

relevant amendments in order. When a motion to proceed is made in such form, the consideration of that motion would be limited to 2 hours. If the Senate adopted that motion, then Senators would have until 1 p.m. the following session day to file relevant, first-degree amendments and until 1 p.m. the session day after that to file relevant, second-degree amendments.

This procedure would guarantee that any Senator who has a timely filed, relevant amendment could offer that amendment prior to final passage, even if the amendment tree is filled. For example, if the Senate is considering a bill under this procedure and the amendment tree is filled, following disposition of all pending amendments but prior to the third reading, it would be in order for any Senator with a relevant, timely filed amendment to call up that amendment. Once pending, that amendment would need to be disposed of before final passage.

While this procedure would expedite the process to begin consideration of a bill, it would not abandon the essential principle that a supermajority is necessary to bring debate to a close on a bill in the Senate. Nothing under this procedure would deny Senators his or her right to extended debate on a bill, unless, of course, 60 or more Senators vote to invoke cloture. Aside from the filing deadlines, the only substantive change from the current cloture process would be the application of a relevancy standard rather than the conventional germaneness standard. Only relevant amendments would be in order only if the majority leader opted to use this alternative approach to moving to proceed.

This procedure would not be needed or even appropriate for every bill that is placed on the calendar. But for some bills, the majority leader might view this alternative procedure as a useful tool that could help both the majority and the minority achieve their aims. And should this alternative procedure prove to be ineffective, the majority leader could always abandon it for regular order, and if the right to get votes on relevant amendments is abused by filing a dilatory number of relevant amendments, the majority leader would simply not utilize the option.

As I said, an election season is upon us. We will soon recess, and only after November 6 will we know who will hold a majority in this body. My support for ending the current motion to proceed process will be there after the election, regardless which party controls the Senate in the next Congress. My goal is not to gain partisan advantage but to protect the unique role of the Senate. Increasingly, after facing years of excessive obstruction, some Members on my side of the aisle see the filibuster as an archaic procedure that prevents the Senate from addressing the pressing needs of the Nation. I suspect that some of my friends in the minority today, if in the majority sometime in the future, will find the filibuster

equally frustrating to their own efforts. We face an increasing danger that, in order to end the gridlock that prevents either side from offering solutions to the challenges we face, pressure to severely reduce minority rights will become irresistible.

If we are to preserve the Senate's function as a check on haste, as a haven for minority views, we must ensure that protection of minority rights is no longer a barrier to any and all action. Limiting excessive filibusters on the motion to proceed is one modest change we can make that addresses this crisis without changing the Senate's fundamental character. I ask my colleagues to consider carefully whether a change in the present might be necessary to avoid more radical change in the future.

REMEMBERING NEIL A. ARMSTRONG

Mr. COCHRAN. Mr. President, I rise today in celebration of the life and career of Neil A. Armstrong. Americans and people around the world paused when Mr. Armstrong passed away on August 25, 2012, to recall his heroic accomplishments and historic legacy.

Neil Armstrong is remembered as a man who pushed the frontiers of space exploration and engineering. Over the course of his life and service to the Nation, he promoted the idea of never doubting what is possible. He inspired countless young men and women to pursue careers in science and engineering, many of whom became aeronautics workers at facilities like the Stennis Space Center in Mississippi.

Mr. Armstrong was born in Wapakoneta, OH, on August 5, 1930. He received a Bachelor of Science in Aerospace Engineering from Purdue University, a Master of Science in Aerospace Engineering from the University of California, and received honorary doctorates from multiple universities.

Mr. Armstrong embarked on a remarkable career that would involve his flying more than 200 different models of aircraft including jets, rockets, helicopters and gliders.

From 1949 to 1952, Mr. Armstrong served as a naval aviator, and in 1955 joined the National Advisory Committee for Aeronautics, now the National Aeronautics and Space Administration. From 1955 through 1972, he served as an engineer, test pilot, astronaut, and administrator for our Nation's ambitious space program.

Mr. Armstrong's transfer to astronaut status in 1962 led to his performing the first successful docking of two vehicles in space in March 1966 as the command pilot for Gemini 8. Mr. Armstrong subsequently became commander for Apollo 11, the first manned lunar mission, and was the first man to land a craft on the moon. At 10:56 p.m. ET on July 20, 1969, Neil Armstrong became the first man to step on the surface of the moon. It was one of the defining moments of the 20th century and

one of the proudest days for the American people.

