

grandmother stepped in and started raising Maria in Los Angeles, CA. Her grandmother passed away when Maria was 10 years old.

After her grandmother's death, Maria went to live with her biological mother who, unfortunately, was abusive both physically and emotionally to this young woman. While she was in high school, Maria learned that she did not have legal status because she was actually born across the border in Mexico. She asked her mother to file the papers for her so that she could be legal in America. Her mother refused, and she threatened to turn her into the authorities if she caused any trouble at home.

Maria persevered. She became a straight-A student. She graduated from high school with a 4.2 GPA. This is what she said:

Even through everything that I was facing at home, I was able to find relief at school. At school, I felt worthy. My dignity was returned. I was valued based on my merit and drive.

In 2010, Maria graduated from California State University of Sacramento. She also decided to start to tell her story publicly about why she believes the DREAM Act is so important.

Maria wants to go to business school and become an entrepreneur. She has begun a career in modeling—as you can tell, a lovely young lady—although she doesn't have legal status and can't be paid for her work. She sent me a letter, and here is what she said:

Through my involvement through the DREAM Act I have learned of many students who like me have excelled despite tough odds. One thing that we all share in common is our hunger to succeed and give back to this country. My dreams and ambitions are all for America. This is where I belong. I know no other home. It is here that I was given an opportunity, it is here that I have become educated. America adopted me and raised me as her own. And because of that, I am forever indebted to her. All I want is to have the ability to give back to my country.

Mr. President, you and I know this is a nation of immigrants. We are fortunate that at some point in the past our parents and grandparents had the courage and determination to come to these shores and fight the odds. They came here speaking broken, if any, English. They persevered through the rejection of people who wanted nothing to do with immigrants. They took the dirtiest, hardest jobs available because that was it, and they prayed that their kids would have a better life. That was the immigrant's dream, and it always has been. That is the dream of these children: that they can have a better life, that they can make this a better country. All they are asking for is a chance to earn the right to be legal, to earn it—not to be given it but to earn it.

I am going to continue to work for passage of the DREAM Act. I hope my colleagues on both sides of the aisle will look at this in an honest and fair way. I know immigration has been a hot button issue since right after the

Pilgrims got off the Mayflower. The next boat that arrived, I am sure some of the Pilgrims said: Oh, not more of those people.

Well, that is the story of America. Thank goodness a lot of those immigrants from Italy, from Lithuania, from Poland, from China, from Mexico, decided to stick it out and fight for their future. These young people deserve that same opportunity.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### A SECOND OPINION

Mr. BARRASSO. Mr. President, I come to the floor today, as I have week after week ever since the President's health care law was passed, to bring a doctor's second opinion about the health care law.

I traveled the State all the last week in Wyoming talking to people about the things they look for in a health care law, which is what they want as patients, as citizens. What they are looking for is the care they need from a doctor they want at the price they can afford. Across the board, they do not believe they are getting that with the health care law that was passed in this body and then in the House and signed by President Obama during the last couple of years of the administration.

It is interesting, as we went to the floor of the House in the House Chamber this past week for the President's State of the Union speech, it was almost 7,000 words, and he focused very little on the health care law.

One might say: Well, why is that? Well, it seems pretty obvious it is because that law was unpopular when it was passed, and it is actually more unpopular with the American people today than it was the day it was passed. The more people find out about it, the less popular it becomes.

Even the White House understands this law is deeply flawed, it is extremely unpopular, and it actually makes it harder for small businesses to create jobs. So when the President wants to talk about job creation in America, he realizes his health care law isn't helping, and it is actually making it worse.

I had townhall meetings in different communities around Wyoming last week, where you gather a group of people together. My colleagues ought to do the same in their own communities and their home States and ask the group of people: Do you believe, under this health care law—you remember, the one the President promised that if passed that the cost of your insurance would go down? Do you remember that law? Do you believe that after that was passed, that your health care costs will actually go up? How many believe the cost of your care will go up and your insurance will go up? Every hand went up.

Then ask those same people, who now say they are going to end up paying

more: Do you think the quality—because there is a lot of discussion about quality and access and concerns about care. Do you believe the quality of your care will go down? Again, the hands went up.

So we have people who are saying: We are going to be paying more and getting less, and that is not what I want.

So today I am here to discuss something about the health care law that the President did leave out of his big speech on Tuesday night, and that is the issue of waivers.

