2.5 million fewer full-time jobs by 2024. That is not good news for our already sluggish economy.

All Americans remember the President's claim that under ObamaCare, "If you like your plan, you can keep it"—a claim that was named, interestingly enough, *PolitiFact's* "Lie of the Year" in 2013 after ObamaCare eliminated the health care plans of 4 million Americans. Now hundreds of thousands of Americans will be losing their ObamaCare health care plan after a number of the health insurance co-ops established under the law proved unsustainable. In all, 12 of the 23 health care co-ops established by the President's health care law have collapsed, resulting in the loss of billions in taxpayer dollars, in addition to the loss of Americans' health plans. Taxpayers have also lost more than \$1 billion spent on failed or failing State exchanges, such as the failed exchanges in the States of Oregon, Hawaii, Vermont, Maryland, and Massachusetts.

Four years after telling "Meet the Press" that ObamaCare would become "more and more popular," the senior Senator from New York admitted that the Democrats had made a strategic error by focusing on ObamaCare. Americans, he admitted, were "crying out for an end to the recession, for better wages and more jobs; not for changes

in their health care." The senior Senator from New York is right.

Americans didn't want ObamaCare then, and they certainly don't want it now. ObamaCare is broken, and Americans know it. It is time to repeal this law and start moving toward the kind of health care reform Americans are actually looking for: an affordable, accountable, patient-focused system that gives individuals control of their health care decisions.

This week the Senate will take up a repeal bill that will begin the process of lifting the burdens ObamaCare has placed on Americans. I look forward to debating the bill and working with my colleagues to begin building a bridge to a better health care system for hard-working families across the country. It is time to give the American people the real health care reform they deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT

Mr. KAINE. Mr. President, I rise today to speak about the American Security Against Foreign Enemies Act of 2015. This act was passed by the House shortly before we recessed for Thanksgiving—an act dealing with the refugee crisis from Syria and Iraq. It is an act that is sort of pending before the body now as we try to decide whether to take up the House bill or take up the topic of the House bill as part of the deliberations in which we are engaged.

First, I think everyone in this body and everyone in the House acknowledges the security needs of America in this challenging time as we are engaged in a battle against ISIL. As we have seen in recent weeks, the reach of ISIL—whether it is a passenger aircraft in Sinai, a neighborhood in southern Beirut, or multiple neighborhoods in Paris, ISIL's strength is expanding and mutating, and we have to take those concerns seriously.

I applaud the work that has already been done to try to make sure the vetting process for refugees who entered the United States is pretty intense. Four million refugees left Syria during the course of the Syrian civil war. Of those 4 million who have left and registered with the U.N., after a fairly extensive review process, the U.N. has referred 20,000 to the United States for possible consideration to be refugees. Of those 20,000, after an 18-month vetting process, we have allowed approximately 2,000 into the United States. So the vetting process for refugees is pretty intense. If we can make it better, we need to do that, but it is already fairly significant. I also applaud efforts the administration announced yesterday and that other colleagues, including the Presiding Officer, are working on to ensure that the visa waiver program we currently have, which allows citizens from 38 countries to come to the United States without visas, is tight.

We have to do our best in a careful and deliberate way to make sure our security in the midst of this battle against ISIL is strong.

I rise today to speak particularly about this act because I think it is problematic, and I think it is problematic from the very title of the act. I think it raises some questions we have to be very careful about.

Syrian and Iraqi refugees are not foreign enemies. Refugees are not the enemies of the United States. We have an enemy. The enemy is ISIL. We are coming up on the start of a 17-month war against ISIL that Congress has been unwilling to debate, vote on, and declare. ISIL is an enemy, and we would all acknowledge that, but the refugees who are leaving Syria and Iraq are not our enemies. They are victims. They are victims. I think before we go down the path of quickly—and this bill was passed in the House in just a couple of days—painting with a broad brush as our enemies these poor people who have suffered so much, we really need to reflect on what they have been through.

This refugee crisis in Syria has been called by most NGOs and other organizations like the U.N. the greatest humanitarian crisis since World War II.

In a country of between 25 and 30 million people, 4 million have had to flee because of the atrocities of the Assad regime and the atrocities of the civil war carried out by ISIL and other terrorist organizations.

Four million had to leave their homes and 8 million more had to leave their homes and move to other places in their country where they would prefer not to live because their homes are unsafe because of the civil war.

Nearly 300,000 Syrians have been killed in this civil war, and the atrocities are horrible. The Assad regime uses barrel bombs in civilian neighborhoods to kill innocents without any rhyme or reason as to where or when they are going to fall, creating psychological terror as well as physical danger. ISIL in Syria is carrying out beheadings and the forced subjugation of people and selling them into sexual slavery. It is the oppression of religious minorities, virtually any religion other than that of the Sunni extremists who would fit within ISIL's narrow definition of who they think true believers are. This is what people are fleeing from.

This Senator emphasizes this point: Refugees are not our enemies. They are not foreign enemies. They are victims who deserve compassion.

This is a fairly famous photograph from a suburb of Damascus, Yarmouk, that is filled with Palestinian refugees who have been waiting for food. The Assad regime had cordoned them off and would not allow humanitarian aid because they thought there were opponents to the regime in this neighborhood.



This was a photo that was taken in January of 2014 when the U.N. could finally come in to try to deliver humanitarian food aid to these folks. You can see the tens of thousands of people who are waiting in the midst of their bombed-out neighborhood for a delivery of basic food aid, which has been very episodic during the course of this war. This neighborhood has gone back under blockade, and it has been extremely difficult to get them the food they need.

These are not enemies; these are people who are worthy of the compassion of any person and especially of a nation as compassionate as the United States.

More recently, we were all stunned to see this horrible photograph of a 3-year-old Syrian boy who, with his family and a group of 12 Syrians, tried to make it across water to Greece, fleeing atrocities in the battle between Kurds and ISIL in northern Syria. Twelve members of this family in a boat were killed and drowned, including this 3-year-old and his 5-year-old brother. These are not enemies.

To have an act that purports to deal with this refugee crisis and to call this an act that is an act about foreign enemies—they are not enemies. There is no way we should allow the kind of tar brush approach that would paint these poor unfortunates who are victims of the worst humanitarian crisis since World War II as if they are somehow enemies. We should have a compassionate response that protects American security but is nevertheless compassionate.

These photographs really grab me, and the rhetoric surrounding these refugees—that they are enemies—when this act passed really grabbed me. I found myself thinking about it not so much even in just a policy way—what is the right policy, what is the right mixture of things to keep the country safe? That is very important, but these pictures make one think about something more fundamental: Why does this happen?

Since the beginning of time, human beings have asked: Why is there suffering of this kind? Why must hundreds of thousands be huddled into a bombed-out neighborhood and be nearly starved to death to wait for a delivery episodically from the United Nations? Why would a family have to flee from their home, with their children killed, to try to get away from atrocities? If you are a student from California State University, on a semester-abroad program in Paris, sitting in a cafe, why are you gunned down by ISIL terrorists? If you are a tourist coming back from a vacation in the Sinai with your family, why is your plane suddenly bombed out of the sky?

Humans have asked this question since the beginning of time. Why do these things happen? There are two conventional answers to the question of why these things occur, and there is a nonconventional answer that is a challenging one that we as a body and

as a country really have to grapple with. The two conventional answers as to why there is horrible suffering such as this is obviously there is evil in the world and there is evil within. There is evil out in the world and there is evil within and we make mistakes. Clearly there is evil in the world. ISIL is evil. Refugees are not evil.

I think it is interesting that one of the bodies here could come up with a piece of legislation, draft it, debate it, and vote on it in a couple of days to label refugees as “foreign enemies” when we have been at war for 17 months against ISIL and we haven’t been able to have a debate in this body to authorize military force and declare that they are an enemy. There is evil in the world, and part of what we must do is call it out and be willing to stand against it.

The great Irish poet Yeats talked about a situation where the best lack all conviction and the worst are filled with passionate intensity. I worry that this legislative body has not shown the conviction to call out evil in the way that we should call it out, and mistakenly we are calling people evil who aren’t evil but who are deserving of compassionate help from us and from other nations. That is the first explanation of why evil occurs. There is evil out in the world, and ISIL is evil, the atrocities of Assad are evil, and we ought to call it out.

The second explanation is our own weakness. When bad things happen, whether to yourself or to your country, you have to look in the mirror and ask: Did we do anything wrong? And I have a concern that when the chapter on the Syrian refugee crisis is written, neither the United States nor other nations are going to look that good. It is going to be like looking into the 1990s and looking at why the United States was able to intervene and stop atrocities in the Balkans and chose not to in Rwanda. The answer to why we did in one instance and not the other—I don’t think that looks good in retrospect. I worry with respect to this refugee crisis, the 4 to 8 million killed, these children and their families—we have to look in the mirror and ask ourselves whether we have done enough or whether we can do more.

Last, there is a nonconventional explanation of why suffering like this occurs that is a challenging one. It is in the Book of Job. There is a Bible on the Presiding Officer’s desk. It is there because it is a book of wisdom. I know you know the story. It is an interesting story, as we grapple with suffering like this and we have to ask why it occurs. Job was an upright and righteous man. He was a blameless person, a person of integrity.

The story was written in about 500 BC and posits this debate between God and Satan. God is talking about how great Job is. Satan says that he is great because he is wealthy and has a great family, and if he lost that, he would cease being so faithful.

God says: I think he would be faithful anyway.

Satan says: Let’s have a wager and see what happens.

That is how the Book of Job begins. This upright and blameless man who has everything proceeds to very quickly lose everything. He loses his wealth, he loses his family, he loses his health—not because of his own sin, his own weakness, or his own error, his own mistakes, and not because of evil in the world; he suffers because he is being tested. That is the reason he suffers.

As the story goes on, he is tested. He is tested. He argues with God, he fights with God, he fights with the faith, but he doesn’t let go of his faith. At the end of the story, this Book of Job—and this is a book which is not only in the Old Testament and studied by Jews and Christians alike, this is in the Koran. This is a story which all the Abrahamic faith traditions have grabbed on to because it has a fundamental piece of wisdom to it.

Sometimes when suffering such as this occurs, it is not just because there is evil in the world or because of our own sin, it is because bad things happen to test us as individuals. Bad things happen and sometimes test us as a country.

I look at this refugee crisis as a test. It is a test on whether we, like Job, will be true to our principles or whether we will abandon them. Job was true to his principles, and things came back to him multiplied. Are we going to be true to our principles?

My State of Virginia began when the English who were starving were helped out by Indians down near Jamestown Island. There was the extension of a hand to strangers in a strange land that enabled them to survive, unlike earlier parties who had been wiped out by starvation or battles with Indians.

My people came from Ireland in the 1840s. They were chased out by oppression. They were chased out by hunger. My people have the same story that virtually everybody who came to the United States has. Some came under much worse conditions, brought over in slavery and servitude.

The nation of France recognized the United States for what it was—a beacon of liberty for people from around the world—when France gave to the United States the Statue of Liberty, which we planted in New York Harbor right next to Ellis Island, where so many people came into this country. Nobody who came here had it easy. People faced signs that said “No Irish need apply” or they faced discrimination or oppression, but they didn’t face a door being shut in their face and being told they were foreign enemies when they were really refugees looking for a better situation in life.

As I think about what we are grappling with and what we may be called to vote on in the next 10 days in this body, I think about this massive scale of human suffering that is going on

with respect to Syria, and I think about that wisdom from the Book of Job, which is that sometimes suffering and adversity is to test us. Are we going to abandon our principles? Are we not going to be the Statue of Liberty nation? Are we not going to be the nation that will extend a hand of welcome or friendship for those who suffer? Are we going to be true to our principles?

Again and again in our Nation's history and in the history of nations, it has been shown that if you are true to your principles—especially true to them during times of adversity—then you are worthy of respect. You teach important lessons to your kids and to the generations that follow, and usually things work out. I think our Nation's principles are solid. They are rock solid. In the heat of the moment, we shouldn't abandon them, and we shouldn't abandon people who have suffered and are suffering with the kind of hot legislative language that would label them as "foreign enemies" when they are just refugees in the same way that people throughout history have been refugees needing a compassionate response from others.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to complete my remarks.

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

#### RELIGIOUS LIBERTY

Mr. HATCH. Mr. President, last week families across the Nation gathered in gratitude to celebrate Thanksgiving—the holiday we commemorate in remembrance of our Pilgrim ancestors. With humble appreciation, we venerate the sacrifice of America's early settlers. We remember their fortitude in leaving family and home to colonize a new wilderness. Facing disease, starvation, and even death, these brave men and women endured tremendous hardships to secure the blessings of religious liberty.

Freedom of religion—so precious and so prized by our Pilgrim forebears—is the legacy we enjoy as a result of their sacrifice. Today, I wish to honor the Pilgrims' legacy by speaking once again on the topic of religious liberty. Over the past several weeks, I have addressed this subject at length. In so doing, I have explained the critical importance of religious freedom and its centrality to our Nation's founding. I have also debunked the erroneous notion that religious liberty is primarily a private matter that has little place in the public domain. More recently, I have detailed the many ways freedom of conscience is under attack—both at home and abroad.

You might wonder why I devote so much time and attention to this vital subject. After all, this is the seventh in

a series of speeches I have given on the topic of religious liberty. When there are myriad other issues facing our country, why do I feel so compelled to speak out about religious freedom? Because, Mr. President, no other freedom is so essential to human flourishing and to the future of our Nation. Indeed, religion is not only beneficial to society but also indispensable to democracy.

I begin by discussing the most tangible benefits religion brings to society. History provides many examples. Indeed, many of our Nation's most significant moral and political achievements are grounded in religious teachings and influences.

First, consider the role of religion in the formation of our most basic rights. America's Framers were well versed in both religion and philosophy, and in drafting our Founding documents, they drew inspiration from both sources.

Take for example, the unalienable rights identified in the Declaration of Independence: life, liberty and the pursuit of happiness. These rights are a synthesis of both religious and philosophical teachings. The rights themselves stem from the theories of the philosopher John Locke, but the concept of inalienability—the idea that these rights are inviolable because they are "endowed [to men] by their Creator"—is religious in nature.

By invoking the divine and linking our rights to a moral authority that lies above and beyond the state, America's Founders insulated our freedoms from government abuse. Philosophy helped articulate our fundamental rights, but religion made them unassailable. Thanks to the moral grounding provided by religion, we exercise these rights free of state control.

In addition to undergirding the establishment of our God-given rights, religion directly benefitted American society by catalyzing the two greatest social movements in our Nation's history: abolition and civil rights.

Abolition traces its roots to the Second Great Awakening, when preachers such as Charles Grandison Finney and Lyman Beecher rose to prominence with their revivalist teachings on social justice and equality. Many of the earliest pro-abolition organizations coalesced around Christian evangelical communities in the North. Emancipation was a religious cause first and a political movement second.

Most abolitionists were deeply religious themselves, including two of the movement's most vocal leaders, William Lloyd Garrison and John Greenleaf Whittier. The Christian doctrine of moral equality was especially crucial in generating the grassroots support that eventually made emancipation possible.

Religion was equally influential in guiding the civil rights movement. We speak today of Dr. Martin Luther King, but we sometimes forget that before he was a doctor he was a reverend. In 1967, the year before his death, Reverend King proclaimed:

Before I was a civil rights leader, I was a preacher of the Gospel. This was my first calling and it still remains my greatest commitment. . . . [A]ll that I do in civil rights I do because I consider it a part of my ministry.

Reverend King recruited other religious leaders to his cause when he convened a meeting of more than 60 black ministers in what would eventually become the Southern Christian Leadership Conference. This coalition of evangelical leaders was instrumental in organizing both the Birmingham campaign and the March on Washington. For these ministers and many other men and women who participated in the civil rights movement, religion provided the initial impetus for their advocacy.

Today, religion continues to benefit society by contributing to our Nation's robust philanthropic sector. The importance of charity and helping the poor is nearly universal across all faiths. Every year, religious organizations throughout the United States feed the hungry, clothe the naked, give shelter to the homeless, and care for the sick and afflicted.

Without these religious groups, our government welfare system would be overwhelmed.

Charitable organizations are irreplaceable because they often step in where the state cannot. Consider some of the largest, most well-respected religious charities in operation today, such as the Salvation Army, Catholic Charities, World Vision, or LDS Humanitarian Services. These organizations are motivated by more than a mere humanitarian impulse; they are driven by a sense of duty both to God and to man. Every year, they lift millions from despair, offering not only material assistance but also spiritual direction to help individuals lead more prosperous lives. This is a critical service that no government program could ever provide.

It is clear that religion has benefitted our society in several meaningful ways. First, as a result of religious teachings, we have unfettered claim to the natural rights delineated in our Nation's founding documents. Second, thanks to religious leaders from John Rankin to Martin Luther King, we freely exercise civil rights today that were once denied millions of Americans. Third, by virtue of religious teaching on charity, we have a humanitarian sector that is unparalleled in its ability to respond to crisis, bless the poor, and lift the needy.

But my purpose in speaking today is not merely to recite a list of blessings brought about by religious liberty. Religion is not simply beneficial to society; it is an indispensable feature of any free government. Without religion, liberty itself would be in danger and democracy would devolve into despotism.

The nexus between religion and democracy involves the relationship between morality and freedom. Freedom

is a double-edged sword; it can be used for good or for evil. Statesmen may use freedom to defend justice, but tyrants can abuse it for their own corrupt ends. Morality is necessary to ensure that individuals exercise their freedom responsibly.

Religion provides free individuals with the moral education necessary to exercise freedom responsibly. It instills the very virtues that lead to an engaged citizenry, including a concern for others, the ability to discern between right and wrong, and the capacity to look beyond the mere pursuit of present pleasures to the good of society.

President George Washington identified the link between morality and religion. According to Washington, "Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle." For Washington, morality presupposed religion, and both virtues cultivated a healthy society. Perhaps this why he said that "[o]f all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports." That was George Washington.

John Adams was of the same mind. He argued that without religion and morality, our government could not stand because, "[a]varice, ambition, revenge and gallantry would break the strongest cords of our Constitution, as a whale goes through a net"; hence, his most famous observation that the Constitution "was made only for a moral and religious people."

For Washington, Adams, and many others who helped to establish our constitutional system of self-government, religion, morality, freedom, and democracy are necessarily interlinked. Without the moral sensibilities that religion that can provide, freedom is all too easily corrupted, endangering the very foundation of democracy.

Our Founding Fathers were not alone in calling attention to the inextricable connection between religion and a healthy democracy. The renowned political philosopher Alexis de Tocqueville offered his own analysis on the subject. After spending several months observing American Government and society, Tocqueville wrote his famed "Democracy in America" in an attempt to explain American political culture to his French counterparts. When Tocqueville published his work in the early 19th century, the United States was a burgeoning democracy and unique as one of the only countries in the world that guaranteed religious liberties to its citizens.

At this intersection of democracy and religion, Tocqueville made his most compelling observations. Like Washington and Adams, Tocqueville believed that religion was essential to the success of the American political experiment. Without the moral strictures of religion, the Nation's democracy would collapse on itself. In Tocqueville's own words:

Despotism may be able to do without faith, but freedom cannot. . . . How could society escape destruction if, when political ties are relaxed, moral ties are not tightened? And what can be done with a people master of itself if it is not subject to God?

In other words, Tocqueville asked how the experiment of self-government could succeed if individuals refused to submit to any moral authority beyond themselves. By posing this question, Tocqueville argued that democracy needs religion and morality to ensure that citizens exercise their freedom responsibly. Democracy needs religion to help refine the people's moral responsibility and instill the virtues of good citizenship that make democracy possible in the first place.

Tocqueville also taught that democracy needs religion to temper the materialistic impulses of a free-market society. By setting our hopes and desires beyond imminent, temporal concerns and turning our hearts instead toward those in need, religion engenders charitable behavior and saves democracy from its own excesses.

In Tocqueville's view, the free exercise of religion is not just a condition of liberal society; it is a precondition for a healthy democracy. Without religion and the moral instruction it provides, freedom falters, and democracy all too easily dissolves into tyranny.

In this regard, religion is not merely a boon to democracy, but a bulwark against despotism. Laws alone are incapable of instilling order and regulating moral behavior across society. As LDS Apostle Dallin H. Oaks has observed, "Our society is not held together just by law and its enforcement, but most importantly by voluntary obedience to the unenforceable and by widespread adherence to unwritten norms of right . . . behavior."

Of course, religion and a basic sense of morality help induce such voluntary obedience to the unenforceable that Elder Oaks describes. George Washington conceded that individuals may find morality without religion, but political society needs the spiritual grounding that only religion can provide. In this regard, religion complements law in cultivating a moral citizenry.

Both law and religion are necessary to engender good citizenship. As the influence of religion diminishes, governments must enact more laws to fill the void to maintain a moral citizenry. So the consequences of less religious activity are not greater human freedom but greater state control.

Religion, then, acts as a check on state power. It cultivates morality so governments don't have to through the cold, impersonal machinery of law.

By acting as a shield against state overreach, religion is a friend to both democracy and freedom. Expanding religious freedom empowers democracy, but limiting religious freedom weakens our democratic institutions. In the most extreme case, eliminating religious freedom altogether results in tyr-

anny and human suffering on a massive scale.

Consider the catastrophic state of affairs in countries that have explicitly outlawed religion. The Soviet Union, Communist China under Mao, the Khmer Rouge in Cambodia, and North Korea are prominent examples. In each of these countries, leaders committed unspeakable atrocities to enforce their own godless morality. In the absence of faith, there was no religious horizon to keep political ambitions within limits. Unencumbered by the moral restraint of religion, dictators systematically killed millions of their own people to establish their own secular vision of Heaven on Earth. These illustrations of totalitarianism, torture, and genocide demonstrate that a society without religion is a society without freedom.

I raise these grievous examples to reiterate my initial point: Religion is central to human prosperity. Society needs religion to keep political ambitions in check, and democracy needs religion to maintain morality so that freedom can flourish.

I had the privilege of serving for 2 years in three States—Ohio, Indiana, and Michigan—as a missionary for the Church of Jesus Christ of Latter-day Saints. We served without pay, without compensation. I lived on \$55 to \$65 a month, and I traveled all over those three States, helping other missionaries be able to teach the Gospel of Jesus Christ. I am glad I had the freedom to be able to serve that mission in three States in this beautiful, wonderful country, where religious freedom is a revered right and a heralded concept.

Those 2 years were the most important years of my life because they led to a wonderful marriage with Elaine, 6 children, 23 grandchildren, and 16 great grandchildren, and those are all I know about at this time. I have to say that they led to a better life in every way, even though my life has been hard.

I was raised in Pittsburgh, PA. My father was a building tradesman. Sometimes there wasn't work. We lost our home shortly after my birth. It was a little band-box frame home in Homestead Park, PA. My dad borrowed \$100 to purchase an acre and then tore down a burned-out building to build us a home that was black on three sides, and the fourth side had a Meadow Gold Dairy sign that he had apparently torn down and put up just exactly the way it was. We didn't have indoor facilities.

It was an acre of ground, and we raised quite a bit of our food. We actually raised chickens. I was in charge of the chickens, taking care of the chicken coop, feeding them, cleaning up after them, collecting the eggs every day, selling the eggs, and delivering the eggs, from 6 years old on. I am glad I had that experience.

I am glad that my family went to church and was religious. The Mormon Church at that time in Pittsburgh was very small, but the people were all patriotic and loved America. Why did they? Many of them were from other

countries. They loved America because they were free. I didn't know any better, but I knew I was free, and that was important—not just to me but to my parents and to many others as well.

Elaine and I are so grateful that we have been able to raise our six children, all of whom are married now, all of whom have children, and many of whom have our great-grandchildren.

The thing that tied us together more than anything else was religion in this freest of all nations. I am so grateful for this country. I am so grateful for the freedoms that we all take for granted. I am so grateful for my parents, who were just humble people, neither of whom had received any education beyond the eighth grade, but both were brilliant in his or her own way. The thing they taught us was religion and doing good to our fellow men and women.

I am so grateful for this great country. I am so grateful for all of the many blessings we have from religious freedom, and I don't want to see us lose that in the realm of political correctness.

In closing, I urge all of my colleagues to consider the state of religious liberty in the United States today. Only by strengthening this fundamental freedom can we secure the future of our own democracy and keep the rest of our freedoms alive and viable.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, I am here for my now 28th "Waste of the Week." I have been coming to the floor of the Senate for 28 weeks pointing out government waste.

Some in this Chamber say we can't cut a penny more. We are down to the bone. We are far from it. This is just a small effort, having been shot down, in terms of anything larger to do to deal with our fiscal situation, because the White House simply does not want to engage in it. We at least ought to be able to take steps as a body to eliminate the kind of wasteful spending that takes place on a daily basis in Washington.

I have come down once a week to do this. I could come down every day, I could come down every hour and point out something in this vast array of Federal Government that never stops growing that simply falls in the category of waste, fraud, and abuse. So far we are well over our \$100 billion goal of accumulated waste. Today, this is No. 28. Specifically, this particular waste of the week is facilitator fraud in the

Social Security disability insurance fund.

What is the facilitator fraud? Facilitator fraud is when individuals with specialized knowledge use system as a means to fraudulently, illegally qualify people to receive SSDI benefits. They look for claimants either by putting out ads or using social media or word of mouth: Look, you too can get checks from the Federal Government even if you are not disabled because we have figured out how to qualify you. We will help you process these forms. We have connections with doctors and medical providers who will be able to give us written information, even though it is fraudulent and illegal, that you can use to justify with the Social Security Administration to qualify for Social Security disability.

Then, when those payments start, the facilitators get a percentage of that or they have worked out some kind of agreement that you will pay us this amount of money if we can get you the claim. Once disability payment is made, financial compensation to the facilitator is in place, and there is a vicious cycle of fraud and abuse. So instead of robbing Peter to pay Paul, Peter and Paul are robbing the Federal Government together and reaping the benefits.

Over the last 5 years, the Social Security Administration has seen an amazing increase in fraudulent activity associated with facilitators. The estimate is potentially 1 percent and perhaps even more—we haven't tied this down yet—of SSDI payments are affected by facilitator fraud. We have taken a rough estimate of what this would amount to over a 10-year period of time and dropped \$4 billion. We think at least \$10 billion over 10 years is a conservative estimate of the waste of taxpayers' dollars through fraudulent, illegal means.

Last month the Social Security inspector general, Patrick O'Carroll, testified before the Joint Economic Committee, which I chair, and shared his concerns about this question. He said, "There are people out there in positions of trust that the agency relies on for information. . . ." as to determining whether a claim is a legitimate claim for coverage. He said, "And if those people [whom we rely on] decide to defraud the government"—by sending in false claims, backed up by false medical support, the taxpayer is being taken to the cleaners. "We have found that in some cases the former Social Security employees"—that have left the employment of the Federal Government—"that understand the way the system works then go into conspiracies with unscrupulous medical providers and attorneys, where they will use improper information and facilitate getting in so that a person will get on benefits," and they get the payment and the rewards.

Last year, a San Diego-area psychologist confessed to charging his patients \$200 each to fabricate medical evidence to support their disability claims.

Imagine getting up in the morning, going to your desk, you have the credentials of a doctor—in this case a psychologist—to issue an opinion as to what the claimant's medical condition is, and then participate in this cycle of fraudulent activity and be paid for it. That is his job. That is what he does every day. Fortunately, we caught him, and that is how we know about this.

In August of 2013, Federal law enforcement officials and the Puerto Rico Police Department arrested 75 people in Puerto Rico and dismantled a large-scale disability fraud scheme involving physicians and a claimant representative who is also a former Social Security Administration employee.

So not only are individuals doing this, but there are groups of individuals who are working through a system. These are just two small examples of what is happening. To give some credit, the discovery of this has produced some progress in terms of addressing this problem. The most recent budget deal reached in the Senate included increased funding for what is called the Cooperative Disability Investigation Units, which investigate suspicious disability claims and hopefully prevents fraud before it happens. Additionally, the Social Security Administration's regional Disability Fraud Pilot Program works specifically on facilitator fraud across the country trying to identify those high-dollar, high-impact cases involving third-party facilitators conspiring with claimants to defraud the Social Security Administration. It is a pilot program. I don't know why we haven't had that program in place from its very inception. Every agency distributing funds for individuals should have as a component of that agency an investigative process for fraud, waste, and abuse because—you name the program writing checks to claimants, and I believe we will be able to find those that are fraudulently taking money out of taxpayers' wallets.

We are going to keep coming here every week putting the spotlight on waste, fraud, and abuse. Today we add another \$10 billion to the total, which keeps growing and growing. Now it is a total of \$128,812 billion of documented waste, fraud, and abuse. This is not something we make up. This is not something we read about in the paper. This is something where agencies of the Federal Government, which have accountability and responsibility to try to dig in and find this abuse, provide information on a regular basis, but it is something taxpayers simply cannot afford, should not be obligated to pay, and highlights the fact that we have a government growing beyond its means.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### EXTENSION OF MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that morning business be extended until 3 p.m. today, with Senators permitted to speak for up to 10 minutes each.

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

#### RECESS

Mr. COATS. Mr. President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The Senator from Utah.

#### REMEMBERING GOVERNOR OLENE WALKER

Mr. LEE. Mr. President, I rise today to pay tribute to Governor Olene Walker, Utah's 15th Governor, who passed away on Saturday, November 28, 2015, at the age of 85. She was the first woman to serve as Utah's Governor, worked as Lieutenant Governor for over 11 years, and was a member of the Utah Legislature for 8 years.

Olene Walker will be remembered and revered by Utahns not because of the many firsts she pioneered in politics but for her commitment to leave a legacy of public and, more importantly, private service based on principles that truly last. Olene Walker's life and career were centered in the principles of lifelong learning, selfless service, and making a difference through civil discourse and meaningful dialogue.

Governor Walker believed that the best way to open a mind was to read a book. Immediately upon becoming Governor, she launched her Read With a Child Program, focused on getting adults to read with a child for 20 minutes every day. She knew that 20 minutes of daily reading would not only transform children across the State by getting them to read at or above grade level, but it would transport them to magical places, big ideas, and brighter futures. Because she became Governor at the age of 73—and as a grandmother—I think she also recognized that 20 minutes of reading with a child would inspire the adults in the State of Utah as well.

Governor Walker was never far from a book or a group of children to read to, often choosing her personal favorite from Dr. Seuss, "Oh, the Places You'll

Go!" Governor Walker went many places in her public service but sent thousands and thousands of Utah children on adventures never to be forgotten in the wonderful world of good books. She was living proof that books expand the mind and that a mind expanded, especially the mind of a child, could never return to its original state. I was inspired when reading her obituary that the last line, in typical Olene Walker style, stated: "In lieu of flowers, please read with a child." Her commitment to the principle of lifelong learning is a legacy in and of itself.