Following his career with NASA, Mr. Armstrong was a Professor of Aerospace Engineering at the University of Cincinnati between 1971 and 1979. Mr. Armstrong was decorated by 17 countries and was the recipient of many special honors including: the Presidential Medal of Freedom, the Congressional Gold Medal, the Congressional Space Medal of Honor, the Explorers Club Medal, the Robert H. Goddard Memorial Trophy, the NASA Distinguished Service Medal, the Harmon International Aviation Trophy, the Royal Geographic Society's Gold Medal, the Federal Aeronautique Internationale's Gold Space Medal, the American Astronautical Society Flight Achievement Award, the Robert J. Collier Trophy, the AIAA Astronautics Award, the Octave Chanute Award, and the John J. Montgomery Award.

Mr. Armstrong will be remembered not only for his famous words as he stepped foot on the moon—"That's one small step for a man, one giant leap for mankind"—but more importantly for inspiring generations of people around the world to explore and push the boundaries of what they believe is possible. Neil Armstrong was a true American hero who will be missed by many, but never forgotten.

CAPACITY TO IMPLEMENT THE ACA

Mr. GRASSLEY. Mr. President, the Supreme Court decision on the Affordable Care Act has put the brakes on Medicaid expansion for now.

The Federal Government can no longer force States to expand their Medicaid programs.

With the expansion and the billions of dollars that States would have had to spend on hold, and as we look at solutions to address our 16 trillion dollar national debt, now is a good time for us to step back and ask what role health care should play for States in our Federal system.

Mr. President, as of today, the primary function of a state is health administration—not primary and secondary education, not public safety, not roads and bridges.

According to the National Association of State Budget Officers, Medicaid is the single largest spending line in state budgets at 23.6 percent.

The economic downturn and high unemployment have resulted in an increase in Medicaid enrollment as individuals lose job-based coverage and incomes decline.

Medicaid enrollment increased by 5.1 percent during fiscal 2011 and is estimated to increase by 3.3 percent in fiscal 2012.

In governors' recommended budgets for fiscal 2013, Medicaid enrollment would rise by an additional 3.6 percent.

This would represent a 12.5 percent increase in Medicaid enrollment over this three year period.

Medicaid enrollment surged during the economic downturn with enrollment rising by 7.2 percent from June 2009 to June 2010.

Although Medicaid enrollment is easing for now, the implementation of the Affordable Care Act would have greatly increased the individuals served in the Medicaid program in 2014 and thereafter.

The Affordable Care Act, as passed, required States to cover all childless adults beginning in 2014 under Medicaid that heretofore had not been covered.

The expansion to 138 percent of the poverty level was expected to cover 16 million people.

States would get 100 percent of the cost of new individuals enrolled paid for by the Federal Government for the first several years before the Federal payment levels for those new individuals would fall to approximately 92 percent.

The Supreme Court rejected the mandatory expansion.

Quoting from the Supreme Court ruling

The threatened loss of over 10 percent of a State's overall budget is economic dragooning that leaves the States with no real option but to acquiesce in the Medicaid expansion.

The Government claims that the expansion is properly viewed as only a modification of the existing program, and that this modification is permissible because Congress reserved the "right to alter, amend, or repeal any provision" of Medicaid.

But the expansion accomplishes a shift in kind, not merely degree.

The original program was designed to cover medical services for particular categories of vulnerable individuals.

Under the Affordable Care Act, Medicaid is transformed into a program to meet the health care needs of the entire nonelderly population with income below 133 percent of the poverty level.

A State could hardly anticipate that Congress's reservation of the right to alter or amend the Medicaid program included the power to transform it so dramatically.

The Medicaid expansion thus violates the Constitution by threatening States with the loss of their existing Medicaid funding if they decline to comply with the expansion.

As a result of the Supreme Court ruling, the Federal Government can no longer threaten the States with withdrawal of all Federal Medicaid funding if States do not expand their Medicaid programs.

States now have the option to expand coverage.

Several States have now suggested they will not expand in 2014.

The Congressional Budget Office now estimates that only one-third of the potential newly eligible population will reside in States that choose to fully extend coverage.

According to CBO, about one-half of the potential newly eligible population will reside in States that only partially extend Medicaid coverage.

The remainder, about one-sixth of the potential newly eligible population, will reside in States that do not extend Medicaid coverage at all in the next decade.

CBO's predicted Medicaid coverage under the Affordable Care Act has been reduced by 35 percent.

Clearly CBO accepts the proposition that if States are not forced to extend coverage to the ACA mandatory population, they will not.

Mr. President, right before the August recess my office released a report from the Government Accountability Office on State capacity to meet the Medicaid requirements under the ACA.

It shows why CBO's skepticism is appropriate.

The report discusses challenges States are facing with information technology, guidance from CMS, and the budgetary uncertainty of increased enrollment of those currently eligible for Medicaid.

The GAO surveyed the States and found that the vast majority expect to have additional costs related to administering their current program, developing eligibility systems, enrolling newly eligible individuals and enrolling additional individuals who are currently eligible.

