

Mr. COATS. Madam President, may I inquire as to how much time I am allowed on morning business?

The PRESIDING OFFICER. There are 10-minute allotments for the Senators.

THE IRS

Mr. COATS. Madam President, Thomas Jefferson once said:

The majority, oppressing an individual, is guilty of a crime, abuses its strength, and by acting on the law of the strongest breaks up the foundations of society.

The foundation of this society, this great society based on democracy, is the principle of self-determination and the belief that every American is equal under the law and guaranteed liberty. This principle is ingrained in the character of our Nation, and it is enshrined in our Constitution.

Of the many things that set us apart from other nations, there is none greater than the First Amendment to the Constitution—the freedom of religion, the freedom of the press, freedom to assemble and to petition our government, and the freedom of speech.

Under the First Amendment, Americans have the right to organize around the issues and values they believe in, and they have the right to disagree with their government. This liberty is part of what energizes our democracy, and it is essential if this democracy is to prevail.

That freedom has come under attack recently by our very own government when the Internal Revenue Service targeted conservative groups, including at least one in my home State of Indiana, for extra scrutiny based on their political leanings. The IRS must be non-partisan. It has to be. It is not a partisan watchdog.

Why did the enforcers of our Tax Code target groups with applications that included the words “tea party,” “patriots,” or “9/12 Project”? Why did it single out applications of groups focusing on issues such as government spending, government debt and taxes, to educate the public by advocacy to “make America a better place to live,” or those who sought to educate Americans about our Constitution? The IRS singled out a group formed to better educate Americans about our Constitution. What, are they afraid they are going to read it? The IRS targeted a group that wants to make America a better place to live. They are afraid that these groups are going to succeed by questioning the policies of this administration and perhaps suggesting a different course.

This is outrageous, this targeting. The inspector general issued a report yesterday saying these are very serious allegations, and they reveal an effort to misuse government power to unfairly scrutinize those who simply disagree with the policies of this administration. Remember the timing. All of this took place during a national election.

I have met with tea party groups all across the State of Indiana. Unlike the characterization that is made by some, these are honest, law-abiding citizens who are deeply concerned about the future of their country. They are deeply concerned about our nation's plunge into deficit spending and debt that may never be able to be repaid and may be dumped in the laps of our children and our grandchildren. They want to do something about it, and they are deeply concerned about abuses of the rights guaranteed under the Constitution. They said one of the first things they do is suggest why don't we read the Constitution and better understand the Constitution.

I think that is a good idea, because I think some of the things we are doing raise the question of whether they are constitutional. To form a group for the purpose of addressing concerns about the national debt, which is running out of control, about a government that is spending like a drunken sailor, about a government that refuses to do what just about every business in America and every family in America has had to do during this time of downturn and recession—that is to tighten their belts and spend more wisely—only the Federal Government doesn't do this and hasn't done this successfully. So they get targeted by an agency that oversees their taxes and intimidates them or fails to give a rational evaluation of their application for tax exempt status? This targeting is not only inappropriate, it is outrageous and it is disgraceful. It is a despicable abuse of power and a direct assault on our Constitution. It is exactly the type of thing that makes Americans further distrust their government.

Earlier this year, the Pew Research Center released a poll revealing that 73 percent of Americans distrust their government. In other words, only 3 out of every 10 Americans have faith in the Federal Government. This trust deficit is something we should not ignore. It is an alarming indication of how the American people view their government—one that continues to overreach. Those of us who are trying to assure our constituents that we are doing everything we can to keep this government from overreaching, who know we need to restore this trust, we are now hit with something like this.

The IRS is given the responsibility of carrying out the law. It should never use its powers for partisan purposes—ever. Violating that standard destroys the integrity of our government and further erodes the trust of the American people. Neither those of us who make the laws nor those who enforce the laws can be above the law, but the IRS believed it was above the law when it targeted conservative groups for scrutiny. Make no mistake, it is the IRS that will be under scrutiny because of their own abuse, and so will every other agency of government because we are beginning to discover a disturbing pattern of politically motivated abuse.

