

Monday morning, and then tragedy struck. A gunman appeared with an assault rifle, several other weapons. At the end of it, 12 innocent people died, another dozen or so seriously injured.

This Capitol was in shock. It was locked down at some point to ward off the possibility there were other shooters and more danger outside. We watched as the people who worked at the Navy Yard and those who worked in adjoining buildings waited patiently for the police to do their important and courageous work. At the end of the day, they showed television footage of these employees being bused away from the Navy Yard to a safe metro location to return home—all but 12 of them who, sadly, lost their lives through this senseless gun tragedy.

We read the papers this morning trying to understand what could possibly motivate a person to do this. As we read the background of the shooter, it was clear there were moments in his life when he had used a firearm to shoot the tires of a car that he thought should not be parked in his driveway, shooting a gun in his own apartment that went through the ceiling to an adjoining apartment. Those sorts of things might have been warning signals. Questions are raised—How could a man with that kind of a background end up getting the necessary security clearance for a military contractor to go into this Navy Yard, to be permitted to go into this Navy Yard? How did he get these weapons into this Navy Yard; an assault rifle and other firearms—questions that still remain to be answered.

God forbid we go on with business as usual today and not understand what happened yesterday.

What happened yesterday brings into question some important values in America. If we value our right for ourselves and our families and our children to be safe, if we value this Constitution, if we value the right of every American to enjoy their liberties with reasonable limitations, then we need to return to issues that are of importance.

There was an issue before the Senate several months ago—a bipartisan amendment offered by Senators MANCHIN and TOOMEY that would have taken an extra step to keep guns out of the hands of those who have a history of felonies or people who are mentally unstable. The vast majority of Americans think this is common sense. We can protect the right of law-abiding citizens to use guns in a responsible, legal way for sporting, hunting, self-defense, but we have to do everything we can to keep guns out of the hands of those who would misuse them: felons who have a history of misusing firearms; the mentally unstable who cannot be trusted to have a firearm.

But today we pause and reflect on the lives lost, I hope the lessons learned. I had a hearing scheduled this morning before the Senate Judiciary Committee on a controversial issue involving firearms. In light of what hap-

pened yesterday, in light of the uncertainty of our schedule today, I am re-scheduling that hearing. It is an important one, and I want to say to those who are following it that it will be re-scheduled. But at this point in time we have decided to postpone it for today, to another day in the near future.

#### HEALTH INSURANCE

Mr. DURBIN. Mr. President, let's talk for a minute about the Vitter amendment that is on the floor. One-half of all Americans have a common experience. The experience is this: They get health insurance where they work—one-half of all Americans. For virtually all of them, their employer pays for part of their health insurance premium and the employer gets a tax break. If you own a company and offer health insurance to your employees, we have what we call the employer's exclusion for health care benefits. In other words, what you pay for your employees' health insurance is excluded from your income for tax purposes. It is one of the most expensive exclusions in the Tax Code, but it is a valuable one because it encourages businesses to offer health insurance to their employees, which is important for those families, important for our Nation.

Of course, when it comes to the Federal Government, the same rule applies. The employer—the Federal Government—offers health insurance to its employees under what is known as the Federal Employees' Health Benefits Program. Eight million Americans, representing Federal employees and their families, get their health insurance through the Federal Employees' Health Benefits Program. It includes Members of Congress. We do not have a special health insurance plan. We have the same plan that millions of Federal employees have. And our staff enjoy those same privileges.

Well, now we are in a period of transition because of the new Affordable Care Act.

This Affordable Care Act says that from this point forward Members of Congress as well as their staff members will no longer be insured by the Federal Employees Health Benefits Program but instead will become part of the insurance exchanges that were created. These exchanges, which are going to be in virtually every State because of State sponsorship, Federal sponsorship, or shared responsibility, will offer health insurance plans across America so that those who currently do not have health insurance today will be able to apply for a plan under the insurance exchange. If they are extremely low-income individuals, they will get help—subsidies and tax treatment that will help them pay for their premiums. The notion is that no matter where you live you will have access to health insurance.

The health insurance offered by these exchanges and by every other company in America will change because this

law—change for the better. Senator REID spoke about it earlier.

Preexisting conditions. How many of us do not have a preexisting condition or somebody in our family with a preexisting condition? Perhaps someone in our family was treated for cancer or diabetes or even a mental illness. In the past health insurance companies could discriminate against you and say: Sorry, we do not offer health care plans to cancer survivors. Well, that is no longer the case. This new law, the Affordable Care Act—so-called ObamaCare—says that health insurance policies from this point forward have to cover preexisting conditions not just in children but adults as well. The Republicans are saying: We want to repeal that. We do not want to put that new provision in the law. We do not want to require insurance companies to cover those with preexisting conditions.

