

The PRESIDING OFFICER. The Senator from Montana.

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MONTANA WEATHER  
EMERGENCIES

Mr. TESTER. Mr. President, I rise today to share an incredible story about a community working together in the aftermath of a powerful storm in Billings, MT.

The storm that occurred on Father's Day spawned at least one tornado that touched down in Billings Heights, blowing apart several businesses and one of the city's most familiar buildings.

If my colleagues will take a look, this is a picture of what the inside of Rimrock Auto Arena looks like today. You can see the tornado ripped off the roof. Thousands and thousands of folks have memories from inside this building, from concerts to sporting events to graduations.

This picture was taken by Larry Mayer, a photographer for the Billings Gazette. Minutes after the tornado tore through, emergency responders, as my colleagues can see, arrived on the scene to keep folks away from the debris in the streets.

The wind twisted guardrails around light poles. The rain turned streets into rivers. Golf ball-sized hail came crashing down.

In our part of the country, we are used to extreme weather—subzero cold, drought, snow, and severe thunderstorms—but a tornado tearing through the middle of Montana's largest city is pretty darn rare. Through it all, only one minor injury was reported, and that was due to hail.

While we stand together in support of the folks who lost their businesses and their property last Sunday, we are grateful no one died. Nobody lost their home. I attribute that to a lot of luck and to quick action and smart decisions by emergency responders in Billings and in Yellowstone County.

Immediately after the clouds lifted, officers kept onlookers out of harm's way. More than a dozen National Guardsmen immediately secured the area, answering a late night call on Father's Day. News reporters went to work sharing the story. Unelected leaders, from councilmen to commissioners, buckled down to hammer out the next steps.

This week, people across the country opened their newspapers and turned on their TVs to see the incredible pictures from Billings, MT. They saw what happens when a community works together in the aftermath of a storm such as this. Everyone lived to share their story, and the community grew stronger because of it.

It is not just Billings that felt the force of wild weather this last week. Further north, the community of Rocky Boy's Indian Reservation is still trying to tally up the damage after a powerful rain storm last Thursday night. In the nearby Bear Paw Moun-

tains, there is word that water wiped out entire roads. Dozens of families in the area were forced out of their homes, and roads were destroyed.

Last week, a microburst destroyed a home near Froid, MT. Ramona Ryder, the woman who lived in a residence there, died in that storm.

Of course, Montana is a State where agriculture is not just the top industry, it is the livelihood of thousands of families. Weather takes its toll on crops and soil and irrigation. But over the past week, we have seen unusual weather across the Big Sky State, and we can expect more of it. From farmers to tribal communities to folks who live in Montana's biggest cities, it impacts everyone.

Now we begin the process of rebuilding the businesses and the familiar buildings destroyed by these storms.

I ask the Presiding Officer and all of my colleagues to stand with me to offer any support we can to the Billings and Rocky Boy's communities and to those folks up in the Bear Paw Mountains and especially to the folks who have to start from scratch because, as we know all too well in Montana, it takes working together to rebuild, and we will become stronger.

With that, Mr. President, I yield the floor. I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be divided equally between the Democrats and Republicans.

The PRESIDING OFFICER (Mrs. GILLIBRAND). Without objection, it is so ordered.

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

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HAMAS IN GAZA

Mr. CARDIN. Mr. President, I rise today to speak about the current situation in the Gaza Strip.

In 2007, Hamas, a State Department-designated foreign terrorist organization, forcibly seized control of Gaza. Hamas continues to refuse to recognize Israel's right to exist and, in fact, has perpetrated terrorist attacks against Israel, launching countless rockets from Gaza into Israel.

Hamas calls for the elimination of Israel and Jews from Islamic holy lands. No Hamas leader has publicly expressed a willingness to disarm or to stop attacks on Israel and Israelis.

Israel, like every other country in the world, has a right to defend itself. With a sworn enemy on its border, Israel must protect her citizens against potential attacks every single day. Under the blockade, Israel directs ships to the port of Ashdod, where they are inspected for arms and other dangerous items before Israel allows off-loading

and assists in the delivery of legitimate goods to Gaza.