Governor Walker also understood that it didn't really matter where she served, but how she served. Whether working alongside her husband in the family's snack business, in the legislature or in the Governor's office, Olene Walker knew that her time on this Earth would never be measured by the titles she held but by the impact and influence that she had on others. She understood and lived by the adage: "We are to live our lives not by days, but by deeds, not by seasons, but by service." After leaving the Governor's mansion, she participated in literacy forums, served an LDS mission with her husband in New York, and at an age when most people slow down, Olene Walker took on a new and, many would say, daunting challenge of leading dozens of 3- to 11-year-old children for 2 hours every Sunday in her LDS congregation.

Governor Walker served with confidence, charisma, and charm that was elevating and at the same time enlightening. National political players, rural farmers, business executives, and children were equally inspired by her energetic approach, and they responded to her invitation to engage because they sensed that what they were about to experience was not about Governor Walker; it was about them.

In an age of egomaniacs and narcissists, Olene Walker's example of selfless service in high office is a model for all to follow—a model that all people should try to emulate. Governor Walker also understood the principle that mean-spirited arguments produce little, while meaningful dialogue creates much. She was known for her disarming style and for her corresponding ability to pull people into a conversation. She believed and lived by a motto that my office is committed to. The solution to any and every problem begins when someone says: Let's talk about it. Olene Walker challenged political candidates, elected officials of both parties, and young people in particular to transcend the talk-radio style bombast in personal attacks in favor of civil, serious, and substantive discussions. The Olene S. Walker Institute of Politics & Public Service, at her beloved Weber State University, is a testament to her commitment to make a difference through a more meaningful and deeper dialogue.

A picture of Olene Walker taken inside the Governor's mansion contains an interesting image that illuminates

much of what Olene Walker was really all about. Resting on a desk in the background of the picture is a statue of a vibrant, energetic, pioneering Brigham Young. He is walking swiftly, leading with staff in hand, eyes set on a bright future as he began the audacious endeavor of being the first to establish a lasting legacy in the tops of the Rocky Mountains. In the picture, the statue of Brigham Young almost appears to be trying to keep up with Governor Walker. Only Olene Walker could get a trailblazing Brigham Young to pick up the pace. Governor Walker, likewise, was a pioneer and a trailblazer, moving swiftly, leading with a clear vision of a better society, and guided by her principles of lifelong learning, selfless service, and civil dialogue. Her life of many firsts will be celebrated and emulated for generations to come because it was founded on and inspired by such principles—principles that will truly last.

The PRESIDING OFFICER. The Senator from Colorado.

#### TRAGEDY AT PLANNED PARENTHOOD CLINIC IN COLORADO SPRINGS

Mr. BENNET. Mr. President, I am here to reflect on the tragedy that occurred in Colorado Springs last week. There, a gunman attacked a Planned Parenthood clinic, killing three people and injuring nine others. Colorado is mourning the losses of the three who were murdered, all of whom were parents in the prime of their lives and all of whom represented the best of our State.

Officer Garrett Swasey was one of the first officers to arrive at the scene. He had served as an officer at the University of Colorado Colorado Springs Police Department for 6 years. Garrett had been married to his wife Rachel for 17 years. He leaves behind his two children—Faith, who is only 6, and Elijah, who just turned 11 on Sunday. His wife said:

His greatest joys were his family, his church, and his profession. We will cherish his memory, especially those times he spent tossing the football to his son and snuggling with his daughter on the couch.

She went on to note:

Helping others brought him deep satisfaction and being a police officer was a part of him. In the end, his last act was for the safety and well-being of others and was a tribute to his life.

Officer Swasey's actions last Friday spoke to his extraordinary courage and selflessness. As a university police officer, he wasn't under any obligation to respond when he first heard of the incident through emergency radio. He could have looked the other way. Yet he was one of the first to arrive at Planned Parenthood, which is 4 miles away from the university.

His good friend and copastor said that Officer Swasey often responded to dangerous calls off campus and that he put other people's lives before his own.

The University of Colorado Colorado Springs police chief said:

There was no way any of us could have kept him here. He was always willing to go. . . . He had an enthusiasm that was hard to quell.

Officer Swasey is truly a hero in every sense of the word. Before joining the university police force, Officer Swasey was a Junior National Champion ice skater. Upon hearing the news of the tragedy, his skating partner, with whom he won that championship, observed:

Garrett was selfless, always there to help me, always my wingman. He was my brother and my partner. I could always count on him.

After his competitive career, Officer Swasey continued to teach skating. He also served as a copastor at Hope Chapel, which he and his family attended since 2001. At church he led care groups and taught Scripture and guitar. At services on Sunday, a fellow pastor at the church described how he felt. "You don't realize how much you love someone until you can't tell him anymore."

Our State is also mourning the loss of Ke'Arre Marcell Stewart. He was only 29 years old. Here is how his family and friends have described Ke'Arre: "a good friend and an amazing listener"; "one of the most caring men I've ever met"; "someone you could just sit and talk to about life"; "caring, giving, funny and just a damn good person."

Those traits were on display Friday when he was at Planned Parenthood accompanying a friend. He served our country in the Army and was deployed to Iraq between 2005 and 2006. Last week he died as he was trying to save others. According to reports, after being shot outside of the building, Ke'Arre ran back inside to warn others to seek safety. His family credits his military training and instinct for how he responded. Ke'Arre wasn't a native of Colorado. He was born in Texas, where he was a three-sport athlete, playing football, basketball, and running track. His friends say he moved to Colorado because he was stationed at Fort Carson and stayed, like so many of us, because he loved our beautiful State. Ke'Arre had two children, both daughters. They are 11 and 6 years old. His friend observed that "he loved his daughters to death. He would do anything for them."

Finally, the third victim, Jennifer Markovsky, was also accompanying a friend to the clinic on Friday. Jennifer grew up in Hawaii, where she met her husband who was serving in the Army at the time. About a decade ago—in a story similar to Ke'Arre's—they moved to Colorado when he was reassigned. Jennifer's family described her as a loving wife and mother to a young son and daughter. Her sister-in-law told the Colorado Springs Gazette: "She lived for her kids." She said Jennifer often took her children, who are 10 and 6, on hikes and spent time with them baking and working on crafts. Her fa-

ther, who had just wished her a happy Thanksgiving one day earlier, called her "the most lovable person . . . kind-hearted . . . always there when I needed her."

Yesterday her husband said:

She was a very caring and compassionate person and patient and understanding parent. She was deeply loved by all who knew her. She was always helping the kids do homework and reading books with them. We will miss her; her cooking, crafting and adventurous spirit.

Three young parents who woke up last Friday morning with long, bright futures ahead of them, with the chance to raise their children and watch them grow and learn, with the chance to contribute, as they had before, to our community and our country but instead whose lives were violently ended in a hail of gunfire—three strangers to each other, now joined together in our fondest memories. Nine others were wounded, and our thoughts and prayers are with them and their families as well.

We should also honor and thank the Colorado Springs Police Department and other local law enforcement agencies that responded so swiftly and effectively. Five officers were wounded in the attack.

I wish to also recognize the employees at Planned Parenthood who worked tirelessly during the extended shooting and hostage incident to ensure that their patients were kept safe.

This is not the day to talk about how our country begins to emerge from this season of killing and violence, but let me simply say in recent years too many of our children and parents have had their lives stolen, and too many of the rest of us have lived to pursue the ordinary course of our lives—going to school, going to work, seeking health care—in the shadows of the question: Whose child will be next? Whose mom and dad will be next?

What we need today—instead of charged rhetoric and political tactics—is to find a way to at least begin figuring out how we can deal with these problems that we need to solve, how we can make things better.

I thank my colleagues for their comforting words this week, and I hope we will all take time in the days ahead to think of the families and victims involved in this tragedy. Take a moment to think of the kids who lost their mom or dad.

I have no doubt that the Colorado Springs community and our State will come together to heal during this difficult time. We could all take a cue from that here.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### OBAMACARE

Mr. ENZI. Mr. President, shortly we will be getting on a bill to repeal ObamaCare. It comes as a part of the

budget operation. It is a special debate that can result in the passage of a bill with 51 votes in the Senate. There will be a limit on the debate of 20 hours—10 hours for each side—to convey any messages that Senators may have about the bill and also to handle any amendments. At the end of the process there could be another vote-arama if there are a lot of amendments left over. This is an amendable bill. It has quite a few rules that fall under the budget process that make this a bit more difficult than just a wide-open bill, so there are rules that have to be met in order for an amendment to not affect the outcome of the bill.

Many of you have heard of the expression, I am sure, "caveat emptor," which means buyer beware. The President and the Democrats in Congress should have heeded this warning before forcing the country to purchase ObamaCare, which still remains unworkable, unaffordable, and more unpopular than ever. For millions of Americans the law today represents nothing more than broken promises, higher costs, and fewer choices.

It is no surprise that a Gallup poll published last month, more than 5 years after the law was passed and several years into actual implementation, shows that most Americans still oppose this unprecedented expansion of government intrusion into health care decisions for hard-working families and small businesses. Another poll I found interesting showed that more people were concerned about what has happened with health care than they do about climate change. That is appropriate for this week.

The law is saddling American households with more than \$1 trillion in new taxes over the next 10 years. According to the Congressional Budget Office, ObamaCare will cost taxpayers more than \$116 billion a year. In fact, on average, every American household can expect more than \$20,000 in new taxes over the next 10 years because of this bill. ObamaCare's crushing regulations mean smaller paychecks for families while holding back small businesses from expanding and hiring new workers. For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health care costs and less access to care.

When we were debating this bill 5 years ago, I remember talking about 30 million people in the United States being uninsured. Today there are 30 million people in the United States uninsured, it is just a different 30 million people. The ones who couldn't be insured are insured and the ones who were insured can't afford the insurance. Of course, there was a lot of talk about health care companies gouging the insured. We put in risk corridors so those who were making an excess profit would put in money that would go to those who didn't figure on the right number of people or how healthy the people would be who they insured. We

now know that didn't work. The amount of money that went into the fund was rather insignificant, so those who undercharged aren't getting much and companies are going out of business.

Today we take a crucial step forward in beginning to lift the burdens and the higher cost of this law that has been placed on all Americans. As I mentioned, this is a special budget operation that only requires 51 votes. The House has already passed a bill with more than a significant majority.

By the time we are done, the legislation the Senate passes will eliminate more than \$1 trillion in tax increases placed on the American people while saving more than \$500 billion in spending. Most importantly, this bill begins to build a bridge from the President's broken promises to a better health care system for hard-working families across the country.

Let's talk about the broken promises. As a Presidential candidate, then-Senator Obama promised Americans they could keep their health plan if they liked it. When he was in office and the bill was there, he said: If you like your plan, you can keep it. Millions soon learned they can't. This is because ObamaCare has drastically reduced America's choice among health care plans through a Federal Government takeover of the insurance marketplace. In fact, the President's promise, "If you like your plan, you can keep it," was named PolitiFact's "Lie of the Year" in 2013 after the health care plan cancellations were mailed to over 4 million Americans.

Let's talk about the higher costs. Americans were also promised lower health care costs, but even the administration admits ObamaCare is failing to address costs and said average premiums are expected to rise by 7.5 percent this year. Recent headlines from across the country actually show much more dramatic increases.

In Minnesota insurance policies on the exchange have rate hikes in the double digits—between 14 and 49 percent. In Oregon premiums for the benchmark plan on the exchange will go up about 23 percent. In Alaska the premium hike will be more than 31 percent for the benchmark plan. In Oklahoma the second lowest cost silver plan premiums will increase more than 35 percent. In Utah plans on the federally run exchange will be 22 percent higher next year.

The President of the United States himself promised that this bill was not a tax. In fact, this was one of the law's top selling points because Democrats knew it would never pass if they said it was a tax, but while they got the bill passed and signed into law, the Supreme Court later ruled it is a tax. This law was deceptively sold to the American people and now these hidden taxes are being passed on to hard-working families in the form of higher fees and costs. It is time for Democrats in Congress and the President to admit

that ObamaCare is a \$1 trillion tax hike that families and employers simply can't afford.

We can talk about fewer choices. ObamaCare's mandates and taxes on employer-sponsored health care plans are not only leading to higher out-of-pocket expenses but also fewer choices and services for 150 million Americans who have relied upon job-based health benefits for decades. It eliminated some of the competition, and competition is the real way to bring down prices.

I remember when we did Medicare Part D. I was a little concerned because there were only two companies that were providing the pharmaceutical benefit in Wyoming, and I thought they would maybe drop out of the program, but Medicare Part D increased competition. What did increased competition do? It brought down the price of the pharmaceuticals by 25 percent before it even went into effect.

ObamaCare didn't provide for more competition. According to the non-partisan Kaiser Family Foundation, employees who have job-based insurance have witnessed their out-of-pocket expenses, on average for an individual, climb from \$900 in 2010 to \$1,300 in 2015. Employees working for small businesses now have deductibles of over \$1,800. Since ObamaCare became law, several large employers have stopped offering benefits to part-time employees, including Walmart, Target, Home Depot, and Trader Joe's. The premiums have gone up and the deductibles have gone up. There are fewer choices and higher costs.

So this was supposed to build a bridge to better care. Over the past 50 years, our Nation has made great strides in improving the quality of life for all Americans, but these transformative changes were always forged in the spirit of bipartisan compromise and cooperation. These qualities are essential to the success and longevity of crucial programs such as Medicare and Medicaid.

Shortly before he retired in 2001, Senator Daniel Patrick Moynihan, a Democrat from New York, said:

Never pass legislation that affects most Americans without real bipartisan support. It opens the doors to all kinds of political trouble.

Senator Moynihan correctly noted that the side that didn't support the law will focus on each and every misstep. More importantly, he predicted that the measure's very legitimacy would always be in doubt and that the majority of Americans would have trouble supporting it in the long run unless it unquestionably achieved all of its goals.

We have seen each of these scenarios play out over the past 5 years as the health care law has polarized America like nothing before.

Bipartisan support, of course, means that both sides get some things into the mix of the bill. That did not happen

even though we had a very extensive amendment process in committee and on the floor. Essentially, the Republican ideas were all thrown out. Both sides weren't included, so it was not a bipartisan bill.

After passage of the bill, we had a special time at the Blair House where there were half Republicans and half Democrats who got to speak with the President for a day. The amazing thing at that meeting was that every time a Republican mentioned an idea, the President blasted it immediately. When the Democrats suggested an idea, those were all good. At the end of the day, it turned out to be very much a waste of time because not a single idea was even considered that was brought up at that time by the Republicans.

We still need health care reform, but it has to be done the right way—not comprehensive. In my opinion, "comprehensive" means so large that nobody can understand it, and that is kind of what happened with this bill. We have to do it step by step. They can be pretty big steps, but if we do it step by step, we can bring the American public along. They can understand it, and they can tell us the unintended consequences, and those can be fixed. It would be correctable. This bill hasn't been correctable. We have known the flaws. The President has put waivers on to keep us from noticing them sooner. We have offered to make corrections but have never been taken up on our offer.

Providing access to high-quality, affordable health care is something I am confident that Democrats and Republicans should be able to do. It is time to build a bridge from the broken promises to better health care for each and every American once and for all.

---

#### EXTENSION OF MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.  
The Senator from Vermont.

---

#### BUDGET RECONCILIATION BILL

Mr. SANDERS. Mr. President, as the ranking member of the Budget Committee, I rise in strong opposition to the budget reconciliation bill we are debating today. In fact, this bill should tell every American just how far removed the Republican leadership here in Congress is from the realities of American life and the needs of the American people.

At a time when the United States is the only major country on Earth that does not guarantee health care to all people; when 29 million Americans today have no health insurance and even more are underinsured, with high

deductibles and high copayments; when we pay the highest prices in the world for prescription drugs and when one out of five Americans is unable to fill the prescriptions written by their doctors because drug prices are so high, what this legislation does is move us in exactly the wrong direction. It would throw more than 17 million Americans off of health insurance by gutting the Affordable Care Act. So we have a health care crisis, and this bill makes the crisis much worse.

Every other major country on Earth guarantees health care for all of their people as a right, but this bill would add 17 million more Americans to the ranks of the uninsured, creating a situation in which we would have 46 million Americans without any health insurance at all.

I think any sensible person would ask an obvious question: What happens to people who lose their health insurance? How many of those people will get much sicker than they otherwise would have because they are unable to go to a doctor when they need to go? How many of those people will not be able to get the prescription drugs they need? In fact, how many of those people will die? Let's be frank. When we throw 17 million people off of health insurance, people will die because they don't go to a doctor when they should and they don't go to the hospital when they should.

We know that before the passage of the Affordable Care Act, 45,000 Americans died each year because they lacked health insurance and didn't get to a doctor in time. I have talked to many doctors in Vermont and throughout this country who tell me that yes, of course, people walk into their door much sicker than they should have been.

When the doctor asks, "Why didn't you come 6 months ago when you were sick?" patients say, "I didn't have any health insurance and I couldn't come." By the time they walk in the door, too often it is too late. That is not what should be happening in America, but that is what will increasingly happen if this legislation were to pass.

In the United States of America, when a person is sick, that person should be able to access health care and see a doctor. That is not a radical idea. And when a person goes to the hospital, that person should not end up in bankruptcy.

Instead of throwing 17 million Americans off of health insurance, what we should be doing is expanding on the improvements of the Affordable Care Act to make health care a right of all people, not just a privilege.

Further, let's be clear—and I think everybody here in the Senate understands this—the bill we are debating today is a complete waste of time. This is just another reason why the American people have so little respect for the Congress. There are major crises facing our country, and the Republican leadership is once again attempting to

repeal ObamaCare. I kind of lost track of how many times this effort has been made. I think in the House it is over 50. I don't know how many it is here in the Senate. Let me break the news to my Republican colleagues, although I am sure they already got the news: President Obama is not going to sign a bill repealing ObamaCare. I think that is not likely to happen. And what we are doing today is just a waste of time.

Let's also be clear—this bill doesn't just gut the Affordable Care Act, it also eliminates funding for Planned Parenthood, which provides health care services to nearly 3 million women each and every year.

Last week three people were killed and nine were wounded at a shooting at a Planned Parenthood clinic in Colorado Springs, CO. While we still don't have all of the details as to what motivated the shooter, what is clear is that Planned Parenthood has been the subject of vicious and unsubstantiated statements attacking an organization that provides critical care for millions of Americans and, in fact, provides very high quality care.

I, for one, strongly support Planned Parenthood and the work it is doing. In my view, instead of trying to defund Planned Parenthood, we should be expanding funding so that every woman in this country gets the health care she needs.

It is also my sincere hope that people throughout this country, including my colleagues here in the Senate and across the Capitol in the House, understand that bitter, vitriolic rhetoric can have serious, unintended consequences.

Now is not the time to continue a witch hunt for an organization that provides critical health care services—from reproductive health care, to cancer screenings and preventive services—to millions of Americans. No one is forced to seek care at Planned Parenthood. It is a choice—a choice millions of women make freely and proudly.

This legislation is not only bad legislation and it is not only a waste of time because if it passes, it will be vetoed, but what it also tells the American people is that the Republican leadership is not prepared to discuss or to address the major crises facing our country.

Just today a report came out stating that the top 20 wealthiest people in this country own more wealth than the bottom half of the American people—20 people on one side and 150 million people on the other. The level of wealth inequality in America is grotesque and unacceptable. Not one word in this bill addresses that issue.

Today in America, millions of our people are working longer hours for lower wages. They are working two or three jobs just to survive. Yet 58 percent of all new income created is going to the top 1 percent. Is there anything in this legislation that would raise wages for millions of American workers who are struggling to keep their families solvent?

This is a bad piece of legislation. It is a piece of legislation that is not going to go anyplace because it is going to be vetoed, and it is a piece of legislation that I think speaks to why the American people are giving up in so many ways on the political process. People are struggling all over this country. They are hurting. They are working longer hours for lower wages. They can't afford to send their kids to college. They can't afford childcare. They are worried about high unemployment. This bill attempts to repeal ObamaCare. That is where we are.

I hope very strongly that this bill is defeated. If it is not defeated, I hope and expect the President will veto it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 30 minutes in morning business.

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

#### OBAMACARE

Mr. ALEXANDER. Mr. President, let me take my colleagues back 5½ years to February 25, 2010, and the White House health care summit at the Blair House—the same place where Senator Arthur Vandenberg sat down with George Marshall. They met privately to discuss the postwar plans after World War II. The result of that discussion became the Marshall Plan. It was the perfect setting—it is the perfect setting for a serious, bipartisan discussion for how to improve health care for Americans.

Thirty-six Members of Congress went to the Blair House that day at the invitation of President Obama. We were there to discuss the health care bill passed by the Democrats, what is now known as Obamacare. We stayed there all day. The President stayed there too. It was televised continuously. Both then-Minority Leader Boehner and Republican Leader McConnell asked me to lead off in speaking for Republicans.

I said to the President that day that I was there not only to represent the view of Republicans but that I was there also as a former Governor and that I would like to have a chance to speak for the Governors as well because Governors managing States had a big stake in all of this.

I also said that I was at the summit to represent the views of a great many of the American people who have tried to say in every way they knew how—through town meetings, through surveys, through elections in Virginia and New Jersey and Massachusetts—that they oppose the health care bill that was passed in the Senate in the middle of a snowstorm on Christmas Eve.

I warned the President then about the unfortunate consequences of Obamacare for millions of Americans. I said to the President that this would send an unfunded Medicaid mandate to States. I said:



“It will cut Medicare by about half a trillion dollars and spend most of that on new programs. . . . It means there will be about a half trillion dollars of new taxes in it. It means that for millions of Americans, premiums will go up, because when people pay those new taxes, premiums will go up, and they will also go up because of the government mandates.”

That is what I said 5½ years ago. I said directly to the President then that instead of this partisan plan passed without the support of a single Republican in the Senate, we Republicans were prepared to work with him to reform health care. I said 5½ years ago to the President that we need to start over and go step-by-step in a different direction toward the goal of reducing health care costs. I said then that this means working together in the way that General Marshall and Senator Vandenberg did following World War II, and it means going step-by-step together to re-earn the trust of the American people. Those were my words to the President of the United States at the health care summit 5½ years ago.

The President and the congressional Democrats listened all day, but they didn't take any of my advice and hardly any of the advice of my Republican colleagues about what the disastrous outcomes of Obamacare would be. So now, 5½ years after the law was passed and 2 years into its implementation, we can say one thing without question: The unfortunate reality for the American people is that they are struggling with Obamacare and that 5½ years ago Republicans were right.

Obamacare was and is an historic mistake. Republicans agreed with the President and his party that our health care system was broken. We agreed that it needed to be fixed, but we argued that the President was moving in the wrong direction. What Obamacare did was to expand a broken system that everyone knew was too expensive. Republicans said so at the summit in February of 2010, and the facts today show we were right.

Let's take a closer look at what Republicans said then, nearly 6 years ago, and what unfortunately came true. Let's look also at what Democrats predicted back then—or better put, what they promised—and which of their predictions and promises came true. Let's go through them one by one.

First, Medicaid. During my opening remarks at the Blair House at the summit, I said this: “Nothing used to make me madder as Governor than when Washington politicians would get together, pass a bill, take credit for it, and send me the bill to pay.” That is exactly what Obamacare does with the expansion of Medicaid. In addition, it dumps 15 to 18 million low-income Americans into a Medicaid program that none of us would want to be a part of because 50 percent of the doctors won't see new patients. So it is like giving someone a ticket to a bus line when the bus runs only half the time.

That is what I said 5½ years ago. Medicaid had already always been one

of the Federal Government's biggest unfunded mandates, and expanding that mandate on States would only wreak more havoc on State budgets that, especially at that time during the height of the recession, were already struggling. Our former Tennessee Governor Phil Bredesen, a Democrat, said that the proposed Medicaid expansion under Obamacare would represent “the mother of all unfunded mandates.”

When I was Governor of Tennessee in the 1980s, Medicaid made up only about 8 percent of Tennessee's State budget. By last year it was 30.6 percent. States paying more and more to expand Medicaid means having less to spend on other priorities like higher education, roads, and schools. In 2012, I said that over the prior 10 years, Tennessee's Medicaid costs had gone up 43 percent, forcing the State to decrease its funding to colleges and universities by 11 percent. As a result, tuition went up 120 percent over those 10 years.

According to the Congressional Budget Office, the law will add \$14 million new beneficiaries to struggling State Medicaid programs by 2025, at an extra cost of \$46 billion to States and \$847 billion to Federal taxpayers by 2025. Why is that so bad? I said at the time—and it is still true today—Medicaid's reimbursement rates are so low that only about one-half of the doctors will even see Medicaid patients and many of those aren't accepting new ones. It is not hard to see why expanding a failed program isn't good for Americans who need better health care.

Another thing to consider is that States still haven't had to pay yet for covering the new Medicaid enrollees under the expansion. The Federal Government promised to pay 100 percent for the first few years, but starting in 2017—in just a couple of years—States will have to start paying 5 percent and eventually up to 10 percent in 2020. That may not seem like much in Washington terms, but it is a lot of money in State budgets. States may have to start raising income taxes or gas taxes or find some other place to find the money. Regardless of how it is paid for, expanding Medicaid puts a huge dent in State budgets. Does that mean less money for teachers' salaries? Does that mean tuition is going to have to go even higher at community colleges and State universities?

Tennessee hasn't expanded Medicaid, but in its proposal to expand the program called Insure Tennessee, Governor Haslam anticipated an additional \$35.6 million in costs to the State in 2017. In Illinois, Medicaid expansion will cost the State \$208 million in 2020. In Kentucky's expansion, the State will have to pay \$74 million in 2017 and an estimated \$363 million in 2021. Governor-elect Bevin hasn't started looking for ways to pay for that increase yet because he plans to try to repeal it. If you look at the figures you can see why he is thinking about it. We were right about Obamacare's enormous impact on Medicaid and in turn Medic-

aid's huge negative effect on State budgets.

Second, higher premiums. When my turn came at the White House summit, this is what I said directly to the President: “The Congressional Budget Office report says that premiums will rise in the individual market” as a result of Obamacare. The President turned to me and said I was wrong about that.

A little bit later in the day, I gave the President a letter from the Congressional Budget Office showing that they predicted I would be right, that new non-group policies would be about 10 to 13 percent higher in 2016 than the average for non-group coverage in that same year under the current law. In that same letter, I reminded the President, that his own Chief Actuary for the Centers for Medicare & Medicaid Services agreed with the Congressional Budget Office.

You might be thinking that things would have turned out better than what I, the Congressional Budget Office, the Joint Committee on Taxation, and the Chief Actuary for CMS had predicted, but we all, unfortunately, were right. We were all right. Obamacare's premiums were and are higher for Americans with individual health care plans. We are talking about nearly 16 million Americans who purchase these individual plans. They buy these policies for themselves, and the cost of these plans is going through the roof.

On June 1, 2015, the U.S. Department of Health and Human Services announced that nearly 700 individual and small-group health plans in 41 States plus the District of Columbia had requested double-digit premium increases for 2016. In Tennessee, the rate hike was 36 percent; in Maryland, 26 percent. On average, 2016 premium increases for Oregon's biggest insurer on the State health exchange will be over 25 percent; for some smaller providers, more than 30 percent; for South Dakotans, they will pay 63 percent higher premiums for health insurance through the exchange. The list of States experiencing health care spikes goes on.

A recent report of the National Bureau of Economic Research confirmed this, going back to the nonpartisan Congressional Budget Office, which predicted in 2010 the premiums would go up. They said recently that premiums on the Obamacare exchange will increase by 6 percent on average every year between 2016 and 2024. Yet 5½ years ago, the President and congressional Democrats told Republicans time and time again during the debate that we were wrong, that the law would decrease premiums, when in fact our predictions, the administration's own estimates, estimates from the National Bureau of Economic Research and the nonpartisan Congressional Budget Office, all confirmed premiums for individual policies are going through the roof.

Third, Republicans said 5½ years ago that Obamacare would increase taxes.

It did. Obamacare added 21 tax increases to the Tax Code. That is \$1 trillion over 10 years, according to the Congressional Budget Office. A dozen of these target middle-income Americans, in clear violation of what the President had promised.

Then there was our fourth prediction: Obamacare will cost jobs. A few years after the law passed, I met with a large group of chief executives of restaurant companies in America. The service and hospitality industries are the largest employers in our country. Usually their employees are low-income, usually minority Americans.

In the meeting, the chief executive of Ruby Tuesday, Inc., which has about 800 restaurants, said to me—and said he didn't mind being quoted—that the cost to his company of implementing the new health care law was equal to or more than his net profit for that year, and as a result, he wasn't planning to build any new restaurants in the United States.

An even larger restaurant company represented at the meeting said that because of their analysis of the law, instead of operating their store with 90 employees, their goal would be to operate it with 70 employees. That means fewer employees and fewer jobs because of Obamacare.

More recently, another franchise business which has 550 employees told me: We have already begun cutting the hours of our employees to get well below the 30-hour threshold, and all of our new job postings are for part-time employees.

This has a bad effect on the employer-employee relations, and, as many Tennesseans have told me, 30 hours of work isn't enough to support a family. Those lost hours are because of Obamacare.

These are just a few examples of basic economics. It heaps costs on employers. They have less money to expand, so there is less money to hire workers. They heap on even higher costs. They cut hours. With higher costs, they lay off employees. We have seen all three as a result of the employer mandate that says employers with more than 50 full-time employees need to provide health insurance.

What is more, Obamacare went a step further and for the first time in our history defined "full time" as a 30-hour workweek. I asked the former Democratic chairman of our HELP Committee: Where did that come from? France? Nobody knew where that came from. Full-time work in the United States has not been typically considered 30 hours, but it is in Obamacare. It is causing large numbers of employees to work only 28 or 29 hours because their employers can't afford to hire them as full-time employees.

The Congressional Budget Office has projected that Obamacare will result in 2 million fewer jobs in 2017 and 2.5 million fewer full-time jobs by 2024. At least 450 employers across the Nation, including 100 school districts, have said

Obamacare forced them to cut positions or reduce worker hours.

What we Republicans said would happen years ago was this: that Medicaid would destroy State budgets—it did; that premiums and taxes would go up—they have; and that jobs would be lost—they have. It has all, unfortunately, come true.

What did President Obama and congressional Democrats promise us about this law at about the time of the health care summit 5½ years ago? Were they right or were they wrong? One of the most infamous promises, which PolitiFact named—and I will use their words—as the 2013 "Lie of the Year," was the President's "If you like your plan, you can keep it."

When Obamacare was fully implemented in 2014, millions of Americans learned very quickly that they wouldn't be able to keep the plans they liked.

In October 2013, I received a letter from a woman, Emilie, whom I met. She lives in Middle Tennessee, and she has lupus. She was one of 16,000 Tennesseans who were part of a plan called CoverTN. She wrote me about her chronic illness. She said she was deemed uninsurable and that the only way to insure her was through CoverTN. She was glad to have that coverage, and she was glad to hear about Obamacare. Then she learned the truth:

"I cannot keep my current plan because it does not meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline [for me]."