There is another change in the law. Some insurance policies today have limits on how much they will pay. Well, I can tell you, be careful. If your health insurance plan says: We will cover your bills, say, up to \$100,000, be careful. You could go in tomorrow—or someone in your family—and be diagnosed with a cancer condition requiring extensive medical care that far exceeds the \$100,000. Under ObamaCare there are no limits on health insurance protection. If you have a terrible illness or if someone in your family does, the insurance policy will cover you. The Republicans want to repeal this provision so that they can set limits on health insurance policy limits, which could literally bankrupt a family with a terrible medical condition with which they are trying to deal. That is one of the provisions in ObamaCare that the Republicans want to repeal.

The issue on the floor today is the Vitter amendment. Senator VITTER is from Louisiana. He came to the floor last week and he said: Since Members of Congress and their staffs are now going into these insurance exchanges, it is time for us to eliminate the employer contribution for Members of Congress and their staffs. They have to pay it all, 100 percent of the premium, unlike 150 million Americans who get insurance through their employer and the employee pays a portion of it.

When it comes to congressional staff and Members of Congress, no employer contribution, pay it all. Well, it turns out that is exactly the opposite of the way Senator VITTER voted on the floor of the Senate on an amendment offered by Senator GRASSLEY, No. 3564 on the Affordable Care Act. Senator VITTER voted, during the debate on this issue, to protect the right of congressional employees and others on the employer contributions. Now he has reversed himself. Now he says: No employer contribution. This is unfair. It is unfair to do this to the employees of the Senate as well as the Members. All we are asking is that this group of individuals be

treated the same as every other American with health insurance through their employment.

My fear is that this is not the end of Senator VITTER's crusade against health insurance by employers. I think this is a first step. The next step could be to eliminate the employers' contribution for health insurance across the board. That would be devastating, absolutely devastating and fundamentally unfair to see workers across America—not just congressional employees, Federal workers, workers in the private sector—paying the entire premium with no employer contribution. That is a good way to eliminate coverage, not to expand it. We should be expanding health insurance coverage.

I listened to the Senator from Louisiana describe the employer contribution to health insurance as a Federal subsidy—a Federal subsidy. Well, I guess technically he is right because the Tax Code says to employers: We will give you special positive tax treatment if you offer health insurance. So the Tax Code does, in fact, give a subsidy to all employers who offer to pay a part of their employees' health insurance premiums.

OK. I will accept that definition. But that is a worthy subsidy. Even though it is the most expensive provision in the Tax Code, it is a worthy subsidy because it encourages more health insurance. It makes it more affordable for working families in Louisiana, Illinois, Massachusetts, Michigan, and across the United States.

If Senator VITTER is going to attack an employer's contribution to health insurance as a Federal subsidy we can no longer afford, then say it on the floor of the Senate. Let's have an up-or-down vote. I challenge my colleagues on both sides of the aisle to stand up for working families across America—in the private sector, in the public sector, our congressional employees, even Members of Congress—to be treated the same. No special preference for Members of Congress but have employer contributions protected under the law regardless of whether you buy the plan in the private sector or in the public sector.

This is an important vote. I think some of my colleagues on the other side of the aisle are so determined to end ObamaCare, so determined to put an end to this effort to reduce the cost of health insurance premiums and to make health insurance more available to people across America and basically a sound investment for your health insurance future—I think those Republicans who are determined to eliminate that have some questions to answer.

They want to eliminate the provision in ObamaCare that says parents can keep their kid under their health insurance policy until that young man or woman reaches the age of 26. Is it important? Well, do you have a son or daughter graduating college soon who cannot find a full-time job? Are you

worried about whether they are going to have health insurance? They can stay on your policy, mom and dad, until they reach the age of 26. The Republicans want to repeal it.

Also, we have a prescription drug program for seniors. It is very popular. Part D says: We are going to help seniors pay for medicine so they can stay well and healthy and independent and strong and not end up in a hospital or convalescent senior center or a nursing home. In the ObamaCare bill, we extend the protection of this prescription program for Medicare recipients. The Republicans want to repeal that. How in the world can that be in our best interest for seniors—many of them on fixed incomes with limited savings—to have to pay more for their prescription drugs? Is that the Republican answer? It is not a good one if that is what they are proposing.

When it comes to quality health insurance that will not discriminate against people with preexisting conditions, when it comes to quality health insurance that has to offer maternity benefits—hard to believe, isn't it, that health insurance plans before ObamaCare could exclude maternity benefits? One of our Senators this morning said that up to 60 percent of the policies do not cover the birth of a child. They have to now under ObamaCare. But the Republicans would repeal that requirement, leaving more women in a situation where they have to pay out of pocket for prenatal care and the delivery of a child. How can that be in the interest of a healthy America? We want moms, as soon as they know they are pregnant, to go see a doctor, go through ordinary prenatal care, have those healthy, happy babies who make such a difference in their lives. Is it important? I think it is. It is in ObamaCare. The Republicans want to repeal it. Why?

