

and preserving the constitutional power of the President to nominate highly qualified people to court vacancies.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of the motion to proceed to H.R. 3204, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 3204) to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Ms. WARREN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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. Madam President, the question of the week is, more important than apologizing, will President Obama live up to his promise that Americans can keep the care they have and like? Democrats are clearly running away from embracing this law and are suggesting the President live up to his promise as well. Yesterday former President Clinton said:

I personally believe, even if it takes a change to the law, the President should honor the commitment the Federal Government made to those people and let them keep what they got.

That is from former President Clinton yesterday in a interview he did.

More and more we see people on the Democratic side of the aisle coming forward, acknowledging what many of us have been acknowledging for a long time; that is, this is not living up to expectations. We need a timeout. It is clearly not working, it is not ready for prime time, and it is obvious that we need to acknowledge that and come up with plan B.

Senator DURBIN, here in the Senate, said in an interview Tuesday that the cancellations of their coverage that people might face under ObamaCare and the statement that people could keep their plans “should have been clarified.”

Democratic Representative KURT SCHRADER from Oregon thinks the President was grossly misleading to the American public and said:

I think the President was grossly misleading the American public.

Senator FEINSTEIN, who is not up for reelection, is supporting legislation to allow individuals to maintain enrollment in the plans they like.

These mistruths are clearly affecting the President’s credibility. President Obama’s approval ratings have dipped to a record low. A poll from Quinnipiac University that was released shows respondents disapprove of the President’s job performance by a 54-to-39 margin. His approval rating of 39 percent is worse than his previous alltime low of 41 percent in the Quinnipiac survey done previously. Further, more people—52 percent—say the President is not honest and trustworthy.

We are on the verge of another misstatement from this administration where they make promises to the American people that they do not meet. Last month the administration promised they would have healthcare.gov fixed by the end of November. It appears unlikely, according to today’s Washington Post, where a headline reads: “Troubled HealthCare.gov unlikely to work fully by end of November.”

For proof that this Web site design has been a failure of leadership, compare it to Cyber Monday volume at amazon.com in 2012. According to amazon.com’s press release, it sold 27 million items on Cyber Monday, or 306 items per second. That is how the private sector has been able to process huge volumes of data and requests. If we compare and contrast that with the rollout of ObamaCare and healthcare.com, it is a stunning failure—even epic in terms of the inability of that whole program to function with any level of competence.

It is clear that technology exists to fix the Web site to handle high volumes, but, as the President has said, the health care law is more than just a Web site, and that is where most of us come down on this issue. This is a flawed policy that is causing millions of Americans to lose the health care they like. Most of us know someone who has had his or her health care canceled by ObamaCare, and it is going to get worse. The Associated Press reports that at least 3.5 million have received cancellation notices, and that number is expected to increase to tens of millions of people. As Americans—millions more—are losing their plans, only thousands are signing up through ObamaCare.

Constituents are encouraged to visit our Web site at republican.senate.gov/yourstory to submit their stories about how this is impacting them personally. The American people deserve to have their stories heard, and Americans deserve to have the President and congressional Democrats keep their promise.

We believe what former President Clinton said yesterday is correct; that is, President Obama should honor the commitment the Federal Government made to those people and let them keep what they have. That is essentially

where we are today. I would simply ask rhetorically, what is the President going to do to address and honor the promise he made to the American people that they can keep what they have?

Increasingly, more and more Democrats—and, of course, there are many of us on this side of the aisle who predicted this would happen a long time ago—realize this was an ill-conceived policy. I have maintained for a long time that it was built upon a faulty foundation; therefore, you cannot just fix a Web site or have an IT specialist come in and expect this to get better. This is a flawed policy, and it is already having profound and harmful impacts on the American people. We believe many more people will be harmed in the future as the insurance is fully implemented.

The best we can do for the American people in order to minimize the impact and harm is to put off, suspend, delay—whatever you want to call it—the implementation of ObamaCare. Frankly, the best we could do in the long run is pivot away from this failed policy and move in a direction that actually does address some of the fundamental problems we have with health care in this country today.

There is a whole list of solutions Republicans have advanced and put forward in the past—for example, allow people to buy insurance across State lines and create interstate competition so we have insurance companies competing with each other. Obviously, if we have competition and the forces of the market at work, it helps to bring down costs and prices.

Another example is to allow small businesses to join larger groups to get the benefit of group purchasing power—to pool, if you will. That is something we have been proposing for some time, and it has been consistently defeated by Democrats in Congress. Other examples are reducing the cost of defensive medicine by ending the junk lawsuits that clog up our legal system and drive up the cost of health care, allowing an expanded use of health savings accounts and those types of vehicles that are out there for people today to put money aside for their health care needs; allowing people to have a refundable tax credit so they can buy their own insurance, which would give them more choices, create more competition, and, again, put downward pressure on the cost and price of health care in this country.

Those are commonsense step-by-step solutions that we think would work so much better than having one-sixth of our entire economy, which is what health care represents, taken over by the Federal Government. Political command and control in Washington, DC, is driving the decisionmaking for Americans across the country. As we have already seen, the Federal Government does not do complicated tasks very well, and the Federal Government doesn’t do comprehensive tasks very well.