

Senator from Maine, OLYMPIA SNOWE. I have always appreciated Senator SNOWE's ability to look at every side of an issue with a practical eye and not a political eye. Her courage, common sense, and moderation will be missed here in the Senate.

Over the last 15 years, I have had the pleasure of working many times with Senator SNOWE on an issue now at the forefront of this debate, both across the Nation and on the Senate floor. Beginning in 1997, we worked together to increase women's access to contraception and to make sure insurance companies treated contraceptives the same as other prescription medications. There are plenty of things on which Senator SNOWE and I disagree, lots of things, but by finding common ground, we improved women's health and reduced unintended pregnancies—something we should all agree on—and there is no question that it was accomplished by what we did legislatively. Unfortunately, the bipartisan progress Senator SNOWE and I made over the years is now under attack.

Today the Senate will vote on an extreme ideological amendment to the bipartisan Transportation bill. This amendment takes aim at women's access to health care. It will allow any employer or insurer to deny coverage for virtually any treatment for virtually any reason. I repeat: It will allow any employer or insurer to deny coverage for virtually any treatment for virtually any reason. I was pleased to hear that Senator SNOWE intends to oppose this measure. I read that last night.

Although the amendment was designed to restrict women's access to contraception, it would also limit all Americans' access to essential health care. Here are just a few of the life-saving treatments employers could deny if this amendment passes. This is hard to comprehend, but here is what some of them would be: mammograms and other cancer screenings, prenatal care, flu shots, diabetes screenings, childhood vaccinations.

To make matters worse, Republicans held up progress on an important jobs bill to extract this political vote. As the economy is finally moving forward a little bit, Republicans have tried to force Congress to take its foot off the gas. Every Member of this body knows the Blunt amendment has nothing to do with highways or bridges or trains or train tracks. This amendment has no place on a transportation bill, but with 2 million jobs at stake, the Senate cannot afford to delay progress on a job-creating measure any longer, so Democrats have agreed to vote on Senator BLUNT's amendment so we can hopefully move on. Once the Senate disposes of this partisan political amendment, I hope we will be able to resume in earnest bipartisan work on a transportation bill.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

## RELIGIOUS FREEDOM

Mr. MCCONNELL. Mr. President, I have spent a lot of time in my Senate career defending the first amendment. Most of that time, I focused on the part that deals with free speech. But recent actions by the Obama administration related to the President's health care law have prompted many of us here and many across the country to stand in defense of another freedom that is covered in the first amendment; that is, religious freedom.

Let me say at the outset that most of us didn't expect we would ever have to defend this right in a body in which every one of us is sworn to uphold and defend the U.S. Constitution. Most of us probably assumed that if religious liberty were ever seriously challenged in this country, we could always expect a robust, bipartisan defense of it—at least from within the Congress itself. But, unfortunately, that is not the situation in which we find ourselves.

Democrats have evidently decided they would rather defend a President of their own party regardless of the impact of his policies. So rather than defend the first amendment in this particular case, they have decided to engage in a campaign of distraction as a way of obscuring the larger issue which is at stake.

If Democrats no longer see the value in defending the first amendment because they don't think it is politically expedient to do so or because they want to protect the President, then Republicans will have to do it for them. And we are happy to do that because this is an issue that is greater than any short-term political gain; it gets right at the heart of who we are as a people, and we welcome the opportunity to affirm what this country is all about.

What makes America unique in the world is the fact that it was established on the basis of an idea, the idea that all of us have been endowed by our Creator with certain unalienable rights—in other words, rights that are conferred not by a King or a President or certainly a Congress but by the Creator Himself. The State protects these rights, but it does not grant them, and what the State doesn't grant, the State can't take away.

The first of these rights, according to the men who wrote the U.S. Constitution, is the right to have one's religious beliefs protected from government interference. The first amendment couldn't be clearer on this point. The government can neither establish religion nor can it prevent its free exercise. And if the free-exercise-of-religion clause of the first amendment means anything at all, it means it is not within the power of the Federal Government to tell anybody what to believe or to punish them for practicing those beliefs. Yet that is precisely what the Obama administration is trying to do through the President's health care law.

We all remember then-Speaker PELOSI saying that we would have to

pass the health care bill to find out what was in it. Well, this is one of the things we found: It empowers bureaucrats here in Washington to decide which tenets religious institutions can and can't adhere to. If they don't get in line, they will be penalized.

According to congressional testimony delivered this week by Asma Uddin of the Becket Fund for Religious Liberty, this is not only unprecedented in Federal law but broader in scope and narrower in its exemption than the 28 State mandates that some have pointed to in the administration's defense.