If they want to change some provisions, if they want to debate them and amend them, let's do it. You know, when it gets down to it, there is not a perfect law that has ever been passed. We can always change it for the better if we do it in good faith and in the democratic way. That is the way it should happen. But, instead, the House of Representatives—which the Presiding Officer served in before joining us here in the Senate—has voted 41 times to repeal ObamaCare—41 times. One time the Republican leader over there tried to change one provision, perhaps even improve it. His own Republican caucus turned on him and said: No, we do not want to improve it.

The last thing I want to say is this: Those who ignore history are condemned to repeat it. That is etched on the side of one of our buildings downtown here. The year was 1935. Franklin Delano Roosevelt looked around America and saw that the poorest group of Americans turned out to be elderly people, people who could no longer work and had nowhere to turn. Sadly, many of them had no choice—they

went to live among poor people in a poorhouse or if they were lucky enough, their kids took them in. If you hear the story of your own family, they can remember back when grandma and grandpa moved in that spare bedroom because they could not work anymore and they had nowhere to turn.

So in 1935 Franklin Roosevelt said: Let's do something about it. Let's create an insurance plan. Here is what it says: You pay into this insurance plan while you are working. When you reach the age of 65, we will pay you at least some money each month to get by. They called this insurance plan Social Security. It was part of the New Deal under Franklin Roosevelt. It was pretty sensible but controversial too.

Do you know what the Republican reaction was to Social Security in 1935? Here on the floor of the Senate, there was a Republican filibuster to stop Roosevelt from implementing Social Security. They would not let him open the Social Security offices he needed across America nor give him the staff. A Republican filibuster stopped it.

In 1936 the Republican candidate for President was Alf Landon, a progressive Republican Governor from Kansas. Alf Landon said: If I am elected President of the United States in 1936, my first act of office will be to repeal Social Security.

Then, when they started implementing it, the chamber of commerce here in Washington sent out notices to employers across America to put a notice in the pay envelope. It said: The 1 percent you are paying into Social Security, Mr. Worker, is never going to help you. You are never going to see a penny of it. The only way to stop it is to vote against this fellow named Roosevelt.

Does any of this sound familiar? Does this playbook sound like something you have seen recently? That is exactly what the Republicans are doing to the Affordable Care Act, to the effort by this Congress and this President to make health insurance more affordable, to make the policies more valuable, to help working families, and to try to make sure those who are uninsured have a chance to buy insurance because uninsured people get sick too. They go to the hospital. They get treated. When they cannot pay, we pay for it. We pay for it. Everybody in the health insurance plan pays more because those people in the hospital cannot afford to. If we bring more and more people into insurance coverage under ObamaCare, it is going to mean they accept the personal responsibility to buy insurance and their bills do not become our bills. Republicans want to repeal that. They are replaying the same script and same scenario we saw when they tried to abolish Social Security. Let's not let it happen. Let's move forward in a positive way on health insurance as more than just some privilege. From my point of view, it is one of the most basic rights of this country.

If you have ever been in a situation with a serious illness in your family and you had no health insurance, you will never forget it. It happened to me and my wife. We will never forget it as long as we live. I do not want to see another family in that situation. Repealing ObamaCare could create it. I hope we have the good sense to vote down the Vitter amendment and stand for good, affordable health insurance for working families whether they work in the private sector, the public sector, or Congress, and to make sure they have an employer contribution so that health insurance is affordable.

The Vitter amendment is a step back in time. It is a step back in time that will eliminate the protection of health insurance for literally thousands if not millions of Americans. That is not the way to go. I would say to the Senator from Louisiana it makes no sense to the working families of America.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

#### NAVY YARD TRAGEDY

Mr. LEVIN. Mr. President, I wish to say a brief word about yesterday's tragic and senseless violence at the Washington Navy Yard.

The men and women who protect our Nation and the men and women in uniform and the thousands who serve the Department of Defense make enormous sacrifices for us. Facing a workplace gunman should not have been one of them. Those who have died, their wounded, their families, and loved ones are in our thoughts and in our hearts today.

#### SYRIA

Mr. LEVIN. Mr. President, I come to the floor this morning to discuss another senseless act of violence and our Nation's response.

In the early morning hours of August 21, the Syrian military began firing artillery rockets into the suburbs east of Damascus, hitting neighborhoods held by opposition forces that had been fighting to end the brutal dictatorship of Bashar al Assad.