We know that Israel's concerns about arms transfers to Gaza are legitimate because both weapons and raw materials are smuggled into Gaza through tunnels from the Sinai in Egypt. Thousands of rockets and mortars have been fired from Gaza into Israel over the last decade.

Just last week, Israel has shown signs of compromise, announcing its intention to ease the blockade and allow more civilian goods and humanitarian aid to enter the Palestinian territory by land, including construction materials for civilian projects.

It is important to note that Hamas has made no such compromises and continues to maintain its vehement and violent stance against Israel's existence. Hamas also continues to endanger Gaza's civilian population by using hospitals, schools, mosques, and residential neighborhoods as command and operations centers or as weapons storage facilities.

While Hamas claims to be the popular representatives of the Palestinians in Gaza, their actions show that they hardly care for the plight of the average Gazan, as their rule deprives their own people of a transparent democracy, civil rights and freedom.

The best way to ameliorate that and to fix the broader current crisis and prevent future ones, of course, is Israeli-Palestinian peace and the creation of an independent Palestinian state that lives side-by-side with Israel, providing security and economic stability for the Palestinian and the Israeli people.

Today, it is Israel that continues to acknowledge the necessary framework for any peace agreement.

Israel has shown willingness for direct negotiations, but the Palestinians continue to insist on proximity talks. Israel is seeking to make peace with a partner whose parliament is controlled by Hamas, an organization still sworn to the destruction of Israel.

The only way to achieve peace is for Hamas to give up its militancy, forego terrorism and violence against innocent civilians, recognize Israel's right to exist and become a legitimate partner in Palestinian institutions. The more than 1 million Palestinians living in Gaza deserve that, the millions of Israelis who are subject to Hamas rockets and terror deserve that and frankly, the world deserves a stable, secure Middle East.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

## HEALTH CARE

Mr. ENZI. Mr. President, before coming to Washington, I ran a shoestore in Gillette, WY. I stocked the shelves. I worked with customers to fit them with shoes. I ran the cash register. I placed the orders with suppliers. I swept the floors. I cleaned the toilets. I did the bookkeeping. In short, I was a one-man show. That is not quite accurate. My wife was there, and we had a couple of clerks. We all had the same responsibilities. My wife helped and actually grew the business while I was mayor of Gillette. We were a one-family show. I know firsthand the struggles and challenges America's small businesses face. We faced them on a daily basis. That is why I am so concerned about the recent action by the Obama administration.

Earlier this week, the administration published a 121-page interim final rule that will have a major negative impact on millions of small businesses across the country. This new rule, which implements just two pages of the health care law pertaining to grandfathered health plans, will increase the costs these businesses will pay for health insurance. This new rule violates the President's repeated promises from last year and the year before that under the new health care law, if you like what you have, you can keep it.

A chart on page 54 of the rule states that the Departments of Treasury, Labor, and Health and Human Services estimate that between 39 and 69 percent of the businesses will lose their grandfathered health plan status. This means these businesses' health plans will not be able to keep their current plans but, rather, will be required to comply with one of the expensive mandates included in the new law. This will, in turn, drive up the costs for these plans, making them even more unaffordable for small businesses. As a former small business owner, I understand how small businesses are struggling every day to find the resources to provide health insurance to their employees. Rather than making it easier for these businesses to continue to provide this coverage, the new regulation will actually make it more likely that employers will simply drop their health insurance coverage altogether.

I have a copy of the chart to show the folks back home. This chart shows the administration's own estimates, which indicate that only about half of Americans will be able to keep what they have. The picture, of course, is even worse for small businesses. Health and Human Services estimates that by 2013, up to 80 percent of small businesses could lose their grandfather status. The plans that do lose their grandfather status will have to abide by a whole slew of new Federal mandates, many of which have not even been written yet.