With the discontinuation of CoverTN, I am being forced to purchase a plan . . . that will increase [my costs] by a staggering 410%. My out of pocket expense will increase by more than \$6,000.00 a year. Please help me understand how this is 'affordable.'"

This was Emilie in Middle Tennessee. We could spend all day telling stories of Americans who liked their health care plans but weren't able to keep them under Obamacare.

In November 2013 that looked as if it might be as many as 5 million Americans. The administration then did some last-minute regulatory fixes and lowered that number. But still, many Americans lost their plans, as Emilie did.

The President also said:

"Medicare is a government program. But don't worry: I'm not going to touch it."

The problem was he did touch it; \$700 billion worth was taken from Medicare to finance Obamacare.

I said during the debate in 2009 that Obamacare would cut "grandma's Medicare to spend on somebody other than grandma—a new entitlement program." I said Obamacare would do that at a time when the Medicare trustees have told us that Medicare is going broke if we don't fix it. That is their job to tell us that. I said then: "I think what they are saying to us is if you are going to cut grandma's Medicare, you ought to at least spend it on grandma instead of spending it on somebody else."

Again, the President went against the promise he repeated over and over and raided a program that serves over 55 million older Americans.

In summary, unfortunately Republicans were right when we said 5½ years ago that Obamacare would force spikes in State Medicaid spending, increase premiums and taxes, and hurt jobs. As right as we were, the Democrats were wrong. They said that you could keep your plan if you liked it, and they were wrong about that. They said Medicare wouldn't be affected, and they were wrong about that.

Finally, we all agreed that health care needed to be fixed. So how did we end up with a law that was such a historic mistake? Well, one big reason is the debate over Obamacare wasn't really a debate. If it had been, we might not find ourselves in a mess today.

The Senate Democratic leader then had a filibuster-proof majority. He didn't think he needed Republican ideas; so they didn't take them. They passed a Democratic bill. They voted for it; we voted against it. We sat here in a snowstorm on Christmas Eve when they had 60 votes, and they unveiled a bill filled to the brim with items from each Democratic Members' wish list.

Along with our warnings about what would happen, we offered a lot of thoughtful ideas about how to fix the health care system in a way that we thought would lower costs and expand access, while making sure patients didn't lose control over their own health care. But Democrats also had a majority in the House. They had a Democratic President. They didn't need our ideas, and so we got Obamacare.

So what do we Republicans have to offer Americans?

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. LANKFORD). The Senator has 9 minutes remaining.

Mr. ALEXANDER. I thank the Presiding Officer. I will wrap up. I see the Senator from Washington on the floor.

Throughout the Obamacare debate, Senator McCONNELL, who was the minority leader at the time, was criticized for not coming up with a comprehensive plan of his own. We told the President and the congressional Democrats not to hold their breath waiting for "McConnell Care." Don't hold your breath waiting for Senator McCONNELL to come down to the Senate floor with a wheelbarrow filled with a 2,700-page bill of his own, because that is not how we believe the health care system ought to be fixed. We are policy sceptics. We doubt that anyone in Washington—Republicans, Democrats, Independents—have the wisdom to fix such a complex system everywhere in America all at once.

The wisest course would be to try to fix our health care system step by step in a way that emphasizes more choices and lower costs. This approach to health care reform is not something

that Republicans cooked up last month. In fact, if you examine the CONGRESSIONAL RECORD, you will find that Republican Senators proposed a step-by-step approach to confronting our Nation's health care problems and other challenges 173 different times on the floor of the Senate during the year 2009. Some 173 times we talked about our step-by-step different direction for health care—almost none of which was included in Obamacare because they had the votes and they didn't need our ideas.

I had hoped the President would listen to us and work with us at Blair House, emphasize more freedom, more choices and lower costs. But that didn't happen. We suggested allowing individuals to buy a health care plan in any State that meets their needs. We suggested reducing junk lawsuits against doctors, which only increase costs. We suggested expanding health savings accounts and other mechanisms, allowing individuals to control how they spend their own health care dollars. We suggested returning power to the States to regulate their own markets and lower costs. We suggested allowing small businesses to assist employees in purchasing the insurance and look at other ways to support employers offering health care benefits to their employees. We had specific legislative proposals to do these things. We suggested lowering barriers at the Food and Drug Administration so that innovative drugs and devices could get to the market faster and putting the health sector in charge of health information technology. We suggested insuring Americans with pre-existing conditions in a way through high-risk pools and other insurance incentives. And there are many other ideas that we thought then and we think now we could work together on in a bipartisan way to lower costs, to increase access, and to put patients back in charge of their own health care.

This week, though, we are talking about repealing Obamacare, but for the last 6 years we have also been talking about a completely different path of providing health care at a lower cost to more Americans. Those steps were outlined in 2009, 2010, and 2011, and they are the same steps that we should be taking today.

I have been saying since 2009 that the historic mistake with Obamacare was that we had deliberately expanded a broken health care system that already cost too much instead of moving step by step to create a system where millions of Americans had choices of plans that fit their needs and fit their budgets.

The way we should accomplish this is the same way we passed Medicare, the same way we passed Social Security, the same way the Congress passed the Civil Rights Act, and in the same way—I hope and the Senator from Washington hopes—we will pass a broad reauthorization of the Elementary and Secondary Education Act in

the next couple of weeks. None of this is done by cramming a bill down the throats of the American people with 60 votes during a snowstorm on Christmas Eve.

I renew our invitation to the President of the United States, and if he doesn't accept our invitation, to the next President of the United States.

To our colleagues on the other side of the aisle: Let's forget about party; let's forget about this side or that side. Let's side with the American people whose premiums have gone up, who lost plans they like, whose Medicare has been raided, whose State budgets have been destroyed, and whose jobs have been lost. Work with Republicans in Congress to fix the damage Obamacare has done to health care in America. Work with us to replace Obamacare with real reforms at lower costs so more Americans can afford to buy insurance.

Mr. President, I ask unanimous consent to have printed in the RECORD my comments at the health care summit in February of 2010 and the letter that I handed to President Obama following our debate at the health care summit in 2010.

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

[Thursday, February 25, 2010]

ALEXANDER GIVES REPUBLICAN HEALTH CARE REMARKS AT WHITE HOUSE SUMMIT

OUTLINES REPUBLICAN STEPS TO FIX HEALTH CARE, CHALLENGES DEMOCRATS TO TAKE RECONCILIATION OFF THE TABLE

WASHINGTON.—U.S. Senator Lamar Alexander (R-Tenn.), chairman of the Senate Republican Conference, today delivered the following opening remarks on behalf of Republican members of Congress attending the White House health care summit:

"Mr. President, thank you very much for the invitation. Several of us were a part of the summits that you had a year ago, and so I've been asked to try to express what Republicans believe about where we've gotten since then. As a former governor, I also want to try to represent governors' views, because they have a big stake in this; I know you met with some governors just in the last few days. We also believe that our views represent the views of a great number of the American people who have tried to say in every way they know how—through town meetings, through surveys, through elections in Virginia and New Jersey and Massachusetts, that they oppose the health care bill that passed the Senate on Christmas Eve.

"And more importantly, we believe we have a better idea. And that's to take many of the examples that you just mentioned about health care costs and make that our goal: reducing health care costs. We need to start over and go step by step toward that goal. And we would like to briefly mention—others will talk more about it as we go along—what those ideas are.

"I would like to begin with a story. When I was elected governor, some of the media went up to the Democratic leaders in the legislature and said, 'What are you going to do with this new young Republican governor?' And they said, 'We're going help him, because if he succeeds, our state succeeds.' And they did that—that's the way we worked for eight years. But often, they had to persuade

me to change my direction to get our state where it needed to go. I would like to say the same thing to you. I mean, we want you to succeed. Because if you succeed, our country succeeds. But we would like respectfully to change the direction you're going on health care costs, and that's what I want to mention here in the next few minutes.

"I was trying to think if there were any kind of event that this could be compared with. And I was thinking of the Detroit Auto Show, that if you had invited us out to watch you unveil the latest model that you and your engineers had created, and asked us to help sell it to the American people. When we look at it, it's the same model we saw last year. We didn't like it, and neither did they, because we don't think it gets us where we need to go, and we can't afford it. As they also say in Detroit, 'We think we have a better idea.'

"Your stories are a lot like the stories I heard when I went home for Christmas after we had 25 days of consecutive debate and voted on Christmas Eve on health care. A friend of mine from Tullahoma, Tennessee, said, 'I hope you'll kill that health care bill.' Then before the words rattled out of his mouth, he said, 'But, we've got to do something about health care costs. My wife has breast cancer. She got it 11 years ago and our insurance is \$2,000 a month. We couldn't afford it if our employer weren't helping us do that. So we've got to do something.' That's where we are, but to do that, we have to start by taking the current bill and putting it on the shelf and starting from a clean sheet of paper.

"Now, you have presented ideas. There's an 11-page memo—I think it's important for the people to understand that there's not a presidential bill; there are good suggestions and ideas on the web. It's a lot like the Senate bill. It has more taxes, more subsidies, more spending. So what that means is, when it's written, it will be 2,700 pages, more or less. It will probably have a lot of surprises in it. It means it will cut Medicare by about half a trillion dollars and spend most of that on new programs, not on Medicare and making it stronger, even though it's going broke in 2015. It means there will be about a half trillion dollars of new taxes in it. It means that for millions of Americans, premiums will go up, because when people pay those new taxes, premiums will go up, and they will also go up because of the government mandates. It means that from a governor's point of view, it's going to be what our Democratic governor calls the 'mother of all unfunded mandates.'

"Nothing used to make me madder as a governor than when Washington politicians would get together, pass a bill, take credit for it, and send me the bill to pay. That's exactly what this does, with the expansion of Medicaid. In addition, it dumps 15 to 18 million low-income Americans into a Medicaid program that none of us want to be a part of, because 50 percent of doctors won't see new patients. So it's like giving someone a ticket to a bus line where the buses only run half the time.

"When fully implemented, the bill would spend about \$2.5 trillion a year, and it still has sweetheart deals in it—one is out, some are still in. What's fair about taxpayers in Louisiana paying less than taxpayers in Tennessee? What's fair about protecting seniors in Florida and not protecting seniors in California and Illinois and Wyoming?

"Our view, with all respect, is that this is a car that can't be recalled and fixed, and that we ought to start over. But we'd like to start over. When I go down to the Senate floor, I've been there a lot on this issue, some of my Democratic friends will say, 'Well, Lamar, where's the Republican comprehensive bill?' And I say back, 'Well, if it

you're waiting for Mitch McConnell to roll in a wheelbarrow with a 2,700-page Republican comprehensive bill, it's not going to happen because we have come to the conclusion Congress doesn't do comprehensive well.' We have watched the comprehensive economy-wide, cap and trade; we have watched the comprehensive immigration bill, we have the best Senators we have got working on that in a bipartisan way; we have watched the comprehensive health care bill. And they fall of their own weight.

'Our country is too big, too complicated, too decentralized for Washington to write a few rules about remaking 17 percent of the economy all at once. That sort of thinking works in a classroom, but it doesn't work very well in our big, complicated country. It doesn't work for most of us and if you look around the table—and I'm sure it's true on the Democratic side—we have got shoe store owners and small business people and former county judges and we've got three doctors. We've got people who are used to solving problems, step by step.

'That's why we said 'step by step' 173 times on the Senate floor in the last six months of last year in support of our step-by-step plan for reducing health care costs. I would like to just mention those in a sentence or two:

First, you mentioned Mike Enzi's work on the small business health care plan. That's a good start. It came up in the Senate. He will explain why it covers more people, costs less, and helps small businesses offer insurance.

Two, helping Americans buy insurance across state lines. You've mentioned that yourself. Most of the governors I've talked to think that would be a good way to increase competition.

Number three, put an end to junk lawsuits against doctors. In our state, half the counties' pregnant women have to drive to the big city to have prenatal health care or to have their baby, because the medical malpractice suits have driven up the insurance policies so high that doctors leave the rural counties.

Number four, give states incentives to lower costs.

Number five, expanding health savings accounts.

Number six, House Republicans have some ideas about how my friend in Tullahoma can continue to afford insurance for his wife who has had breast cancer; because she has a pre-existing condition, it makes it more difficult to buy insurance.

'So there're six ideas—they're just six steps. Maybe the first six, but combined with six others and six more and six others, they get us in the right direction.

'Now, some say we need to rein in the insurance companies; maybe we do. But I think it's important to note if we took all of the profits of the health insurance companies entirely away, every single penny of it, we could pay for two days of health insurance for Americans. And that would leave 363 days with costs that are too high. So that's why we continue to insist that as much as we want to expand access and to do other things in health care, that we shouldn't expand a system that's this expensive, that the best way to increase access is to reduce costs.

'Now, in conclusion, I have a suggestion and a request for how to make this a bipartisan and truly productive session. And I hope that those who are here will agree, I've got a pretty good record of working across party lines, and of supporting the president when I believe he's right, even though other members of my party might not on that occasion. And my request is this: before we go further today, that the Democratic Congressional leaders and you, Mr. President, re-

nounce this idea of going back to the Congress and jamming your bill through on a partisan vote through a little-used process we call reconciliation.

'You can say that this process has been used before, and that would be right, but it's never been used for anything like this. It's not appropriate to use to rewrite the rules for 17 percent of the economy. Senator Byrd, who is the constitutional historian of the Senate, has said that it would be an outrage to run the health care bill through the Senate like a freight train with this process. The Senate is the only place where the rights to the minority are protected, and sometimes, as Senator Byrd has said, the minority can be right.

'I remember reading Alexis de Tocqueville's book *Democracy in America*, in which he said that the greatest threat to the American democracy would be the 'tyranny of the majority.'

'When Republicans were trying to change the rules a few years ago, you and I were both there. Senator McCain was very involved in that—getting a majority vote for judges. Then-Senator Obama said the following, 'What we worry about is essentially having two chambers, the House and the Senate, who are simply majoritarian, absolute power on either side. That's just not what the founders intended.' Which is another way to saying that the founders intended the Senate to be a place where the majority didn't rule on big issues.

'Senator Reid in his book, writing about the 'Gang of 14,' said that the end of the filibuster requiring 60 votes to pass a bill 'would be the end of the United States Senate.' And I think that's why Lyndon Johnson, in the '60s, wrote the civil rights bill in Everett Dirksen's office, the Republican Leader, because he understood that by having a bipartisan bill, not only would pass it, but it would help the country accept it. Senator Pat Moynihan has said before he died that he couldn't remember a big piece of social legislation that passed that wasn't bipartisan.

'And after World War II, in this very house and in the room back over here, Democratic President Truman's Secretary of State, General Marshall, would meet once a week with Senator Vandenberg, the Republican Chairman of the Senate Foreign Relations Committee, and write the Marshall Plan. And General Marshall said that sometimes Van was my right hand, and sometimes he was his right hand.

'And we know how [Congressmen] John Boehner and George Miller did that on No Child Left Behind. [Senators] Mike Enzi and Ted Kennedy wrote 35 bills together; you mentioned that in your opening remarks. You and I and many other others worked together on the America COMPETES Act. We know how to do that—and we can do that on health care as well.

'But to do that, we'll have to renounce jamming it through in a partisan way. And if we don't, then the rest of what we do today will not be relevant. The only thing bipartisan will be the opposition to the bill, and we'll be saying to the American people—who I've tried to say this in every way they know how—town halls and elections and surveys—that they don't want this bill, that they would like for us to start over. So if we can do that—start over—we can write a health care bill. It means putting aside jamming it through. It means working together the way General Marshall and Senator Vandenberg did. It means reducing health care costs and making that our goal for now, not focusing on the other goals. And it means going step by step together to re-earn the trust of the American people. We would like to do that, and we appreciate the opportunity that you have given us today to say what our ideas

are, and to move forward. Thank you very much.'

U.S. SENATE,

Washington, DC, February 25, 2010.

Hon. BARACK OBAMA,  
President, The White House,  
Washington, DC.

DEAR MR. PRESIDENT, During today's discussion on health care, you and I disagreed about whether the health care bill that passed the Senate on a party-line vote on December 24 would cause health insurance premiums to rise even faster than if Congress did not act. I believe premiums will rise because of independent analysis of the bill:

On November 30, the non-partisan Congressional Budget Office (CBO) wrote in a letter to Senator Bayh that "CBO and JCT estimate that the average premium per person covered (including dependents) for new nongroup policies would be about 10 percent to 13 percent higher in 2016 than the average premium for nongroup coverage in that same year under current law."

When you asserted that CBO says premiums will decline by 14 to 20 percent under the Senate bill, you are leaving out an important part of CBO's calculations. These reductions are overwhelmed by a 27 to 30 percent increase in premiums due to the mandated coverage requirements in the legislation. CBO added those figures together to arrive at a net increase of 10 to 13 percent—as shown in their chart in that same letter.

In that same letter, CBO wrote, "The legislation would impose several new fees on firms in the health sector. New fees would be imposed on providers of health insurance and on manufacturers and importers of medical devices. Both of those fees would be largely passed through to consumers in the form of higher premiums for private coverage."

On December 10, the chief actuary for the Centers for Medicare and Medicaid Services—who works for your administration—concurred with the CEO. In his analysis, the actuary said, "We anticipate such fees would generally be passed through to health consumers in the form of higher drug and device prices and higher insurance premiums." He also said, "The additional demand for health services could be difficult to meet initially with existing health provider resources and could lead to price increases, cost-shifting, and/or changes in providers' willingness to treat patients with low-reimbursement health coverage."

For these reasons, the Senate-passed bill will, indeed, cause Americans' insurance premiums to rise, which is the opposite of the goal I believe we should pursue.

Sincerely,

LAMAR ALEXANDER.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

#### WOMEN'S ACCESS TO HEALTH CARE

Mrs. MURRAY. Mr. President, like many of my colleagues I am deeply disappointed that Republican leaders have dedicated this week to partisan, political attacks rather than working with us to deliver results to the families we represent. So I wish to take a few minutes today to talk about the work we could and should be doing and make clear again that Republican efforts to undermine families' health care are nothing but a dead end.

I am pleased that over the last few months Democrats and Republicans

have been able to work together on some very important issues. We passed another bipartisan budget deal. We have worked on a bill together to fix the No Child Left Behind law that is broken, and Republicans and Democrats are now working to pass a transportation bill that would do a lot to help fix our crumbling infrastructure. But there is certainly a lot more that we should be doing to boost wages, to expand opportunity, and to make sure our economy is growing from the middle out, not from the top down. I would hope that we would be working on a way to raise the minimum wage or ensure that working parents can earn paid sick days or make higher education more affordable and accessible for our students.

With the holidays just around the corner, we should be focused on what struggling families need to make ends meet. Those are the kinds of issues I would like to be working on and many more, but instead Republican leaders are insisting on tilting at tea party windmills by trying to dismantle the Affordable Care Act for the umpteenth time.

This bill is not going to be signed into law. As we all know, this is just a political gesture here. But I want to be very clear about what it would mean for millions of men, women, and children across the country if this were to be signed into law. The policies that are being put forward could cause millions of people to lose their health care coverage, make premiums skyrocket, increase costs for our hospitals and for our providers, cut off support for important public health programs by repealing the prevention fund, and take us back to the bad old days when insurance companies, not patients, had all of the power.

Democrats believe strongly that while the Affordable Care Act was an historic step forward, the work did not end when the law passed—far from it.

We are willing to work with anyone on either side of the aisle who has good ideas about how to build on the progress that has been made so far and continue making health care more affordable, expanding coverage, and improving quality of care for our families.

So it is very disappointing that Republicans instead continue to insist that when it comes to health care, politics—not families—comes first. This is especially because—again to be very clear—this legislation has no chance of becoming law. The very same is true when it comes to this latest attempt to cut off women's access to health care.

After years of trying to turn back the clock on women's constitutionally protected rights and to undermine Planned Parenthood, Republicans should have gotten their fill of political attacks on women's health. Clearly, they have not.

In the wake of the tragedy in Colorado Springs last week, I have thought a lot about how important it is that we

do more to insure communities are protected from that kind of violence and that we continue to stand with Planned Parenthood as it helps so many people—women and men—get the care they need.

So it is very frustrating that my Republican colleagues are doubling down this week on their efforts to defund Planned Parenthood and get in between women and their health care. If Republicans were to succeed in the bill they have before us in defunding Planned Parenthood—our Nation's largest women's health care provider—with the legislation we are debating today, they would undermine a critical source of health care that one in five women have relied on for cancer screenings, for HIV tests, and for so much more. They would make it harder for women to exercise their constitutionally protected right to make their own choices about their own bodies and their own doctors.

By dismantling critical health care reforms, this proposal would cause millions of women to lose their health care coverage and access to everything from birth control to prenatal care. That is simply not going to happen—not on my watch, not on Democrats' watch, and not on President Obama's watch. Republicans may want to go back to the days when being a woman was a preexisting condition. They may see this entire bizarre effort as nothing more than a great opportunity to pander to their extreme tea party base by attacking health care and Planned Parenthood. But for millions of women and families, the policies we are debating today are no political exercise; instead, if enacted, they would represent a deeply harmful step backward—a step away from building a health care system that is affordable, accessible, and high quality, one that contributes to economic security and opportunity.

Women and families have seen these extreme Republican attempts many times before, and, frankly, I think they have had enough. They don't want Congress fighting over whether to roll back a law that has helped millions of people get health care coverage and bolstered our Nation's health care system, a law that has been upheld time and time again by the Supreme Court, and they believe firmly that politicians in Congress should have better things to do than interfere with women's constitutionally protected health care choices. I am sure they would rather see us working to actually improve health care and the many other challenges our country faces.

Democrats agree with that. We want to move health care forward, not backward, for women and families, and we want to do the other important work across the aisle to strengthen our economy and grow our middle class. So today, as my Republican colleagues double down on their partisan political pandering, we on this side are going to continue to stand up for family health care and stand up for women and their

rights every step of the way. I hope my Republican colleagues will finally drop the politics and join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### OBAMACARE

Mrs. CAPITO. Mr. President, I wish to address ObamaCare repeal. As I was thinking about what I was going to say today, I went back and looked at a speech I made on the House of Representatives floor on March 21, 2010. The previous speaker talked about the partisanship that she perceives now. I thought it interesting. I am going to read just a couple quotes from my speech then: “[We are thinking about] this bill as a blanket, a blanket of health care legislation that may be draped across America and its population in the coming years,” which it has for the last 4 years. I talk about how “its cloth has been cut behind closed doors and its color is tinged by partisan hands.” That is the ObamaCare legislation and the ObamaCare plan we have today. “The huge holes will not protect the cold winds of job loss, new taxes, government bureaucracy, and increased health care costs. . . . All of America will feel the weight of this uncomfortable burden.” Those were my words on March 21, 2010, in the House of Representatives.

Today and later this week, the Senate will consider a bill to repeal that bill, ObamaCare, a costly disaster that 4 years—5 years later we see has cost countless people access to their doctors, access to the health care plan of their choice, and thousands of West Virginians from my State have lost or had to change their coverage. We ought to ask the individuals and families whose premiums and deductibles have skyrocketed and the small businesses that have been forced to cut hours and employees.

Let's consider the exchanges that are folding and the hospitals that are facing unmanageable costs. Even the Nation's largest health insurance provider has threatened to pull out of ObamaCare, citing high costs and growing risks. Just today, the CEO of that company said that joining ObamaCare was “a bad decision.”

There has to be a better way, and we need to find it.

In the bill we are considering this week, the Senate will do two major things: It will repeal significant portions of the health care law that are not working. It will also provide a bridge to replace this law with an improved health care system. This ObamaCare repeal bill will eliminate enforcement of the individual and employer mandates. It will repeal \$1 trillion—\$1 trillion—in onerous taxes. It will save and strengthen Medicare. It will also dedicate resources to fight the growing drug epidemic that is sweeping across this country. Certainly in our

State of West Virginia we have had many difficulties, as many of our fellow Americans have.

ObamaCare has upended our health care system and has broken many of the President's own promises. Headline after headline in recent weeks has called attention to the increasing premiums Americans will face next year. Across the Nation, rates for one out of every three ObamaCare plans will double in the year 2016.

For plans that are not seeing huge premium increases, rising deductibles are placing an excessive burden on patients—but not just on patients; let's think about our health care providers, our hospitals, for example. When a patient has a high deductible and comes in for an expensive surgery, that patient has to pay a \$4,000 or \$5,000 deductible. That is unaffordable for a lot of people, and that hospital is stuck with that bill.

The situation in my State is even worse. West Virginia is the only State in the country with only one insurer participating on the exchange. Remember, the President promised us choice and the ability to make decisions for ourselves. We have one choice in West Virginia. Highmark Blue Cross Blue Shield has been the only company in the West Virginia exchange through the first 2 years of ObamaCare, and we recently learned that it almost pulled out of the exchange for 2016. That would have been disastrous for our constituents. And why are they pulling out? Because they are losing millions of dollars on a health care plan that was promised to be a blanket, to blanket all of us, as I said in the speech I gave in 2010. It has turned out to be a blanket with huge holes.

With only one provider, choices and accesses are already limited, but for many Americans, the exchanges set up under ObamaCare have become their only option. Because of increasing costs, many are now unable to afford the health insurance without subsidies.

While Highmark Blue Cross Blue Shield—the exchange insurance in West Virginia—did remain in West Virginia, premiums are set to increase this year or next year by 24 percent. These increases are well beyond the financial reach of most West Virginians. Our unemployment in West Virginia has skyrocketed because of the President's energy policies, and now we are looking at hard-working West Virginians and telling them their health care that was supposed to be affordable and accessible is going up 24 percent. That is unconscionable.

As one of my constituents pointed out, "This represents a significant challenge to our family budget as my husband's pay has not increased at the rate that our health care costs continue to rise."

What about ObamaCare's promise to lower the cost of health care? The reality is really quite different.

As another West Virginian put it, "The law remains a failure by the ad-

ministration's own metrics, and its harmful impact continues to make life more difficult for millions across the country."

By repealing ObamaCare, we can revisit the problems caused by the health care law and the problems that existed before, replace them with reforms that work, and protect those whose coverage has been disrupted.

In order to ensure individuals do not lose access to current coverage, this ObamaCare repeal bill will provide a 2-year transition period. This period will give us time to enact alternative reforms that will provide access to quality, affordable care without disrupting coverage. Health care reform should give States and individuals choice—remember, in my State we don't have a choice; we have one provider, no choice—while reducing health care costs over the long term. Premiums are going up 24 percent, and deductibles are skyrocketing. That is not containing costs over the long term.

Americans deserve a health care system that works for them, and we know ObamaCare is not it. There is a better way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. 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. NELSON. Mr. President, am I correct that we are in morning business?

The PRESIDING OFFICER. The Senator is correct.

#### SENIORS AND VETERANS EMERGENCY BENEFITS ACT

Mr. NELSON. Mr. President, I want to take a moment to talk about a piece of legislation that a number of us have filed. There will be several Senators speaking here later this afternoon about the Seniors And Veterans Emergency Benefits Act. It is a very important piece of legislation to help millions of Americans who depend on Social Security benefits to make ends meet. I want to emphasize that point. Much of the American population does not realize that there are senior citizens whose sole existence depends on the check they get from Social Security. Unfortunately, we have seniors who are facing the situation that the price of food or some of their medicine unexpectedly goes up. How could this be, in America in the year 2015? But it happens among some of our senior citizens. In the last Congress I had the privilege of chairing the Special Committee on Aging. We held a number of hearings on this issue. It will break your heart, but that is going on today.

To add a little more drama and heartache to this, in October the Social

Security Administration announced that for the third time in the past 40 years, there will not be a cost-of-living adjustment for 2016. That is under a formula, and it is legal. Since 1975, the cost-of-living adjustment has ensured that the purchasing power of the Social Security benefits stays the same, regardless of rising prices or inflation. When we get to a point that the formula says no cost-of-living adjustment for a senior citizen, that becomes a fairly big deal because 65 percent of all senior citizens depend on Social Security to provide the majority of their cash income. It is real money that they depend on to help make the basic expenses.

In my State, we have a higher percentage of the population who are senior citizens—4 million Floridians that are categorized as senior citizens because of their age. When there is not an adjustment on the cost-of-living adjustment, these folks are starting to feel the squeeze and are forced to sacrifice on something.

What a group of Senators are going to talk about and what I am sharing is that we are going to offer an opportunity to act before this no cost-of-living increase would take effect in January because 20 of us have sponsored legislation introduced by Senator WARREN to fix the fact that there is a lack of a cost-of-living adjustment. I am glad to see that Senator WARREN is here. I could not join the distinguished Senator later on, so I took the liberty of going ahead and telling from my point of view how this legislation is going to give to about 70 million Americans a one-time payment of approximately \$580 to help them have money for the basic needs, such as food or rent.

Nearly 4.5 million people in Florida—a little less than a quarter of the State's population—would be eligible for that lump sum payment. Nine million veterans who receive Social Security benefits would receive a benefit under the bill. In my State, 323,000 veterans and their family members would get that benefit.

Forty percent of the seniors in the United States have incomes below the poverty line if they do not have Social Security assistance. That is a shocking statement. Let me say that again. Forty percent of our senior citizens in this country would have incomes below the poverty line if they did not have Social Security assistance. Therefore, this legislation that we are filing would lift over 1 million people out of poverty.

To some, a benefit of \$580 may seem insignificant, but in reality, it is going to make a difference to millions. It may not seem like a big deal to a lot of people that there is no COLA, but if that senior citizen does not have the money to pay for the rent, a utility bill, a trip to the doctor or the groceries they need for their nutrition, that \$580 is the difference.

Many Americans are living paycheck to paycheck and are forced to make

these tough decisions. We ought to be making it easier for them. That is our job. There are no excuses. I intend to work with our colleagues to see if this is a possibility.

While Senator WARREN is here, I wish to engage the Senator from Massachusetts and yield to her for an answer. As we sat on the Special Committee on Aging, we heard the testimony of how dire, on the line, and on the razor's edge the income is for senior citizens with these Social Security benefits. When that does not keep up with the cost of living—surely there is a cost-of-living increase in one year over the other, but if their Social Security checks don't reflect that, does that not invite a tremendous hardship on that elderly person?

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, the answer is yes, it does. Senator NELSON has put his finger on a very serious problem; that is, every year because of policies made here in the Senate, we do a calculation of cost-of-living changes for Social Security. The problem is that calculation for cost-of-living changes is based on only about one-quarter of the population. It is not based on the whole population, and it is certainly not based just on those who receive Social Security.

We know from independent analysis that costs have gone up for seniors, but because of the policies made here in Congress, there will be no cost-of-living increase for seniors this year. That means they face high costs. Yet, at the same time, they are going to have a flat income.