We know from the accounts of independent observers such as Human Rights Watch, the work of our intelligence services, and those of our allies, that many of these rockets were armed with warheads carrying sarin, a deadly nerve gas. We know these rockets were launched from areas under the control of Assad's regime, using munitions known to be part of Assad's arsenal, and into areas held by opposition forces. We know from the report of the U.N. weapons inspectors released yesterday that the weapons used, both the rockets and the chemicals themselves, were of professional manufacture, including weapons known to be in the Syrian Government's arsenal. There is no other source of this deadly gas except the Syrian Government. Nothing else makes any sense whatsoever.

President Obama declared that the United States would act in response to this threat to global security. He determined it was necessary to use American military force to degrade Assad's chemical capability and deter future use of such weapons by Assad or others. He did so because a failure to act would weaken the international prohibition on chemical weapons use. He did so because the failure to act could lead to greater proliferation of these weapons of mass destruction, including the potential that they could fall into the hands of terrorists and used against our people. He did so because if the use of chemical weapons becomes routine, our troops could pay a huge price in future conflicts.

On September 4, a bipartisan majority of the Senate Foreign Relations Committee approved the President's request for an authorization of the limited use of military force.

Faced with this credible threat of the use of force and in response to a diplomatic probe by Secretary Kerry, Russia—which had for more than 2 years blocked every diplomatic initiative to hold Assad accountable for the violent repression of his people—announced that Assad's chemical arsenal should be eliminated.

The agreement that followed requires Syria to give up its chemical arsenal on a historically rapid timetable.

Within a week Syria must fully account for its chemical weapons stockpiles and infrastructure. By the end of November, U.N. inspectors must be allowed to complete their assessments and key equipment used to produce chemical agents must be destroyed. All of Syria's chemical stocks, materials and equipment must be destroyed by the end of next year.

Any failure to abide by the terms of the agreement would lead to consideration of penalties under Chapter VII of the U.N. Charter, under which the U.N. Security Council may authorize among other steps "action by air, sea, or land forces as may be necessary to maintain or restore international peace and security." Regardless of U.N. action or inaction, the President retains the option of using force if Assad fails to fully comply.

This agreement is a significant step toward a goal we could not have achieved with the use of force. The authorization approved by the Senate Foreign Relations Committee had the stated purpose of degrading Assad's chemical capability and deterring the use of chemical weapons by Assad or by others. What can now be achieved is more than degrading and deterring. We may be able to eliminate one of the world's largest stockpiles of chemical weapons.

We should have no illusions that achieving this outcome will be easy. First are the technical and logistical challenges. Many have expressed concern about the likelihood that Assad's stockpiles can be secured and disposed of as quickly as this agreement pro-

vides—by the end of 2014—especially given the dangerous security environment in Syria. I share these concerns. But accepting and addressing these challenges is a better course than not acting against the certain danger of leaving these weapons in the hands of a brutal dictator allied with Hezbollah, a dictator who has demonstrated a willingness to use them against civilians.

Some have expressed doubts that Assad and Russia will follow through on the agreement which was reached in Geneva. To address these doubts, we must inspect, verify, and continue to hold open the option of a strike against Assad's chemical capability if he fails to fully abide by the Geneva agreement.

What I do not understand is why some of the same voices who called for the United States to get Russia to end its obstructionism now criticize the President for getting the Russians involved. I was disappointed to hear my Michigan colleague, Congressman MIKE ROGERS, make the irresponsible claim that this agreement amounts to "being led by the nose" by Russia. This contradicts his previous statements that we need to put pressure on Russia to get involved in a solution to the Syrian threat.

Chairman ROGERS has also said: "What keeps me up at night: We know of at least a dozen or so sites that have serious chemical weapons caches" in Syria, and stressed the urgency that "all the right steps are taken so that we don't lose these weapons caches and something more horrific happens."

Thanks to U.S. pressure and a threat to take military action in response to Assad's use of chemicals, the Russians are finally getting involved in getting Syria to respond. We have taken a major step toward securing these chemical weapons as Chairman ROGERS himself so strongly urged.

We need not rely on good intentions from those who have not shown good intentions in the past. It was the credible threat of the use of military force that brought Russia and Syria to the bargaining table. It is a continued credible threat of military force that will keep them on track to uphold the provisions of that agreement.

The President has made it clear, and rightfully so, that "if diplomacy fails, the United States remains prepared to act."

Secretary Kerry, standing right beside his Russian counterpart in Geneva, emphasized this agreement in no way limits President Obama's option to use force if it becomes necessary.

Many of our colleagues have stressed repeatedly in recent weeks that the credible force, the credible threat of military force, is essential to reining in Assad. I strongly agree. For the life of me, I cannot understand why those who have taken that position would now argue, as some of those same colleagues are arguing, that the Geneva agreement is somehow of little or no