Sometimes I think we are beginning to hear the echoes of Watergate whispering through this town and through the residence at 1600 Pennsylvania Avenue.

I have a hard time believing their apology and explanation that this was simply a misguided effort by low-level bureaucrats attempting to organize applications for tax exempt status. Where have we heard that before? Oh, yes, Benghazi—these were some low-level bureaucrats who made the wrong decision.

Where does the buck stop in this town? It doesn't stop at the President's desk or at the desk of the Secretary of State. It seems to be pushed down to the “low-level bureaucrats” who should have been supervised better. These people went off and did their own thing so let's just dismiss it, push it to the side. So, yes, we lost an ambassador—that was a tragic situation—and three others who were there trying to protect him, but what is the big deal? It is over with. It was a mistake, so let's move on.

It is just like this pathetically weak statement from our President who said if this turns out to be the case, then, of course, we will need to do something about it. It is real. It is there. It has to be addressed.

While an apology from the IRS is necessary, it is not enough to just simply say it is an inappropriate act. The targeting of these groups, which was confirmed by, as I said, the inspector general, is a very serious allegation and reveals an effort to misuse government power to unfairly scrutinize those who disagree with the administration. The actions of the IRS to target groups based on political viewpoints is outrageous and disgraceful. It is an abuse of power and a direct assault on our Constitution.

Madam President, there must be accountability and responsibility from top leadership, and that includes the White House. The American people deserve answers. How could this clearly unconstitutional action have occurred? Who was involved and who else was aware of this deliberate targeting? What steps will be taken to ensure this doesn't happen again?

Today, I have joined all of my Senate Republican colleagues in sending the President a letter demanding the administration comply fully with all congressional inquiries on this matter. No more avoiding, no more delaying, no more stonewalling, no more inappropriate responses. It is time for the administration to start answering some questions for the American people.

This scandal has left a stain on the IRS that I believe cannot be repaired under current leadership. The head of the IRS, as well as every supervisor involved, should be removed from their posts.

We will not tolerate the intimidation and silencing of Americans simply for exercising their First Amendment rights.

Let me conclude by repeating Thomas Jefferson's warning:

We must not allow this abuse of fundamental constitutional rights to break up the very foundations of society.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Madam President, as I come to the floor today Americans all across the country are paying very close attention to the multiple scandals surrounding the Obama administration—one of the scandals my colleague and friend from Indiana has just so eloquently discussed.

We are seeing headlines all across the country. Today my hometown newspaper, the Casper Star Tribune, had the headline "Trio of Troubles" relating to the Obama administration.

What the American people are seeing from the Obama administration is a high level of incompetence and a very low level of transparency.

Here are just a few of the headlines today in the Washington Post: "Criminal Probe of IRS launched." "Criminal probe of IRS launched. Just below that, "Leak Probe. Phone-records uproar ends Holder's respite." That has to do with the Justice Department's secret gathering of records from the Associated Press.

Inside the paper, open it, and there is much more. "Media outlets condemn agency," "Justice Department, IRS scandals challenge Obama's civil liberties credibility."

Other articles in today's paper note the ongoing scandal over the administration's handling of the attack on our consulate in Benghazi. The Washington Post Fact Checker recently gave the President four Pinocchios for his attempt to mislead the public on the issue. The only reason they didn't give him five Pinocchios is you can't get five. Four is the highest rating you can get for misleading and inaccurate information.

Well, we need more details about the Benghazi coverup, the IRS targeting of conservatives, and the Justice Department's decision to monitor members of the media.

Today, though, I want to talk about another important story that raises serious questions about this administration's actions. Of course, I am referring to the abuse of power that I call "the Sebelius shakedown."

This scandal was first reported by the Washington Post on its front page last weekend. Here is the headline. "HHS asking firms for money for ObamaCare." The article goes on to say:

Health and Human Services Secretary, Kathleen Sebelius, has gone hat in hand to health industry officials, asking them to make large financial donations to help with the effort to implement President Obama's landmark health care law.