Moreover, even in States with the strictest mandates, religious institutions can still either opt out of State-level mandate or self-insure. But if they try that now, they run into this new Federal mandate, making it impossible for the first time for religious institutions to avoid punishment for practicing what they preach.

Some of the proponents of this mandate say that in this case, we should just ignore the first amendment. That is what the proponents are saying—in this particular instance, just ignore the first amendment. They say that certain religious beliefs in question aren't particularly popular, so they don't really deserve first amendment protection. But isn't that the entire point of the first amendment—to protect rights regardless of who or how many people hold them? Isn't that the reason people came to this country in the first place, as a refuge from governments that said they had to toe the majority line?

Some of the proponents of this mandate have also said they are willing to offer a so-called compromise that would respect what they call the core mission of religious institutions. But here is the catch: They want to be the ones to tell these religious institutions what their core mission is. The government telling the religious institution what the core mission is—that isn't a compromise; that is another government takeover, only this time it isn't the banks or the car companies, it is religion.

Who do you think has a better grasp of the mission of the Catholic church, the cardinal archbishop of New York or the President's campaign manager? Who are you going to listen to on the question of whether this mandate violates freedom of religion, the president of one of the largest seminaries on the planet, R. Albert Mohler, or some bureaucrat in Washington? The question answers itself.

Look, this is precisely the kind of thing the Founders feared. It was precisely because of the danger of a government intrusion into religion, like this one, that they left us the first amendment in the first place, so that we could always point to it and say: No government—no government, no President has that right. Religious institutions are free to decide what they believe. And the government must respect their right to do so.

And remember: as many of us said during the debate on the President's health care bill, this is just the beginning. If the government is allowed to compel people to buy health care, it won't stop there. Now, it is telling people what their religious beliefs are and what their religious practices ought to be. I wonder What is next?

Let's be clear: this is not about any one particular religion.

It is about the right of Americans of any religion to live out their faith without the government picking and choosing which doctrines they are allowed to follow. When one religion is threatened, all religions are threatened. And allowing this particular infringement would surely ease the way for others.

This is something my constituents understood immediately in this debate.

I have received a lot of letters from religious leaders and concerned citizens who know that an attack on the beliefs of one religion is an attack on the beliefs of any religion. And many of them make the case a lot better than I can. So I'd like to just share for a moment some thoughts from my constituents on this issue.

I will start with the Catholic Archbishop of Louisville, Archbishop Joseph Kurtz. Here's what he wrote:

The federal government, which claims to be "of, by, and for the people," has just dealt a heavy blow to almost a quarter of those people—the Catholic population—and to the millions more who are served by the Catholic faithful. In so ruling, the Administration has cast aside the First Amendment to the Constitution of the United States, denying to Catholics our nation's first and most fundamental freedom, that of religious liberty. We cannot—we will not—comply with this unjust law. People of faith cannot be made second class citizens.

Here's Bishop Ronald Gainer of the Catholic Diocese of Lexington:

Civil law and civil structures should recognize and protect the Church's right and obligation to participate in society without expecting us or forcing us to abandon or compromise our fundamental moral convictions. If we have an obligation to teach and give witness to the moral values that should shape our lives and inspire our society, then there is a corresponding obligation that we be allowed to follow and express freely those religious values. Anything short of government protection of that freedom represents an unwarranted threat of government interference. . . .

Here is the President of the University of the Columbians, Jim Taylor:

The intrusion of the administration into the right of the free exercise of religion is disappointing. The choice to interfere with religious hospitals, charities and schools with a mandate violating their religious views is disconcerting and will, in all probability, be totally counterproductive, further polarizing this nation.

And, finally, I want to read a letter from Dr. R. Albert Mohler, Jr. I mentioned him earlier. He is the President of the Southern Baptist Theological Seminary, the flagship school of the Southern Baptist Convention and one of the largest seminaries in the world. I am going to quote it in full.

I write to express my deepest concern regarding the recent policy announced by the Department of Health and Human Services that will require religious institutions to provide mandated contraceptive and abortifacient services to employees.

This policy, announced by Secretary Sebelius, tramples upon the religious liberty of American Christians, who are now informed that our colleges, schools, hospitals, and other service organizations must violate conscience in order to comply with the Affordable Care Act. The religious exemption announced by the Obama Administration is so intentionally narrow that it will cover only congregations and religious institutions that employ and serve only members of our own faiths.

This exemption deliberately excludes Christian institutions that have served this nation and its people through education, social services, and health care. The new policy effectively tells Christian institutions that, if we want to remain true to our convictions and consciences, we will have to cease serving the public. This is a policy that will either require millions upon millions of Americans to accept a gross and deliberate violation of religious liberty, or to accept the total secularization of all education and social services.