The GAO focused particularly on the challenges faced by States in updating their eligibility systems.

In the report, GAO found four main deterrents to States as they consider the challenge of expanding their eligibility systems to meet the goal of Medicaid expansion.

First, many States face a lengthy procurement process as they look to upgrade their technology to handle expansion.

Second, designing new eligibility systems is complex and may involve the replacement of existing, outdated systems.

Third, States often have systems that operate across multiple programs further increasing the cost and complexity of upgrading.

Fourth, as States have fought against their own budgetary problems, many have reduced personnel resources to manage projects as complex as Medicaid expansion.

The GAO further found problems with the guidance CMS has been providing the States.

30 of the 36 responding to the GAO survey found that CMS guidance was only slightly useful or not useful at all.

Mr. President, many outside observers have treated the expansion of Medicaid as a foregone conclusion, that States couldn't possibly turn down so much supposedly "free money."

The evidence from CBO and GAO is crystal clear.

When the Federal Government is involved, there's no such thing as a free lunch.

States absolutely can turn down the option to expand and every State faces a difficult decision in how they choose to move forward.

However, Mr. President, the Medicaid expansion in the Affordable Care Act is not the only fiscal pressure States face from the health care administration.

One of the most expensive and complex populations receiving Federal health care services are those dually eligible for Medicare and Medicaid, commonly referred to as DUALS.

They are poorer, sicker and often in need of more extensive and expensive coordinated care.

The inefficiency created in the misaligned incentives of the Medicare and Medicaid programs is frequently cited as one of the areas in health care in greatest need of reform.

The Affordable Care Act created an office in CMS charged with creating demonstration projects to allow for greater coordination of dual eligibles.

Those demonstration projects have been moving forward at breakneck pace with as many as 26 States looking to participate.

Essentially all the demonstrations seek to give States greater control of the acute care of dual eligibles.

CMS has legal authority under the ACA to take these demonstrations nationally if they are successful.

Many outside groups are concerned about the size, scope and pace at which demonstrations are proceeding citing California's initial proposal to take control of one million dual eligibles as an example of the outsized nature of the demonstrations.

In July, Senator ROCKEFELLER wrote a strongly worded letter to CMS suggesting they should halt the demonstrations for similar reasons.

Mr. President, no one argues that the way Medicare and Medicaid coordinate for dual eligibles works.

Coordination today is akin to asking my wife and me to compose a letter with her writing the consonants and my writing the vowels.

Giving the States greater control of duals may be the right answer, but when you consider the fiscal challenges faced by States, this should be a decision considered by Congress examining all possible alternatives rather than something occurring through regulatory action.

Finally, the Affordable Care Act gives States broad leeway in creating State-based Exchanges.

These State exchanges are the mechanism where people with incomes above Medicaid eligibility will go to get health insurance.

It would be an understatement to say the States haven't moved very rapidly to get these Exchanges up and running.

I do acknowledge that many States may have been waiting for the Supreme Court ruling before moving ahead with their Exchanges.

However, I do think it remains equally plausible that States are moving cautiously as they look at one more role in health care where they are being asked to expand.

Mr. President, for the States, health care is a chaotic mess.

The Federal Government is asking the States to take greater roles in administering coverage for the uninsured in Medicaid, the dually eligible and the uninsured in the private sector.

As we move forward in 2013, we will revisit, perhaps repeal, the Affordable Care Act.

We will examine proposals to reign in the cost of our health care entitlements.

Mr. President, as we do so, I strongly recommend we step back and reconsider what is the appropriate role for health care in our Federal system.

In July, Robert Samuelson wrote in the Washington Post about a proposal often associated with my friend from Tennessee, Senator ALEXANDER, known as the “grand swap.”

In this proposal, the Federal Government would assume all responsibility for Medicaid and the States would assume all responsibility for education.

Samuelson raises the proposal because, in his words,

Only the federal government can devise a solution to control health costs; concentrating government health spending at the federal level would intensify pressures to do so.

States have tried mightily to control spending with at best partial success.

For example, Medicaid reimbursement rates average only 72 percent of Medicare levels.

The low rates have caused some doctors not to accept Medicaid patients.

Mr. President, Samuelson raises a significant question, which Congress needs to consider in entitlement reform.

Congress should consider what States should do in health care and what are reasonable expectations.

If Congress wants States to administer benefits for the aged, blind and disabled, and low income individuals along with managing the exchanges for individuals with incomes up to 400 percent of poverty, Congress can do so.

If health care is the primary responsibility of States, it is because of decisions made by Congress.

If States are being asked to do so while also overseeing education, public safety, roads and bridges and meet in most cases a balanced budget requirement, Congress should temper its expectations regarding the resources States will be able to devote to health care.

