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Senate

The Senate met at 10 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Savior, who promised to never forsake us, be a shield for this land we love. As flags fly at half staff in remembrance of the victims of yesterday's Washington Navy Yard shooting, teach us to use wisely all the time You give us. Show Your mighty power during seasons of distress, transforming negatives into positives and dark yesterdays into bright tomorrows.

Today, guide our lawmakers, inspiring them in their going out and coming in, as You give them the wisdom to labor not simply for time but for eternity. Lord, bless us all with strength of will, steadiness of purpose, and power to persevere.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDING OFFICER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 17, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the

Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

ORDER FOR MOMENT OF SILENCE

Mr. REID. Mr. President, I wish we could do more, but I ask unanimous consent that the Senate now observe a moment of silence in honor of the victims of the tragedy at the Navy Yard and those killed and those suffering from the wounds inflicted on that terrible day, yesterday, that occurred not far from the Capitol.

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

(Moment of silence.)

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that at 11:30 a.m., the Senate proceed to executive session under the previous order to consider the Campbell-Smith and Kaplan nominations, both nominees to the Federal Claims Court; further, that following the disposition of those nominees, the Senate recess until

2:15 this afternoon to allow for the weekly caucus meetings; and, finally, that at 2:15, the Senate resume consideration of S. 1392, the Energy Savings and Industrial Competitiveness Act.

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

Mr. REID. We are trying to come up with a finite list of amendments to move forward on that legislation. We hope that, in fact, can happen.

It is my understanding Senator VITTER has an amendment he wants to offer. He has been on the floor a few times during the time we have been in session. We would have an amendment, or second-degree side-by-side, to his amendment. In order to do that, we have to have a finite list of amendments. We can't go on with unrelated amendments forever on this bill. So there will be one rollcall vote and we hope to vote on energy efficiency amendments whenever there is an agreement that can be made.

NAVY YARD TRAGEDY

Mr. REID. Mr. President, there are no words that can ease the pain of the rampage and certainly the deaths involving a dozen human beings who were killed yesterday at the Navy Yard. I hope it is some small comfort that this city, this institution, the U.S. Senate, and a whole Nation, mourn alongside them. To my knowledge, there is no explanation for the violence that occurred yesterday. My thoughts are with those who are suffering as a result of the loss of their loved ones as well as those people who are recovering from their wounds, and some of them are very serious. We wish them a speedy recovery. My heart goes out to all of the 16,000 military and civilian employees who work at the Navy Yard complex, as well as their friends and family members who were affected by this tragedy.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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It was only a few days ago—and the Presiding Officer was here on that occasion also—when we as Members of Congress marked the anniversary of September 11, 2001, during a ceremony on the steps of the Capitol. We had a moment of silence here in the Senate. Yesterday's shootings were the worst loss of life in the Capitol region since those September 11, 2011, attacks which were centered around the Pentagon.

Last week's significant anniversary and yesterday's terrible violence are a reminder that life is fragile and precious. They are a reminder of the debt we owe to those who protect our freedom and our safety, whether they serve in the military or as first responders. The Sergeant at Arms, who is responsible for our safety, was certainly on the job yesterday. He is a dedicated police officer. That is his goal. I still refer to him as Chief Gainer. He was chief of the Capitol Police force before he took responsibility as the Sergeant at Arms of the Senate. He has been a street officer for a long time. He could have done other things—he has a law degree; he is a well-educated man—but his responsibility is to take care of the Senate, and he does that very well.

I appreciate very much—I speak for the entire Senate—those dedicated police, fire, and rescue personnel who put their lives on the line to prevent a lot more loss of life on Monday. In particular, the city owes a debt of gratitude to a K-9 officer, a 24-year veteran of the Metropolitan Police force, a man by the name of Scott Williams who was hurt very badly in the shootings. I wish him a full recovery and thank him for his selflessness.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, we have to return to the business at hand. Since the moment President Obama signed the Affordable Care Act, making it the law of the land and ensuring every American has access to quality health insurance at a price they can afford, Republicans have been on an absurd quest to undo this progress.

Republican Members of Congress were horrified when the U.S. Supreme Court said the law we call "ObamaCare"—the Affordable Care Act—is constitutional. That is what the Supreme Court said. In spite of this being the law of the land—and it is the law of the land—House Republicans alone have voted more than 40 times to repeal ObamaCare and are now threatening to shut down the entire government unless this Congress denies funding to implement this very constitutional law.

