

in the Federal insurance exchange. And even though the law says taxpayer subsidies are not available for those, the IRS is papering over that provision of the law and simply disregarding it.

Again, we have seen this time and time again. We saw a similar disregard for the rule of law during the government-run Chrysler bankruptcy when the company-secured bondholders received much less for their loans than the United Auto Workers' pension funds. Even though, under the law, these bondholders were entitled to the highest priority in terms of repayment, they were subjugated to the United Auto Workers' pension fund basically in an exercise of political strong-arming.

We saw this again in the Solyndra bankruptcy. Remember that? The Obama administration violated the law by making taxpayers subordinate to private lenders. In other words, they put the taxpayers on the hook rather than the private lenders who helped finance Solyndra.

More recently, the administration—and this is something that is in the news as recently as today—made unconstitutional recess appointments to the National Labor Relations Board and to the Consumer Financial Protection Bureau. The District of Columbia Court of Appeals held that the administration's argument in defense of its so-called "recess appointment power" would "eviscerate the Constitution's separation of powers." It now appears, as part of the so-called nuclear option negotiations, that even the White House is now being forced to withdraw these nominees who were unconstitutionally appointed and offer substitute appointees.

We also know that the Obama administration unilaterally chose to waive key requirements of the 1996 welfare reform law and the 2002 law known as No Child Left Behind.

A government run by waiver or by the Federal Government picking winners and losers is the antithesis of equal justice under the law. Look across the street at the Supreme Court of the United States, and above the entry it says: "Equal justice under law." That is the very definition of our form of government, which is designed for a congress comprised of duly-elected representatives of the American people and the President of the United States to write legislation that applies to everybody and not to issue waivers or exemptions or to simply refuse to enforce the law because it has proven to be inconvenient or not politically expedient.

The U.S. Constitution obligates the President to make sure all of our laws are faithfully executed. Yet, with President Obama, the pattern is unmistakable: inconvenient or unpopular legal requirements are repeatedly swept aside by Executive fiat.

If the law is not working the way it is supposed to, the President should come back to Congress and say: We

need to amend the law. We need to replace this unworkable law with one that will actually serve the interests of the American people.

But we are not seeing that happen. We are seeing the White House decide on its own that it simply won't enforce a law. Last year, for example, the administration unilaterally announced a moratorium on the enforcement of certain immigration laws. In effect, when Congress failed to pass legislation the President wanted, the President himself simply decided not to enforce the immigration laws. As that example shows, this administration has frequently relied on unelected bureaucrats to override the people's elected representatives.

It is simply improper and unconstitutional under our system for the President to decide unilaterally that he is not going to enforce the law. For example, when Congress refused to enact the so-called card check for labor unions, the administration simply turned to unelected bureaucrats at the National Labor Relations Board. And when Congress refused to extend cap-and-trade energy taxes, the administration turned to unelected bureaucrats at the Environmental Protection Agency to attempt to accomplish the same objectives indirectly that had been prohibited by Congress because it couldn't get a political consensus for doing it directly. Indeed, the President has now authorized the Environmental Protection Agency to regulate virtually every aspect of the American economy without congressional approval and without recourse to the American people.

When Congress makes a mistake, when we do something the American people don't approve of, they get to vote us out of office if they see fit. That is not true with this faceless, nameless bureaucracy, which is rarely held accountable, and particularly when the President delegates to that bureaucracy the authority to regulate in so many areas and avoid congressional accountability and accountability at the White House.

Taken together, all these measures represent a basic contempt for the rule of law and the normal constitutional checks and balances under separated powers. After witnessing the President's record over the past 4½ years, is it any wonder why the American people and, indeed, Members of Congress were skeptical about his promises to enforce our immigration laws under the immigration bill that passed the Senate recently?

Remember all of the extravagant promises that were made for border security, for interior enforcement, for the implementation of a worksite verification system, for a biometric entry-exit system to deter 40 percent of the illegal immigration that comes when people enter the country illegally and simply overstay their visas? If after 17 years the Federal Government still isn't enforcing those laws already on the books, how in the world can the

American people have any confidence whatsoever that the President and Congress can be trusted to enforce the laws that it passes?