With significant restructuring of Medicare and Medicaid possible in 2013, we should use this as an opportunity to reconsider the role of the States in providing health care coverage inclusive of populations and services.

What we ask of the States should be thoughtfully considered in any reform discussion.

RECOGNIZING TAIWAN'S NATIONAL DAY

Mr. LIEBERMAN. Mr. President, I rise today to honor the people and leaders of the Republic of China on Taiwan as they prepare to celebrate the

hundred-and-first anniversary of the founding of their country on October 10.

I would like to highlight Taiwan's economic successes over the last century—a success that has rightly been called a miracle. In just several decades, the people of Taiwan have transformed their economy from a recipient of American aid into one of our most important trade partners. The world economy relies upon Taiwan's computer chip foundries, and the whole world benefits from the entrepreneurial spirit and inventiveness of Taiwan's people.

Looking forward to the future of our relationship with Taiwan, I believe it will be essential to take bold new steps to strengthen the ties between us. In particular, it is past time for Washington to negotiate a free trade agreement with Taiwan. That would be the first and most important step we could take to demonstrate our continued dedication to this relationship.

I also wish to take this opportunity to congratulate Ambassador Jason Yuan, who has ably represented Taiwan in the United States for the past 4 years, on his new appointment to serve as Secretary-General of the National Security Council of Taiwan. I am deeply grateful for his hard work to further strengthen the ties between our two countries, and I wish Ambassador and Madame Yuan the very best of luck in their future endeavors.

In closing, I urge my colleagues to join me in congratulating the people of Taiwan on their many successes, and to recommit ourselves to strengthening this essential relationship. As we look forward to Taiwan's national celebration, the people of both the United States and the Republic of China on Taiwan have much to celebrate.

TRIBUTE TO GENERAL NORTON A. SCHWARTZ

Mr. MCCAIN. Mr. President, today I rise to honor GEN Norton A. Schwartz. General Schwartz will soon officially retire after 39 years as an Air Force officer, the last 4 spent as Chief of Staff. Throughout his career, on the front lines and in the “corporate” Air Force, General Schwartz served our Nation selflessly and ably, with dedication and distinction.

I came to know General Schwartz when he was appointed Chief of Staff of the Air Force in August 2008. He began his leadership at a very difficult time. Controversy surrounded the Air Force's acquisition activities and the control of our Nation's nuclear arsenal. The Air Force's attempt to acquire aerial refueling tanker aircraft had been mired in scandal and missteps, while the service had just come off two incidents of mishandling nuclear missiles and related materials.

General Schwartz established a command climate that helped the service make the changes needed to address these issues. For example, General

Schwartz insisted on fully restoring excellence and integrity to the Air Force's acquisition workforce and practices. He succeeded. After years of failed attempts to get the tanker replacement program under contract, the Air Force conducted a source-selection for the program, under full-and-open competition, that serves as a textbook example of how the Department of Defense should award contracts for its largest and most expensive weapon systems. Today, the Air Force's strategy to acquire these tankers is sound. It can certainly be said that under General Schwartz's leadership, this program is, for the first time in its checkered history, well-positioned for success.

Through his thoughtful temperament and purposeful humility, General Schwartz also helped restore Congress's confidence in the Air Force's acquisition practices and its management of the critical national security resources entrusted to it. For this, both the warfighter and the taxpayer will remain in his debt.

During public hearings before the Armed Services Committee and in our private meetings, I always appreciated General Schwartz's “straight talk” about Air Force programs and operations. Despite his unwavering dedication to the Air Force, General Schwartz was never afraid to talk about the hard truths, to propose solutions to problems, and to see those solutions through. Neither was he shy about lauding the many excellent people and accomplishments of the Air Force.

So I extend a grateful nation's thanks to GEN Norton A. Schwartz and his wife Suzie for their service to our Nation and wish them every success in the next chapter in their life together.

POSTAL REFORM

Ms. COLLINS. Mr. President, the Postal Service's financial crisis continues to escalate.

At the end of this month, the U.S. Postal Service will miss the deadline for the required \$5.6 billion payment toward its future retiree health care obligations. In fact, the Postal Service will have defaulted on more than \$11 billion in payments to fund health care for future retirees, raising concerns about its ability to keep promises to current workers about their future benefits.

Five months ago, the Senate passed by a strong bipartisan vote legislation to shore up the Postal Service. Yet the House has failed to act. And unfortunately, the House is about to adjourn without taking up either the Senate-passed postal bill or a House version.

I have implored House leaders to take up postal reform legislation—any postal reform legislation—so the conference process and the difficult negotiations involved in that process can begin in earnest.

No one should pretend this is not a crisis worthy of congressional action.