On January 6, while we were all back in our home communities, many people talking to folks around their home States—on January 6, while Congress was not in session, the House was not in session, the Senate was not in session—the administration ended their program that has been a major embarrassment to the Obama administration. Month by month, the President has had to announce that he had to issue more and more waivers from his health care law, waivers that the President granted to unions, to businesses, and to insurers. Each and every waiver served as a clear admission that the health care law, as written, didn't get the job done and doesn't work.

Well, as of January 6, 2012, the administration has issued a total number of waivers that covers more than 4.1 million Americans. Over 1,700 waivers were given covering more than 4.1 million Americans.

Now, interestingly, of all of those people, a very small percentage of workers in this country are union workers. Yet over half of all the waivers given, 2.2 million of those people were those who are covered with union insurance. So we have 4.1 million Americans given waivers. So 2.2 million people with union insurance got a waiver; that is, 54 percent of all of the waivers went to union employees who supported the health care law. These are the people who were out in the streets rallying, saying: We want the health care law. They have it on their Web sites. They had celebrations when it was passed.

Then, do you remember what NANCY PELOSI said? First, you have to pass it before you get to find out what is in it. As all these people getting their insurance through unions found out, if they complied with the law as written it would break their policies, break their programs, and they said: We cannot afford to have this law apply to us. Please give us a waiver. And 2.2 million people with union insurance got a waiver. As they say, they let the word out January 6, 2012, while Congress was not in session and while people were focused on other things.

The rest of America's small business owners were not so lucky. A new poll from the Chamber of Commerce found that 78 percent of small businesses surveyed reported that taxation, regulation, and legislation from Washington made it harder for their businesses to

hire more workers. These are the small businesses of the country, the people who are the job creators. In that same poll, 74 percent of small business owners said the recent health care law makes it harder for their business to hire more employees.

Now, aren't these the very people we are asking to go out and hire more workers to get America back to work? Yet the President's and Democrats' health care law is making it harder for 74 percent of small businesses in this country to hire more employees.

So how did we get here?

Well, in May of 2011 I came to the Senate floor, right here, and explained that the waiver recipients, under the way it worked, had to reapply because they were getting annual benefit waiver limits year after year after year. Realizing what an embarrassment this drip, drip, drip of new waivers was going to be by the administration, in August of 2011 the administration switched course. The Department of Health and Human Services announced at that point that if people wanted a waiver, they were going to have to apply for a final waiver that would carry on all the way through 2014—a 3-year waiver. They wanted to get all of this out by the beginning of 2012 so it wouldn't be a continued election year embarrassment for this President, this administration, and those who voted for it. This scheme allowed the administration to dodge issuing more waivers leading up to the 2012 Presidential election.

It is clear these waivers were going to be an election year embarrassment for the President. They are an embarrassment because each and every waiver was yet another reminder to the American people that President Obama's health care law wasn't working.

The President promised, and we remember hearing him loudly and clearly: If you like the health insurance plan you have, then you can keep it. Well, what he meant was, to keep the coverage you have, if you like it, you may need a waiver from Washington.

I also want to talk for a moment about what happens now that this September deadline has passed and these 4 million waivers have been granted.

It is now no longer possible to apply for an annual benefit limit waiver. It is no longer an option for business owners in this country. So that means it leaves hard-working Americans who want to start a new business forced to choose between two options. I think they are bad options.

One, they can offer high-cost, government-approved health insurance. Well, that is going to make it very expensive for them to try to open a new business and hire workers. The expense of opening that business may likely be too great. So those jobs are not created, and unemployment rates stay high. No. 2, they could not offer coverage at all because they cannot afford the health care law's onerous mandates. If they

chose that second option, what happens ultimately? The American taxpayers will end up footing the bill.

With a \$15 trillion debt and unemployment hovering around 8.5 percent, the last thing we should do is adopt policies like this health care law and then this waiver that discourage America's best and brightest from starting new companies and hiring new workers. But that is exactly what President Obama's health care law does. It stifles innovation, strangles the market, and it saddles the American people with more debt.

This is just another example showing how the President's health care policies are making the situation worse. His policies are hurting America's economy. His policies are making the standard of living in America worse. His policies are making health care in America worse. His policies are making America's debt worse.