Christians of conscience are now informed by our own government that we must violate our convictions on a matter of grave theological and moral significance. This is not a Catholic issue. The inclusion of abortifacient forms of birth control such as so-called emergency contraceptives will violate the deepest beliefs of millions upon millions of Christians, along with Americans of other faiths who share these convictions. The religious objections to this policy are rooted in centuries of teaching, belief, and moral instruction.

This policy is an outrage that violates our deepest constitutional principles and tramples religious liberty under the feet of deliberate government policy. As many religious leaders have already indicated, we cannot comply with this policy. The one-year extension offered by the Obama Administration is a further insult, providing a year in which we are, by government mandate, to prepare to sacrifice our religious liberties and violate conscience.

I, along with millions of other Americans, humbly request that the Congress of the United States provide an immediate and effective remedy to this intolerable violation of religious liberty. Please do not allow this abominable policy to stand. The protection of our most basic and fundamental liberties now rests in your hands.

I will conclude with this: if there is one good thing about this debate, it is that it has given all of us an opportunity to reaffirm what we believe as Americans. It gives us an opportunity to stand together and to say, this is what we are all about. This is what makes America unique, and this is what makes it great.

That is why I will be voting in favor of the Blunt amendment.

And that is why it is my sincere hope that the President and those in his administration come around to this view too—that they come to realize from the outpouring we have seen over the past several weeks from across the country that the free and diverse exercise of religion in this country has always been one of our nation's greatest assets and one of the things that truly sets us apart. As I said at the outset of

this debate, I hope the President reconsiders this deeply misguided policy and reverses it. It crosses a dangerous line. It must be reversed. But if he doesn't, either Congress or the courts will surely act.

#### STORM DAMAGE IN KENTUCKY

Mr. President, I wish to say a few words about another matter related to my own State. We have had severe storms and tornadoes that cut through parts of the Midwest yesterday, including in my home State of Kentucky. People across the Bluegrass State are still recovering this morning from the considerable damage caused by the severe weather.

The National Weather Service has confirmed 4 tornadoes struck in Kentucky with winds of up to 125 miles per hour. These funnel clouds were sighted in Elizabethtown, eastern Grayson County, Larue County, and near downtown Hodgenville, which is home to the Abraham Lincoln Birthplace National Historic Park.

In all, the National Weather Service has confirmed at least 16 tornadoes across the country through seven States—Nebraska, Kansas, Missouri, Illinois, Tennessee, Indiana, and Kentucky. Over 300 reports of severe weather across the region describe frightening details such as wind gusts of over 80 miles per hour, and golf-ball sized hail stones.

There were reports of power outages for thousands of people across Kentucky, particularly in my hometown of Louisville, the towns of Elizabethtown and Paducah, and in Muhlenberg and Grayson counties. Downed power lines and flash flooding were reported across the State.

News reports and accounts from my own staff tell me that there has been considerable damage across Kentucky, including dozens of homes and businesses damaged and several people injured. Two people in McCracken County near Paducah were rescued from an overturned mobile home and rushed to the hospital in critical condition. From what we know at this point, however, thankfully it appears no lives were lost in Kentucky.

Unfortunately, the same cannot be said elsewhere, as the severe weather that raged through 6 other States has reportedly claimed at least 12 lives. I join my colleagues from the affected States in keeping in my thoughts today all those affected by these storms, especially the families of those lost in these tragic and unforeseeable circumstances.

I also want to extend my gratitude to the first responders in Kentucky and across the entire Midwest who have risen to the occasion and provided the much-needed response and relief. Let me particularly thank the Kentucky National Guard, who is there to assist, as always, when disaster strikes.

Authorities are warning us that the threat from severe weather is not over. More storms are expected today in Alabama, Tennessee and again in my home State of Kentucky.

We will continue to keep a close eye on Kentucky and other States in the affected region, and make sure people have everything they need to clean up, rebuild, and reclaim their dignity from the wreckage of this tragedy.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1813, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1813) to reauthorize Federal aid highway and highway safety construction programs, and for other purposes.

Pending:

Reid amendment No. 1730, of a perfecting nature.

Reid (for Blunt) amendment No. 1520 (to amendment No. 1730), to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 90 minutes equally divided and controlled between the two leaders or their designees.

The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I rise in strong, passionate support of the Blunt amendment. It is a very important amendment which we will be voting on as an entire Senate at 11 a.m. this morning.