Under ObamaCare, Members of Congress and their staffs will be covered by exactly the same plans that will extend health insurance to millions of Americans next year. Five hundred thirty-five Members of Congress and 16,000 staff members are treated the same as other employees across America under the law. They are treated that way

under ObamaCare, and rightfully so. Just as 150 million other Americans who get their health insurance through their jobs; that is, their employer, the Federal Government will share a part of the cost of that health care for us, for the 16,000 who work in the Capitol complex—as it has for all Federal employees for many decades. These are the people in Carson City, NV, Reno, NV, and Las Vegas, NV, who answer the phones and help people with problems involving Social Security, veterans' benefits, whether they can be buried at the beautiful cemetery we have in Fernley for veterans or the one in Boulder City where every day we bury lots and lots of people who are veterans.

These are the sorts of inquiries we get around the State of Nevada, and people work long hard hours to respond to those requests. They are dedicated public servants. That is to whom the junior Senator from Louisiana said, No thanks; they are not entitled to anything as far as being treated as everybody else is treated.

Even more directly to the point, Members of Congress and our staffs will live by the same rules and get their health care from the same exchanges as other Americans. But the junior Senator from Louisiana, I repeat, and a number of other misguided Republicans want to force Members of Congress and their staffs to live by a different set of rules. Although Senator VITTER has happily allowed the Federal Government to pay for a portion of his health insurance for many years as a Member of the House of Representatives and as a Member of the Senate, now he wants these 16,000 congressional workers to cover the full cost of health insurance.

With this background, one must ask: If Senator VITTER opposes the employer contribution for congressional staffers, does he oppose it also for the 150 million other Americans whose employers help pay their health insurance premiums? Does he want to discourage private employers from doing the right thing and providing their employees with affordable health insurance coverage? Is it what he wants, to do away with the insurance 150 million Americans have in America? Millions, I repeat, millions and millions of employers rely on this important benefit to attract the best and brightest and hardest working people they can find. Ending the employer contribution would effectively slap 150 million Americans with a big pay cut. Is that Senator VITTER's intention?

If Republican Senators believe they should bear the full cost of their own health insurance, they can, without any change in the law, decline Federal Government support in contributions and pay their own way. They can even encourage their own staffs to do so. Why they would want to do that, I don't understand, but they could do it. But for Senator VITTER and his Republican allies to end the contribution for

16,000 hard-working Federal employees—even after years of accepting the subsidy themselves—is hypocritical and mean-spirited.

In truth, this is only the latest Republican aim to derail the successful implementation of ObamaCare. Last November there was a big poll taken—it is called an election—where Americans overwhelmingly voted to reelect President Obama and to keep ObamaCare as the law of the land. That was the issue of the campaign. Who won that? The American people won, and President Obama won. As for ObamaCare—the constitutional law of the land—the American people said, Let's go ahead and do it. Americans have spoken very loudly and very clearly. It is time to move on to something else. It is the law and has been.

On October 1, about 25 million Americans who have no health insurance will—for the first time, most of them in their entire lifetime—be able to get insurance. What we have found in New York alone is that the insurance is going to save 50 percent of what it did before—it is 50 percent cheaper. In Nevada it is cheaper. It is the way it is all over the country.

According to the voters and according to the Supreme Court of the United States of America, ObamaCare is the law of the land. It is time for Republicans to mature—I guess you could say it a different way: to grow up—and recognize this is the law in America and has been for years. It is time for Republicans to stop denying reality.

The Senate should be passing other legislation. We should be passing an energy efficiency bill that will save taxpayers money, creating good-paying jobs—we need that—rebuilding roads and bridges. I have said here before 70,000 bridges are in a state of disrepair. Yesterday a report came out that 8,000 of them are near collapse—8,000. We are not spending money to take care of that problem. Our highways, our roads, our dams need money. This is not money that goes to the Federal Government so you can have a truck that says: Federal Government building a road or fixing a dam. The money goes to the private sector. That is what we should be doing. For every \$1 billion we spend doing something about the highways, bridges, roads, dams, water systems, sewer systems, we create 47,500 high-paying jobs, and thousands of other jobs spin off from that. That is what we should be doing.

We should be facing the reality of climate change. Look what happened in Colorado. I talked to Senator BENNET yesterday. He said the floods were Biblical. In one part of Colorado, it rained 12 inches in 2 hours. I cannot imagine that. Fires all over the West. Climate change is here. I met with the Foreign Minister of Bangladesh. They do not know what they are going to do with the rise of the sea which is taking place. In that country there is no high ground. It is that way all over the