The proposal here to give them a one-time payment of about \$581 is enough to pay 3 months' worth of food bills for the average senior. It is enough to help cover the costs of prescription drugs that are not covered by Medicare. These are significant differences for seniors who most need it, and I appreciate Senator NELSON coming here early to talk about and raise this important issue. He is exactly spot on about the difficulty with this issue.

I yield back.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. NELSON. Mr. President, I ask unanimous consent for an additional 30 seconds.

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

Mr. NELSON. Therefore, I conclude by resting the case. If the cost of every person's daily living is in fact going up and yet our formula shows that they get no cost-of-living adjustment, is that not putting a burden upon the ones who we should be respecting and protecting that should not be there? We can do that with this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### EXTENSION OF MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that morning business be extended until 5:15 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

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

#### OBAMACARE

Mr. BARRASSO. Mr. President, soon we will be debating the future of ObamaCare. The American people have told us they want Congress to repeal this so-called health care law. They told us to start over with real health care reform. This actually shouldn't be a very controversial vote. It is clear, even to the law's supporters, that the Obama health care law has not worked out in any way they had specifically expected. The ObamaCare health care law is collapsing, whether the President wants to admit it or not.

Democrats should really be eager to join us to help fix the damage that has been done by this law. So far they have been much more focused on protecting President Obama's legacy than on protecting the American people and the health of the American people from ObamaCare.

Last month President Obama did a radio show in which he was asked about the law and about problems with the law because people all across the country are seeing significant problems with the law. The President would not admit to a single problem with this law. He insisted: "It has been a success."

Well, I go home to Wyoming every weekend. I am a doctor. I practiced medicine in Wyoming for 25 years, and the people whom I talk to—my patients, my neighbors, people all around the State, and the people whom I run into in my travels—do not consider ObamaCare a success.

Democrats come to the floor and say: It is OK that insurance rates are rising. Remember when the President said they would go down by \$2,500 per family? The Democrats say it is OK that the insurance rates are rising because they say the rates also went up before the law. What they won't tell you is that premiums aren't just going up a little; they are going up a lot next year. Actually, they are going through the roof.

There was a study by the McKinsey Center for U.S. Health System Reform. They found that the median increase for the bronze plans went up 13 percent from this year to next year. That is just the average. That means for half of the people, they are going to pay more than that. The silver plan is up 11 percent, the platinum plan is up 12 percent, and the gold plan is up 15 percent. These double-digit price increases are not a success.

Democrats have come to the floor and have talked about some of the peo-

ple who have gotten insurance coverage since the law took effect. What they won't tell you is that having insurance coverage is not the same thing as getting medical care.

The New York Times ran an article about 2 weeks ago with this headline: "Many Say High Deductibles Make Their Health Law Insurance All But Useless." They don't even call it health insurance. They call it health law insurance because it is insurance to comply with the law and not to actually give you the health care. It is astonishing. Even the New York Times calls it health law insurance.

The article tells the story about David Reines from Jefferson Township, N.J. He is 60 years old and has a history of chronic knee pain. This man says: "The deductible, \$3,000 a year, makes it impossible to actually go to a doctor." He says: "We have insurance, but can't afford to use it."

President Obama, this is not a success. Democrats who support the health care law say that it created these marketplaces where people can shop for insurance. What they won't tell you is that companies have been pulling out of the marketplaces and exchanges all across the country. More than half of the State co-ops have gone out of business and have failed. The largest health insurance company in America says that it may drop out of the program entirely next year.

In Wyoming, there is just one company participating in the ObamaCare exchange. That is the choice on the Wyoming exchange—one. Does President Obama consider that a success? Democrats say a lot of people like their insurance plans. Well, they won't tell you about the Gallup poll last month that found that the American people are far from happy. Just 33 percent of Americans said that the health care coverage in this country is either excellent or good—one out of three. Only one out of five is satisfied with the total cost of their health care.

Now, both of these numbers are worse than they were when President Obama took office. When asked: How are you going now compared to where you were when Barack Obama moved into the White House, people will tell you that when it comes to health care, it is worse.

Another survey last month by the Kaiser Family Foundation found that just 38 percent of Americans have a favorable opinion of the health care law. Is that the way President Obama measures success? Is that what he calls a success?

Why won't the Democrats come to the floor and talk about these surveys? Democrats come down to the floor and say that ObamaCare has put millions of people on Medicaid. I am not sure how many of them have a full understanding of Medicaid. As a doctor who practiced medicine for 24 years, I can tell you a lot about Medicaid. They won't say anything about this failed program. They won't admit to the fact that Medicaid is a failed program.

A new study last month found that cancer patients with Medicaid in California—we have 2 Senators from California who voted for this law—are less likely to get recommended treatment and they have a lower survival rate than people with other types of insurance. The Democrats celebrate the fact that they have all of these new people on Medicaid. This is not a success. Democrats don't want to talk about any of this.

Nobody on this side of the aisle is denying that there are people who have been helped by the health care law. Why won't any Democrat come to the floor of the Senate and admit that for every person who has benefited, someone else may have been harmed and may have suffered? Why won't Democrats admit and the President admit that the law has not lived up to their promises?

Why did we need a 2,000-page law that upended the entire health care system in this country basically to expand the broken Medicaid program? None of this had to happen. None of this is what people were asking for when Democrats wrote their law behind closed doors back there. It is certainly not what people are asking for today. This health care law has been expensive, disruptive, and devastating. It is headed for collapse, and if Democrats won't admit it, then they are just kidding themselves.

Republicans are ready to move on with a better approach. We will work to lower costs and make insurance affordable for all Americans. We will make sure that people who need insurance can actually get usable insurance. That means making coverage equal care. That is what it should do. Coverage ought to equal care. We will give people freedom, flexibility, and choice to allow patients to make the decisions that are best for them and their family—not Washington and President Obama telling them what is best for them and their family. Those people will be making those decisions for themselves. We will protect consumers by making insurance predictable and stable so people don't have to switch their coverage and their doctor every year.

Finally, we are going to fix Washington by making Medicare and Medicaid stronger for people who will absolutely rely on these programs.

President Obama and Democrats in Congress do have a choice. They can join with Republicans in accepting the inevitable. They can act now to reform our health care system in a way that works or they can stand by and watch as the wheels continue to come off of ObamaCare. The program is collapsing, and it is unavoidable. Congress should not allow this health care law to harm the American people for one day longer. Democrats should work with us to create a replacement that actually delivers care, not just unusable coverage.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### SENIORS AND VETERANS EMERGENCY BENEFITS ACT

Ms. WARREN. Mr. President, the clock is ticking. Exactly 1 month from today, on January 1, approximately 70 million seniors, veterans, Americans with disabilities, and others who depend on Social Security and other benefits will get their first check of the new year. For those 70 million Americans—that is 1 in 5 Americans—January 1 is supposed to be a day of relief. This is the day when the Federal Government boosts their checks just a little bit to help with the rising costs of housing, food, and medical care. But unless Congress does something right now, for just the third time since 1975, seniors and veterans won't be receiving any cost-of-living increase on January 1—not one penny more.

Look at who gets left out in the cold. Two-thirds of seniors depend on Social Security for the majority of their income. For 15 million Americans, Social Security is all that stands between them and poverty, but not one of these Americans will see an extra penny next year, and millions of other Americans whose benefits are pegged to Social Security—millions who receive veterans' benefits, disability benefits, and other monthly payments—won't see an extra penny either.

Times are tough, but not for everyone. Last year, the CEOs at the biggest 350 American companies received, on average, a 3.9-percent pay increase. How much money is that? Since the average CEO at one of those top 350 companies made a cool \$16.3 million, a 3.9-percent raise landed them an additional half million bucks each. Everything is just great for America's top CEOs, who got huge raises, while 70 million seniors, veterans, and others who worked hard will be left with nothing. Why? It is not an accident. It is not inevitable. It is the result of deliberate policies made right here in Congress.

Social Security is supposed to be indexed to inflation so that when prices go up, benefits go up. But Congress's formula looks at the spending patterns of only about a quarter of the country, and the formula isn't geared to what older Americans actually spend their money on. In fact, official estimates show that the cost of core goods and services has increased, but seniors won't be getting a raise. Costs go forward while Social Security falls behind all because of the way that Congress says to calculate COLAs.

Skyrocketing CEO pay is also, in part, the result of policies set right here in Congress. Taxpayers subsidize CEOs' huge pay packages through billions of dollars in tax giveaways, including a crazy loophole that allows corporations to write off gigantic bonuses as business expenses. Sure, companies should make their own decisions

on how much to pay their executives, but because of laws Congress has passed, American taxpayers are forced to subsidize these multimillion-dollar pay packages.

These two decisions—how to calculate Social Security raises and whether to give tax breaks for multimillion-dollar CEO bonuses—are made right here in Congress, and right now Senators bow and scrape for highly paid CEOs while they turn their backs on retirees and vets. We are here because it is time for Congress to make different choices.

Representative TAMMY DUCKWORTH and I have introduced the Seniors And Veterans Emergency Benefits Act, or the SAVE Benefits Act, to give retirees, veterans, and Americans with disabilities a one-time payment of about \$581. That is the equivalent of a 3.9-percent increase over the average Social Security benefit—the same percentage raise CEOs received just last year.

Where would the money come from? Well, we can pay for it by closing the tax loophole for CEO bonuses that exceed \$1 million. In fact, according to the Chief Actuary of the Social Security Administration, closing just this one loophole will create enough revenue to give a \$581 raise to seniors and vets and still have billions of dollars left over to help boost the Social Security trust fund for the future.

The SAVE Benefits Act would give seniors, vets, and the disabled an extra \$581 a year. That \$581 a year may not mean much to a CEO, but that money will cover almost 3 months of groceries for seniors or a year's worth of out-of-pocket costs on prescription drugs for someone on Medicare. For seniors and vets, that \$581 means a lot.

Already, 21 Democratic Senators have signed on as cosponsors. Dozens of organizations—Social Security Works, the AFL-CIO, MoveOn.org, the National Organization For Women, VoteVets, the National Council of La Raza, and I could go on and on with this list—have already endorsed the bill. Across the country, more than 400,000 people have signed petitions urging Congress to pass the SAVE Benefits Act.

This is about money, but it is also about values. For too long, we have listened to a handful of the rich and powerful insist that we cut taxes for those at the top and leave everyone else behind. And now, across this country, people are saying: Enough. Taxpayers should not be forced to subsidize millionaire CEOs while seniors and vets have to fight for whatever scraps are left behind.

The clock is ticking. It is time for Congress to step up. The money is there—either way. It can go for a payment to 70 million Americans who need it and who have earned it or it can go to CEOs and the wealthiest corporations.

Let's vote on the SAVE Benefits Act. Let's show everyone where we stand—whether we stand up for tax breaks for



the country's most highly paid CEOs or whether we work for the seniors and vets who worked their hearts out to build this country.

Senator McCONNELL, brings this bill to the floor and let us vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, last month I joined Senator WARREN and others in introducing the Seniors And Veterans Emergency Benefits Act, also known as the SAVE Benefits Act. This legislation is needed because for the first time in over 40 years, our seniors, veterans, and people with disabilities won't receive a cost-of-living adjustment, or a COLA, for 2016. We are here again to urge our colleagues to support this much needed legislation that would provide a 3.9-percent COLA increase next year. There is a reason we hit upon the 3.9-percent number as the appropriate increase. I will get to that.

Many of our people who rely on Social Security and other Federal benefits are on fixed incomes. Every extra dollar helps them buy basic necessities. These Americans worked hard and earned modest benefits. However, based on the current benefit formula this year, they are out of luck. They won't see any increase in their income.

But here is the thing. That is not the case for our Nation's top CEOs. According to analysis by the Economic Policy Institute, CEOs of some of America's biggest, richest corporations not only earn an average of \$16 million per year, but they received a 3.9-percent salary bump in 2014; hence our 3.9-percent COLA increase for recipients of the SAVE Benefits Act.

What does a 3.9-percent increase mean to these CEOs? About \$635,000 more a year in their pockets—far more than most workers who rely on Social Security saw in 1 year or 10 years or perhaps even in their lifetimes. By contrast, what does a 3.9-percent increase mean to most seniors in Hawaii? About \$580 more a year. Again, focusing on Hawaii, that is about enough for a Hawaii senior to buy almost 3 months of groceries or cover the average cost of a year's worth of prescription drugs. So \$580 is a big deal for a lot of people in Hawaii.

This bill would help about 19 percent of Hawaii's population, or 268,000 people. They include seniors, children, and disabled workers who rely on Social Security to make ends meet. It includes 24,000 veterans and their family members, who would receive an increase to their well-earned benefits. That extra payment of \$580 would help to prevent some 2,000 people in Hawaii from falling into poverty.

We are hearing from people all across the country about what will happen next year without the COLA increase.

One woman from Lanai City in Hawaii wrote:

I feel it is deplorable that Social Security did not receive a COLA increase. Many Seniors and poor people rely on this money to

help them make it through the month and although I am not one of them I still want to speak for them as I feel it is important.

This person from Lanai said this is a deplorable situation, and I agree. That is why we need to pass the SAVE Benefits Act.

This bill is paid for by closing a tax loophole that benefits the wealthiest CEOs. Remember that \$600,000-plus salary increase they got? Well, some of that is paid for by taxpayers because of this tax loophole.

This bipartisan idea of closing this tax loophole was even included in the former chairman of the House Ways and Means Committee's 2014 tax reform proposal.

We only have a few days left for Congress to act before the end of the year. I urge my colleagues to join me in letting seniors in Hawaii and across the country know that we are on their side by cosponsoring the SAVE Benefits Act. Let's just think about the disparity—\$600,000-plus increases for CEOs making over \$16 million a year versus the millions of seniors and veterans and disabled people who rely on Social Security and who need and deserve this COLA increase.

I urge my colleagues to bring the SAVE Benefits Act to the floor for a vote, vote on it, and send it on to President Obama for his signature.

I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from New York.

Mr. SCHUMER. Madam President, today I wish to join my colleagues in strong support of the SAVE Benefits Act. I wish to commend the excellent work done by my friend and the Senator from Massachusetts, Ms. WARREN.

Millions of seniors and veterans deserve a little more money in their Social Security checks at the beginning of every year to help pay for the ever-increasing costs of rent and medicine and groceries. They earned it. The SAVE Benefits Act would provide a fair and well-deserved payment to our seniors receiving Social Security and veterans receiving Federal benefits who will not see a cost-of-living adjustment in their benefits next year. You see, next year there will be no official cost-of-living adjustment or COLA chiefly because the formula that determines it is heavily tied to the price of gasoline, which is low, but all the other cost-of-living indicators are up, including rent, medicine, and groceries. These are the costs our seniors are juggling most often.

I talk to seniors. They say: What is this? There is no inflation? My life costs me more each year—considerably more.

But because there was no official COLA even as those costs are going up, Social Security benefits will not increase by a single dime in 2016. And about two-thirds of seniors rely on Social Security for over half of their income.

If we don't help offset the increase in costs with an increase in these modest

benefits, many people will be left with one of these excruciating choices: Do I buy more groceries or pay the rent this month? Can I afford putting off taking my medication for another day or another week or even another month?

In the past, when we had years without an official COLA, Congress stepped in. In 2009 there wasn't a COLA. We were in the throes of recession. But Congress stepped in and passed a law I strongly supported—the ARRA—to provide a one-time \$250 payment to Social Security recipients and veterans to help them get through those tough times. Next year, we should do the same. But I hasten to add—I don't like to be partisan—in 2009 the House and Senate were Democratic, caring about Social Security. In 2015 the House and Senate are Republican, and we are getting no relief for seniors. Well, I hope that will change. The SAVE Benefits Act would change it. It would provide a one-time check of approximately \$580 for our veterans and our seniors and fully pay for it by closing a loophole that benefits corporate compensation packages over \$1 million. To boot, it would provide this benefit while also using some of the revenue to extend the life of Social Security.

In my State, over 4 million people would benefit—nearly 1.5 million women over the age of 65, a quarter of a million children, and half a million disabled workers in New York alone.

If we think about it in real terms, that \$580 is almost 3 months of groceries or the average annual out-of-pocket expenses that a senior has for prescription drugs for Medicare.

This is the right thing to do. Social Security and veterans' benefits should rise to keep pace with prices, but unless Congress acts, our seniors and our veterans will not see any increase in their own benefits next year. It is time to fix that.

I want to ask who on the other side would say millionaires should continue to get to deduct their bonuses while senior citizens get no COLA. What percentage of Republicans in America would say that? What percentage of Independents?

This should not be a partisan issue. We should just pass it and help the seniors as we did in 2009 when the Congress was under different control. This is a real test of who cares for the seniors, who understands their struggles, and who understands the sweat seniors break out in when they have to pay the bills and they don't have enough money to pay basic expenses. Well, those who cosponsored this bill understand. Those who support this bill understand. I would like to hear from my colleagues who don't support it what their alternative is.

I urge my colleagues on the other side to join us in extending to our seniors and our veterans a fair increase in benefits that they earned.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam 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. I thank the distinguished Presiding Officer, my neighbor in New Hampshire.

I also want to thank Senator WARREN for her leadership on a matter of great importance to millions of Americans. In October, Social Security beneficiaries received some upsetting news. I know it is upsetting to a lot of Vermonters, as I have talked to them in grocery stores, on street corners, and even coming out of church on Sunday. For the third time in 40 years, the Social Security Administration announced that in 2016, Social Security payments will not include a cost-of-living increase. Unless Congress acts, seniors and others who receive Social Security benefits will not see an additional dime in payments in the new year.

For the nearly two-thirds of beneficiaries who depend on Social Security for at least half of their income, and for the 24 percent of those where Social Security is the sole source of income, this news is not just distressing, it is devastating.

I will not take the time here, but I could tell so many stories of what Vermonters have told me, and I share their concerns. In order to address this issue, I am proud to stand with thousands of Vermonters and millions of Americans to support Senator WARREN's bill to provide Social Security recipients, those who receive disability benefits, and veterans, among others, a one-time payment next year. This payment would be equivalent to the average increase of 3.9 percent—incidentally the same pay increase top CEOs in the United States saw last year.

Many in Congress have turned a blind eye to the problems facing Social Security, arguing the idea that we as a country cannot possibly afford to spend resources on our seniors, but every year hard-working Americans subsidize billions of dollars in tax subsidies for corporate CEOs. By no longer allowing corporations to receive tax deductions for performance pay packages for their executives, we could give a one-time emergency payment to our Nation's seniors, and we could increase the solvency of the Social Security trust fund without adding a penny to the deficit. It is a win-win. It is a matter of priorities.

Are we as a country going to support the millions of Americans who depend upon Social Security to make ends meet? Or are we going to continue to allow the country's top CEOs, whose average salary in 2014 topped \$16 million each, to continue to rake in billions of dollars thanks to the performance pay tax loophole? The choice should be clear. If these CEOs want to make more money, fine, but don't do it using a special tax loophole.

Social Security is an immensely important program, one that has helped millions of Americans stay out of poverty once entering retirement. This program has always represented a strong commitment to our Nation's seniors. Ever since Ida May Fuller of Vermont received the first Social Security check issued, vulnerable seniors have had a safety-net to fall back on in retirement or to supplement individual retirement savings or pensions. Support for this bill represents a continuing commitment to our Nation's seniors and also those with disabilities in an uncertain economy.

I hope we can redouble our commitment to seniors, veterans, and those with disabilities in this country by passing this important legislation. It is the least we can do.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Madam President, very much.

I am very proud to be a cosponsor of the SAVE Benefits Act. I think we owe an enormous debt of gratitude to Senator WARREN, my colleague from Massachusetts, for the legislation she has introduced because she is going to make sure the Social Security benefits for seniors, for veterans, and for those who are disabled will be protected, and I applaud her for the enormously innovative way she has framed this debate for our Nation.

The Social Security Administration has recently determined that seniors will not receive an increase in their benefits for the next year. That means approximately 70 million American seniors, veterans, and the disabled will not receive any increase in their benefits, including the 1.4 million people in Massachusetts who are dependent upon these benefits. That is completely unacceptable. What Senator WARREN has done is to say that for these seniors, for many of them, Social Security is their sole basis for having any income at all, and for most seniors it is the majority of their income in their retirement. Those seniors depend on these benefits to pay for food, rent, medicine, and the electricity bill. In their world, prices for food, clothing, and medicine are not going down, they are going up. These are the necessities of life, and our seniors should not have to choose between eating and heating.

We have a simple question to ask ourselves: Who contributed most to our country over the last generation? Is it a small handful of CEOs who are now paid exorbitant salaries or is it every American who got up every morning to build us into this incredible country we now live in? I think it was grandma and grandpa. Those are the people who got up every day. Those are the people who built this great country. Right now we are being told that their standard of living is going to stay the same or go down. There will be no increase for them.

Well, unfortunately CEOs in America make about 273 times what the average

American worker makes. Last year America's CEOs saw their pay increase by about \$635,000 to an average of \$16 million. A family in the top 1 percent has a net worth 288 times higher than the typical family. That is unacceptable and it must change.

Shouldn't our seniors—shouldn't grandma and grandpa who built this country receive an additional benefit from the economy which they created—this incredible wealth which they created in our country. When do they get their raise? They got up every morning.

My father worked for the Hood Milk Company. He got up every morning. He worked as hard as a human being can work, and so have hundreds of millions of Americans. They built this country with their hard work. They deserve a Social Security raise. They deserve a wage if they now have disabilities. If they are veterans, they not only got up and worked every single day, but they also saved our country, many of them overseas protecting us against our enemies. So that is what Senator WARREN's very wise piece of legislation focuses on. We know grandma and grandpa deserve a raise. We know the system that has been created allows those in the upper 1 percentile to continue to receive per year, on average, \$685,000 in raises—up to an average of \$16 million for salary. And we are saying to people who did the work: You don't get a raise at all.

I think for their sacrifice, for their hard work every single day, they deserve something. They built the greatest country in the history of the world. So let's give our seniors the 3.9-percent raise that Senator WARREN has proposed. Let's give them the kind of comfort they deserve for a lifetime of hard work, and let's thank Senator WARREN for reminding all of us of the obligation we have to those great Americans, so we don't forget them when it comes time at the end of the year to hand out bonuses. They deserve bonuses in the same way we know CEOs across our country, from Wall Street to Silicon Valley, are going to receive every year. We shouldn't turn our backs on those seniors.

Thank you, Senator WARREN, for all your great work.

Madam President, I yield back.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, we are just 1 month away from the new year 2016, which will bring a lot of good new things, I hope. The one thing it will not bring is a cost-of-living increase for seniors, veterans, and for people with disabilities. Despite the fact that the costs of health care, prescription drugs, and housing are increasing, the size of a Social Security check will not go up 1 cent on January 1, unless we act—unless Congress acts.

That is why Senator WARREN, my colleagues, and I have introduced the Senior And Veterans Emergency Benefits Act or SAVE Benefits Act. The

SAVE Benefits Act is a one-time payment to seniors and veterans receiving their earned benefits so they can better meet their basic living expenses.

The stagnant level for benefits in 2016 and its damaging effects are part of the bigger problem. Too many of our seniors are feeling the squeeze and just aren't secure enough in their retirement. Today's Social Security benefits are not enough to live on, and other retirement savings aren't filling the gap. You see, the share of private sector workers with pensions has fallen precipitously in recent years, and yet half of all Americans don't have retirement accounts or 401(k) plans or IRAs.

So without sufficient pensions or retirement accounts, many seniors depend on Social Security. Social Security benefits comprise over 90 percent of income for the poorest 25 percent of retirees. Social Security comprises 70 percent of income for the middle 50 percent of retirees. With the cost of things seniors have to spend money on increasing, the absence of a cost-of-living increase in Social Security benefits is especially damaging.

I have heard from many Minnesota seniors who are worried about the squeeze that no increase in Social Security will put on their budgets. Jeff from Minneapolis wrote: "Food prices are up and my rent is up 4 percent in 2015 and will be up again in 2016." He continues: "I lost most of my IRA earnings in the 2008–2009 debacle and now I rely almost entirely on Social Security."

If we want Minnesotans like Jeff—and millions of Americans across the country facing similar situations—to have a secure retirement, we need to increase these benefits. That is what the SAVE Benefits Act does. Under our bill, seniors and veterans have a 3.9-percent increase—the same percentage increase that CEO pay went up from 2013 to 2014. For the average beneficiary, a 3.9-percent raise would come to about \$580 a year.

While that \$580 may not sound like a lot compared, of course, to the raises that CEOs are getting, \$580 can make a big difference to the average American, especially the average senior. The \$580 may cover several months of groceries or out-of-pocket costs for prescription drugs for a senior on Medicare who has gone into their doughnut hole.

Some may ask if we can afford to give seniors and veterans a raise right now. Too often the ideas we have heard for "fixing" Social Security focus on cutting benefits, such as reducing cost-of-living increases by using chained CPI or raising the retirement age, but I think that is the wrong approach. We shouldn't cut our way to solvency. We need to strengthen our Social Security System by protecting and enhancing the benefits that seniors and veterans have earned, and that means improving Social Security's finances. A good place to start is by removing special provisions to the wealthiest Americans in our current Tax Code.

Right now, individuals making millions of dollars a year still pay payroll tax only on the first \$118,500 of their income. Over the long term, that is the sort of thing we need to address in order to strengthen Social Security.

This bill proposes to pay for the one-time increase of Social Security benefits in the same spirit—rebalancing our Tax Code by ending a tax deduction for CEO pay that doesn't make sense and allows corporations to avoid paying their fair share of taxes. CEOs and big businesses will still do just fine under this bill.

At the same time, the SAVE Benefits Act will provide critical assistance to Americans struggling to meet their expenses. In fact, this increase in benefits will lift about 8,000 Minnesotans out of poverty and thousands more in every State of our Union.

Ultimately, the debate over this bill comes down to priorities. What is more important to us—protecting high pay for the wealthiest Americans or tax deductions for corporations on that high pay or ensuring that veterans, seniors, and people with disabilities have the income security they need to pay for health care, prescription drugs, and housing?

As this year comes to a close, it is time to get our priorities straight and to stand up for our seniors and our veterans. They need a raise in 2016.

Madam President, I yield the floor.  
The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am here to join the chorus for providing some additional help to our seniors on Social Security. What can I say? Here we go again. In 2010 and in 2011, America's seniors were told by the Social Security Administration there would be no cost-of-living adjustment, no increase for them, and now it is happening a third time. We all know that the price of the things seniors actually buy has continued to go up, and yet no COLA.

In 2010 and 2011 we tried to remedy that with Senator SANDERS' Emergency Senior Citizens Relief Act. We did not succeed. There was opposition from the other side.

We did succeed at getting a one-time \$300 payment to seniors under the Economic Stimulus Act in 2008, back in the depths of the great Wall Street recession, and another \$250 under the Recovery Act. So we have done this before, and it has helped. I strongly encourage that we do it.

There is a flaw built into the Social Security COLA, which is that the CPI measures things that a lot of seniors don't buy. It measures laptops, it measures flat screens, and it measures a lot of technology, but seniors in Rhode Island who make a little over \$1,200 from Social Security on average aren't buying a lot of flat screen TVs and they are not buying a lot of laptops. What they are buying is fuel, medicines, food, and maybe something for the grandchildren at Christmas-time, and all of that keeps going up.

We should fix that formula. There should be a CPI-E, a CPI for elderly folks that tracks what they actually spend and not some hypothetical CPI that spreads across all age groups. That would be the ultimate fix, but in the meantime, we should do this. I think it is paid for very sensibly.

I commend Senator WARREN. We established as a country that beyond \$1 million in executive compensation, it wasn't going to be tax deductible any longer. If you are a big corporation and you want to pay your CEO more than \$1 million—fine, you still do that, but you don't get to have the American taxpayer kick in for the more-than-\$1 million salary.

So what did corporate America do? They took it out of salary and they moved it over to bonuses. Now you have those big bonuses over \$1 million. They dodged that exemption, and now the American taxpayer is back on the hook again to kick in for a \$1 million-plus compensation package for a corporate CEO. Come on. We ought to be able to get beyond that.

So we have a way to pay for it that is fair, sensible, and consistent with the policy that we have already agreed on as a nation, which is that above \$1 million in compensation, taxpayers shouldn't be kicking in any longer to help the company pay those exorbitant salaries. I think we have a very good way to spend those resources, which is helping seniors who now—for the third time since I have been in the Senate—are getting a zero COLA while everything goes up around them.

I commend Senator WARREN for taking the lead, and I am pleased to be a cosponsor on her bill.

I am delighted to yield back.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I appreciate the colleagues who came to the floor today to talk about the SAVE Benefits Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, as the Presiding Officer knows well, every week that I am here and the Senate is in session, I come to the floor to remind us of the damage carbon pollution continues to do to our atmosphere and oceans. Today I rise for the 120th time to urge my colleagues to

wake up to the threat of climate change. I am not alone, although it sometimes seems a bit lonely here.

We have an advertisement today in the Wall Street Journal—we will find it here in 1 second; well, I seem to have mislaid it—that has a considerable number of American companies that have called upon the public and called on the readers of the Wall Street Journal to support a strong outcome in Paris. It matches another Wall Street Journal full-page advertisement—this one went back to October 22—which was “Republicans and Democrats Agree: U.S. Security Demands Global Climate Action.” That had 23 Republican former officials, including Senators Cohen, Coleman, Danforth, Hagel, Lugar, Kassebaum, Smith, and Snowe, Secretaries of Commerce, State, Treasury, members of the National Intelligence Council, Homeland Security advisers, and Trade Representatives. In total, 33 Republican and military officials were calling on us to get serious about it. So a lot of people out there, including Republicans, are interested in getting something done.

I wanted to build my remarks this week around something interesting that Pope Francis said this past weekend about the upcoming climate talks in Paris. He said: “It would be sad, and dare I say even catastrophic, were special interests to prevail over the common good and lead to manipulating information in order to protect their own plans and interests.”

“Sad,” and “even catastrophic”—let’s look at that part. The fact is, we have changed the composition of our atmosphere, pushing the concentration of carbon dioxide beyond the range it has been in for at least 800,000 years, longer than our species has been on the planet. For 8,000 centuries, humans have inhabited an Earth with an atmosphere between 170 and 300 parts per million of CO<sub>2</sub>. Concentrations have now hit 400 parts per million, farther out of the range than the midpoint of the range, and that trend continues to rise. By the way, that is measurement. That is not somebody’s theory. That is not a computer-model run. We have measured that.

Last year was the hottest year since we began keeping records in 1880, a dubious distinction. According to the World Meteorological Organization, the last 5 years are now the warmest 5-year period in human history. This year is on track to be another record-breaker, expected to reach the both symbolic and significant milestone of 1 full degree Celsius above the average temperature of the preindustrial era.