After witnessing the President's performance, I think the American people are deeply skeptical of his promises of future performance, and his selective enforcement of our existing laws undermines public confidence in the Federal Government.

I believe the executive overreach I have described is corrosive to democratic government.

If a Republican President had ignored these kinds of constitutional checks, had refused to enforce laws he didn't like, refused to defend in court laws he didn't like, and used Federal agencies to flout the will of Congress, you can be sure our friends on the other side of the aisle would be complaining nonstop about the imperial President. Yet they have largely given President Obama a pass.

But whether you agree with the President on health care, immigration, energy policy, card check or other hot-button issues, we can all agree—we should all agree—that government should not be picking winners and losers and that we urgently need to restore the rule of law and faithful execution of those laws to their rightful place in the highest reaches of the Federal Government.

I yield the floor and I 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. CARDIN. 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. CARDIN. Mr. President, I ask unanimous consent to speak as if in morning business.

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

#### MARYLAND'S BUSINESSES

Mr. CARDIN. Mr. President, my good friend Congressman STENY HOYER promotes America by using the phrase "make it in America." The statement expresses the pride of our country, the ingenuity, the spirit of American workers, and the fact that we can compete against any country in the world on a level playing field. We can make it in America.

I rise today to share with my fellow Senators news of my recent visit to Maryland businesses that are contributing to our local and national economy through manufacturing innovation. As part of what I call my "made in Maryland" tour, I visited Volvo Group North America's manufacturing facility in Hagerstown, MD, and the Flying Dog Brewery in Frederick, MD.

A few weeks ago I toured the Paul Reed Smith guitar factory on the Eastern Shore. My "made in Maryland" tour has highlighted many of the leading job creators and key small businesses that have helped revive Maryland's manufacturing sector. The goal

was to meet employees and business owners, take stock of their challenges and successes, and identify ways the Federal Government can help them grow and innovate.

We have highlighted the diverse products being produced in our great State, and we celebrate the hard-working Marylanders who have made these products and the companies that are providing jobs in our local communities.

For example, the Paul Reed Smith guitar factory in Stevensonville, MD, makes high-end guitars used by some of the most prominent musicians in the world—including Carlos Santana. Paul Reed Smith has operated for nearly 30 years and now employs nearly 230 workers with revenues of \$24 million. They are the largest private employer in Queen Anne's County, MD, and one of the top five employers on the upper shore.

As a region and country, we must stay focused on creating good jobs at home and strengthen and continue to build our economy. Manufacturing is good for Maryland, and it is good for America.

Let me tell you about my visit to Volvo Group, which employs 1,500 people in Hagerstown, MD—accounting for 1 out of every 10 jobs in the region's manufacturing sector. Employees at this facility are paid approximately 62 percent above the average wage in the region. These are good jobs that people are proud to hold.

Volvo has set the standard for environmentally aware manufacturing. Through its partnership with the U.S. Department of Energy, Volvo has developed the next generation of fuel-efficient engines and trucks. Since 2001, Volvo has invested \$330 million to upgrade and renovate their facilities, allowing Volvo to build a state-of-the-art engine development laboratory to produce increasingly fuel-efficient engines.

This Volvo facility has shown outstanding success. Sixty of Volvo's trucks a day have the same emission as one truck in 1990. That is an amazing reduction of pollutants going into the air. In addition, the facility recycles 84 percent of the site's waste, and it has achieved an 83-percent decrease in the use of diesel fuels.

Furthermore, Volvo remains invested in western Maryland by making generous contributions to local health and welfare organizations, civic and community organizations, art and cultural organizations, and education initiatives across the region. This commitment to the well-being of Volvo employees is demonstrated by the August 2013 opening of an onsite Family First Pharmacy which will provide employees and their families innovative state-of-the-art health care to be provided by doctors, nurses, and pharmacists in cooperation with Walgreens.

As the Volvo facility is highly invested in the local community and its numerous employees, we must remain

invested in assuring this socially responsible company's future success.

