

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, December 15, 2013.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,

President pro tempore.

Mr. WARNER thereupon assumed the Chair as Acting president pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to H.J. Res. 59.

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House, as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate to the resolution (H.J. Res. 59) entitled, “A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes,” and concur with a House amendment to the Senate amendment.

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.J. Res. 59.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to concur.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.J. Res. 59.

CLOTURE MOTION

Mr. REID. Mr. President, I offer a cloture motion.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, the Bipartisan Budget Act.

Harry Reid, Patty Murray, Max Baucus, Mark Begich, Barbara Boxer, Richard Blumenthal, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Claire McCaskill, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Joe Donnelly, Heidi Heitkamp, Kirsten E. Gillibrand.

AMENDMENT NO. 2547

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.J. Res. 59, with an amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.J. Res. 59, with an amendment numbered 2547.

The amendment is as follows:

At the end, add the following:

This joint resolution shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on the motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2548 TO AMENDMENT NO. 2547

Mr. REID. I have an amendment which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2548 to the instructions to amendment No. 2547.

The amendment is as follows:

In the amendment, strike “1 day” and insert “2 days”.

MOTION TO REFER WITH AMENDMENT NO. 2549

Mr. REID. I move to refer the House message with respect to H.J. Res. 59 with instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.J. Res. 59 to the Committee on the Budget with instructions to report back with the following amendment, No. 2549.

The amendment is as follows:

At the end, add the following:

This joint resolution shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2550 TO AMENDMENT NO. 2549

Mr. REID. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2550 to the instructions of the motion to refer of amendment No. 2549.

The amendment is as follows:

In the amendment, strike “3 days” and insert “4 days”.

Mr. REID. I ask for the yeas and nays on that amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2551 TO AMENDMENT NO. 2550

Mr. REID. I have a second-degree amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2551 to amendment No. 2550.

The amendment is as follows:

In the amendment, strike “4 days” and insert “5 days”.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to H.R. 3304.

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House as follows:

Resolved, that the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled “An Act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.”, and be it further

Resolved, that the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, that the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3304.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3304.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304, the Department of Defense Authorization Act for fiscal year 2014.

Harry Reid, Carl Levin, Patty Murray, Joe Donnelly, Christopher Murphy, Christopher Coons, Jon Tester, Tom Udall, John Rockefeller, Thomas Carper, Debbie Stabenow, Joe Manchin, Angus S. King, Jr., Mazie Hirono, Martin Heinrich, Bill Nelson, Max Baucus.

AMENDMENT NO. 2552

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3304, with an amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3304 with an amendment numbered 2552.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on my motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2553 TO AMENDMENT NO. 2552

Mr. REID. I have an amendment that I ask the Chair to order reported.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2553 to the instructions of amendment No. 2552.

The amendment is as follows:

In the amendment, strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 2554

Mr. REID. I now move to refer the House message with respect to H.R. 3304 with instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer House message on H.R. 3304 to the Committee on Armed Services with instructions to report back with the following amendment numbered 2554.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that matter.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2555 TO AMENDMENT NO. 2554

Mr. REID. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2555 to the instructions of the motion to refer of amendment No. 2554.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays on that amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2556 TO AMENDMENT NO. 2555

Mr. REID. I have a second-degree amendment at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2556 to amendment No. 2555.

The amendment is as follows:

In the amendment, strike "4 days" and insert "5 days".

Mr. REID. I suggest the absence of a quorum.

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

The legislative clerk called the roll.

Mr. REID. 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.

FLOOR ACTION

Mr. ENZI. Mr. President, we are here today dealing with a non-essential distraction from the issues our country should be dealing with. None of these nominees need to be confirmed right now. Rather, we should be dealing with the problems we see each day. I talked about two of the biggest problems we face last Wednesday: Obamacare and our debt and deficit. I want to expand on those matters and discuss some of the other things we should be addressing.

We are here today dealing with a non-essential distraction from the mounting Obamacare problems. None of these nominees need to be confirmed right now. Rather, we should be dealing with the problems we see each day of how the health care law will fail to live up to the promises made by the administration. We must repeal this law, because as these reports demonstrate, it is bad for consumers and bad for small businesses. The outcry of millions of people who lost health care plans they were told they could keep forced President Obama to admit that he broke his promise. He then announced a new initiative that he said would really allow people to keep their existing health insurance plans this time—for a short time.

This isn't true either because for one thing he doesn't have the power under

the Constitution to rewrite or ignore laws passed by Congress. It would also mean he would have to be willing to ignore a 2010 administration regulation that has prevented insurers from continuing to offer insurance for millions of individuals and small businesses. That's right, at the same time the President was promising out of one side of his mouth that people could keep their health insurance, the other side was approving rules that would make that impossible.

And everyone who was in the Senate at the time knew it. It was right there in the Federal Register and written by the President's own administration. Congress knew and the administration knew the President was not telling the truth, but kept making the promise anyway.

When one party has 60 votes in the Senate, the minority party is very limited in what it can do. There are few exceptions to the majority leader's control. He decides what the Senate can debate and vote on. Through parliamentary manipulation he can also block amendments.

One sure way to inject something not approved by the majority leader is to find an offensive regulation and petition the Senate for a debate and a simple majority vote. I did that in 2010. One catch is that has to be acted upon within 60 days of the regulation's publication in the Federal Register. Miss that date and it can't be brought up again. Lose the vote and the opportunity is also gone. That's an opportunity Democrats in the Senate squandered. Every single one voted to defeat my resolution and many ridiculed the effort. Over the next few months their constituents are going to make them answer for this.

I have fought against the new health care law for the past 4 years because I knew that there was no way the President could keep all of the promises he was making about how the law would affect average Americans. As an accountant and former small business owner, I understood that you cannot mandate that everyone must purchase gold-plated health insurance plans without increasing costs and causing millions of people to lose their existing insurance plans.

But wait. There is more. If you can't keep the health plans that you like, then you are going to have a tougher time keeping the doctors and hospitals you like. Get ready for the next wave of disappointment and frustration when expectations created by this President and his PR machine come crashing up against the harsh reality of the real world. Obamacare casualties will continue to grow even as this President launches media blitz after media blitz in attempt to convince people that higher premiums, worse coverage and a bigger debt for this country is a good thing.

During the health care debate, the President and his Congressional allies also promised that the new health care