

the American taxpayer and not put yet another unfunded liability on the backs of our children and grandchildren.

We have a lot of bipartisan support for repealing it. There are a lot of people who have weighed in against this, who know it will not work. We have an awful lot of outside interests as well who have observed, now, that this is not something that is sustainable over time. In fact, a lot of editorial pages around the country, newspapers have weighed in on this. The Washington Post:

... a new gimmick that has been designed to pretend the health reform is fully paid for.

That is something they said back when this was being debated.

The Wall Street Journal:

Known by the acronym CLASS, the long-term care insurance program for nursing homes and the like was grafted onto the health-care bill mostly to hide that bill's true costs.

It has been described as "a budgetary time bomb."

It seems to make perfect sense to me, and I hope to many of my colleagues, that we take the steps necessary to get this program off the books once and for all. In trying to justify this, there are people who say we ought to keep it on the books in case we figure out a way to go forward with it, to implement it. It does not work. It cannot work. That has been known from the very outset.

I want to mention something else the Actuary, Rick Foster, said prior to it being voted on. He said:

Thirty-six years of actuarial experience lead me to believe that this program would collapse in short order and require significant federal subsidies to continue.

I want to repeat that. This is from the person who studies the trends and makes sure, or tries to make sure, these programs are actuarially sound.

Thirty-six years of actuarial experience lead me to believe that this program would collapse in short order and require significant federal subsidies to continue.

That was the warning that was issued way before the vote ever occurred on the CLASS Act.

He described it as "... a classic 'assessment spiral' or 'insurance death spiral.'" Those are words he used to describe this.

The program is intended to be "actuarially" sound but at first glance this goal may be impossible.

These were all statements made by the Actuary.

Those of us who were here at the time and were concerned about this being included in the health care bill came to the floor and, as I said, I offered an amendment to strip it. It came close to getting the necessary votes but unfortunately came short. It had broad bipartisan support but we recognized at the time this thing was destined to fail. Now we have all this, the studies that have been done since, that validate that by the objective third-party validators, if you will, by the HHS Actuary.

It seems to me at least that the American taxpayers, the American people deserve to know where their elected officials stand on the CLASS Act. Are they for keeping this unviable, insolvent, actuarially unsound provision in the health care bill, which now even those who are tasked with implementing it—the Health and Human Services Secretary, Kathleen Sebelius—have said there is no viable path forward for its implementation? Are we going to continue to keep this around? Or are we going to have a vote here in the Senate to put an end to this once and for all?

I hope the majority leader, Senator REID, will allow us to get this up for a vote. It has been passed in the House of Representatives. It is very clear based on not only all the actuarial evidence but all those who have looked at it who are tasked with trying to put it into practice that it is not going to work. I hope before this goes any further we will get a vote here in the Senate that will echo what happened in the House of Representatives and that we will do the right thing by the American taxpayer and get rid of a program that, if it ever is resurrected, if it ever is reincarnated in some form, would be a terrible drain on American taxpayers, not only today but well into the future, and represent yet another unfunded liability that we will put on the backs of our children and grandchildren. It is time to end the CLASS Act once and for all.

I am going to continue to press for a vote on this and I hope Majority Leader REID will allow us to get a vote on repeal of the CLASS Act so the American people do know exactly where their elected officials stand and whether they are going to stand on the side of the taxpayer, stand on the side of common sense, or stand on the side of using this budgetary gimmick to understate the cost of the health care bill and perhaps at some point in the future put a plan in place that literally is not going to work, is only going to continue to lead us on the pathway to bankruptcy.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

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

THE STOCK ACT

Mr. MCCONNELL. Mr. President, I think it is pretty clear at this point

that there is broad bipartisan support for legislation that provides greater transparency in Congress. The more important question at this point is whether the executive branch is willing to play by the same rules. I mean, I think a lot of people out there want to know why a venture capitalist who raised hundreds of thousands of dollars for the President, only to end up overseeing the administration's green energy loan program, should not be held to the same high standard as others. Shouldn't the President's Chief of Staff be held to the same standard as a legislative director or a freshman Senator?

Let's be honest, people are equally, if not more, concerned about the kind of cronyism they keep reading about over at the White House and within the executive branch agencies such as the Department of Energy that it controls. There is no question that Congress should be held to a high standard, but if we are going to pass new standards here, the same standards should apply to the White House and to the executive agencies that spend hundreds of billions of dollars of taxpayer money at the President's direction.

That leads to a larger point, which is this: As long as the White House and the agencies it controls continue to play favorites, this economy will never fully recover and the playing field won't ever be level. As long as Washington has this much say over the direction of the economy, people won't ever feel they are getting a fair shake. So, yes, let's hold Congress to a high standard, but the White House must be held to the very same standard.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. GRAHAM. I ask unanimous consent to speak in morning business.

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

Mr. GRAHAM. Please let me know when 5 minutes elapses. I will try to keep my comments short.

CLASS ACT REPEAL

Mr. GRAHAM. Mr. President, the topic I wish to address is the CLASS Act repeal being taken up by the House. I understand the HHS Secretary has indicated that from her point of view the CLASS Act will not work, and this is music to my ears.

During the Obama health care debate, one of the revenue raisers was the CLASS Act wherein the Federal Government would be in the long-term health care insurance business and, supposedly, would collect premiums over a decade that would allow something like \$80 billion in revenue that

would help pay for Obama health care. However, eventually we would have to honor the payments due to the people on the program.