Many scientists agree that 2 degrees above the precarbon-era norm will likely mean irreparable harm to our planet and to our current way of life. So it would, indeed, be sad and perhaps ultimately catastrophic if we were to do nothing.

Yet we in Congress continue to do nothing, which brings me to the next of

Pope Francis’s words in that opening quotation: “special interests prevail[ing] over the common good.” Well, doing nothing is just fine by the big polluters because they make more money when we do nothing. To keep their profitable racket running, the polluters spend huge sums on lobbying and on politics, particularly right here in the Congress. As one author has written, and I will quote him: “[R]ivers of money flowing from secret sources have turned our elections into silent auctions.” And the polluters get what they pay for. With the Congress of the United States distracted and deceived by their mischief, the effects of climate change just keep piling up.

This problem got worse in 2010 when the big polluters got a gift. They got handed a big, new political weapon. Thanks to five Justices on the U.S. Supreme Court, all of them Republican appointees, the big polluters can now threaten lawmakers with the cudgel of unlimited, undisclosed Citizens United money. So we do nothing, and the polluters offload onto everyone else the costs in damage from their fossil fuel product, the costs of heat waves, of sea level rise, of ocean acidification, of dying forests, of worsening storms and more. The polluters happily dump those costs onto everybody else. They suck up hundreds of billions of dollars in effective public subsidy, according to the International Monetary Fund, and of course they fight desperately to protect their favored status.

Pope Francis had it right—special interests indeed prevail over the common good. And that brings us to the Pope’s words about them “manipulating information in order to protect their own plans and interests.”

I have spoken on this floor about the decades-long, purposeful corporate campaign of misinformation on climate change. The fossil fuel industry and its allies gin up doubt about the dangers of carbon pollution through a smokescreen of misleading public statements, sophisticated marketing, and polluter-funded front groups. The mission of these well-organized and mightily funded deniers is to manufacture a product—uncertainty, doubt. The polluters spend huge amounts on a big, complex PR machine to churn out doubt about the real science. It is a fraud. It is a deliberate pollution of the public mind.

We know that a network of front organizations with innocent-sounding names has emerged to propagate that baloney science. This network has been well documented by Dr. Robert Brulle at Drexel University and Dr. Riley Dunlap at Oklahoma State University, among others. Professor Brulle’s follow-the-money analysis, for instance, diagrams the complex flow of cash to these front groups, a flow that the fossil fuel industry persistently tries to obscure.

A new study was released just last week, a study by Dr. Justin Farrell at Yale University. His work examines

how corporations have used their money to amplify the voices of climate deniers and to exaggerate scientific uncertainty. Dr. Farrell used computers to perform a comprehensive quantitative analysis of more than 39 million words written by 164 climate denial organizations—yes, there are 164 of them; this is a big beast—over a 20-year period. His study compared corporate-funded groups to the rest.

Professor Farrell’s stated purpose was to uncover empirically the actual social arrangements within which large-scale scientific misinformation is generated and the important role private funding plays in shaping the actual ideological content of scientific information that is written and amplified. He describes the climate denial apparatus as a complex network of think tanks, foundations, public relations firms, trade associations, and other groups that are “overtly producing and promoting skepticism and doubt about scientific consensus on climate change.” Farrell describes the function of the network as, one, “the production of an alternative contrarian discourse,” and two, “to create ideological polarization around climate change.” Why polarization? Because “it is well understood that polarization is an effective strategy for creating controversy and delaying policy progress particularly around environmental issues.”

So the polarization we see in this building on this issue is a product created by a network of corporate-funded climate denial front groups. We are the living proof of the success of this scheme. Corporate backing created a united network, said Farrell, within which the contrarian messages could be strategically created. That is right, climate denial is “strategically created.”

Farrell’s data show particularly that donations from ExxonMobil and the Koch family foundations signal what he calls entry into a powerful network of influence, and that corporate funding influences the actual language and thematic content of polarizing discourse. And, of course, one of the areas of distinct corporate-funded polarizing discourse produced by this network was questions about the scientific veracity of long-term climate change. Again, it is the product of a scheme.

Professor Farrell made another comparison. He has made the same comparison that others have made with tobacco. I will quote him:

Well-funded and well-organized “contrarian” campaigns are especially important for spreading skepticism or denial where scientific consensus exists—such as in the present case of global warming, or in historical contrarian efforts to create doubt about the link between smoking and cancer.

To create doubt about the link between smoking and cancer. That echos the telling sentence from the tobacco denial campaign: Doubt is our product.

Just as Pope Francis said, the denial machinery is “manipulating information in order to protect their own plans

and interests.” The actions of the climate denial machine have been so effective, they have made it “difficult for ordinary Americans to even know who to trust,” says Farrell. Doubt is still their product.

Every generation of Americans has faced its challenge, and each has risen to its challenge. Some generations left bloody footprints in the snows of Valley Forge to secure our independence. Some generations were torn to pieces by cannon fire in the great battles of the Civil War. Some generations endured mustard gas and trench warfare in World War I. Some secured the world’s freedom from the Axis powers in World War II. Some rebuilt the American economy after the Great Depression. Some were beaten, bombed, and burned as they struggled to secure the civil rights we now enjoy. We are the generation whose duty it is to face down the climate crisis that threatens our planet and face down the folks behind this vast climate denial scheme. All we have to do to rise to our duty is to resist all the dark money, all the fossil fuel-funded threats and intimidation Citizens United made possible.

Let me read from an opinion that was in my clips today from David Brooks, a conservative columnist. I see him at American Enterprise Institute gatherings. He is a self-identified Republican conservative who was writing about climate change and the upcoming Paris conference. He says this as if he is communicating with Alexander Hamilton. He obviously is not, but that is his rhetorical device. He said, “So I seanced up my hero Alexander Hamilton to see what he thought” about the Paris climate conference. Here is what he said:

First, [Alexander Hamilton] was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can’t publicly say what they know about the truth of climate change because they’re afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

That is a conservative Republican economist talking about this.

We can get through this. We simply need conscientious Republicans and Democrats to work together in good faith on a common platform of established science, clear facts, and basic common sense. If we do that, we can protect the American people, the American economy, and our American reputation from the harm of the looming effects of climate change. It is on us. It is on us. We simply need to shed the shackles of corrupting influence and rise to our duty, as other generations always have. We do not have to be the generation that failed. Yes, we are headed down a road to infamy now, but it doesn’t have to be that way. We can leave a legacy that will echo down the corridors of history, so the generations that follow us will be proud of our efforts the way we are proud of those who did great things for our country before us. But sitting here

doing nothing, yielding to the special interests, won’t accomplish that.

This new analysis out of Yale is an important addition to the increasing body of academic research and journalism that is shining some much needed sunlight on the shadowy enterprise of phony science and phony doubt that props up climate denial. It is time we all caught on to this deceptive enterprise. Being suckers down a road to infamy is not a good legacy. It is time to wake up.

Madam President, I ask unanimous consent that the advertisement “Business Backs Low-Carbon USA” in the Wall Street Journal and the article by David Brooks, “The Green Tech Solution,” be printed in the RECORD.

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

PAID ADVERTISEMENT

BUSINESS BACKS LOW-CARBON USA

lowcarbonusa.org

WE ARE SOME OF THE BUSINESSES THAT WILL HELP CREATE THE FUTURE ECONOMY OF THE UNITED STATES.

We want this economy to be energy efficient and low carbon. We believe there are cost-effective and innovative solutions that can help us achieve that objective. Failure to tackle climate change could put America’s economic prosperity at risk. But the right action now would create jobs and boost competitiveness.

We encourage our government to

1. seek a strong and fair global climate deal in Paris that provides long-term direction and periodic strengthening to keep global temperature rise below 2 °C
2. support action to reduce U.S. emissions that achieves or exceeds national commitments and increases ambition in the future
3. support investment in a low-carbon economy at home and abroad, giving industry clarity and the confidence of investors

We pledge to continue efforts to ensure a just transition to a low-carbon, energy-efficient U.S. economy and look forward to enabling strong ambition in the U.S. and at the Paris climate change conference.

Autodesk, Inc.; The Coca-Cola Company; Unilever; Adidas Group; Johnson Controls, Inc.; Clif Bar & Company; Intel; Kingspan Insulated Panels; Microsoft; Qualcomm; Sprint; Colgate-Palmolive Company; Smartwool; The Hartford; Volvo; Volvo Group North America; Burton; Snowbird; eBay; Seventh Generation; Johnson & Johnson Family of Companies; Vail Resorts; Levi Strauss & Co.; EMC; New Belgium Brewing Company; Squaw Valley Alpine Meadows; Annie’s; Alta; General Mills; Dignity Health; BNY Mellon; Jupiter Oxygen Corporation; Hewlett Packard Enterprise; Outdoor Industry Association; Procter & Gamble; Ben & Jerry’s; Schneider Electric; Xanterra; Nike; The North Face; Symantec; JLL; Powdr Corporation; Gap Inc.; Owens Corning; EnerNOC; Hilton Worldwide; VF Corporation; Guggenheim; Timberland; L’Oreal; IKEA; Aspen Snowmass, Aspen Skiing Company; Vulcan; Eileen Fisher; DuPont; CA Technologies; Nestle; Pacific Gas and Electric Company; Catalyst; Sealed Air; National Grid; Saunders Hotel Group; Hewlett Packard; Kellogg’s; Teton Gravity Research; Dell; Mars, Incorporated; NRG; Ingersoll Rand

ENVIRONMENTAL ENTREPRENEURS (E2)

Ameristar SolarStream, Big Kid Science, Bloom Energy, Canadian Solar, Inc., Carbon Lighthouse, Clean Blue Technologies, Inc.

Clean Edge, Clean Energy Collective, Decent Energy, Inc., Drew Maran Construction, Inc., Creep Optimizers, USA, Ideal Energy, Intex Solutions, iSpring Associates, Jacobs Farm—Del Cabo, Krull & Company, Lenox Hotels, LIVINGPLUG, Make Good, Want MEI Hotels, Inc., Microgrid Energy, National Car Charging LLC., Next Step Living, NLine Energy, Inc., Nth Power, one3LED, Recurrent Energy, Sequoia Lab, Sierra Energy, Sustainable Farming Corporation, Terviva, Tonic, Uswharrie Bank, Vigilant, Wall @ Law

Coordinated by Business Council for Sustainable Energy, CDP, Ceres, C2ES, Environmental Defense Fund, Environmental Entrepreneurs, The Climate Group, We Mean Business, and World Wildlife Fund in collaboration with the above businesses.

[From the New York Times, Dec. 1, 2015]

THE GREEN TECH SOLUTION

(By David Brooks)

I’ve been confused about this Paris climate conference and how the world should move forward to ameliorate climate change, so I seanced up my hero Alexander Hamilton to see what he thought. I was sad to be reminded that he doesn’t actually talk in hip-hop, but he still had some interesting things to say.

First, he was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can’t publicly say what they know about the truth of climate change because they’re afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

This week’s Paris conference, I observed, seems like a giant Weight Watchers meeting. A bunch of national leaders get together and make some resolutions to cut their carbon emissions over the next few decades. You hope some sort of peer pressure will kick in and they will actually follow through.

I’m afraid Hamilton snorted.

The co-author of the Federalist papers is the opposite of naïve about human nature. He said the conference is nothing like a Weight Watchers meeting. Unlike weight loss, the pain in reducing carbon emissions is individual but the good is only achieved collectively.

You’re asking people to impose costs on themselves today for some future benefit they will never see. You’re asking developing countries to forswear growth now to compensate for a legacy of pollution from richer countries that they didn’t benefit from. You’re asking richer countries that are facing severe economic strain to pay hundreds of billions of dollars in “reparations” to India and such places that can go on and burn mountains of coal and take away American jobs. And you’re asking for all this top-down coercion to last a century, without any enforcement mechanism. Are the Chinese really going to police a local coal plant efficiently?

This is perfectly designed to ensure cheating. Already, the Chinese government made a grandiose climate change announcement but then was forced to admit that its country was burning 17 percent more coal than it had previously disclosed. The cheating will create a cycle of resentment that will dissolve any sense of common purpose.

I countered by pointing out that policy makers have come up with some clever ways to make carbon reductions more efficient, like cap and trade, permit trading and carbon taxing.

The former Treasury secretary pointed out that these ideas are good in theory but haven’t worked in reality. Cap and trade has not worked out so well in Europe. Over all,

the Europeans have spent \$280 billion on climate change with very little measurable impact on global temperatures. And as for carbon taxes, even if the U.S. imposed one on itself, it would have virtually no effect on the global climate.

Hamilton steered me to an article by James Manzi and Peter Wehner in his favorite magazine, *National Affairs*. The authors point out that according to the United Nations Intergovernmental Panel on Climate Change, the expected economic costs of unaddressed global warming over the next century are likely to be about 3 percent of world gross domestic product. This is a big, gradual problem, but not the sort of cataclysmic immediate threat that's likely to lead people to suspend their immediate self-interest.

Well, I ventured, if you're skeptical about our own policies, Mr. Founding Father, what would you do?

Look at what you're already doing, he countered. The U.S. has the fastest rate of reduction of CO<sub>2</sub> emissions of any major nation on earth, back to pre-1996 levels.

That's in part because of fracking. Natural gas is replacing coal, and natural gas emits about half as much carbon dioxide.

The larger lesson is that innovation is the key. Green energy will beat dirty energy only when it makes technical and economic sense.

Hamilton reminded me that he often used government money to stoke innovation. Manzi and Wehner suggest that one of our great national science labs could work on geoengineering problems to remove CO<sub>2</sub> from the atmosphere. Another could investigate cogeneration and small-scale energy reduction systems. We could increase funding on battery and smart-grid research. If we move to mainly solar power, we'll need much more efficient national transmission methods. Maybe there's a partial answer in increased vegetation.

Hamilton pointed out that when America was just a bunch of scraggly colonies, he was already envisioning it as a great world power. He used government to incite, arouse, energize and stir up great enterprise. The global warming problem can be addressed, ineffectively, by global communiqués. Or, with the right government boost, it presents an opportunity to arouse and incite entrepreneurs, innovators and investors and foment a new technological revolution.

Sometimes like your country you got to be young, scrappy and hungry and not throw away your shot.

Mr. WHITEHOUSE. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

#### POLICY ISSUES AND APPROPRIATIONS BILLS

Mr. MORAN. Madam President, I rise to visit for a moment with my colleagues, both Republican and Democratic, about the ongoing debate we are having over the appropriateness of having policy issues debated and then decided in appropriations bills.

We are now at the stage in our legislative process in which it looks as if we are going to complete our work on the final spending bill for the fiscal year that ended a few months ago and that by December 11, when the continuing resolution concludes, we very well may have an appropriations bill that takes us into the new year completed.

There are some in the Senate who have argued that within this appropriations bill there is no place for policy riders, for provisions in that bill that direct in a more specific way how we spend money. I would say that is a terrible mistake on the part of Members of the Senate to reach that conclusion, and I would say it is wrong for our country. It is wrong based upon the Constitution of the United States that creates three coequal branches of government.

In the legislative branch, we know that our role is to legislate, to create the laws, to appropriate the money. There cannot be a distinction between legislating and appropriating money. They end up being the same thing. When we appropriate money, we are directing an administration to conduct itself according to that appropriations bill. Particularly in this case, we have a few Democrats who are arguing that there shouldn't be any policy riders included in that appropriations bill. I doubt that we would hear that from Democrats if this were a Republican President and a Democratic Congress. In my view, it ought not to be any different. Congress's role is to make decisions about how money is spent. For too long, Congress has given up the power of the purse strings.

This is a significant development in our constitutional history because in giving up the power of the purse strings, we authorize the executive branch—that branch of Government that is to execute the laws, to administer the laws—to have significantly more power. The American people and our Constitution are harmed when any Executive—this President, previous Presidents, future Presidents—exceeds the authority granted to them by the U.S. Constitution. Sometimes I think we end up supporting Presidential decisions that we agree with and oppose those, obviously, that we disagree with. But the reality is that if those decisions are unconstitutional, if they exceed the authority that Congress has granted an executive branch, they ought to be denied, regardless of whether we agree with those decisions or not. In other words, the Constitution should trump.

In my view, this Congress and many who preceded us have taken the opportunity to be in the back seat, granting authority or allowing Presidents to consume additional power well beyond the Constitution. I am here to encourage my colleagues—Republicans and Democrats—to reexert our constitutional grant of authority to legislate. We ought not to pay undue deference to an executive branch, whether the President is a Republican or a Democrat.

I would say that in the time I have been a Senator, in this first term of my term in office, we have seen an executive branch that has continued to increase its power and authority and exceeded, in my view, its constitutional grant of authority and in so many in-

stances has exceeded the authority granted to them by a statute—a piece of legislation passed by the House, passed by the Senate, and sent to the President.

The President should only be able to do those things which are granted to him or her by the Constitution or by legislative enactment pursuant to the Constitution. That seemingly has been forgotten during the recent history of our country. Congress holds the power of the purse strings.

There are many of us—Republicans and Democrats—who would like to direct the executive branch in how money is spent. The appropriations bill ultimately will determine how much money is spent. But in addition to that, we have the ability to direct whether that spending can occur, shouldn't occur or how it should occur. I think all of you have heard me speak previously, and some of you may remember about a particular provision that I wanted included in the Interior and Environment appropriations bill related to the U.S. Fish and Wildlife Service—the designation of the lesser prairie chicken as a threatened species.

We have had this conversation. In fact, in a bipartisan way, that issue was voted on here on the Senate floor. It was approved, but the legislation it was attached to did not become law. Now the opportunity to instruct a Federal agency arises as we appropriate the money for them to operate. There are five States in the middle of the country—New Mexico, Texas, Colorado, Kansas, and Oklahoma—that have felt the consequences of a decision made by the U.S. Fish and Wildlife Service to list the lesser prairie chicken as a threatened species. The issue that is so troublesome to me is that those five States have come together to solve this problem on their own without the heavy hand of the Federal Government. Conservation practices were being put in place. The U.S. Department of Agriculture was providing technical and financial assistance for conservation efforts to landowners to provide the incentives to put voluntary conservation practices in place across those five States. In my view, the U.S. Fish and Wildlife Service only paid lip service to those conservation efforts. Their actions spoke louder than the words, and they listed the lesser prairie chicken as threatened.

This decision at that point in time didn't provide enough time for local plans to prove their effectiveness, and the reality is the problem in our State and across that region of the country was that we didn't have moisture. We didn't have adequate snowfall. We don't have adequate rainfall. When you have little or no rain, you have little or no habitat. You can't solve that problem without moisture. Now the rains have returned. Over the last 2 years, just as you would predict and as common sense would tell us, if there is more rain, there is more habitat and there are more birds.

The most recent census of the lesser prairie chicken indicates that in the last 2 years, the population of that bird has increased by 50 percent. Again, common sense tells us if there is rain and if there is moisture, there is habitat and the birds return. As the rainfall has returned, the habitat is growing, and it is healthy again. Local surveys indicate what we would expect: The bird's population is again increasing.

Therefore, one might think it would be useful to take a second look at the listing. Despite our request of the U.S. Fish and Wildlife Service, they dismissed with little thought that as the species has returned, maybe it should no longer be listed. The opportunity that I and others have to rein in decisions that we believe are poorly made, lack common sense, and are unreasonable occurs in this appropriations process. My guess is that all of my colleagues have certain issues on which they want to direct a Federal agency about how to behave, what rules and regulations are appropriate, where we believe they have exceeded their authority or where they simply lack the common sense or sound science to have made an appropriate decision.

There are some who say you shouldn't legislate on an appropriations bill. An appropriations bill is a legislative effort, and it would be wrong for us not to take the opportunity to direct agencies on behalf of the American people, on behalf of the constituents—in my case of Kansas—who feel very strongly about this issue and have suffered the consequences of the listing of the lesser prairie chicken by the U.S. Fish and Wildlife Service.

Despite the practical reasons that this listing should be reversed, the agency is not listening, and we ought to take the opportunity to direct their behavior in a legislative way. Whether or not an amendment is approved is decided here in the Senate by a majority vote. I would tell you that in the case of this issue, the amendment was offered in the Appropriations Committee. It is included in the Interior appropriations bill. The House has adopted similar language in their appropriations bill. So for those who say this is inappropriate, this is the legislative process as it should be. This is the Senators and the Members of the House of Representatives speaking on behalf of their constituents in a very constitutional and appropriate way.

It is important for us to utilize our authority as Members of Congress to make decisions that benefit our country as we see best, and we ought to work together to accomplish that. There will be riders—provisions that are offered that are included in an appropriations bill—that I will disagree with, but the appropriations process ought to work. As a member of the Appropriations Committee and as a Member of the Senate, I want to see us get back to the days in which the power of the legislative branch is able to be utilized and we make certain that we

make decisions on how we spend the money.

I appreciate the opportunity to be on the Senate floor today to speak as we move next week toward the appropriations bill and its conclusion. I wish to say that in a bipartisan way, we ought to work together to find opportunities to solve the problems that our constituents and Americans face. The legislative process is a way that we can do that. It is not inappropriate. In fact, it is the constitutional response to an abuse of power in an executive branch. Whether it is a Republican executive branch or a Democratic executive branch, we ought to work together as Members of Congress in utilizing our constitutional authority to make appropriate decisions for the American people.

---

#### EXTENSION OF MORNING BUSINESS

Mr. MORAN. Madam President, I ask unanimous consent that morning business be extended until 6 p.m. today, with Senators permitted to speak for up to 10 minutes each.

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

Mr. MORAN. Madam President, I yield the floor to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

---

#### HIGHWAY BILL

Mr. HATCH. Madam President, throughout my time as ranking member and now chairman of the Senate Finance Committee, finding money for surface transportation infrastructure has been a persistent and seemingly intractable problem. Even as we went into this year with a new Republican majority in the Senate, none of us could have imagined that we could find a way to provide 5 years of solvency and stability for the highway trust fund. Yet, with today's announcement of the completed conference report, that is precisely where we are right now.

The conference report for the Fixing America's Surface Transportation Act will hopefully be enacted within a few days' time. As the very first member of the conference committee to sign the report, I want to briefly talk about the process by which the legislation came about and how we got to where we are now.

Immediately before the Memorial Day recess, there was an unsuccessful attempt to put together a package to possibly get the highway trust fund through the rest of 2016. The agonizing difficulty we faced at that time in dragging ourselves through another 18 months gave us a desire to think bigger than we had before. This is why I was determined to help find a way out of the cycle of short-term infrastructure bills and why I believed it was necessary for us to think outside of the

proverbial box and look everywhere for potential offsets.

Generally, the Finance Committee is responsible for the financing title of any highway bill that goes through the Senate. Usually, we do our best to work within our committee's jurisdiction to identify offsets. However, because those resources have been quickly drying up, we had to look elsewhere for this package.

After the committee spent weeks examining numerous options and alternatives, I was able to present our distinguished majority leader with a list of offsets that, while not necessarily ideal, would allow us to put together a long-term highway bill without raising taxes or increasing the deficit.

I am very pleased with the work we were able to do there as that list of offsets formed the basis of the funding for the long-term deal we will likely be voting on in short order. As we continued on, by the end of July, the Senate had managed to pass a bipartisan infrastructure bill with 3 years of solvency, funding, and certainty for the highway trust fund. Though we were required to enact another short-term extension before the August recess, momentum had begun to build in both Chambers for a long-term highway bill.

Common practice on highways over the past few years has been to enact short-term extensions and then go and complain about the dysfunction in Congress before moving on to the next order of business. The offset package produced by the Senate showed that we could do things differently and, for the first time in almost two decades, a long-term transportation bill was actually possible.

After the August recess, the House began working off of the Senate bill as a template for their own legislation. After they passed a remarkably similar bill in November, the conference committee came together to produce the legislation announced today.

While I am not one who likes to count chickens before they have been hatched—no pun intended—I am optimistic that the bill will pass with a strong bipartisan vote. Putting these offsets for this long-term bill together has truly been a group effort. As I mentioned, we searched far and wide for offsets that required a number of chairmen and committees to work together. I commend my colleagues for their efforts and their willingness to do so and their willingness to do what it took to make the endeavor successful.

I especially want to thank Senator THUNE and the commerce committee, who assisted these efforts by providing for the transfer of certain motor vehicle safety penalties to the highway trust fund. I also appreciate the work done by the House Financial Services Committee and Congressman RANDY NEUGEBAUER, chairman of the Subcommittee on Financial Institutions and Consumer Credit. He was able to identify a new and important offset for the infrastructure bill, a feat which few

have been capable of. While, as is often the case around here, some are very quick to throw out criticisms of individual offsets and were less willing to offer suggestions for suitable alternatives, Congressman NEUGEBAUER, in response to concerns about an item in the original offset package, came forward to produce a viable and scorable alternative that was able to garner bipartisan support and ultimately broaden the overall support for this long-term deal.

Back in July, when the Senate first proposed a long-term bill, many said we couldn't do it without raising taxes. When we passed our first bill, these same people claimed that it stood no chance of passage in the House. Now, just a few months later, both Chambers are a few days away from considering the conference report built upon the foundation laid by that same Senate bill.

This legislation provides a longer extension than the vaunted SAFETEA-LU extension, which many had long viewed as a model for a multiyear highway bill. In fact, you would need to go back at least to the late 1990s—actually, to the early 1990s—to find a highway reauthorization of comparable duration.

As I said, this major bicameral success was unthinkable a few months ago.

While I do acknowledge that we still face the problem of outlays from the highway trust fund outpacing the dedicated revenues, this bill will give us a much needed 5-year break from the deadlines and cliffs that all too often dictate how we deal with the highway trust fund. It is, quite simply, a great example of what we can do when we work together.

I would like to briefly note that these types of victories for good government have been piling up all year under the current Senate majority.

We do need to start thinking now about more permanent solutions on highways, but once we pass this bill, we will be in a better position than at any time in nearly two decades to do so. That, as they say, is nothing to sneeze at.

Before I conclude, I wish to pay tribute to Chairman INHOFE, Chairman SHUSTER, and BARBARA BOXER and her Democratic counterpart in the House, who led a conference committee that was able to sift through various issues and put together a very complex piece of legislation in a matter of just a few weeks. These two chairmen deserve a lot of credit for their efforts, as do all the Members who took part in the conference.

Today Congress is making headway to implementing the longest highway reauthorization bill in more than 15 years. We have heard time and again that a long-term highway bill would only be possible if we included a big tax increase. Yet we have been able to defy the odds and provide much needed funding for America's bridges, high-

ways, and roads for the next 5 years. This marks a watershed moment for our transportation community, which will now have the security and stability they need to plan, implement, and complete critical infrastructure projects.

Of course, while we have crossed a major hurdle today, our job is not yet over. There is still one more vote to go, and I am confident we will get there.

I look forward to continuing to work with my colleagues on both sides of the aisle to complete our work and ensure that a strong multiyear highway bill is signed into law this year. I look forward to working with all of my colleagues for whatever challenges lie ahead.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Oklahoma.

#### GOVERNMENT SPENDING

Mr. LANKFORD. Mr. President, when you are home and the television is on, the phone starts to ring, your dog is at the back door barking, and the kids need help doing their homework, occasionally you can forget that dinner is on the stove, but if you forget about it too long, your house will catch on fire, and that is going to be a problem. You can get distracted by a lot of things and suddenly miss out on something that is very important.

Our Nation is dealing with a lot of issues right now, such as terrorism, immigration, banking issues, our economy, education, transportation, and I do have a concern that we have forgotten this year we still have \$450 billion in deficit and a total debt of \$19 trillion hanging over our heads.

If we were in any State in America and faced with that, the legislative branch would work, make hard decisions, and then balance their budget. Every single State, at the end of the legislative session, comes to a balanced budget, but we don't. We just overspend, and it has happened consecutively so many times now, our debt has built up to \$19 trillion. I don't have an easy way to articulate \$19 trillion of debt, but let me give you a picture of that. Earlier this year we passed a 10-year budget plan that would get rid of our \$450 billion of deficit and would slowly work down, within 10 years, back to a balance. Good.

Let's do a hypothetical. Let's say we finish out that path, and we have to get back to a balance within 10 years, and then in year 11 we do very well and we have a \$50 billion surplus. It is a good surplus. Here is my question: How many years in a row would we have to have that \$50 billion surplus before we paid off our debt? If you are doing the math in your head, the correct answer is 460 years in a row. If we had a \$50 billion surplus for 460 years in a row, we could pay off our debt. That is not going to happen, is it? We are in a bad spot, and my fear is that we are dis-

tracted and we are not focusing on something that will come back and bite us.

What do we do about that? I ask if we can do the first thing: Can we at least agree that this is a problem and that we should actually work to balance our budget? At least have that as the common ground that we can agree on in this body and say we need to get back to a balanced budget, and then we need to begin to pay this down and start that process—to approach this issue in a way that I think can develop real solutions. We need to find common-ground areas, but first we need to begin with that one simple principle.

Our office has come up with a list which we affectionally call the Federal Fumbles List—100 ways the Federal Government has dropped the ball. We are identifying areas of waste, duplication, and, quite frankly, regulations that are well outside the purview of the Federal Government, many of which slow down the economy and drive up the costs to consumers.

These Federal fumbles are not an exhaustive list. This is not everything; This is just our list. We took some from multiple agencies and entities. As we pulled this list together, we encouraged this. This is our to-do list. We encourage other offices to start their to-do list so at least we can have a common-ground sense of, let's get back to a balance and work together to identify something within our own office to find out ways we can deal with some simple things, such as, how are we wasting taxpayer dollars? What programs are ripe with fraud? What duplication and inefficiency is out there? Where are we overregulating, which in turn raises the costs of goods and services for consumers? And how does the government actually have processes in place that deceive taxpayers and add debt to their families?

When we walked through this, we had a common agreement on our team: We are not just going to identify problems; we are going to actually work together to find a solution. Our issues and conversations have been simple. If I am back home in Oklahoma, I can sit in the coffeehouse with other folks eating breakfast and talk about all the problems, but when I get back in this room, we can't just complain about the issues, we have to fix those issues. That is our job. We spend a tremendous amount of time just complaining about the issues as if fixing it comes from somewhere else.

So we take all 100 of these issues and say: Here is the problem, and here is the solution we have proposed. If people have different ideas and different solutions, bring them, but let's at least agree that these things should be resolved. Some of them are small, some of them are large, but we simply asked the question: How do we fix this?

I have several things to say on that issue. One is that we have to fix our budgeting process and the way we make decisions about it.



We have these cute little terms in our budgeting process, such as CHIMPS, changes in mandatory programs. It is a cute term, but the problem is that adds \$11 billion to the debt every year and everyone just pretends that it is not there, that it is not real.

There is a fund called the Crime Victims Fund. This fund is supposed to go directly to what it says—to crime victims—but it is actually not used for crime victims.