Later in the day I traveled to Frederick, MD, and visited the Flying Dog Brewery. They make a very different product than the most energy-efficient transmissions in the world that are assembled at Volvo, but I recognize the same qualities in both of these unique companies and their employees: hard work, attention to detail, and a real pride and passion for the product being made. These are qualities that can never be outsourced.

Small breweries such as Flying Dog have been anchors of local and American economies since the start of our history.

This is a state-of-the-art facility that constantly works to perfect its product through innovative techniques. In addition to making a product whose high quality I can attest to, they are supporting 80 jobs and reinvesting profits back into the western Maryland community.

When I grew up, brewing in Maryland was a huge industry. We lost most of it, but it is coming back. Today, the brewing industry in Maryland is supporting more than \$13 million in wages paid and contributing nearly \$100 million to our State's economy.

My "Made in Maryland" tour was conceived to highlight manufacturing and innovation that is boosting our economy across our State. But I can tell my colleagues that agriculture, which is still our No. 1 industry, is being revived along the way too. During my tour of the Flying Dog Brewery, I met a farmer and his son who are fifth- and sixth-generation Frederick County family farmers celebrating the 175th year of their family farm. They told me their decision to begin growing barley, small grains, and hops for local breweries is what kept their farm going. They supply small grains and hops to Flying Dog and numerous Maryland brewing companies for many of their seasonal, locally sourced brews. Their farm, Amber Fields Malting and Brewing Company, in conjunction with Brewer's Alley Restaurant and Brewery in Frederick, MD, introduced Amber Fields Best Bitter, which they describe as an English-style best bitter. This was the first commercially brewed beer in over 100 years to rely exclusively on barley grown and malted in Maryland. Amber Fields Best Bitter and additional releases also featuring locally grown ingredients are available through Brewer's Alley and their sister brewery, Monocacy Brewing Company, both in Frederick, MD.

America's manufacturing sector—from autos and truck manufacturing to beer makers and guitars—have played a major role in growing our economy and our Nation to be the world's leader. It has also helped create the strongest middle class in history. To continue in our recovery, we need to make sure companies such as Volvo Group, Flying Dog Brewery, and Paul Reed Smith Guitars, which are creating jobs and

investing in our economy here at home, have what they need to be successful. Our job in Washington should be to make their job easier, because when they do better, we all do better.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. 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 REFORM

Mr. BARRASSO. Mr. President, there has been some confusion about the President's health care law recently, so I come to the floor to try to clear up one point.

Just before the Fourth of July holiday, the Obama administration admitted to the world that its health care law is not working out according to plan. It did it in an unusual way—in a blog post—right before the Fourth of July holiday, but yet it is known to the world. By choosing to delay the law's employer mandate, the President conceded it would place a tremendous burden on America's job creators.

Then, just this past Sunday, the Senate majority leader went on "Meet the Press," on television, and said: "ObamaCare has been wonderful for America." Wonderful for America? Senator REID's comments demonstrate once again that Democrats in Washington—the people who voted for this law—are not listening to the American people.

I hear it when I return home to Wyoming every weekend. I did this past weekend. I hear it as Members of the Senate do when they talk to friends from home. I heard it today from people from Gillette and Evanston and Cody that this health care law is unraveling. So I just want to make a couple of things clear to everyone.

After 3½ years, we know the Obama health care law is not working. It is a train wreck. If the law was wonderful, it wouldn't increase premiums. It wouldn't shrink paychecks. It wouldn't discourage job creation. If the law was wonderful, we wouldn't put the feared IRS as the enforcer of the health care law. If the law was wonderful, the administration wouldn't have delayed one of its most critical parts. It is clear to me that even President Obama does not share Senator REID's opinion that the health care law is wonderful.

This law is not wonderful for America. It is obviously terrible for America's job creators. It is also terrible for many people trying to make a living in this country.

There was an article on the front page of the New York Times recently—Wednesday, July 10—with the headline: "At Restaurant, Delay Is Help on Health Law." The delay is a help.

This article—front page, above the fold of the New York Times—looked at