Senator CONRAD from North Dakota called the CLASS Act a Ponzi scheme of the first order because what we would be doing under the program is collecting premiums for an insurance product and using the money to help pay for Obama health care. So when people are ready to get the services they have paid for, there would be no money in the program to pay them because it was used to offset Obama health care costs. It is just not a practical idea. The costs would explode over time. There would be adverse selection. So it was an ill-conceived idea.

The House is going to repeal it. The HHS Secretary said they would not implement the program. I hope the Senate will allow repeal so we can take it off the table and it is a reason for the Congress to revisit the Affordable Health Care Act, Obama health care, because one of the components of the legislation relied upon the revenue to be collected by the CLASS Act to offset the cost of Obama health care, trying to make it deficit neutral. That is no longer a viable option. The money to be collected by the CLASS Act is never going to happen. So that money cannot be used to make the legislation deficit neutral.

This is a chance for the Senate, working with the House, to repeal the program. I think it would be wise for us all to sit down and try to reevaluate what does this mean in terms of the viability of the Affordable Health Care Act because the assumptions made by the CLASS Act are never going to come true.

I have been working with Senator THUNE for a very long time to keep this program from coming about. I would like to say this is a bipartisan moment, where we have stopped a program that would have a devastating effect long term on the country's finances and would do very little to improve health care.

I wish to, one, congratulate the HHS Secretary for understanding this program is unsound. I would like to make sure it is repealed, and I think Congress should be the body to do that. But this is good news for the taxpayer. It is good news for the country as a whole that we are not going to allow a program to be created that is unsustainable, that is going to add to the debt and do very little to take care of our health care needs. It was a Ponzi scheme. It is a Ponzi scheme that needs to be buried politically, as soon as possible.

I look forward to taking up the House-passed legislation. I hope we can get bipartisan support in the Senate to make sure what HHS Secretary Sebelius said never happens, that the CLASS Act never becomes reality because it is an unsound, unwise, poorly constructed program, and this is a chance for the Senate to come together

and do something about it with our House colleagues.

With that, I yield the floor and 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. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LIEBERMAN. Mr. President, I note the presence on the floor of the distinguished Senator from Delaware, to whom I am pleased to yield.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I thank Senator LIEBERMAN.

I ask unanimous consent to speak in morning business.

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

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

Mr. COONS. Mr. President, I rise to speak on behalf of tens of thousands of Delawareans affected by domestic violence each year, as well as their families, their friends, and their allies across our State and our country.

Just a few minutes ago, my colleagues on the Senate Judiciary Committee took up the reauthorization of the Violence Against Women Act. It has earned strong bipartisan support through the nearly two decades since its original passage, and it was voted out earlier today.

Law enforcement agencies across this country are counting on us to move forward with the Violence Against Women Act reauthorization, depending on the training and the resources to advocate for victims and to provide critical and lifesaving interventions that it funds.

As I asked for input from Delawareans in the last few weeks, one of the hundreds who took the time to write or call my office in strong support of the reauthorization of VAWA was a former New Castle County police officer. He e-mailed me to tell me he had seen firsthand that dedicated resources and innovative policing methods made possible by VAWA made a real difference in combating these types of crimes and improving the lives of victims.

The Violence Against Women Act has been extraordinarily effective, with the annual incidence of domestic violence falling by more than 50 percent since it was first passed. Yet we still have so far to go.

Just this week, I heard from hundreds of constituents in Delaware for whom this legislation has a deep and resounding importance. From young women in their twenties to senior citizens, Delawareans from all walks of life have reached out to ask us, as Members of the Senate, to take action without

delay, to work with our colleagues in the House, and to reauthorize this most important bill.

Paul from Yorklyn, DE, wrote to say that as a father of two young daughters, he worries that if the Violence Against Women Act is not reauthorized, then victims of sexual assault will once again be subject to two traumas—first, horrific attacks and, second, trying to pursue justice against their attackers.

Linda from New Castle, DE, had the courage to write me personally and say:

First of all, I am a victim and I am not ashamed to say that [today].

Linda's willingness to lift the cloud of fear and shame that for so long enveloped victims of domestic and dating violence is brave and important in that she was able and willing to do that, but she also highlights the ongoing challenges we face. She described her hesitation to discuss abuse out loud and stressed the importance of talking about these crimes in the open in order to break what she called the generational curse.

As a son, as a husband, as a father, I too am deeply concerned about this curse that has moved from generation to generation and has affected families all throughout this country's history.

Evils such as domestic violence thrive in darkness. The Violence Against Women Act is a spotlight, and it deserves to be strengthened and sustained by this Senate today and this year.

The Violence Against Women Act requires reauthorization every 5 years. This signifies a belief that protecting victims of domestic and dating violence is so important that we must revisit it to make sure we are getting it right.

Each time we go through the process of reauthorizing this bill, we learn more about what is needed. This time around, that process, I believe, has resulted in several critical enhancements; first, by bolstering the tools available to law enforcement. Along with my friend and colleague Senator BLUNT, I cochair the Senate Law Enforcement Caucus. I am determined to ensure local agencies have the tools they need to support victims and to prosecute abusers. This reauthorization will do just that.

Second, our review made clear that perpetrators find their victims throughout our society without regard for sexual orientation or gender identity. So the reauthorization that was passed out of the Judiciary Committee just earlier today addresses that challenge by making this the very first Federal grant program to explicitly state that grant recipients cannot discriminate on the basis of a victim's status. Whether they are or are not a member of the LGBT community should be irrelevant to whether they are able to access the vital services funded by the VAWA.