The Blunt amendment is an absolutely necessary measure to fix what is a very egregious overstepping of the bounds of government in terms of the newly articulated ObamaCare mandate on religion. As we all know through the debate and discussion of the last several weeks, the Obama administration has made it clear that everyone, including persons of faith, including religious institutions, are not only going to be forced to buy a product in the marketplace—and many of us think that itself is unprecedented and unconstitutional—but it gets worse because they will be forced to buy a product in the marketplace that violates their conscience, that violates their core beliefs.

Catholics and many other Christians, many people of faith, do not believe in certain activity and treatment that is mandated now to be covered by this mandatory insurance. That is crossing a line we have never before crossed in this country, in terms of government power, government mandates, and government intrusion into the conscience of others and to the free exercise of religion. We absolutely need to fix this.

This is a fundamental conscience issue. This is a freedom of religion issue. That is exactly why it is so important.

Let me also clarify, this is not merely about contraception. Folks on the other side of the debate and most of the media constantly put it merely in those terms. First of all, those measures in and of themselves violate the conscience of many Americans. But, second, it is not just about that, it is about abortion, it is about abortion-inducing drugs such as Plan B, it is about sterilization. Clearly, the government mandating Americans to buy, to pay for, to subsidize these measures violates the conscience of tens and tens of millions of Americans. That is why we must act, hopefully today, starting today, by passing the Blunt amendment.

The arguments made on the other side, when we look at them carefully, do not hold water. First of all, there is President Obama's so-called accommodation, so-called compromise, which is not an accommodation and is not a meaningful compromise at all. What did he say? He said: OK. We are not going to make Americans, persons of faith, religious institutions buy coverage they have moral qualms with. We are merely going to make the insurance provider provide that coverage whether the customer wants it or not. Well, that is a completely superficial and completely meaningless word game. The insurer is providing this how? What payment is supporting it? The only payment the insurer is getting is from a customer who objects to the coverage. So who is supporting it? Who is paying for it? Clearly this is a word game. If it weren't clear enough for the typical person or institution involved, what about institutions—and there are many of them—which are self-insured? What about the University of Notre Dame, Catholic University, or Catholic institutions? They don't go to an insurance company to buy insurance; they are self-insured. That word game doesn't even work on the surface there. Those cases number in the hundreds or thousands around the country, and that is a clear example of how that so-called compromise or accommodation is merely a sleight of hand and a word game.

Another argument which the other side has made in this debate is that somehow correcting this situation through the Blunt amendment or through similar measures will shut down access to these services. That is patently not true. These services, these medicines, and other treatments are widely available in every community across the country at little cost or no cost for folks who cannot afford it, and that is not going to change. It is absolutely not necessary to tear away religious liberty and violate conscience rights of millions of Americans with that argument in mind. It isn't true.

That is why respected religious leaders, such as Cardinal-designate Tim-

othy Dolan, president of the U.S. Conference of Catholic Bishops, has argued strenuously and passionately against this mandate. Cardinal-designate Dolan said:

Never before has the Federal Government forced individuals and organizations to go out into the marketplace and buy a product that violates their conscience. This shouldn't happen in a land where free exercise of religion ranks first in the Bill of Rights.

And so that is what it comes down to, free exercise of religion and fundamental conscience protection. The first amendment to the Constitution, the first item in the Bill of Rights, it doesn't get much headier or more significant than that, and that is what this is all about. Again, it is all about, yes, contraception, but abortion, abortion-inducing pills like Plan B, and sterilization.

Mr. President, please assure me that the free exercise of religion is not now a partisan issue. Please assure me that we are going to correct this situation and not allow this egregious overstepping of the bounds of the power of government. We must act to stop this grave injustice, and I hope we start that process in a very serious way today by voting positively and passing the Blunt amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, we are engaged in the business of the Senate, and it is not always discernible that it is the business of the people. What we see taking place these days is a principle mantra of Republicans on the campaign trail seeking more freedom for the American people. The Republicans like to say they "don't want government interfering in people's lives." Then I ask: Why the devil are we debating a Republican amendment that limits a woman's freedom to make her own health care choices? With women, the Republicans have a different idea about freedom. They want government to interfere in the most personal aspects of women's lives.

The amendment offered by the Senator from Missouri, the Blunt amendment, will allow a woman's employer to deny coverage for any medical service that they, the employer, have a moral problem with. Imagine that. Your boss is going to decide whether you are acting morally. The Republicans want to take us forward to the Dark Ages again when women were property that they could easily control and even trade if they wanted to. It is appalling that we are having this debate in the 21st century.

Yesterday we heard something astounding. It came from Rush Limbaugh, who is a prime voice of modern conservatism in this country. Yesterday he said—and I had it checked because I wanted to be sure that I am not misquoting anything—that a woman who wants affordable birth control is "a prostitute." Talking