Almost immediately after President Obama signed this health care bill into law, the employers around the country began to sound the alarm. They said the health care law's annual benefit limit policy would force them to stop offering health insurance to hundreds of thousands of Americans and their families. That is why the administration came up with this waiver idea. Nowhere in the health care law is the Secretary of Health and Human Services granted explicit authority to start an annual benefit limit waiver program—nowhere in the law. What the administration should have done is come to Congress and ask for help to fix the problem they had created. That would mean, however, the President and Washington Democrats would have to admit their health care law was flawed.

Washington Democrats crafted policy mandating that everyone must buy government-approved health insurance. In many cases, it is insurance these individuals do not need, do not want, and cannot afford. The President pushed his mandates on the American people without understanding how limited health insurance products work in the marketplace. The administration simply ignored the fact that many employers cannot afford to offer the Cadillac health insurance coverage to their workers that the government is mandating.

Now, if those businesses do not have a waiver already, they will not be able to offer their employees any insurance coverage at all, and new business startups will not have the opportunity to ask for a waiver. Those employers might have wanted to offer some basic level of health insurance coverage to their new employees, but thanks to the Obama administration they will not be able to offer anything at all because of the expense.

This is just another example of Washington Democrats pushing a one-size-fits-all, "we know best" policy where they think they know what is best for all of the people of this country. How many more disruptive, ticking

timebombs are there lurking in this health care law? We do not know because many of the provisions do not even go into effect until 2014 or later. That is why I come to the floor week after week giving a doctor's second opinion, to mention and to tell that I intend to fight each and every day to make sure the American people will never have to find out, come 2014.

I am committed more than ever to repealing the health care law, repealing it and replacing it with health care reforms that help American families get the care they need from a doctor they want at a price they can afford.

I yield the floor.

THE PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this is not the time for a debate with my friend, the distinguished Senator from Wyoming. I would just say there are two sides to the story. Try to have my friend, the Senator from Wyoming, explain to Jeff Hill, a young man who, within 2 weeks after turning age 24—he had to go off his parents' insurance when he turned 23—got testicular cancer. His parents had to spend money they didn't have, borrow money they didn't have to take care of the problems this young man developed with testicular cancer, all the surgery, radiation, all the other chemo he had. Try to have him explain to the more than 2 million seniors who have been able to have wellness checks as a result of this law we passed. How about the people in Nevada who have come to me with tears in their eyes, explaining to me that their daughter or son now has the ability to have insurance because they cannot be denied insurance because of a preexisting disability.

That is why we have seen this litigation which has been generated, and the appellate courts by a 3-to-2 margin have favored the law, including a brilliant decision written by an extremely conservative judge, Judge Silberman in the DC Court of Appeals, who upheld this law. That is why many consumer groups have joined in the appeal to the U.S. Supreme Court, along with the pharmaceutical industry, along with the insurance companies—because this is something that is good for the American consumer.

That is why it was so unfortunate that the Republicans blocked something that would help consumers after the financial wizardry that took place on Wall Street that basically tore down the economies of so many different States. When we passed the Dodd bill, we wanted to make sure consumers were protected. That is why we tried for months and months to have someone selected to fill that spot.

Republicans said: We do not like the law. We like him, but we don't like the law, so we do not want the law effectuated, so we are not going to approve him. And they did not. That is why President Obama, under the terms of the Constitution that is written to protect this country, has in that Constitution the power of recess appointments.

That is what he did to protect the consumer.

The health care law we passed protects the consumer.

### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

### STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 301, S. 2038.

The legislative clerk read as follows:

The Senator from Nevada, Mr. REID, moves to consider Calendar No. 301, S. 2038, a bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

### CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 301, S. 2038, the Stop Trading on Congressional Knowledge Act:

Harry Reid, Joseph I. Lieberman, Sherrod Brown, Joe Manchin III, Tom Udall, Mark Begich, Herb Kohl, Bill Nelson, Frank R. Lautenberg, Jeanne Shaheen, Richard Blumenthal, Benjamin L. Cardin, Christopher A. Coons, Dianne Feinstein, Patrick J. Leahy, Richard J. Durbin, Patty Murray, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived on the cloture motion on the motion to proceed to S. 2038; further, that the cloture vote on the motion to proceed to S. 2038 occur at 5:30 p.m. on Monday, January 30.