Eleven billion dollars each year—in fact, this is the same \$11 billion that is used each year as an offset for additional spending, but the money never actually moves out of that account, it just stays there. We pretend we are going to spend it and then actually spend it somewhere else and then the next year do the same thing again. It is deceptive. We have to stop that. That adds deficit and debt onto families by a deceptive tactic.

We have a thing called the corporate payment shift. This one is fun as well. The corporate payment shift assumes that money is going to come in or be spent, and we have a 10-year budgeting window and move it in the very last month to year 10 plus 1 month. We move it just slightly out of the budget window, but we say we are going to spend it and actually go ahead and spend it anyway. If we had a budget that was 10 years and 1 month, it would be out of balance, but if we put that little corporate payment shift in there, it looks fine on paper, but in reality it doesn't work. So we identify that as one of the fumbles that we have as a government. It is something that we obviously have to fix. Basic oversight will help that, but it is also this body making a decision on how we are going to budget it.

We also walked through a lot of areas where we just identified things that the Federal Government spends money on that we thought were rather unique to spend money on and we thought may need some oversight.

How about a \$43 million natural gas filling station built in Afghanistan? It cost \$43 million for one natural gas filling station. Now that that station is in place, it is not being used at all and it is a \$43 million waste.

How about the Academy Awards. It is a pretty ritzy event. The Academy Awards are choosing to build a \$250 million museum, and the Federal taxpayers are kicking in \$25,000 to that museum. Why in the world are we kicking in \$25,000? Did we believe at some point that they couldn't raise the last \$25,000, and so we had to kick in a Federal connection to it? I would disagree.

One of my favorites is the fact that we just spent almost \$50,000 to study the history of tobacco use in Russia. I am still looking for the national security implications of why we just spent \$50,000 to study cigarette use in Russia.

The National Park Service spent \$65,000 doing a study on what happens to bugs when you turn on a light in

dark areas. I can tell anyone in this Chamber what bugs do if you turn on a light in a rural area. They fly at the light. But we spent \$65,000 trying to investigate that.

The VA in Arkansas installed solar panels to show that they have green energy in this area. Many VA centers around the country are doing this project. The particular one in Arkansas put them on in the wrong spot, relocated them, and spent \$8 million in total just for the installation for their solar panels. Any guess on how long those solar panels will have to run continuously to before they pay off the cost of installation? They will have to run continuously for 40 years just to pay for the cost of installation. That is not green energy, that is just waste.

How about a challenge like this. The Social Security Administration—the definition for Social Security disability is that you cannot work in any job in the economy. You are only eligible for Social Security disability if you cannot work in any job in the economy. But there are individuals who receive both Social Security disability, which by definition means you cannot work, and unemployment insurance, which by definition means you are looking for a job. You should not be able to get unemployment insurance and Social Security disability insurance at the same time. They violate the definitions between the two. Even the President of the United States agrees with that. Yet we have not been able to get that done. That is a fumble.

As American taxpayers, we spent \$374,000 studying the dating habits of senior adults. Can someone help me understand what the national security implications are for that and why we spent \$374,000 studying the dating habits of senior adults?

We also created what is called the Ambassador Slush Fund.

The Ambassador's Cultural Fund from the State Department, \$5 million—almost \$6 million—is designed to be able to help us give away money to do construction in other areas.

We have done projects like building a welcome grotto into a Buddhist temple in China, which I find the ultimate irony. If any church in America said we wanted to be able to add on a welcome center onto our church, we would forbid the use of taxpayer dollars for that, but in China we literally borrowed money from them, gave it to our State Department so they could build a welcome grotto into a Buddhist temple back in China. I am not sure that is a great idea.

The State Department also has a Twitter account called ThinkAgainTurnAway. It is to discourage people from joining the jihadi movement. Any guess on how much Americans spend for a Twitter account? For that one Twitter account with 23,000 followers, we spent \$5 million—\$5 million to maintain a Twitter account. I am very confident there are multiple teenagers at home who could

help us run that for a lot less than the price.

Mr. President, I ask unanimous consent to extend my remarks for a couple more moments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LANKFORD. Let me mention just a couple more.

I have a real concern that our Social Security Administration is not sharing what is called the death master file. That may seem like a macabre comment, but what happens is, if we don't share the death master file, then we literally don't know in other agencies when to be able to pull a Social Security number off the record. The Social Security Administration recognizes that someone has passed away, but the IRS doesn't, so that is still a live Social Security number to them, meaning someone could get that Social Security number, file, get a work permit, even register and vote—all sorts of things can be done—under that number.

We have 6.5 million people, according to our government, who are over 112 years old—6.5 million people. That is quite a few. Actually, in the world, there are less than 100, but according to our government we have 6.5 million and those numbers are being abused.

I can't even get into multiple issues, but let me just mention one more on this list of waste. We identified what many Americans already know. Social Security numbers are being stolen and used to file fraudulent tax forms. Many Americans in the coming months will file their taxes only to get notification from the IRS that someone has already filed under this number. It is infuriating to them, and it is billions of dollars of loss to the Federal taxpayer. The IRS knows how to fix this. We list out the solutions. We have to actually implement the fixes. We have to be able to protect the taxpayer and to protect individuals from identify theft. That is a fumble, but it is fixable and we need to do it.

I haven't even gotten into some simple things such as school lunches—ask any teenager what they think of school lunches at this point with the new regulations—or waters of the United States and how even the Corps of Engineers doesn't want to implement the new EPA rule. The fiduciary standard is causing chaos among retirees and individuals wanting to get retirement advice or rural banks in how they want to be able to give out loans for mortgages but can't in many rural areas of America.

There are solutions to these problems, and it is our responsibility to be able to work through the process to solve them. With \$450 billion in deficit spending and an economy that continues to slow down, this body needs to determine what our job is and do it. It would be my encouragement in the days ahead that we actually achieve that; that in the days ahead we speak of what we have solved for the American people rather than pretending, as

we are eating breakfast back home with some friends who are complaining about the problems. It is time for us to fix the problems.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### PARIS CLIMATE CHANGE CONFERENCE

Mr. WICKER. Mr. President, policymakers from all over the world will be meeting in Paris this week and next to address the issue of climate change. With much fanfare, they will purport to reach an agreement that will prevent the Earth's "average global air temperature" from rising more than 2 degrees Celsius. This 2-degree limit will supposedly mean success for the conference in Paris and success in the battle against global warming, thus preventing catastrophic events from occurring.

So I come to the floor to call attention to several news articles pointing out problems with this approach, with this 2-degree Celsius approach. The first is a front-page story from yesterday's Wall Street Journal. I hold it in my hand. It is titled "Climate Experts Question Temperature Benchmark." This is not an opinion piece, it is a news article. The article points out that the 2-degree target is both arbitrary and based on questionable research.

The article quotes Mark Maslin, professor of climatology at the University College London, saying:

It emerged from a political agenda, not a scientific analysis. It's not a sensible, rational target.

The article goes on to say that despite assumptions by policymakers, the 2-degree target does not express "a solid scientific view." Indeed, no report by the U.N. Intergovernmental Panel on Climate Change even mentions the 2-degree limit.

Economics Professor William Nordhaus appears to have been the first to use the 2-degree figure. The article notes that his work "argued that a rise of two or more degrees would put the earth's climate outside the observable range of temperature over the last several hundred thousand years." I ask my colleagues how did they measure air temperature 100,000 years ago, 200,000 years ago, as Professor Nordhaus appears to have been concerned about. I would also point out to my colleagues that being outside the observable range is far different than being catastrophic. It is not the same thing, but from that has evolved the 2-degree model.

This is not the first time the model has been criticized. In October of last year, David Victor and Charles Kennel wrote about it in the journal *Nature*. Victor is a professor of international relations at the University of California San Diego and Kennel is a professor at the Scripps Institution of Oceanography in La Jolla, CA.

Yesterday I got this article from the journal *Nature* and read it myself. In their piece, Professors Victor and Kennel wrote:

Politically and scientifically, the 2 degree Celsius goal is wrong-headed. . . . It has allowed some governments to pretend that they are taking serious action to mitigate global warming, when in reality they have achieved almost nothing.

This is one of the things I worry about. This is one of the things I fear from the Paris conference. The United States will agree to do a lot, costing job growth here, and other countries will do almost nothing, as the professors say.

Victor and Kennel say that the 2009 and 2010 U.S. conferences in Copenhagen and Cancun officially adopted this approach. They then conclude: "There was little scientific basis for the 2 degrees Celsius figure that was adopted."

Additionally, in an op-ed last month for the Wall Street Journal, environmentalist Bjorn Lomborg cites his own peer-reviewed study to show how the most high-flown promises in Paris will fail to make any substantial impact on climate change.

Even if every country fulfills every promise made in Paris over the next decade and a half, according to Dr. Lomborg, the growth of global temperatures would be reduced by less than .05 degrees Celsius, or five-hundredths of a degree Celsius—by the end of the century, the year 2100. So is it 2 degrees or is it less than five-hundredths of a degree? And is 2 degrees sensible and rational? Not according to Professors Maslin, Victor, Kennel, and certainly not according to Dr. Lomborg.

One more quote from Professors Victor and Kennel. They point out one of the major problems in the 2-degree Celsius approach: "Failure to set scientifically meaningful goals makes it hard for scientists and politicians to explain how big investments in climate production will deliver tangible results."

Yes, what are the tangible results? What can we expect in tangible results from the agreements that will certainly come out of Paris? We will be \$3 billion poorer, that is for certain, because the President has pledged \$3 billion from taxpayers for the Green Climate Fund. I would point out that \$3 billion could be used for Alzheimer's research or malaria or malnutrition or any number of the other problems the people of the world see as more important than climate change.

Tangible results coming out of Paris: Electricity bills will be higher. Lower income Americans will be colder in their own homes, our economy will have suffered, and job growth will have been slowed, perhaps by as much as \$154 billion a year. That figure comes from Stanford University analysts who say that if we adopt the Obama administration's proposal of cutting domestic carbon dioxide emissions by as much as 28 percent, GDP will be reduced by \$154 billion per year.

If we spend all of this money, trim our GDP by \$154 billion a year, and actually achieve this impractical 2 degrees Celsius, where will humankind be then? How much will the sea level not rise? No one can say. How much thicker will the icecap be in the Arctic or Antarctic? No one knows. How many coral reefs will be preserved? No one will even venture a guess. All of this to be done, all of this money to be spent, and experts cannot say how much it will help, if at all.

Dr. Lomborg writes that the Paris agreements are "likely to see countries that have flourished with capitalism willingly compromising their future prosperity in the name of climate change." Negotiators in Paris should weigh the real-world costs against the negligible environmental impact when discussing emissions reductions.

Finally, the Obama administration's international promises should come back to the Senate for advice and consent of Congress. Under the Constitution, the approval by two-thirds in the Senate is needed to enter into a legally binding treaty. I join many of my colleagues in urging the President to submit to Congress any agreement in Paris with regard to U.S. emissions targets and timetables or pledges that appropriate taxpayer dollars.

Americans should have a say in the approval process. A recent FOX News poll showed that only 3 percent of Americans believe that climate change is the most important issue facing our country.

In conclusion, the President's promises in Paris are not based on scientific analysis, according to these professors, but would certainly slow the economy, cost jobs, cost billions of dollars, divert money from real and pressing needs, and be of limited value. With so much at stake, these policies should come back to Congress for debate, consultation, and approval or disapproval.

Thank you, Mr. President.

Mr. GRASSLEY addressed the Chair. The PRESIDING OFFICER. The Senator from Iowa.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that I follow Senator GRASSLEY after he has completed his remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### OBAMACARE

Mr. GRASSLEY. Mr. President, I come to the floor because we are discussing ObamaCare on the reconciliation bill. Webster's dictionary defines the word "success" as the correct or desired result of an attempt. So I want to discuss the definition of the word "success" as we consider repeal of ObamaCare.

On the day the bill was signed into law, President Obama said the following:

Today we are affirming that essential truth, a truth every generation is called to rediscover for itself, that we are not a nation that scales back its aspirations.

Such grand words for where we are today with ObamaCare. Today the success of the law that now bears his name, ObamaCare, is defined in much more meager terms. Think of all we have been through to this point: the fight over the bill and the extreme legislative means used to pass it through the Congress; the Supreme Court decision that effectively repealed half of the law's coverage. Think of all the changes made to the law through regulation to make sure ObamaCare actually got launched—the postponing of the employer mandate, the postponing of lifetime limits. Think of the impact this law has had on our economy—people losing jobs, people losing the health insurance they currently have because if you like what you have, you may not be able to keep it.

Let's talk about that for a moment. "If you like what you have, you can keep it." This was the promise the President made to the American people on at least 36 separate occasions. It is a great sound bite. It is easy to say. It rolls off the tongue. It is also not true. It was never true. It obviously was not true when the law was written. It was obviously not true when the first proposed regulation came out.

This is what I said on the Senate floor in September of 2010:

Only in the District of Columbia could you get away with telling the people "if you like what you have, you can keep it," and then pass regulations 6 months later that do just the opposite, and figure that people are going to ignore it.

It is not that I have some magic crystal ball. We all knew it. The administration certainly knew the day would come when millions of people would receive cancellation notices. My constituents clearly know that. I heard from many Iowans who found out the hard way that the President made a bunch of pie-in-the-sky promises that he knew he couldn't keep; constituents such as this one from Perry, IA, who wrote to me saying:

My husband and I are farmers. For nine years now we have bought our own policy. To keep the cost affordable our plan is a major medical plan with a very high deductible. We recently received a letter that our plan was going away. Effective January 1, 2014, it will be updated to comply with the mandates of ObamaCare.

To manage the risks of much higher premiums, our insurance company is asking us to cancel our current policy and sign on at a higher rate effective December 31, 2013 or we could go to the government exchange.

We did not get to keep our current policy. We did not get to keep our lower rates. I now have to pay for coverage that I do not want or will never use. We are not low income that might qualify for assistance.

We are the small business owner that is trying to live the American dream. I do not believe in large government that wants to run my life.

From a constituent living in Mason City:

My wife and I are both 60 years old, and have been covered by an excellent Wellmark Blue Cross Blue Shield policy for several years. It is not through my employer. We selected the plan because it had the features we wanted and needed . . . our choice. And because we are healthy, we have a preferred premium rate.

Yesterday, we got a call from our agent explaining that since our plan is not grandfathered, it will need to be replaced by the end of 2014. The current plan has a \$5,000 deductible and the premium is \$511 a month. The best option going forward for us from Wellmark would cost \$955 per month (a modest 87 percent increase), and have a \$10,000 deductible. And because we have been diligent and responsible in saving for our upcoming retirement, we do not qualify for any taxpayer-funded subsidies.

These are just two of many letters, emails, and phone calls I have received from Iowans.

Now the issue has turned to cost. Millions of people face rising premiums. The impact is real and undeniable.

Here is another from a constituent from Des Moines:

In 2013, I encountered some medical problems which caused me to retire early. My spouse works as an adjunct instructor . . . thus not qualifying for coverage. In 2014, with 4 part-time jobs between us, we made \$44,289 in Adjusted Gross Income.

Our Obamacare insurance cost \$968 per month and after credits, we paid \$478 per month or approximately 13 percent of our Adjusted Gross Income. In 2015, our Adjusted Gross Income will be approximately the same, however our Obamacare insurance jumped to a premium of \$1,028.82 and our cost to \$590.12.

The insurance company touted that premiums went up less than 10 percent, but as you can see, my costs went up 23 percent. The impact to Adjusted Gross Income went to 16 percent, a 23 percent increase. I just received my 2016 premium estimate. Our Adjusted Gross Income is likely to be the same. Our gross premium is scheduled to rise 36 percent to nearly \$1,400; our cost after the credit is jumping 63 percent and the impact to our Adjusted Gross Income is that 25 percent of our income will be spent on health insurance (a 56 percent increase).

Thousands of Iowans have contacted me asking what can be done. Now that we clearly see that what the President sold the American people was a bag of Washington's best gift-wrapped hot air. All the grandiose talk about the importance of this statute, and what we ultimately have is an optional Medicaid expansion with a glorified high-risk pool and a government portal that makes DMV look efficient.

Finally, I would be remiss if I didn't mention the co-op disaster. The first co-op to fall was Iowa's CoOpportunity. CoOpportunity enrolled the second most beneficiaries of any co-op in America. CoOpportunity knew they were in trouble because they enrolled more than 100,000 people when they were planning for less than 20,000. CoOpportunity was in contact with CMS and so was the State of Iowa. CMS chose not to further fund CoOpportunity and CoOpportunity has since been liquidated. American taxpayers have billions of dollars invested in these co-ops. The taxpayer only gets their

money back when co-ops succeed. CMS's stewardship of this program has proven that CoOpportunity was not an exception but unfortunately the rule as more and more co-ops have failed.

Americans deserve better. They voted for better. It is time to admit that ObamaCare has not achieved the correct or desired result of an attempt. It has not been a success by any measure, unless, of course, you lower your standard to the point that the mere act of keeping the doors open is a success. How sad is that for all we have been through.

Maybe, just maybe, it is time to admit that the massive restructuring has failed. Partisanship has failed. Perhaps it is time to sit down and consider commonsense, bipartisan steps that we could take to lower the cost and improve quality. Perhaps we could enact alternative reforms aimed at solving America's biggest health care problems, reforms like revising the Tax Code to help individuals who buy their own health insurance, allowing people to purchase health coverage across State lines and form risk pools in the individual market, expanding tax-free health savings accounts, making health care price and quality information more transparent, cracking down on frivolous medical malpractice lawsuits, using high-risk pools to insure folks with preexisting conditions, giving States more freedom to improve Medicaid, and using provider competition and consumer choice to bring down costs in Medicare and throughout the health care delivery system.

The American people need to know that this failed program is not the only answer and we are not scaling back our aspirations. With this vote this week, we once again demonstrate to the American people our willingness to not accept failure and to aim for better. That is what America is all about.

I yield the floor.

#### EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that morning business be extended until 7 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### RECONCILIATION LEGISLATION

Mr. WYDEN. Mr. President, with so many issues to wrap up before the end of this year and so many enormous challenges facing our country, my view is the Senate ought to be embracing bipartisanship at every turn. In fact, earlier today the senior Senator from Iowa and I released an 18-month bipartisan inquiry into Solvaldi, which is the blockbuster drug to deal with hepatitis C, and the reason we did is because these specialty drugs are the

drugs of the future for cancer, Alzheimer's, diabetes, and defeating hepatitis C if people can afford them. Using the company's own documents, there were real questions about whether access and affordability were just kind of an oversight because all they truly cared about was maximizing revenue. A Republican, a senior Member of this body, a good friend of mine, and I as a Democrat came together because we thought this question of making sure the public can get access to breakthrough cures and that they be affordable was something that would require bipartisan effort. I am very proud that the senior Senator from Iowa and I joined in that effort earlier today.

We ought to be embracing bipartisanship. I come tonight to unfortunately talk about this reconciliation legislation because I think it is the antithesis of what Chairman GRASSLEY and I sought to do earlier today, which was to take a bipartisan approach. The reconciliation legislation in my view is a rejection of bipartisanship. It is a rejection of bipartisanship because it would, for example, undermine women's health, it would mean millions more Americans go without insurance, and it puts at risk our ability to have affordable health insurance premiums. I think it is going to drive up these health insurance premiums.

So I am going to just spend a few minutes tonight talking about why I object to this legislation and again why it really is the antithesis of the kind of bipartisanship that we need.

My first concern is that the Senate is looking once again at a plan that would wreak havoc on women's health in our country by denying the funding for Planned Parenthood. It is important to recognize the horrific act of gun violence that happened at a Colorado Planned Parenthood clinic last week. It was another in a long stream of tragedies that have taken place across the Nation, including one in my home State in Roseburg, OR, in October. This time it marked an attack on the public and women's health.

Millions of women have sought routine, medical care in Planned Parenthood clinics just like the one in Colorado. More than 70,000 Oregonians are served by the 11 Planned Parenthood centers in my home State.

The bottom line is that Planned Parenthood is a bedrock institution for women's health care in America. In my view it is wrong to bring such a misguided, controversial proposal before this body in the wake of the horrible, tragic events in Colorado.

These are the services Planned Parenthood offers that would be at risk of disappearing with this reconciliation proposal: pregnancy tests, birth control, prenatal services, HIV tests, cancer screenings, vaccinations, testing and treatment for sexually transmitted infections, basic physical examinations, treatment for chronic conditions, pediatric care, adoption referrals, nutrition programs, and more.

This seems to be the latest offering in what amounts to an ongoing, coordinated campaign to regrettably undermine the fundamental rights of all women in our country to make their own reproductive choices and attain affordable, high-quality health care. When you wipe out Planned Parenthood's funding, you dramatically and painfully reduce women's access to services that have absolutely nothing to do with abortion. And I want to repeat that; I have done that on this floor before. What I have talked about are all those important services: cancer screenings, gone; vaccinations, gone; basic physical exams, gone; treatment for chronic conditions, gone; pediatric care, gone. The list goes on and on and has absolutely nothing to do with abortion. So I hope that this campaign against women's health will come to an end.

The second objection I want to touch on tonight is the harm the bill threatens to do to millions of vulnerable Americans by repealing as much of the Affordable Care Act, frankly, as Senate procedure would allow. Based on the reports of the bill's contents, this is what is at stake. According to the non-partisan experts at the Congressional Budget Office, this proposal would mean 14 million more Americans would go without health insurance. For people who shop for their own private insurance coverage, premiums would increase by 20 percent. That is potentially hundreds or thousands of dollars taken out of families' pockets. Emergency rooms would once again be the fallback for people without a doctor. Typical Americans with insurance would once again have to pay the hidden tax of higher premiums to cover the costs of those without coverage.

There have been more than 50 votes to repeal or undermine the Affordable Care Act, and there is still no viable plan to replace it. As a Member of Congress, you can object to a law and want to make changes, but America cannot and will not go back to the days when health care was reserved for the healthy and the wealthy. That is what this plan does.

Before I came to Congress, I was co-director of the senior citizens group, the Gray Panthers, and I remember what health care was like in those days. In effect, the system truly did work for people who were healthy and wealthy. If you were healthy, you didn't have any preconditions. You didn't have any of these pre-existing conditions. If you were wealthy, you could just pay the bill, but it was care that worked for the healthy and the wealthy.

Yet with the Affordable Care Act, that changed. Unfortunately, what this destructive reconciliation bill would do would be to take us back to those days when health care was reserved for the healthy and the wealthy.

The fact is, despite raising costs for families, causing turmoil in insurance markets, and raising the number of un-

insured Americans by 14 million, this bill doesn't even manage to repeal the Affordable Care Act fully. That is because of the reconciliation process, because of the way it works, which brings me to the final issue I wish to raise today.

Reconciliation is a sharp departure from the usual procedure for Senate debate. Usually bills being considered on the Senate floor are subject to an unlimited debate and unlimited amendment. Further, it typically takes 60 votes to pass a bill, assuring that there is at least some measure of bipartisan support. These regular-order procedures give the Senate its unique character. The reconciliation procedure is an exception to this usual approach. Reconciliation imposes tight limits on debate and on amendments, and it allows a vote of a bare majority of Senators—51—to pass a bill. The reconciliation procedure originally was created to facilitate the passage of budget-related bills which can be particularly important and particularly hard to pass. But reconciliation shouldn't be a free pass that allows the majority to pass anything it wants on a fast track. That would undermine the fundamental character of the Senate.

I am concerned that the reconciliation process is being misused here. Everybody in the Chamber knows what is happening. This bill is not designed to address budget-related issues; it is all about repealing the Affordable Care Act to the maximum extent possible. Repeatedly, the bill's advocates have proposed to repeal ObamaCare—to dismantle ObamaCare.

A few weeks ago, the Parliamentarian advised that the reconciliation process could not be used to repeal the individual and employer mandates. The Parliamentarian said that would violate what is known as the Byrd rule against extraneous amendments because the budgetary effects of the provision would be dwarfed by the health policy effects.

In response, the majority has proposed to formally retain the mandates but to completely repeal the penalties enforcing them. That is not a straightforward way to legislate. It is a very cynical approach, and that is not this Senate at its best.

The complete elimination of all penalties is tantamount to repeal of the mandates. A mandate without an enforcement system is not a legal requirement; it is a mere recommendation. It is like having speed limits but not fines for violating. By deleting the penalties, the proposal fundamentally alters the character and operation of the law.

Finally, I think this would set a very dangerous precedent for this body. These penalties can be eliminated in a reconciliation bill. The door is going to be open to all kinds of proposals to strip away penalties in a future reconciliation bill. For example, you could keep an environmental law on the books, but you could just say: Let's

strip away the penalties for violating. That would allow a majority to fundamentally undermine a nonbudgetary law in a reconciliation bill.

I have enormous respect for the Parliamentarian and her staff. They work diligently to serve the Senate, and they have to make some tough calls. I will say that this one leaves me disappointed and perplexed.

With so many issues—as I touched on earlier—I would hope that the Senate would spend more time doing what Chairman GRASSLEY and I did somewhere in the vicinity of 9 hours or 10 hours ago. We said there was an important issue. It happened to be a health care issue as well—prescription drugs. We spent 18 months with our very dedicated staffs, Democrats and Republicans working together, to try to find some common ground. It is a hugely important issue, important to the people of Colorado, Oregon, and everywhere else. In effect, we said it was important because it was about the future. The drugs of the future are going to be specialty drugs, exciting drugs with the opportunity for real cures. People are going to have to be able to afford them, and using the companies' own documents, this morning Chairman GRASSLEY and I pointed out how affordability and accessibility weren't actually the issue; the issue was maximizing revenue.

But most important—whether you agree with the two of us or not—it was bipartisan. It was Democrats and Republicans coming together on a hugely important issue.

This reconciliation proposal we will deal with on the floor of this Senate is a rejection of the kind of bipartisanship that I was part of something like 8 hours or 10 hours ago. It is part of what I believe the Senate is all about—what the Senate is at its best—as an institution that functions in a bipartisan way. That is why I felt compelled to come to the floor tonight and lay out my concerns about a very troubling precedent, and that is the one that is being set with the reconciliation bill.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 299, H.R. 3762.

## RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 299, H.R. 3762, a bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The PRESIDING OFFICER. The motion is not debatable.

The question occurs on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

### AMENDMENT NO. 2874

Mr. MCCONNELL. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2874.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

### TITLE I—FINANCE

#### SEC. 101. FEDERAL PAYMENT TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

#### SEC. 102. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

“(ii) Zero percent for taxable years beginning after 2014.”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”,

(B) by striking “and \$325 for 2015” in subparagraph (B), and

(C) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

#### SEC. 103. EMPLOYER MANDATE.

(a) LARGE EMPLOYERS NOT OFFERING HEALTH COVERAGE.—Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$2,000”.

(b) LARGE EMPLOYERS OFFERING COVERAGE WITH EMPLOYEES WHO QUALIFY FOR PREMIUM TAX CREDITS OR COST-SHARING REDUCTIONS.—Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$3,000”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

#### SEC. 104. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after the date of the enactment of this Act.

#### SEC. 105. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) EXCISE TAX.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980L.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) REINSTATEMENT.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2024, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

#### SEC. 106. RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2015.

**TITLE II—HEALTH, EDUCATION, LABOR AND PENSIONS**

**SEC. 201. REPEAL OF THE PREVENTION AND PUBLIC HEALTH FUND.**

(a) IN GENERAL.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11(b)) is amended—

(1) in paragraph (2), by striking “2017” and inserting “2015”; and

(2) by striking paragraphs (3) through (5).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

**SEC. 202. FUNDING FOR COMMUNITY HEALTH CENTER PROGRAM.**

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after “Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b-2(b)(1)(E)) is amended” the following: “by striking ‘\$3,600,000,000’ and inserting ‘\$3,835,000,000’ and”.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the consideration of H.R. 3762 now be for debate only during today’s session of the Senate.

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

Mr. McCONNELL. Mr. President, the Senate is now considering the House-passed Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015. We finally have a chance to vote to end ObamaCare’s cycle of broken promises and failures with a simple majority vote. I look forward to completing action on this bill this week.

**MORNING BUSINESS**

**TRIBUTE TO TOM OWEN**

Mr. McCONNELL. Mr. President, respected public servant and renowned historian Tom Owen has announced that he will be retiring from the Louisville Metro Council after next year. Tom is a friend of mine, and I want to take this opportunity to express my gratitude for his many years of public service. His deep knowledge of Louisville’s past and his great passion to shape our city’s future will be greatly missed and impossible to replace.

Tom is one of the original members of the metro council, having served since that body’s inception in 2002. In 2010 he served as metro council president. Tom previously served on the old Louisville Board of Aldermen from 1990 to 1998.

Tom represents district 8, which includes most of the Highlands neighborhood. I should mention here that Tom is not only my friend but also my councilman. He is currently the chair of the committee on sustainability and a member of the committees on public works, bridges and transportation and planning, and zoning and land design.

Tom is also a full professor at the University of Louisville; and he has

served as a history instructor, an archivist, and a community relations associate at the University of Louisville since 1968. His knowledge of the city of Louisville is vast, and he frequently speaks on local television and radio about Louisville history. He also leads walking tours of historic Louisville and famous city landmarks and makes videos of these walking tours available to the public.

Tom earned his Ph.D. in American history from the University of Kentucky, a master’s in history from the University of Louisville, a bachelor of divinity from Methodist Theological School in Ohio, and a bachelor’s degree from Kentucky Wesleyan. He is an elder at Highland Presbyterian Church, and of his many hobbies, I know he enjoys bicycling and commuting by bicycle, as he has championed bicycle commuting as one his causes on the metro council.

Tom has been awarded the Distinguished Service Award from the Louisville Historical League, the Outstanding University of Louisville Employee Award, an honorary membership in the Kentucky Chapter of the America Institute of Architects, and a Patron Service Award at the University of Louisville libraries. As all these awards make clear, Tom is widely respected as Louisville’s unofficial historian, and his absence from city government will be felt deeply.

Tom and I don’t always see eye to eye on every issue, but I have great respect for Tom as a legislator, as an advocate for the citizens of the 8th district, and as someone who set out to make a difference for all the citizens of Louisville. Our shared hometown is better off thanks to Tom’s many years of service. I wish him well in retirement, and I am sure his wife, Phyllis, and his children and grandchildren will be glad to spend more time with him. I wish my friend, Tom, all the best in whatever exciting endeavors await him after his time in office draws to a close.

The Louisville Courier-Journal published an article detailing Tom’s career and decision to retire. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Louisville Courier-Journal, Nov. 25, 2015]

**HIGHLANDS COUNCILMAN TOM OWEN RETIRING**  
(By Phillip M. Bailey)

Longtime Metro Councilman Tom Owen announced Wednesday he will not seek reelection next year, opening up a possible avalanche of candidates who will run for his seat representing much of the Highlands neighborhood.