The article goes on to say:

Over the past 3 months, Sebelius has made multiple phone calls to health industry executives, to community organizations, and to church groups, and asked that they contribute whatever they can to nonprofit groups that are working to enroll uninsured Americans and increase awareness of the law.

Madam President, these are very serious allegations against the Secretary of Health and Human Services. The President's health care law is a disaster that threatens American jobs, threatens American paychecks, and threatens Americans' health care. Instead of facing the reality, though, Secretary Sebelius has called on the exact same companies she regulates—the companies she regulates—to make financial donations to organizations that are trying to make this awful law look better than it is.

Well, the Sebelius shakedown is outrageous. She is the Secretary of Health and Human Services for the country. She holds tremendous power and influence over these companies she regulates. Her words and her requests matter. One industry official with direct knowledge of the Secretary's funding request was quoted in the Washington Post as saying there was a clear insinuation by the administration that insurers should give financially to this effort.

This would be like your boss coming in and standing by your desk and then asking you how many boxes of Girl Scout cookies you plan to buy from the boss's daughter that year.

This kind of conflict of interest would be disturbing even if this were just a minor agency with limited power, but Health and Human Services is not a minor agency. It is one of the most powerful and influential bureaucracies in all of Washington. President Obama's health care law gave Secretary Sebelius unprecedented power to regulate a very large portion of the U.S. economy. She controls a budget of nearly \$1 trillion and oversees health care industries ranging from insurance companies to hospitals.

On top of that, Health and Human Services is currently negotiating with health plans to set premium rates. It is also setting up the government-run health care exchanges and confirming which companies will get to participate in those. That raises the stakes dramatically for these companies, and it puts a tremendous amount of pressure on them to keep the Secretary happy.

Private companies and other organizations should never be put in a position where they could fear for their future based upon their response to inappropriate requests from a member of the President's Cabinet. The American people should never have to wonder if their government is shaking down the very businesses they regulate.

At best, asking health care industry executives to donate money for the administration's health care law enrollment efforts is a blatant conflict of interest. At worst, the Secretary may

have violated the law by increasing Federal spending without congressional authorization. As Congress begins investigating Secretary Sebelius's actions, the American people deserve answers to a number of important questions.

For starters, the American people would like to know who exactly the Secretary called. What did she ask? What specific legal authority permits the Secretary or any other HHS employee to solicit financial donations to implement the health care law? Which HHS officials participated in the decision to ask for these donations? Did anyone else at HHS ask for donations from outside groups and businesses? Did any other Obama administration officials make similar solicitations? What specific steps has Health and Human Services taken to ensure the Obama administration will not favor businesses and organizations that gave money or punish those that did not donate?

Secretary Sebelius had a history of questionable decisions even prior to her latest efforts to shake down the health industry. Back in September 2010, health insurance companies started informing their customers how much the President's health care law would increase the premiums of these individuals. So the Secretary responded by warning insurers the administration would be keeping track of their actions, and that some companies might be "excluded" from health insurance exchanges in 2014.

That was not an idle threat. Medicare's Chief Actuary had predicted in the future that essentially all Americans would buy health insurance through the government exchange. So the Secretary seemed to be threatening that any insurers telling customers the reason behind premium increases—which, of course, would be the President's health care law—could be put out of business.

Most recently, last fall the U.S. Office of Special Counsel concluded that Secretary Sebelius violated the Hatch Act. She did this when campaigning for President Obama when traveling on official government business. Federal workers who violate the Hatch Act are often fired, but Secretary Sebelius was not punished at all.

There are already enough concerns about how the President's health care law will harm the American people. We cannot afford unresolved questions about whether a Cabinet Secretary pressured businesses that she regulates to make donations.

A lot of media attention on these scandals has focused on the political fallout. The politics is not the real issue. The real issue is that the American people need to know their government is not a thug. The real interest of the American people is in knowing they have confidence that their government will act in the people's best interests, not just in President Obama's best interest.