

Maybe I shouldn't be optimistic, but I can be hopeful that we will be able to schedule votes on these amendments soon. In the meantime, Senators should not wait to debate these issues. Let's take just these two issues until we schedule votes on these amendments. Senators should come to the floor to speak on the issues now. There is a limited time to complete this bill before the Thanksgiving holiday, and Senators should use that time wisely to engage in meaningful debate.

I am totally aware of the number of Senators who wish to offer amendments on other issues as well, both defense-related and otherwise. So Senators should file their amendments, and I hope we can figure out a way to have a robust amendment process. However, we cannot allow this important legislation to be sidetracked by debates on amendments unrelated to our Nation's defense.

Our Nation's defense is a relative term and some people have different ideas as to what that should mean. But the United States has passed this bill for more than half a century. This is a sign of respect for this institution and for the people this legislation represents—our Nation's Armed Forces. So let's give this bill the respect it deserves.

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#### NOMINATIONS

Mr. REID. Mr. President, it is hard for me to find the words to express my disappointment for our country in yesterday's vote on another person to go to the DC Circuit Court of Appeals.

The last three people have been filibustered, and they are good people. They are qualified. Their records are outstanding for their work in the courts—scholastically brilliant, every one of them. But Republican obstruction has become endemic in the Senate over the last five years, grinding the work of this institution to a halt, threatening the integrity of this institution and damaging our country. No President should have to put up with what President Obama has had to put up with.

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#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. BOOKER). The Republican leader is recognized.

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#### HEALTH CARE

Mr. MCCONNELL. Mr. President, over the past few weeks, we have seen vivid, painful confirmation of the predictions that many of us made about ObamaCare. Most notable among them, perhaps, was the President's often repeated promise: "If you like your plan, you can keep it." "If you like your plan, you can keep it," he said. But we were always doubtful that could possibly be true.

This was always what Democrats thought they had to tell the American people in order to muscle ObamaCare into law. They knew it wouldn't work otherwise. They knew the truth would not sell and, of course, that is all coming out now.

But we are also learning a lot of other very unsettling things about this law, such as the fact that a lot of things that were working well in our health care system are now being thrown out for no good reason by the same people who brought us the ObamaCare Web site.

High-risk pools are a good example. About three dozen States set up these kinds of pools to ensure Americans with serious medical conditions, such as those suffering from diabetes and heart disease, would have a place to turn. High-risk pools have often proved successful and popular among the communities they serve. They currently provide insurance to hundreds of thousands of Americans, including thousands of Kentuckians, nearly all of them with preexisting conditions—the very people the law was supposed to help. These folks benefit from this coverage and many want to keep it. Unfortunately, that would no longer be possible under ObamaCare. Nearly all of them will lose their coverage at the end of the year.

Just as millions of other Americans across the country, folks who like the coverage they have in these high-risk pools—and remember, I am talking about some of the most vulnerable people in our society—are now discovering they won't be able to keep it, either, despite what the President told us again and again. As it turns out, the folks who ran this law through Congress think people in these high-risk pools belong in ObamaCare instead. They don't think it matters whether my constituents want to get dumped into ObamaCare or not; they made that decision for them.

A lot of folks in Kentucky don't think this is right and they are upset, and not just because they are losing their plan and all the hassle and complication that involves. For many of these folks, the plans they are being forced into have more limited hospital and doctor networks than the plans they currently have. As one State official recently put it, "If you're in the middle of chemotherapy, the last thing you want to do is switch oncologists."

We seem to see these kinds of stories just about every day now. There is the North Carolina woman with a severe heart condition who said she didn't know if her cardiologist and her procedures would be covered under ObamaCare. Here is what she said: "It's . . . the uncertainty that gets to me." There is the breast cancer survivor and her husband who have been paying about \$800 a month for premiums in a high-risk pool. After that policy was canceled, they expected lower rates under ObamaCare. Instead, they found their premium and deductibles could actually be going up.

This is scary stuff. But these are the real-life consequences of ObamaCare. This is no longer some theoretical policy discussion. I would suggest that as we contemplate the future of this law, our Democratic friends should start paying closer attention to stories such as these because it is not enough to have a messaging strategy and to play the old Washington game by trying to weather the PR storm until folks move on.

These stories we are hearing from our constituents are literally heart-breaking. This is not some hassle to move past. It is a problem to solve. It is what we were sent here for, and it is what health care reform should be about—about helping folks, not hurting them.

We do not need to get past this news cycle, as some of the White House spinners seem to think. What we need to get past is a White House mentality that told us last week that passing a bill to codify the very promise the President made to sell the bill would gut ObamaCare. We need to get past a mentality that caused the President to issue a veto threat on a law that would let him keep his promise to the American people about keeping the health care plans they have and like.

It is almost comical watching the contortions the administration is making trying to explain this fiasco away. Over the weekend we learned through a White House leak to the Washington Post that the President's new definition of success for the ObamaCare Web site is four out of five users making it through the checkout line—four out of five users making it through the checkout line. Who thinks that is acceptable? I certainly do not, and I cannot think of anybody outside the White House compound who will think that is acceptable either.

Frankly, if this is the President's way of restoring credibility on this law, by leaking that the Web site will not even work for one out of five users just a few days after vowing it would soon be up and running like a top, well, he has some work to do. The bar for clarity, honesty, and success under ObamaCare has sunk to new lows.

Look, if you are being treated for cancer and about to be dumped into ObamaCare, the last thing you want to hear is that leaving one out of five people behind is now considered an ObamaCare win. We are talking about people's lives here. This kind of mindset—whether we are talking about a Web site or anything else—is deeply worrying.