Owen, 76, who is an archivist at the University of Louisville, has served on the council since 2003 and was a member of the old Board of Aldermen before that. He told The Courier-Journal last week he was still deliberating on retirement, but said after careful and lengthy consideration that now is the time to step away.

“I had been mulling on this decision for a good two months and that’s why there had

been rumors out there,” Owen, D-8th District, said. “Once I got closer to pushing the send button the more hesitant I became.”

Owen, a former council president, was first elected to the old board in 1989 when he defeated incumbent Alderwoman Linda Solley in the Democratic primary. In that campaign, Owen ran on his credentials as a local historian, saying at the time he was the “only candidate who knows the city of Louisville edge to edge and has a vision of the whole city’s history and needs.”

Among those needs in 1989, Owen said, was a trolley service for the Bardstown Road corridor, safer pedestrian traffic and a citywide paper recycling program. He was the only challenger to beat an incumbent in the nine board primary races that year.

“I love being involved and I’m honored as a historian to think I have shaped the destiny of Louisville even one percent,” Owen said Wednesday.

In a statement, Mayor Greg Fischer said, Owen “has long been the city’s unofficial city historian, quite literally a walking encyclopedia of Louisville history.”

Former Councilwoman Tina Ward-Pugh, who also served with Owen on the Board of Aldermen for four years, said the two were political soulmates on a number of issues such as the environment, transportation and gay rights. She said Owen’s departure will create a “vast cavern of institutional knowledge” for the council.

“Tom and I were virtually joined at the hip on many progressive and social justice issues over the years,” Ward-Pugh said. “I probably pushed him a little more than he was comfortable and he held my hand when I was headed out a little too far, so we balanced each other.”

Owen ran for mayor in the 1998 Democratic primary where he came just shy of beating Dave Armstrong, who went on to be the last mayor of the old city.

The newspaper archives show Owen was one of the early supporters of a Fairness law when the city was first debating adopting an anti-discrimination legislation to protect gay, lesbian, bisexual and transgendered individuals in housing and other public accommodations. Today, Owen is most associated with his push for better public transportation and bicycle advocacy, and he has championed the city adding more bike lanes to major thoroughfares.

As a UofL professor of libraries since 1975, colleagues say Owen was always able to put the council’s current actions in a historical context.

“Tom’s a person I always go to for that information, so I hope he keeps his same phone number,” Councilman David James, D-6th, said.

“Tom has institutional knowledge, he has brains, he is thoughtful and I have thoroughly enjoyed working with him,” said Councilman Kelly Downard, R-16th, who is also retiring after this year. “The council is going to miss him heavily, and boy, there’s going to be a hole.”

Only half of the Metro Council’s 26 members are from the original class who were elected when city and county governments merged in 2002.

Owen said he doesn’t want to look back on his career just yet and has a lot more he’d like to accomplish in his last year, but he said there are plenty of talented people who can represent the district.

William Corey Nett, a member of the Tyler Park Neighborhood Association, filed as a Democratic candidate this month. It is expected that several more contenders will jump in the race to represent the district, which encompasses most of the Highlands neighborhood.

The deadline for candidates to run for Metro Council is Jan. 26.

RECOGNIZING PAST CRIMES  
AGAINST HUMANITY IN INDONESIA

Mr. LEAHY. Mr. President, the realignment toward Asia has focused our attention on partnerships with countries in the region. We share political, economic, security, and humanitarian interests, creating complex and multidimensional relationships. But our commitment to the protection and promotion of human rights must continue to be a foundation for our relations with these countries, as with others around the world. We must continue to advocate for open societies where dialogue and dissent are encouraged and where security forces are professional and accountable. At the same time, we cannot ignore history.

Fifty years ago, under the guise of a state-sanctioned Communist purge, hundreds of thousands of Indonesian men, women, and children were murdered. Many more were rounded up and led to concentration camps where they were imprisoned, and many were tortured by the security forces of a dictatorial and brutal regime that had the backing of the United States. It has been widely recognized as one of the worst mass atrocities of the 20th century, but efforts to establish a truth and reconciliation commission to come to terms with these crimes have stalled at every turn. The atrocities are still not recognized or discussed by the Indonesian Government, and the perpetrators were long celebrated as heroes for their actions.

The United States should lead by example in acknowledging this tragic history and reaffirm that human rights are at the forefront of our strategic relationships in Indonesia and beyond. As the most senior member of the Appropriations Committee, I have supported conditions on foreign assistance, including requiring recipient countries to protect freedoms of expression and association, respect the rule of law and due process, reform their judicial systems and security forces, and strengthen other key elements of a democratic society.

Through the "Leahy Law," I have sought to encourage reform of Indonesia's military and police forces, promote cooperation with civilian authorities, and hold human rights violators accountable. I have also supported efforts to demilitarize West Papua and stop the human rights violations associated with the militarization of that island.

Unfortunately, while Indonesia has made important economic and political strides since the systemic repression of the Suharto years, impunity for the horrific crimes of the 1960s and during the final years of the independence struggle in East Timor remain glaring examples of unfinished business that are inconsistent with a democratic society based on the principle that no one is above the law.

We need to recognize the role of our own government in this history, declassify relevant documents, and urge

the Indonesian Government to acknowledge the massacres and establish a credible truth and justice mechanism.

I ask unanimous consent that a poignant opinion piece on this subject that was published in the *New Yorker* on September 29, 2015, be printed in the RECORD.

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

[From the *New Yorker*, Sept. 29, 2015]

SUHARTO'S PURGE, INDONESIA'S SILENCE

(By Joshua Oppenheimer)

This week marks the 50th anniversary of the beginning of a mass slaughter in Indonesia. With American support, more than 500,000 people were murdered by the Indonesian Army and its civilian death squads. At least 750,000 more were tortured and sent to concentration camps, many for decades.

The victims were accused of being "communists," an umbrella that included not only members of the legally registered Communist Party, but all likely opponents of Suharto's new military regime—from union members and women's rights activists to teachers and the ethnic Chinese. Unlike in Germany, Rwanda or Cambodia, there have been no trials, no truth-and-reconciliation commissions, no memorials to the victims. Instead, many perpetrators still hold power throughout the country.

Indonesia is the world's fourth most populous nation, and if it is to become the democracy it claims to be, this impunity must end. The anniversary is a moment for the United States to support Indonesia's democratic transition by acknowledging the 1965 genocide, and encouraging a process of truth, reconciliation and justice.

On Oct. 1, 1965, six army generals in Jakarta were killed by a group of disaffected junior officers. Maj. Gen. Suharto assumed command of the armed forces, blamed the killings on the leftists, and set in motion a killing machine. Millions of people associated with left-leaning organizations were targeted, and the nation dissolved into terror—people even stopped eating fish for fear that fish were eating corpses. Suharto usurped President Sukarno's authority and established himself as *de facto* president by March 1966. From the very beginning, he enjoyed the full support of the United States.

I've spent 12 years investigating the terrible legacy of the genocide, creating two documentary films, "The Act of Killing" in 2013 and "The Look of Silence," released earlier this year. I began in 2003, working with a family of survivors. We wanted to show what it is like to live surrounded by still-powerful perpetrators who had murdered your loved ones.

The family gathered other survivors to tell their stories, but the army warned them not to participate. Many survivors urged me not to give up and suggested that I film perpetrators in hopes that they would reveal details of the massacres.

I did not know if it was safe to approach the killers, but when I did, I found them open. They offered boastful accounts of the killings, often with smiles on their faces and in front of their grandchildren. I felt I had wandered into Germany 40 years after the Holocaust, only to find the Nazis still in power.

Today, former political prisoners from this era still face discrimination and threats. Gatherings of elderly survivors are regularly attacked by military-backed thugs. Schoolchildren are still taught that the "extermination of the communists" was heroic, and

that victims' families should be monitored for disloyalty. This official history, in effect, legitimizes violence against a whole segment of society.

The purpose of such intimidation is to create a climate of fear in which corruption and plunder go unchallenged. Inevitably in such an atmosphere, human rights violations have continued since 1965, including the 1975-1999 occupation of East Timor, where enforced starvation contributed to the killing of nearly a third of the population, as well as torture and extrajudicial killing that go on in West Papua today.

Military rule in Indonesia formally ended in 1998, but the army remains above the law. If a general orders an entire village massacred, he cannot be tried in civilian courts. The only way he could face justice is if the army itself convenes a military tribunal, or if Parliament establishes a special human rights court—something it has never done fairly and effectively. With the military not subject to law, a shadow state of paramilitaries and intelligence agencies has formed around it. This shadow state continues to intimidate the public into silence while, together with its business partners, it loots the national wealth.

Indonesia can hold regular elections, but if the laws do not apply to the most powerful elements in society, then there is no rule of law, and no genuine democracy. The country will never become a true democracy until it takes serious steps to end impunity. An essential start is a process of truth, reconciliation and justice.

This may still be possible. The Indonesian media, which used to shy from discussing the genocide, now refers to the killings as crimes against humanity, and grassroots activism has taken hold. The current president, Joko Widodo, indicated he would address the 1965 massacre, but he has not established a truth commission, issued a national apology, or taken any other steps to end the military's impunity.

We need truth and accountability from the United States as well. U.S. involvement dates at least to an April 1962 meeting between American and British officials resulting in the decision to "liquidate" President Sukarno, the populist—but not communist—founding father of Indonesia. As a founder of the nonaligned movement, Sukarno favored socialist policies; Washington wanted to replace him with someone more deferential to Western strategic and commercial interests.

The United States conducted covert operations to destabilize Sukarno and strengthen the military. Then, when genocide broke out, America provided equipment, weapons and money. The United States compiled lists containing thousands of names of public figures likely to oppose the new military regime, and handed them over to the Indonesian military, presumably with the expectation that they would be killed. Western aid to Suharto's dictatorship, ultimately amounting to tens of billions of dollars, began flowing while corpses still clogged Indonesia's rivers. The American media celebrated Suharto's rise and his campaign of death. *Time* magazine said it was the "best news for years in Asia."

But the extent of America's role remains hidden behind a wall of secrecy: C.I.A. documents and U.S. defense attach papers remain classified. Numerous Freedom of Information Act requests for these documents have been denied. Senator Tom Udall, Democrat of New Mexico, will soon reintroduce a resolution that, if passed, would acknowledge America's role in the atrocities, call for declassification of all relevant documents, and urge the Indonesian government to acknowledge the massacres and establish a truth commission. If the U.S. government recognizes the genocide publicly, acknowledges its

role in the crimes, and releases all documents pertaining to the issue, it will encourage the Indonesian government to do the same.

This anniversary should be a reminder that although we want to move on, although nothing will wake the dead or make whole what has been broken, we must stop, honor the lives destroyed, acknowledge our role in the destruction, and allow the healing process to begin.

#### CBO COST ESTIMATE—S. 720

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 720, the Energy Savings and Industrial Competitiveness Act of 2015, as reported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site [www.cbo.gov](http://www.cbo.gov).

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

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

##### S. 720—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2015

(October 19, 2015)

Summary: S. 720 would amend current law and authorize appropriations for a variety of activities and programs related to energy efficiency. The bill would require federal agencies that guarantee mortgages to consider whether homes with energy-efficient improvements would affect borrowers' ability to repay mortgages. The bill also would modify certain energy-related goals and requirements for federal agencies.

CBO estimates that enacting S. 720 would increase direct spending by \$15 million over the 2016–2025 period; therefore, pay-as-you-go procedures apply. Enacting the bill would not affect revenues. In addition, CBO estimates that implementing the legislation would cost \$218 million over the next five years, assuming appropriation actions consistent with the legislation.

CBO estimates that enacting S. 720 would not increase on-budget deficits or net direct spending by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2026. S. 720 would impose an intergovernmental mandate, as defined in the Unfunded Mandates Reform Act (UMRA), by requiring states and tribal governments to certify to the Department of Energy (DOE) whether or not they have updated residential and commercial building codes to meet the latest standards developed by building efficiency organizations. CBO estimates that the cost of that mandate would fall well below the annual threshold established in UMRA for intergovernmental mandates (\$77 million in 2015, adjusted annually for inflation.) This bill contains no private-sector mandates as defined in UMRA.

#### CBO COST ESTIMATE—S. 2011

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the

Congressional Budget Office an estimate of the costs of S. 2011, the Offshore Production and Energizing National Security Act of 2015, as reported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site [www.cbo.gov](http://www.cbo.gov).

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

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

##### S. 2011—OFFSHORE PRODUCTION AND ENERGIZING NATIONAL SECURITY ACT OF 2015

(October 6, 2015)

Summary: S. 2011 would amend existing laws related to oil and gas leasing on the Outer Continental Shelf (OCS) and would remove restrictions on exporting crude oil produced in the United States. The legislation would modify the terms and conditions governing certain leasing activities and authorize new direct spending of proceeds from federal oil and gas leasing for certain programs and for payments to certain coastal states. In addition, the bill would authorize appropriations for grants to Indian tribes for capital projects and other activities aimed at adapting to climate change.

CBO estimates that enacting S. 2011 would reduce net direct spending by about \$0.2 billion over the 2016–2025 period. Provisions in titles I–III would affect oil and gas leasing on the OCS and CBO estimates those provisions would have a net cost about \$1.3 billion over the 10 year period. Increased collections from eliminating restrictions on exports of crude oil would total \$1.4 billion over the same period.

In addition, CBO estimates that implementing the bill would increase spending subject to appropriation by about \$700 million over the 2016–2020 period mainly for programs to assist Indian tribes. Because enacting the legislation would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting the legislation would increase both direct spending and net on-budget deficits by more than \$5 billion in at least one of the four consecutive 10-year periods beginning in 2026.

The bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. To the extent that the bill would increase royalties and other revenue from offshore oil and gas development, the bill would benefit certain coastal states through the sharing of leasing receipts with the federal government. Some local and tribal governments, as well as 2 institutions of higher education, also would benefit from receipt sharing and grant programs funded by leasing revenues.

The bill contains no private-sector mandates as defined in UMRA.

#### CBO COST ESTIMATE—S. 2012

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 2012, the Energy Policy Modernization Act of 2012, as re-

ported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site [www.cbo.gov](http://www.cbo.gov).

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

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

##### S. 2012—ENERGY POLICY MODERNIZATION ACT OF 2015

(October 15, 2015)

Summary: S. 2012 would amend current law and authorize appropriations for a variety of activities and programs administered primarily by the Department of Energy (DOE). The legislation also would:

Expand and extend federal agencies' authority to use certain types of long-term contracts to invest in energy conservation measures and related services;

Specify various energy-related goals and requirements for federal agencies;

Modify DOE's authority to guarantee loans under Title 17 of the Energy Policy Act of 2005; and

Establish a pilot program to streamline the review and approval of applications for permits to drill for oil and gas on federal lands.

Assuming appropriation of amounts specifically authorized and estimated to be necessary under S. 2012—roughly \$40 billion over the 2016–2020 period (and an additional \$3 billion in later years)—CBO estimates that implementing this legislation would result in outlays totaling \$32 billion over the 2016–2020 period from those appropriations, with additional spending of about \$11 billion occurring after 2020.

CBO also estimates that the bill would result in additional direct spending. The estimated amount of direct spending depends on the budgetary treatment of federal commitments through certain types of long-term energy-related contracts, which CBO expects would increase under the bill. In CBO's view, commitments under such contracts are a form of direct spending because agencies enter into such contracts without appropriations in advance to cover their full costs. On the basis of that view, CBO estimates that enacting S. 2012 would increase direct spending by \$659 million over the 2016–2025 period.

However, for purposes of determining budget-related points of order for legislation considered by the Senate, section 3207 of the Concurrent Resolution on the Budget for Fiscal Year 2016 specifies a scoring rule for provisions related to such contracts (referred to in this document as the scoring rule for energy contracts). Specifically, that rule requires CBO to calculate, on a net present value basis, the lifetime net cost or savings attributable to projects financed by such contracts and to record that amount as an upfront change in spending subject to appropriation. Under that rule, CBO estimates that S. 2012 would increase direct spending by \$29 million over the 2016–2025 period.

Enacting S. 2012 could affect revenues, but CBO estimates any such effects would be insignificant in any year. Because the bill would affect direct spending and revenues, pay-as-you-go procedures apply.

CBO estimates that enacting S. 2012 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2026.

S. 2012 would impose an intergovernmental and private-sector mandate, as defined in the



Unfunded Mandates Reform Act (UMRA), on public and private entities regulated by FERC, such as electric utilities, by requiring them to pay fees in some circumstances. The bill would impose two additional mandates on public entities. One would require state and tribal governments to certify to DOE whether or not they have updated residential and commercial building codes to meet the latest standards developed by building efficiency organizations. The other would preempt state and local environmental and liability laws if they conflict with emergency orders issued by the Federal Energy Regulatory Commission (FERC). The bill also would impose private-sector mandates on electric transmission organizations and traders of oil contracts and on individuals seeking compensation for damages caused by utilities operating under certain emergency orders. Based on information from DOE and analyses of similar requirements, CBO estimates that the aggregate cost of complying with mandates in the bill would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$77 million and \$154 million in 2015, respectively, adjusted annually for inflation).

CBO has not reviewed some provisions of section 2001 and section 4303 for intergovernmental or private-sector mandates. Those provisions would provide the Secretary of Energy with emergency authority to protect the electric transmission grid from cybersecurity threats and would protect entities subject to that authority from liability. Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that are necessary for national security. CBO has determined that those provisions fall within that exclusion.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016 OB- JECTION

Mr. WYDEN. Mr. President, this afternoon the House of Representatives passed a new version of the Intelligence authorization bill for fiscal year 2016. I am concerned that section 305 of this bill would undermine independent oversight of U.S. intelligence agencies, and if this language remains in the bill, I will oppose any request to pass it by unanimous consent.

Section 305 would limit the authority of the watchdog body known as the Privacy and Civil Liberties Oversight Board. In my judgment, curtailing the authority of an independent oversight body like this board would be a clearly unwise decision. Most Americans whom I talk to want intelligence agencies to work to protect them from foreign threats, and they also want those agencies to be subject to strong, independent oversight, and this provision would undermine some of that oversight.

Section 305 states that the Privacy and Civil Liberties Board shall not have the authority to investigate any covert action program. This is problematic for two reasons. First, while this board's oversight activities to date have not focused on covert action, it is reasonably easy to envision a covert action program that could have a significant impact on Americans' privacy and civil liberties—for example, if it

included a significant surveillance component.

An even bigger concern is that the CIA, in particular, could attempt to take advantage of this language and could refuse to cooperate with investigations of its surveillance activities by arguing that those activities were somehow connected to a covert action program. I recognize that this may not be the intent of this provision, but in my 15 years on the Intelligence Committee, I have repeatedly seen senior CIA officials go to striking lengths to resist external oversight of their activities. In my judgment, Congress should be making it harder, not easier, for intelligence officials to stymie independent oversight.

For these reasons, it is my intention to object to any unanimous consent request to pass this bill in its current form. I look forward to working with my colleagues to modify or remove this provision.

#### NO CHILD LEFT BEHIND CONFERENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my opening remarks during the conference with the House of Representatives on S. 1177, the Every Child Achieves Act, be printed in the RECORD.

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

#### NO CHILD LEFT BEHIND CONFERENCE

Representative Kline, Representative Scott, Senator Murray, ladies and gentlemen.

We're here for one reason today, because I sat down with Patty Murray in January and she gave me some good advice and I took it.

And the advice was—why don't we see if we can develop a bipartisan beginning to this bill, because we had failed in the last two congresses.

And as a result we ended up with a bill that passed by the Senate after many amendments, 81 to 17.

Newsweek magazine recently reminded us what we already knew very well: No Child Left Behind is a law that everybody wants fixed. Governors, teachers, superintendents, parents, Republicans, Democrats, students they all want to see this law fixed.

There is a consensus about that. And, fortunately, there is a consensus about how to do it.

And that consensus is this—Continue the law's important measurements of academic progress of students but restore to states, school districts, classroom teachers and parents the responsibility for deciding what to do about improving student achievement.

That's why in the Senate the bill passed 81 to 17.

That's why the bill had the support of the nation's governors, the Chief State School Officers, the school superintendents, the National Education Association and the American Federation of Teachers.

There were some differences between the House bill and Senate bill. Fundamentally, they were based upon that same consensus.

Both end the waivers through which the U.S. Department of Education has become, in effect, a national school board for more than 80,000 Schools in 42 states.

Both end the federal Common Core mandate.

Both move decisions about whether schools and teachers are succeeding or failing out of Washington, D.C., and back to states and communities and teachers where those decisions belong because the real way to higher standards, better teachers and real accountability is through states, communities, and classrooms—not through Washington, D.C.

That's why I believe this conference will be successful, that both houses will approve our conference work product and I believe the president will sign the legislation into law.

Even though this agreement, in my opinion, is the most significant step toward local control of schools in 25 years, some Republicans would like to go further.

I am one of them.

But my Scholarship for Kids proposal, which would have given states the option to allow federal dollars to follow children to the schools their parents choose, only received 45 votes in the Senate. We need 60.

So I have decided, like a president named Reagan once advised, that I'll take 80 percent of what I want and I'll fight for the other 20 percent on another day.

Besides, if I were to vote no, I would be voting to leave in place the federal Common Core mandate, the national school board, the waivers in 42 states. Let me repeat: Voting no is voting to leave in place the Common Core mandate, the national school board, and waivers in 42 states.

There are a lot of people counting on us: 50 million children and 3.4 million teachers and 100,000 public schools.

The law expired seven years ago. If it were strictly applied, every school in America a failing school.

Teachers and children and parents have been waiting all that time. If this were homework, they would give us a failing grade for being tardy.

So I hope we will remind ourselves, and this is my conclusion, that it is a great privilege to serve in the United States House of Representatives and the United States Senate.

That there is no need for us to have that privilege if all we do is announce our opinions. We could do that at home, or on the radio, or the newspaper or the street corner.

As members of the Congress, after we have our say, our job is to get a result.

We're not the Iraqi parliament.

We are members of the United States Congress, and I hope that we will demonstrate that we cherish that privilege and that we cherish our children by building upon this consensus—fixing the law that everybody wants fixed—and showing that we are capable of governing by bringing badly needed certainty to federal education policy in 100,000 public schools.

Thank you, Mr. Chairman.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my closing remarks during the conference with the House of Representatives on S. 1177, the Every Child Achieves Act, be printed in the RECORD.

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

#### NO CHILD LEFT BEHIND CONFERENCE

The real winners today are 100,000 public schools which are attended by 50 million children, where three and a half million teachers work and are eager for us to bring some certainty to federal education policy.

This is a law that everybody knows needs fixing. But also in fixing this law we know that there were alligators lurking in every

corner of the pond, and the fact that we were able to both in the Senate and the House navigate that pond and deal with respectfully with one another—and also recognize in some cases our different points of view couldn't be included—I think, is a great credit to the process.

Governors, teachers, superintendents, Republicans and Democrats, wanted us to do this, and we've done it so far. There's not only consensus on the need to fix it, but we have now shown today that in the House and Senate of the United States, there is consensus on how to fix it. And that means we'll keep the important measures of student achievement, but we will restore to states, communities and classroom teachers the responsibility with what to do about the results of the tests.

This would not have happened without your leadership and Rep. Bobby Scott, who has been a terrific partner in all this, and the cooperation of the members of the House and Senate on this committee.

I've complimented Senator Murray perhaps excessively over the last year, but she has been absolutely key to this. So I thank you for the opportunity to participate in this.

I came to the Senate not just to make a speech but also to try and get a result and today we've gotten one.

#### TRIBUTE TO BONNIE CARROLL

Ms. MURKOWSKI. Mr. President, last week President Obama awarded the Presidential Medal of Freedom, our Nation's highest civilian honor, to my longtime friend and fellow Alaskan Bonnie Carroll. In my judgment, this is a recognition long due. While America may have first heard the name Bonnie Carroll last week, our military families have long viewed her as a lifeline, a true woman of valor.

Bonnie is the founder of the Tragedy Assistance Program for Survivors, TAPS. She founded TAPS after the death of her husband, Alaska Army National Guard BG Tom Carroll, in a military plane crash on November 12, 1992.

TAPS is an organization that provides support to military families who have lost a loved one. TAPS welcomes anyone who is grieving the death of someone who died in the military. Its families have experienced loss in a variety of ways—from combat, suicide, terrorism, homicide, negligence, accidents, and illness. Our survivors include mothers and fathers, husbands and wives, sons and daughters, brothers and sisters, fiancés, and other relatives of those who have died.

Since its launch in 1994, TAPS has cared for the more than 50,000 surviving family members through a national network of peer-based emotional support services, a 24/7 helpline available to those grieving a loss, connections to community-based care throughout the Nation, and casework assistance for families navigating all of the resources and benefits available to them.

One of TAPS' most respected programs is its "Good Grief Camp," which is offered to young people who have lost a loved one. This program pairs

young survivors with Active-Duty military mentors. Military mentors help the young survivors learn how our Nation honors those who have served and sacrificed and companion these children during their grief journey.

I suspect that many of our fellow Americans had never heard of Bonnie Carroll or TAPS before. Unlike some of the others honored at last week's ceremony—people like Barbra Streisand, Steven Spielberg, and James Taylor—Bonnie is not a celebrity. She does not seek attention for herself. Her laser focus is on helping military families, and she does nothing to distract herself or her organization from that mission. But that doesn't make her any less a rockstar. And now America knows why.

Incredible as it may seem, Bonnie Carroll's road to distinction did not begin with her work at TAPS. Her resume includes service to America as a member of the Air National Guard, the U.S. Air Force Reserve, as a senior staff member in the Reagan White House Cabinet Affairs Office, and the VA's White House liaison in the administration of President George W. Bush. She relocated to Baghdad to serve with the Coalition Provisional Authority. She has served on countless boards and commissions related to military health, suicide prevention, and grief therapy.

Bonnie reflects the very best of the Alaskan spirit, a spirit of community and service before self. I am honored to join with the President in recognizing the extraordinary contributions of Bonnie Carroll, my dear friend, fellow Alaskan, and great American.

#### TRIBUTE TO ALICE WATERS

Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating Alice Waters, groundbreaking chef, restaurant owner, author, and activist who was recently awarded the National Humanities Medal by President Obama for her pioneering role in the sustainable food movement.

As a student at the University of California, Berkeley, in the 1960s, Alice developed a passion for social activism. While studying abroad in Paris one semester, she began to realize the impact food can have on our daily lives. Exposed to lively discussions over fresh, locally sourced home-cooked meals, a simple yet revolutionary idea took root, and in 1971 she and a group of friends opened Chez Panisse in Berkeley.

It was a concept that took off almost immediately: fresh, local, and organic food that changed with the seasons. As the restaurant's success grew, Alice and her staff created a network of local farmers and producers whose dedication to sustainable agriculture supplied Chez Panisse's fresh ingredients, helped to pioneer farm-to-table-cuisine, and served as a model for future generations of restaurant owners.

Alice's influence spread far beyond the kitchen. In 1996, she created the

Edible Schoolyard Project to help schools develop community gardens, so students can better understand the origins of their food and how to create fresh, local, and healthy meals. Today there are more than 5,000 Edible Schoolyard Project locations worldwide, and the effort helped inspire First Lady Michelle Obama to plant a vegetable garden on the South Lawn of the White House.

Alice has said that "good food is a right, not a privilege," and her work is helping to make that a reality. She has revolutionized the way our country cooks, eats, and thinks about food—and we are all better because of it.

I am proud to congratulate my friend, Alice Waters, on this incredible honor and wish her many more years of continued success.

#### RECOGNIZING THE 100TH ANNIVERSARY OF THE AMERICAN MEDICAL WOMEN'S ASSOCIATION

Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing the 100th anniversary of the American Medical Women's Association, AMWA, the first national organization of women physicians.

One hundred years ago, less than 6 percent of all physicians in the United States were women. Recognizing a crucial need to provide support for these pioneering women and to bring diversity to the medical field, Dr. Bertha Van Hoosen founded the AMWA on November 18, 1915, in Chicago.

The AMWA quickly established a network and support system for women in the medical profession and documented their lack of opportunities in postgraduate training, internships, and academic appointments.

Over the years, the AMWA successfully advocated to increase leadership roles for women doctors, sponsored research and panel discussions on medical women in the workforce, and established scholarship and mentorship programs to encourage the next generation of women leaders. The AMWA has also worked to improve women's health by addressing issues from human trafficking and affordable contraceptive care, to childhood obesity and osteoporosis risk across the globe.

For the past century, the American Medical Women's Association has served as the vision and voice of women in medicine. As we celebrate their extraordinary milestone, I ask my colleagues to join me in congratulating the AMWA for their tireless efforts to open the door for generations of women physicians. Because of their work, countless men, women, and children have benefited from the dedicated service of AMWA members, and for that we are all grateful.

#### OBSERVING WORLD AIDS DAY

Mr. CARDIN. Mr. President, today I wish to commemorate the 28th World AIDS Day. This day is a time to recognize the tremendous progress we have

made in combating the human immunodeficiency virus infection and acquired immune deficiency syndrome, HIV/AIDS, and to redouble our commitment to preventing and treating this devastating disease.

For many years, we have viewed AIDS as a death sentence. Before 2000, rates of infection grew exponentially. People living with HIV/AIDS had few options, and what options they did have were expensive and out of reach. Millions of children orphaned by HIV/AIDS were isolated within their own communities, and there was virtually no way to prevent HIV transmissions from pregnant women to their unborn children, ending countless lives before they could truly begin.

But thanks to sustained United States and global efforts—administered through programs like the President's Emergency Plan for AIDS Relief, PEPFAR, the Global Fund, and UNAIDS—we are finally turning the tide, not only in terms of slowing the spread of HIV/AIDS, but also by improving the lives of those affected by this disease.

Since 2000, new HIV infections have dropped by 35 percent. AIDS-related deaths are down 42 percent from their peak in 2004. To date, 15 million men, women, and children worldwide are on anti-retroviral therapy, compared to only 1 million in 2001. We have also made significant progress in tackling mother-to-child transmissions, which are key to ending the AIDS epidemic. Today 73 percent of pregnant women living with HIV have access to anti-retroviral therapy, greatly reducing the likelihood that they will transmit the disease to their babies. As a result, since 2000, new infections among children have fallen by 58 percent. Because of our investments in HIV/AIDS treatment and prevention, health systems throughout Africa have been strengthened, allowing millions to gain access to medications and more advanced treatments. Life expectancy in nations like Rwanda and Kenya have dramatically increased, and health facilities have been modernized.

These steps are just some of the ways in which we have made remarkable progress to stop HIV/AIDS in its tracks. We are, without a doubt, on our way to an AIDS-free generation. This is something that can happen in our lifetimes.