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

### BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Mr. President, I rise to submit to the Senate a budget scorekeeping report. The report, which covers fiscal year 2012, was prepared by the Congressional Budget Office pursuant to Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended.

The report shows the effects of Congressional action through January 20, 2012, and includes the effects of legislation enacted since passage of the Budget Control Act of 2011, which established allocations, aggregates and other levels for 2011, 2012-16, and 2012-21. The legislation includes: P.L. 112-29, the America Invents Act; P.L. 112-33, the Continuing Appropriations Act, 2012; P.L. 112-40, an act to extend the Generalized System of Preferences, and for other purposes; P.L. 112-41, the United States-Korea Free Trade Agreement Implementation Act; P.L. 112-42, the United States-Colombia Trade Promotion Agreement Implementation Act; P.L. 112-43, the United States-Panama Trade Promotion Agreement Implementation Act; P.L. 112-55, the Consolidated and Further Continuing Appropriations Act, 2012; P.L. 112-56, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding, and for other purposes; P.L. 112-74, the Consolidated Appropriations Act, 2012; P.L. 112-77, the Disaster Relief Appropriations Act, 2012; P.L. 112-78, the Temporary Payroll Tax Cut Continuation Act, 2012; and P.L. 112-80, an act to amend title 39, U.S.C., to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of Section 106 of the Budget Control Act of 2011 and CBO's March 2011 baseline.

The estimates show that for fiscal year 2012, spending is \$27.5 billion in budget authority and \$20 billion in outlays above the levels provided pursuant

to the Budget Control Act, while revenues are \$0.9 billion below the levels provided pursuant to the Budget Control Act. The overage in spending is the result of P.L. 112-78, the Temporary Payroll Tax Cut Continuation Act of 2012, which was passed at the end of last session. While that legislation was fully paid for over 10 years, it increased spending in 2012. Finally, the estimates show that, in total, there has been no net change for Social Security.

I ask unanimous consent that the letter and accompanying tables from CBO be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, January 25, 2012.

Hon. KENT CONRAD,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2012 budget and is current through January 20, 2012. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of section 106 of the Budget Control Act of 2011 (Public Law 112-25).

This is CBO's first current level report for fiscal year 2012.

Sincerely,

DOUGLAS W. ELMENDORF,  
Director.

Enclosure.

TABLE 1. SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2012, AS OF JANUARY 20, 2012

[In billions of dollars]

	Budget aggregates	Current level	Current level over/under (—) aggregates
<b>ON-BUDGET</b>			
Budget Authority .....	2,985.7	3,013.2	27.5
Outlays .....	3,046.9	3,066.9	20.0
Revenues .....	1,890.9	1,890.0	— 0.9
<b>OFF-BUDGET</b>			
Social Security Outlays <sup>1</sup> .....	574.0	555.1	— 18.9
Social Security Revenues .....	666.8	647.8	— 18.9

<sup>1</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.  
SOURCE: Congressional Budget Office.

TABLE 2. SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2012, AS OF JANUARY 20, 2012

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted <sup>1</sup>			
Revenues .....	n.a.	n.a.	1,890,921
Permanents and other spending legislation .....	1,847,363	1,773,303	n.a.
Appropriation legislation .....	0	581,418	n.a.
Offsetting receipts .....	— 708,099	— 708,099	n.a.
Total, Previously enacted .....	1,139,264	1,646,622	1,890,921
Enacted 1st Session, 112th Congress: <sup>1</sup>			
Authorizing Legislation:			
America Invents Act (P.L. 112-29) .....	— 3	— 3	— 4
An act to extend the Generalized System of Preferences, and for other purposes (P.L. 112-40) .....	— 28	— 240	— 996
United States-Korea Free Trade Agreement Implementation Act (P.L. 112-41) .....	53	53	— 31
United States-Colombia Trade Promotion Agreement Implementation Act (P.L. 112-42) .....	— 68	— 68	— 137
United States-Panama Trade Promotion Agreement Implementation Act (P.L. 112-43) .....	1	1	118
An act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding . . . and for other purposes (P.L. 112-56) .....	— 39	— 39	— 25
Temporary Payroll Tax Cut Continuation Act, 2012 (P.L. 112-78) .....	29,363	29,363	136
An act to amend title 39, U.S.C., to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research (P.L. 112-80) .....	0	— 1	0
Total, Authorizing Legislation .....	29,279	29,066	— 939