These are the low estimates of how many people are going to take it again. This is a midrange estimate by the administration and then a high estimate

for small employer plans, large employer plans, and all employer plans. The low-end estimate is 49 percent of them will have to go to something different if they cannot be grandfathered, the midrange estimate is 66 percent, while the high-end estimate is 80 percent of small employer plans will have to give up what they have right now because there are more federally mandated requirements they have not been meeting. In my home State, more than 50 percent of the people will have to change to a different insurance. I have to tell you, almost all of them who have insurance are happy with the insurance they have and really thought they could keep what they have if they like what they have. This chart shows that is not going to be the case.

During my days as a shoestore owner, I would not have had the luxury to read a 121-page interim final rule and try to determine what I needed to do to keep my health insurance plan. And if my small business was one of the 80 percent of small businesses that the administration thinks will lose their current status, then I would be forced to pay for a lot more coverage.

One of the most disturbing aspects of this new rule is it will actually make it harder for employers to make changes that could hold down the cost of their health care. Once this interim final rule becomes effective, which will be July 12 of this year—less than a month from now—large and small businesses will have few options for both keeping costs in check and maintaining their grandfather status. If an employer does any one of the following things to manage their costs, they lose the health care they have: If they eliminate any benefits, they lose their grandfather status. If they increase coinsurance rates, they lose their grandfather status. If they increase deductibles or out-of-pocket limits beyond minimum levels, they lose their grandfather status. If they increase copayments beyond minimum levels, they lose their grandfather status. If they decrease the employer share of the premium by more than 5 percent, they lose grandfather status. If they add an annual limit or decrease the lifetime or annual limit, they lose grandfather status. If they change their health insurance carrier, they lose their grandfather status.

Which is the most important one of those? The very last one. If they change their health insurance carrier, they lose their grandfather status. The only way you have a chance of holding those costs down is to bid out the insurance. It made a huge difference in our business. The first time we bid it out—and we were several years staying with the same company and having very huge increases—the first time we bid it out, we found out we could save very substantially, and so we bought the lower bid insurance.

Then the company we had been dealing with for several years came to us and said: Why did you change?

I said: We got a much lower price.

They said: Why didn't you come back to us and ask for a lower price?

I said: That is not the way we sell shoes; that is not the way you should sell insurance.

If they change their health insurance carrier, they will lose their grandfather status even if they provide the same things the other one was providing, which is what you do in a bid. In an attempt to keep health care costs down and avoid having to do the other things we mentioned, you would lose your grandfather status. In short, if employers do anything to help slow the growth of their health insurance costs, they will lose the limited protections against the expensive new mandates in the bill.

It is worth noting that 2 pages in the law—just 2 pages; it was 2,700 pages, but 2 pages are causing all this—that create the grandfathered plans are a blank slate. The law does not say anything about cost-sharing requirements or coinsurance rates.

The administration made up all these provisions and requirements. They did not have to write these rules that preclude half of Americans from keeping what they have. The reality is that the administration does not want you to keep what you have. They certainly like that talking point—it keeps people from getting very nervous—but they do not actually want you to keep what you have. They do not want grandfathered plans to exist. They want to force all Americans to buy only insurance plans that are defined and approved in Washington. It is just one more Washington takeover.

Throughout the rule, the administration makes the assumption that a large number of plans will place a high value on the remaining grandfathered plans. Why do they make this assumption? Because the administration recognizes that employers realize the mandates and burdens included in the health care bill will drive up premiums and drive up costs for large businesses, small businesses, and individuals. The Congressional Budget Office estimates that costs will increase 10 to 13 percent for Americans purchasing coverage on their own. That represents a \$2,100 increase for families purchasing coverage.

Page 112 of the rule lists the 13 new mandates included in the health care law that do not apply to grandfathered plans. However, based on the administration's own calculations, it looks as if 39 to 69 percent of employers will now be forced to comply with these new 13 mandates when they lose their grandfather status.

Even for the small number of plans that manage to keep their grandfather status, the reality is that the new law will still impose expensive new mandates that will increase their costs. The new health care law requires all plans, including grandfathered health plans, to comply with certain provisions in the new health care law. Page 112 of the interim final rule has five