In mid-September, more than 150 world leaders gathered at the United Nations General Assembly to adopt the 2030 Agenda for Sustainable Development. Goal 3 includes a target to eradicate HIV/AIDS, tuberculosis, malaria, and other communicable diseases by 2030. This is a bold commitment that requires strong leadership from the United States. To achieve this goal, the United States must continue to invest in and provide strong funding for our global health programs, especially PEPFAR.

As my colleagues know, PEPFAR is the largest commitment by any nation

to combat a single disease internationally and represents the very best of America and our commitment to global humanitarian values. Thanks to PEPFAR, 7.7 million men, women, and children worldwide are receiving anti-retroviral treatments. In 2014, PEPFAR supported HIV testing and counseling for more than 56.7 million people and provided training for more than 140,000 new health care workers to help combat HIV on the ground. Through PEPFAR, we have been able to reach 5 million children who have been orphaned or made vulnerable due to HIV/AIDS. PEPFAR has also dramatically improved outcomes for pregnant women and their babies, reducing the transmission of HIV from mother to child. In 2014, PEPFAR supported HIV testing and counseling for more than 14.2 million pregnant women worldwide. For the nearly 750,000 pregnant women who tested positive for HIV, PEPFAR's anti-retroviral medications allowed 95 percent of their children to be born HIV-free.

We have made extraordinary progress; however, there is still much work to be done. Currently, there are more than 22 million people living with HIV who are not yet on treatment, and HIV is still the leading cause of death for women of reproductive age worldwide. We are on our way to an AIDS-free generation, but we can't rest on our laurels now. We need the commitment and leadership of partner countries—reinforced with support from donor nations, civil society, people living with HIV, faith-based organizations, the private sector, and foundations—to make an AIDS-free generation a reality. On this World AIDS Day, we recognize the progress we have made and recommit ourselves to continuing to combat HIV/AIDS both at home and abroad.

#### ADDITIONAL STATEMENTS

##### HONORING MILTON PITTS CRENCRAW

• Mr. BOOZMAN. Mr. President, I wish to honor today Milton Pitts Crenshaw, an aviation pioneer from Little Rock, AR, who paved the way for integration in the U.S. military and impacted generations of aviators.

Crenshaw, known as the father of black aviation in Arkansas, developed a love of flying while at the Tuskegee Institute. He excelled in the program, and after earning his pilot's license, he pursued his instructor's certificate. Following the bombing of Pearl Harbor, Crenshaw joined the Army Air Corps Civilian Pilot Training Program as a flight instructor.

He had the distinction of being one of the original supervising squadron commanders for the Tuskegee Airmen. He trained hundreds of cadets during the 1940s, an accomplishment he was rightfully proud of.

"The first thing that he takes pride in is that he and the other Black flight

instructors paved the way for people of color to enter the field of aviation. He is proud that he was chosen to implement that program," his daughter Dolores Crenshaw Singleton said in a recent interview.

Crenshaw helped break the barriers that existed in the military. His passion for aviation continued after his tenure at Tuskegee, serving as a flight instructor at several air bases, including Camp Rucker, AL, where he became the first Black flight instructor.

Crenshaw honorably served with the U.S. Army Air Corps and the U.S. Air Force for more than 40 years.

He also shared his love of aviation with Arkansas, and he was instrumental in creating an aviation program at Philander Smith College in Little Rock. Crenshaw taught aviation at the school from 1947 to 1953, holding classes at Adams Field in the Central Flying Service building.

Along with the accolades of inductions in the Arkansas Aviation Hall of Fame and the Arkansas Black Hall of Fame, in 2007 he was awarded the Congressional Gold Medal, along with other members we have come to admire as the Tuskegee Airmen.

Milton Pitts Crenshaw passed away on November 17, 2015. Today he will be laid to rest at the Arkansas State Veterans Cemetery in North Little Rock. He was a true American hero whose leadership helped secure victory and peace for all freedom-loving people of the world.●

##### RECOGNIZING THE CHILDREN'S MUSEUM OF ATLANTA

• Mr. ISAKSON. Mr. President, I wish to honor a wonderful asset in my hometown of Atlanta, GA, the Children's Museum of Atlanta.

Since the opening of its permanent facility in 2003 at Centennial Olympic Park in downtown Atlanta, it has become a leading attraction for families and has helped ignite the revitalization of the area, along with the Georgia Aquarium, the Center for Civil and Human Rights, the College Football Hall of Fame, and the iconic World of Coca-Cola. The Children's Museum of Atlanta has promoted the power of play and highlighted the importance of early childhood education in all areas, especially literacy, math, and science.

Not only am I married to a former teacher, but as a grandfather and the former chair of the Georgia Board of Education, I have long been committed to enhancing and improving educational opportunities for our children. The Children's Museum's mission and vision help parents, educators, and schools ignite curiosity and discovery in young children, enhance learning, and help them reach their goals.

The museum has recently undergone a major renovation and will reopen its doors on December 12, 2015, to a completely updated facility.

I am delighted to recognize on the floor of the Senate and to join the city

of Atlanta in celebrating Saturday, December 12, 2015, as Children's Museum of Atlanta Day.●

#### TRIBUTE TO DEONTAY WILDER

● Mr. SHELBY. Mr. President, I wish to recognize the current World Boxing Council, WBC, World Heavyweight Champion Deontay Leshun Wilder.

Mr. Wilder is a native of Tuscaloosa, AL. He graduated from Tuscaloosa Central High School in 2004, and he attended Shelton State Community College. From there, he focused on forging a career in boxing.

Mr. Wilder began his boxing career in 2005, and he has achieved outstanding success as both an amateur and professional boxer. In 2007, Wilder upset the favorites to win the National Golden Gloves and the U.S. championships. Wilder was awarded the bronze medal in boxing at the 2008 Olympics. In 2012, he won the WBC Continental Americas heavyweight boxing title.

In January of this year, Wilder became the first American heavyweight champion in 9 years after his win over Bermame Stiverne. Since then, Wilder has successfully defended his WBC title twice, most recently in September.

Deontay Wilder has made a proactive effort to give back to the State of Alabama by hosting his first two title defenses in Birmingham, AL. He has also been a champion of charitable causes such as the fight against spina bifida.

Mr. Wilder is an incredible athlete and an inspiration to many. I am honored to recognize his great talent and success, and I am proud to call him a fellow Alabamian.●

#### REMEMBERING JAMES JOSEPH MARSHALL

● Mr. TESTER. Mr. President, today I wish to honor James Joseph Marshall, a third generation Montanan and a veteran of World War II.

On behalf of all Montanans and Americans, I stand to say thank you to Jim's family for his service to our Nation.

It is my honor to share the story of Jim's life and service, a story that most certainly will not be forgotten, and a story he perhaps wouldn't have told himself.

In fact, it wasn't until his oldest daughter, Vicki, was in eighth grade that she even noticed her father's limp. She asked her mother, "Why does daddy limp?"

Ruth told her that he limped because of his war wound. He never talked about his experience during the war, and it wasn't until he wrote about his injury for a presentation to middle schoolers that his family heard the full story.

Jim was shot in the leg while fighting in the Ruhr Pocket, in Germany, near the border of Czechoslovakia on April 25, 1945.

After sweeping the countryside searching for any remaining resistance,

his platoon butted up against German troops on a mountainside. It wasn't long until the platoon was pinned down by the automatic weapon fire.

The platoon made a dash for cover but to no avail. Every man was hit. Jim described the shot to his leg like being hit by a sledgehammer.

German troops came to confirm they were all dead and to gather any rifles and ammo. Jim, with his orders shoved underneath him and the sole survivor, played dead. They passed on.

Not long after, German medics came through.

Surprisingly, a young German, whom Jim identified by the swastika on his arm, put a compress on his leg and a jacket over top of him before moving on.

Shortly after, an American Jeep rolled up and rescued him.

Jim always said he never would have made it out alive had that young German not stopped to show him some compassion.

Once home from the war in 1946, Jim enrolled at Montana State University at Bozeman.

It was there that he met his future wife Ruth Officer, a nurse who tended to some residual issues with Jim's hip. They married on March 15, 1947.

Jim was always a man who took care of his family, and that devotion took them to Livingston, Ruth's hometown. There, he began work as a carpenter's apprentice, eventually becoming a journeyman.

After returning to MSU to get his industrial art degree, he began teaching shop at Emerson Junior High in Bozeman. Eventually, he became a purchasing agent for Missoula School District No. 1.

Jim and Ruth had three children: Vicki, Leann, and Jim. They remember him as a humble man who cared deeply for his family and frequently demonstrated that devotion.

The fondness with which Jim is remembered is reflective of the life he lived. Folks will remember his willingness to help out a friend and his love of photography, especially bald eagles. He was passionate about making Montana better for future generations.

In September of 2012, Jim had the pleasure of participating in one of the earliest Honor Flights to Washington, DC, to see the World War II Memorial there.

His daughter, Leann, helped him register himself as a World War II veteran at the memorial, and his name will remain in the kiosks there for anyone to see.

In fact, I had the honor of greeting that particular Honor Flight back to Montana afterward and am happy to hear that Jim immensely enjoyed that experience.

Jim died on April 8, 2014, surrounded by family.

It was my honor to recognize James Joseph Marshall's bravery and service to the United States by presenting his family with the Bronze Star Medal for

meritorious achievement based on his prior award of the combat infantryman badge and the Army of Occupation Medal with Germany Clasp.

Our Nation is forever grateful for Jim's service.●

#### MESSAGES FROM THE HOUSE

At 12:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1541. An act to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs.

H.R. 1755. An act to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans.

H.R. 2212. An act to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

H.R. 2270. An act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.

H.R. 2288. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 3279. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

H.R. 3490. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Joint Economic Committee: Mr. TIBERI of Ohio, to rank before Mr. AMASH.

#### ENROLLED BILL SIGNED

At 6:41 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1541. An act to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; to the Committee on Energy and Natural Resources.

H.R. 1755. An act to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans; to the Committee on the Judiciary.

H.R. 2212. An act to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; to the Committee on Indian Affairs.

H.R. 2288. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3279. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 3490. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 427. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 1, 2015, she had presented to the President of the United States the following enrolled bill:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, 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 Mr. MENENDEZ:

S. 2335. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COONS (for himself, Mr. MARKEY, Ms. BALDWIN, and Ms. WARREN):  
S. 2336. A bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. FLAKE, Ms. HEITKAMP, Mr. COATS, Mr. HEINRICH, Mr. JOHNSON, Mr. BENNET, Ms. AYOTTE, Mr. WARNER, Ms. BALDWIN, Mr. TESTER, Mr. KING, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. FRANKEN):

S. 2337. A bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO:

S. 2338. A bill to award grants to States for the development of innovative long-term services and supports programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 2339. A bill to amend the Mineral Leasing Act to increase the royalty rate for coal produced from surface mines on Federal land, to prohibit the export of coal produced on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself, Mr. THUNE, Ms. STABENOW, and Mr. ROBERTS):

S. Res. 323. A resolution supporting the designation of December 1, 2015, as “#GivingTuesday” and supporting strong incentives for all people of the United States to give generously; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MANCHIN, and Mr. RUBIO):

S. Con. Res. 26. A concurrent resolution expressing the sense of Congress regarding the right of States and local governments to maintain economic sanctions against Iran; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 85

At the request of Mr. BURR, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 85, a bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes.

S. 247

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 247, a bill to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and for other purposes.

S. 373

At the request of Mr. CRAPO, his name was added as a cosponsor of S. 373, a bill to provide for the establishment of nationally uniform and envi-

ronmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 551

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 571

At the request of Mr. SASSE, his name was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and

related dementias, and for other purposes.

S. 946

At the request of Mr. KIRK, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 946, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1212, 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. 1495

At the request of Mr. TOOMEY, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1915, a bill to direct the Secretary

of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 2045

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2045, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2283

At the request of Mr. DAINES, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2283, a bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.

S. 2308

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2308, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

S. 2323

At the request of Mr. DURBIN, the names of the Senator from Maine (Mr. KING), the Senator from Oregon (Mr. MERKLEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2323, a bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code.

S. 2327

At the request of Mr. CASEY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2327, a bill to amend the Internal Revenue Act of 1986 to strengthen the earned income tax credit and expand eligibility for childless individuals and youth formerly in foster care.

S. CON. RES. 25

At the request of Mr. LEE, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Con. Res. 25, a concurrent resolution expressing the sense of Congress that the President should submit the Paris climate change agreement to the Senate for its advice and consent.

S. RES. 148

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a co-

sponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 322

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 322, a resolution recognizing the 60th anniversary of the refusal of Rosa Louise Parks to give up her seat on a bus on December 1, 1955.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. FLAKE, Ms. HEITKAMP, Mr. COATS, Mr. HEINRICH, Mr. JOHNSON, Mr. BENNET, Ms. AYOTTE, Mr. WARNER, Ms. BALDWIN, Mr. TESTER, Mr. KING, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. FRANKEN):

S. 2337. A bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Visa Waiver Program Security Enhancement Act.

I am pleased to be joined by Senator FLAKE, who is the lead Republican cosponsor, as well as Senators HEITKAMP, COATS, HEINRICH, JOHNSON, BENNET, AYOTTE, WARNER, BALDWIN, TESTER, KING, KLOBUCHAR, BOXER, and BLUMENTHAL.

This bill would improve the security of the Visa Waiver Program, which is used by about 20 million travelers a year.

The horrific attacks in Paris and the emergence of ISIL make it absolutely clear that we must strengthen the Visa Waiver Program to protect our country. This bill would do just that.

38 countries are now part of the Visa Waiver Program.

Nationals from these countries may come to the United States for up to 90 days without a visa.

Travelers through the program use an online application to gain approval to travel to the United States. Many of these travelers simply apply for approval from their home computer.

Participating countries must also enter into valuable intelligence-sharing agreements with the United States.

By comparison, only about 36 million people secured visas for business, tourism, and other temporary purposes to the United States from 2005 to 2010—an average of only 6 million per year.

As we all know, fewer than 2,000 refugees from the Syrian conflict—which go through a heavy vetting process—were admitted to the United States over the last 4 years.

Put that in perspective: fewer than 2,000 Syrian refugees over 4 years, versus 20 million travelers through the Visa Waiver program annually.

The vetting for a refugee takes 18 to 24 months, whereas an application to travel through the Visa Waiver Program can be approved within seconds.

That should tell us how much of a priority improving the security of this program is.

Today, there are thousands of citizens from European visa waiver countries that have gone to fight in Syria.

In fact, the Visa Waiver Program includes numerous countries that have populations in which some people have become radicalized.

The program includes 38 countries, including the following: Belgium, France, Germany, Greece, Hungary, The Netherlands, and The United Kingdom.

So, nationals of these countries who travel to Iraq or Syria to train and fight may then be able to cross back into Europe and then come to this country on a visa waiver.

As is now clear, some who committed the recent attacks in Paris were French and Belgian nationals.

The attackers in the Charlie Hebdo attacks—the Kouachi brothers—were born and raised in France. They were French nationals as well.

The European Union Justice Commissioner said in April of this year that 5,000–6,000 Europeans could be fighting in Syria.

More than 1,500 are French nationals.

This is why the Visa Waiver Program, at the current time, poses a major risk—it is a quick and direct route for a terrorist to come to the United States without a visa.

The group known as ISIL has publicly threatened to attack the United States and we have every reason to believe they will exploit every opportunity to do so.

So we must take strong action.

A major concern is also the problem with lost and stolen passports, which could be used by dangerous individuals to gain entry to the United States on the Visa Waiver Program without raising red flags.

According to INTERPOL, nearly 45 million passports have been reported lost or stolen within the past 10 years.

Let me repeat that: 45 million lost or stolen passports circulating worldwide.

Passports typically are valid for five to 10 years, which means many of these lost or stolen passports have not yet expired.

If a blank passport is stolen, it may have no expiration date at all.

A foreign fighter could use one of the millions of unexpired lost and stolen passports to travel to the United States through the Visa Waiver Program in order to do us harm.

Today, the first face-to-face interaction and biometric check that a first-time Visa Waiver Program traveler would have with any U.S. official is when the person reaches the port of entry, like a United States airport.

That provides only a narrow window to detect that the individual is a person who is intent on committing an attack.

This Visa Waiver Program Security Enhancement Act would strengthen the Visa Waiver Program in a variety of ways, making our nation safer and protecting an important stream of international tourism and commerce.

First, the bill says that a national of a Visa Waiver country who has traveled to Iraq or Syria in the last five years would have to get a visa instead of using the Visa Waiver Program.

The effect of this would be that the person would have to go through the normal consular process—in which biometric information would be taken, and the person interviewed—instead of traveling to the United States on a visa waiver.

Second, the bill would require that biometric data, such as digital photographs or fingerprints, be provided to the U.S. government prior to boarding a plane to travel to the U.S. on the Visa Waiver Program but only for those individuals for whom we do not already have biometrics.

Today, biometrics are not taken until a traveler from a Visa Waiver country first enters the United States at the port of entry.

That is too late, and it leaves the opportunity for a person seeking to commit an attack against the aircraft itself to do so.

We have recently seen that ISIL is willing to take down airliners. We know what sort of tragedy can happen when terrorists take control of an airplane.

We must do everything we can to make sure an ISIL member does not board an aircraft bound for the United States with the intent to take it down.

This bill would make the biometric requirement effective within one year, prioritizing areas of danger, and would enable the Department of Homeland Security to extend the roll-out on a country-specific basis.

The Department of Homeland Security has already announced its intent to expand Customs and Border Protection preclearance to new foreign airports, including in Belgium, the Netherlands, Spain, and the United Kingdom—all Visa Waiver countries.

As the bill is currently written, those foreign nationals who travel through the preclearance process would satisfy the biometric requirements of the bill.

The simple fact is that we need to develop a way to screen and verify individuals biometrically before they get on a plane to the U.S., and this bill would do that.

Third, the bill would eliminate the use of older-generation passports by any citizen of Visa Waiver Countries.

Within 90 days of enactment, all Visa Waiver travelers would be required to have a valid, unexpired, machine-readable passport that is tamper-resistant and incorporates biometric identifiers.

The Department of Homeland Security has announced that it will roll this out administratively, but this provision would make it a clear statutory requirement.

Fourth, the bill would strengthen the intelligence sharing that is the bedrock of this program.

The Department of Homeland Security has been able to gather valuable data from Visa Waiver countries under existing information sharing agreements.

There are three such agreements. One relates to information regarding known or suspected terrorists. The second relates to sharing of fingerprint data pertaining to serious crimes. And the third requires provision of lost or stolen passport information directly or via INTERPOL.

It is my understanding that—although countries have signed these agreements—not all have fully implemented them. This bill would require that those agreements be implemented, not just signed.

The bill would also establish several new information-sharing provisions, which the Department of Homeland Security would be required to examine in assessing whether a country can join or stay in the Visa Waiver Program.

One such provision would require DHS to consider whether a country contributes to and screens against INTERPOL's lost and stolen documents database.

Let me explain why this is important. Simply put, INTERPOL's lost and stolen documents database is not as frequently used as it could be.

Increased use of INTERPOL's database could assist all nations, including those outside the Visa Waiver Program, to prevent travel using lost or stolen passports and thus to inhibit the international movement of foreign fighters.

This bill would also require DHS to consider whether a country collects and shares biometric information of refugee and asylum seekers—an important provision to help the United States ensure bad actors are prevented from traveling to the United States.

It would also require DHS to consider whether a country shares intelligence about foreign fighters with the United States, as well as with international organizations like INTERPOL.

Lastly, the bill would require that countries participating in the Visa Waiver Program have Federal Air Marshal agreements in place.

The Paris attacks demonstrate beyond any doubt that the Visa Waiver Program creates a security risk for our country.

The Visa Waiver Program Security Enhancement Act will address vulnerabilities in the Visa Waiver Program, improve information sharing, and help keep our country safe.

I urge my colleagues to support this bill.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 323—SUPPORTING THE DESIGNATION OF DECEMBER 1, 2015, AS “#GIVINGTUESDAY” AND SUPPORTING STRONG INCENTIVES FOR ALL PEOPLE OF THE UNITED STATES TO GIVE GENEROUSLY

Mr. SCHUMER (for himself, Mr. THUNE, Ms. STABENOW, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Finance:

## S. RES. 323

Whereas the Tuesday after Thanksgiving begins the holiday giving season with a global day dedicated to charitable giving, known as “#GivingTuesday”;

Whereas December 1, 2015, is the fourth annual #GivingTuesday;

Whereas since the inception of #GivingTuesday in 2012, #GivingTuesday has become a worldwide movement that celebrates the power of giving in all forms;

Whereas in 2012, #GivingTuesday brought together more than 2,500 organizations in all 50 States and continues to gain momentum with more than 35,000 partners in the United States and around the world;

Whereas online donations have increased 470 percent since the Tuesday after Thanksgiving in 2011;

Whereas #GivingTuesday, along with other community giving days, highlights the charitable community in the United States, which comprises approximately 1,500,000 nonprofit organizations, philanthropic organizations, and religious congregations that are dedicated to improving lives and strengthening communities;

Whereas nonprofit organizations are key partners with Federal, State, and local governments in the delivery of key programs and services, including—

- (1) child learning and nutrition;
- (2) emergency disaster response;
- (3) services for victims; and
- (4) job training and placement programs;

Whereas communities are lifted up by the exposure of all community members to the cultural, educational, and civic opportunities provided by nonprofit organizations;

Whereas the values of volunteerism and generosity toward the common good has led to over 60 percent of people in the United States, including 84 percent of millennials, making financial contributions to support the work of nonprofit organizations;

Whereas virtually every person in the United States benefits from the work of the charitable community, which—

(1) employs over 13,700,000 workers, or 10 percent of the workforce of the United States; and

(2) engages an additional 63,000,000 volunteers;

Whereas in 2014, individuals, foundations, and businesses gave over \$335,000,000,000 to support charitable causes and it has been estimated that, with no deduction for charitable gifts, annual individual giving would drop by 25 to 36 percent;

Whereas other effective charitable giving incentives in the Internal Revenue Code of 1986 relating to individual retirement account contributions, food donations, and conservation easement donations expired on January 1, 2015, the fifth time in recent years;

Whereas the United States is a great country with a strong philanthropic tradition that should be continued and carried on; and

Whereas all political parties can agree on charitable giving, which transcends differences of ideology and unites people across boundaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that the United States needs a strong and vibrant charitable and philanthropic sector to enable communities to meet local needs;

(2) supports the designation of December 1, 2015, as “#GivingTuesday”—

(A) to encourage charitable giving;

(B) to effect positive change; and

(C) to promote causes dedicated to progress, prosperity, and a better world; and

(3) supports strong incentives for all people of the United States to give generously to charitable organizations by—

(A) protecting the existing charitable donation tax deduction; and

(B) continuing incentives that encourage philanthropy, volunteering, and innovation.

Mr. THUNE. Mr. President, I am pleased to support S. Res. 323, a resolution I submitted today along with Senator SCHUMER, Senator STABENOW, and Senator ROBERTS, which expresses the sense of the Senate that Congress should recognize the benefits of charitable giving and express support for the designation of today, December 1, 2015, as #GivingTuesday.

Celebrated annually since 2012 on the Tuesday after Black Friday and Cyber Monday, #GivingTuesday kicks off the holiday giving season with a global day dedicated to charitable giving through a social movement that encourages giving in all its forms by people and communities across the country.

From the first year of #GivingTuesday, when more than 2,500 organizations from all 50 States came together to celebrate giving, to today, when more than 35,000 partners in the United States and around the world will participate, this movement has provided an annual opportunity for the country to come together to honor the long American history of giving back and working together.

I would also like to recognize #GivingTuesday for its power to enact positive change and promote causes that further progress and prosperity for a better world, while also enabling local communities to meet specific needs.

In my State of South Dakota, for example, many local organizations have already endorsed #GivingTuesday. Feeding South Dakota, located in Pierre, Rapid City, and Sioux Falls, is participating through numerous food programs and fundraisers with the ultimate goal of eliminating hunger entirely in my state. Likewise, the United Way & Volunteer Services of Greater Yankton is participating through a book drive that benefits local children as part of the Big Red Bookshelf program, and through financial support that will be used for the Connecting Kids Youth Scholarship program.

The success of #GivingTuesday further highlights the work of the American charitable community, which boasts 1.5 million nonprofits, philanthropic organizations, and religious

congregations dedicated to improving lives and strengthening communities. These charitable organizations employ 13.7 million workers, or nearly 10 percent of the U.S. workforce, with an additional 63 million people engaged in volunteer work.

In all, more than 60 percent of Americans, including 84 percent of millennials, make financial contributions to support the work of nonprofit organizations.

As we just gave thanks last week surrounded by friends and family, it is abundantly clear that we have much to be thankful for. I hope that my colleagues will join me to continue that spirit of giving and sharing, and support #GivingTuesday.

SENATE CONCURRENT RESOLUTION 26—EXPRESSING THE SENSE OF CONGRESS REGARDING THE RIGHT OF STATES AND LOCAL GOVERNMENTS TO MAINTAIN ECONOMIC SANCTIONS AGAINST IRAN

Mr. KIRK (for himself, Mr. MANCHIN, and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

## S. CON. RES. 26

Whereas Iran is a major threat to the national security of the United States and its allies;

Whereas Iran is the world's leading state sponsor of terrorism and continues to materially support Hezbollah, Hamas, and the regime of Bashar al-Assad;

Whereas Iran is responsible for severe violations of the human rights of the people of Iran, including imprisonment, harassment, and torture against dissidents and those critical of the Iranian regime such as human rights defenders, lawyers, activists, and ethnic minorities;

Whereas the United States has led the international community in imposing crippling economic sanctions against Iran for sponsoring terrorism and its human rights violations;

Whereas section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195; 22 U.S.C. 8532) authorizes States and local governments to divest from, or prohibit investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran;

Whereas section 202(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 states that, “It is the sense of Congress that the United States should support the decision of any State or local government that for moral, prudential, or reputational reasons divests from, or prohibits the investment of assets of the State or local government in, a person that engages in investment activities in the energy sector of Iran, as long as Iran is subject to economic sanctions imposed by the United States.”;

Whereas section 202(f) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 states that, “A measure of a State or local government authorized under subsection (b) or (i) is not preempted by any Federal law or regulation.”;

Whereas States have explicit authority granted by Congress and the executive



branch through the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to enact sanctions against Iran or entities that do business with Iran and cannot have such actions be preempted by Federal law or regulation;

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, including section 202 of such Act, was enacted by Congress out of concern for illicit Iranian behavior, including its state sponsorship of terrorism and human rights abuses;

Whereas 30 States and the District of Columbia have enacted divestment legislation or policies against Iran by refusing to invest State and local pensions in international corporations that do business with Iran;

Whereas 11 States have enacted laws or policies that prohibit awarding State or local government contracts to companies or financial institutions that do business with Iran;

Whereas such laws and regulations in no way interfere with the conduct of United States foreign policy;

Whereas States and local governments adopted such laws and regulations out of a shared concern for illicit Iranian behavior, including its state sponsorship of terrorism and human rights violations;

Whereas on July 14, 2015, the P5+1 countries and Iran agreed to the Joint Comprehensive Plan of Action (in this resolution referred to as the “JCPOA”);

Whereas Iran divestment laws and regulations adopted by States and local governments in no way prevent the implementation of the lifting of sanctions as specified in the JCPOA;

Whereas, on July 28, 2015, under testimony to the Committee on Foreign Affairs of the House of Representatives, Secretary of State John Kerry confirmed that States’ legal authority to enact sanctions against Iran would not be affected by the implementation of the JCPOA;

Whereas, on September 30, 2015, Chris Backemeyer, the Principal Deputy Coordinator for Sanctions Policy at the Department of State, stated in reference to sanctions by State and local governments against Iran, “We certainly discussed this issue when we were in the negotiations, and at the present time we do not feel like any of those pieces of legislation jeopardize our ability to implement the JCPOA, and we are quite clear about that.”; and

Whereas sanctions targeting Iran’s sponsorship of terrorism and human rights violations, including State and local government divestment laws and regulations, remain a core national security priority of the United States: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) reaffirms its commitment to stopping Iran’s sponsorship of terrorism and human rights violations;

(2) reaffirms its legislative intent that the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8501 et seq.), including section 202 of such Act, was enacted to deter illicit Iranian behavior, including its sponsorship of terrorism and human rights violations; and

(3) strongly supports continued State and local government sanctions targeting Iran’s illicit activity, including divestment of assets from companies investing in Iran and prohibition of investment of the assets of the State or local government in any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran, as authorized by section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2874. Mr. MCCONNELL proposed an amendment to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

### TEXT OF AMENDMENTS

SA 2874. Mr. MCCONNELL proposed an amendment to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

Strike all after the enacting clause and insert the following:

#### TITLE I—FINANCE

##### SEC. 101. FEDERAL PAYMENT TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

##### SEC. 102. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

“(ii) Zero percent for taxable years beginning after 2014.”; and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”;

(B) by striking “and \$325 for 2015” in subparagraph (B), and

(C) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

##### SEC. 103. EMPLOYER MANDATE.

(a) LARGE EMPLOYERS NOT OFFERING HEALTH COVERAGE.—Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$2,000”.

(b) LARGE EMPLOYERS OFFERING COVERAGE WITH EMPLOYEES WHO QUALIFY FOR PREMIUM TAX CREDITS OR COST-SHARING REDUCTIONS.—Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2014)” after “\$3,000”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

##### SEC. 104. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after the date of the enactment of this Act.

##### SEC. 105. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) EXCISE TAX.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980L.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) REINSTATEMENT.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2024, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

##### SEC. 106. RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

(a) IN GENERAL.—Subparagraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2015.

### TITLE II—HEALTH, EDUCATION, LABOR AND PENSIONS

##### SEC. 201. REPEAL OF THE PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended—

(1) in paragraph (2), by striking “2017” and inserting “2015”; and

(2) by striking paragraphs (3) through (5).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

##### SEC. 202. FUNDING FOR COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after “Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(E)) is amended” the following: “by striking

'\$3,600,000,000' and inserting '\$3,835,000,000' and''.

—————  
AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 1, 2015, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 1, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 1, 2015, at 2:45 p.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "International Tax: OECD BEPS & EU State Aid."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be author-

ized to meet during the session of the Senate on December 1, 2015, at 2:30 p.m., to conduct a hearing entitled "Nominations."

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

COMMITTEE ON THE JUDICIARY

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 1, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Puerto Rico's Fiscal Problems: Examining the Source and Exploring the Solution."

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COATS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 1, 2015, at 2:30 p.m.

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

—————  
MEASURE READ THE FIRST TIME—H.R. 427

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk and ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major

rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

Mr. McCONNELL. I ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

—————  
ORDERS FOR WEDNESDAY, DECEMBER 2, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, December 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; lastly, that following leader remarks, the Senate then resume consideration of H.R. 3762.

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

—————  
ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, December 2, 2015, at 9:30 a.m.