But then again this has always been the problem with blind faith in massive government programs. It is the old idea that we should not let the evidence get in the way of a good theory. That is the mindset the supporters of this law are stuck in right now—just blindly adhering to the hope that this program will work against all the evidence. It is pretty distressing. It is going to have to change if we are going to get anywhere.

The real question right now should be obvious: What is the administration's plan to turn all this around? We know they have a press plan. What is the policy plan? What is the policy plan? Does the administration have anything of substance to tell folks who are losing their plans? Does it have anything to tell folks in these high-risk pools who could be losing their doctors? Does anyone over there know—anyone?

I have said this before and I will say it again: These are people's lives we are talking about. So it is time for a reality check. The defenders of ObamaCare have a choice: Stand up for your constituents or defend a law that is falling apart before our very eyes, a law that threatens to drag down the quality and affordability of care for millions—literally millions—of Americans who need it, including those most in need.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Michigan.

#### ORDER OF PROCEDURE

Mr. LEVIN. Mr. President, I have a very brief statement I will now make, and I thank the Senators from Maryland and Maine for allowing me to do this. I ask unanimous consent that the very brief statement I am going to make not count against morning business.

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

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. LEVIN. Mr. President, later this morning the Senate is going to resume consideration of S. 1197, the National Defense Authorization Act for Fiscal Year 2014. I will have a full statement to make on this legislation later today. However, I would like to take just a moment to talk to my colleagues about where we are on the bill and how we would like to proceed.

Last night, the majority leader asked for unanimous consent to bring up side-by-side amendments on subjects that we know we need to debate and vote on—military detention at Guantánamo and sexual assault and misconduct in the military. Each amend-

ment and side-by-side was to be subject to a 60-vote threshold. Unfortunately, there was an objection to this request. As a result of that objection, the majority leader filled the amendment tree on our bill.

Now we are in a position where we are going to need the cooperation of all Senators to get this important bill passed, as we must, in the limited time available to us before Thanksgiving week in order that we will have time to go to conference, get a conference report, and bring that conference report back to the House and Senate.

It remains our intention to bring up and vote on as many relevant amendments to the bill as possible, and I know the Republican manager, ranking member Senator INHOFE, shares this objective. Toward this end I expect there will be further attempts later in the day to reach a unanimous consent agreement on the first amendments to be brought up, and that will be a repeated unanimous consent request that was offered last night for those first two amendments.

It is also our intention to clear amendments, as we have always done on this bill. I urge our colleagues, if you have amendments, to file them, bring them to us, so we can try to clear them. The majority and minority staffs of the Armed Services Committee are working hard. We hope to have a first package of cleared amendments ready for consideration later today, and we will continue to go through that process during the week.

Finishing this bill is going to be a very difficult task. We have managed to do it for the last 51 years, and I am confident, with the cooperation of all Senators, we will be able to do it again this year. We must for the sake of our troops, their families, and our Nation. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### SEXUAL ASSAULT IN THE MILITARY

Ms. MIKULSKI. Mr. President, today we, of course, are beginning the debate on the National Defense Authorization Act. Throughout the next hour, and throughout the rest of the day, you will see the women of the Senate take the floor, one, in support of our military but also to express their concern and their ideas on how to deal with sexual violence in the military. You will see in the next hour our ideas—the fact that we have excellent ideas in the bill—and then we will have a robust debate on how to even further enhance this process.

This is a compelling national problem. When you join the military and you face the enemy, you should not have to fear the enemy within. No woman should be a victim of rape by a fellow soldier or seaman or corpsman. No man should face the same sexual attack and call it hazing. There is no place in the U.S. military for violence

against one member of the military by another.

I am pretty fed up. I am fed up with lip service and empty promises and zero tolerance policies and task force after task force after task force. I am an old-timer in this institution. I have been here for 25 years, and I have worked on this issue every year. Ever since I first came here there has been some repugnant occurrence—from when I was a brandnew Senator and I had to deal with a situation at the Naval Academy where a female midshipman was chained to a urinal at the Naval Academy and taunted for 3 hours by fellow midshipmen, until she was freed by a visiting Air Force cadet, getting her out of handcuffs at her own Naval Academy. Then there was Tailhook. Then there were other kinds of incidents.

Statistics after statistics. There are 26,000 reasons why we are on the floor today. Mr. President, 26,000 sexual assaults have occurred in our U.S. military this past year.

Then we look at the service academies training the future leaders—15 attacks at the Naval Academy, 15 attacks at West Point, and over 50 attacks at the U.S. Air Force Academy.

Now is the time to do something, to do something bold, to do something strong and something unequivocal, something victims can have confidence in, where the accused can feel the process will be fair and we restore the confidence in the U.S. military to stop this and to deal with their own.

I am proud of the leadership taken by the women in the Senate and the women on the Armed Services Committee. There are now seven women on the Armed Services Committee—five Democrats and two Republicans. Wow, do they work on a bipartisan basis with the leadership of the committee. We appreciate the work of the fine men who have supported us in dealing with this issue. We particularly thank Chairman LEVIN for his leadership, and we acknowledge the role of Senator INHOFE. By the way, all of the women of the Senate wish to express our sincere condolences to Senator INHOFE on the loss of his beloved son, Dr. Perry Inhofe.

This is not just a women-only fight. This is a fight to make sure our military continues to be the best in the world and that when you serve, there is an enemy outside that we will always face, but there is an enemy within that we need to now end.

We, the women of the Senate—all of us—agree on the goals. We want to be able to provide prosecutorial tools for punishment, we want to ensure fairness in the process, and we want to make sure we get help to the victims.

The National Defense Authorization Act has more than 30 reforms in it to accomplish that. Thirteen relate to prosecutorial reforms, 10 are reforms to improve victims' services, 2 reforms