

country—care very deeply about this issue. A little while ago, in advance of the FCC's vote, on the Internet I asked people in Vermont and throughout the country to share their views with me, to write to me and tell me what they thought about the attempt to do away with net neutrality, and I was blown away by the response we received. More than 19,000 people have submitted comments to my office so far, and what they are saying in statement after statement after statement is that the FCC has to defend net neutrality.

I think these 19,000 people represent the vast majority of the people in this country who understand how important net neutrality is, and I want to take this opportunity and a very few moments to share some of the comments I received through my Web site.

Anthony Drake of Moreno Valley, CA, said:

Net neutrality is vital for a free and open internet, and the economic advantages that it has brought our nation and the world. Please work to reclassify ISPs as common carriers under Title II of the Communications Act.

Stamford, VT, resident Roy Gibson concurred, telling the FCC that Internet providers "should be treated like utilities." I agree with Roy Gibson.

Reg Jones of Bennington, VT, said President Obama must uphold his campaign promise to enforce net neutrality. He further said:

Net neutrality should be mandated as President Obama promised. Any attempt to allow differential speeds and access to the Internet should be squashed and those who propose it should be replaced by people who represent all of the citizens of this country. Internet access should be for the good of all, not for the select few who already have too much power and more money than they need.

William LaFrana of Versailles, KY, said:

Everyone should have equal access to the Internet. The Internet was developed with taxpayer funding, and should not be held hostage to corporate piracy.

Patricia Moriarty from Harwich Point, MA, wrote:

The Internet is the only place where we truly have freedom of speech and the ability to freely exchange new ideas around the world. Leave the Internet OPEN.

President Obama himself has long been on record supporting net neutrality. In 2007, then-Presidential candidate Obama said:

What you've been seeing is some lobbying that says that the servers and the various portals through which you're getting information over the Internet should be able to be gatekeepers and to charge differential rates to different Web sites . . . so you can get much better quality from the Fox News site and you'd be getting rotten service from the mom and pop sites. . . . And that I think destroys one of the best things about the Internet—which is that there is this incredible equality there.

That is what Barack Obama said when he was campaigning for the Presidency. Barack Obama was right when he said that, and I would very strongly urge the President to stand for what he

said when he was campaigning for President and defend net neutrality.

I understand the FCC is an independent body, but the American people have spoken with a clear and unified voice that they want to maintain net neutrality. What is so frustrating for the American people is to elect a candidate—in this case President Obama—who campaigned on an issue and now see many of the FCC members he appointed moving in a different direction. It is simply not enough for the President to sit on the sidelines on this issue. We need him to speak out for net neutrality, as he did when he campaigned for President.

Let me conclude by simply saying the Commission will soon consider whether to reclassify the Internet as a so-called common carrier. Under this distinction, the Internet would be treated like other utilities. Being classified as a common carrier will mean Internet service providers must provide the same service to everyone, without discrimination. This is the only path forward to maintain an open forum, free of discrimination.

Over the next few months the public will have an opportunity to weigh in on this proposal by the FCC. Each of us—and I hope every Member of Congress—should be concerned about this issue. I encourage you to be vocal. If people want to write to my office—sanders.senate.gov—we already have 19,000 people commenting and we welcome even more. I hope the American people rally around this issue of net neutrality and that we defeat any proposal to do away with that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON. I thank the Chair.

(The remarks of Mr. NELSON and Ms. COLLINS pertaining to the introduction of (S. 2361) are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Presiding Officer.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 2360 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEVIN. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

STAFF SERGEANT JESSE WILLIAMS

Mr. DONNELLY. In recognition of Memorial Day, I would like to take a moment today to honor three Hoosier

servicemembers we lost in the last year.

We remember Army SSG Jesse Williams of Elkhart, who was killed in action after his Black Hawk helicopter crashed in Zabul Province, Afghanistan, on December 17, 2013.

Staff Sergeant Williams attended Elkhart Central High School and completed basic training in 2006. He was deployed three times—once to Iraq in 2007 and twice to Afghanistan in 2010 and 2013. Staff Sergeant Williams is survived by his daughter, parents, grandparents, and siblings. His family accepted the Purple Heart on his behalf last month.

TECHNICAL SERGEANT DALE MATHEWS

We remember Air Force TSgt Dale Mathews from Rolling Prairie, IN, who died in a plane crash during a training exercise in England on January 7 of this year.

Technical Sergeant Mathews graduated from New Prairie High School in 1994. He served tours of duty in both Iraq and Afghanistan. His service in the Air Force centered on flying rescue missions and taking care of others. After serving almost 20 years, he was involved in the rescue of nearly 300 people.

Technical Sergeant Mathews is survived by his wife, his son, daughter, stepson, stepdaughter, and his parents and grandparents.

STAFF SERGEANT RANDALL LANE

We remember Army SSG Randall Lane of Indianapolis.

Staff Sergeant Lane passed away from a noncombat-related illness in Afghanistan on September 13, 2013. Staff Sergeant Lane served his country proudly in the Marines and in the Indiana Army National Guard for over 20 years. He is survived by his wife, three daughters, stepson, parents, brothers and sister, and his grandmother.

These men are all true heroes. They served their country with distinction. They made their family, friends, and all the people of Indiana and America proud. I send my continued thoughts and prayers to their families.

Like these three men, the United States has a long history of selfless warriors—men and women choosing to serve not because of the glory it brings to them but because of the freedom and safety it brings to others. When one of them makes the ultimate sacrifice by giving their life for ours, it is important that we pause and remember the true price of freedom.

I was proud to see my fellow Hoosiers come together in reflection and remembrance when we lost these three American sons, and I ask that we do the same this Memorial Day.

May God bless the United States of America.

I thank the Presiding Officer and yield the floor.

HEALTH CARE

Mr. BARRASSO. Mr. President, this week President Obama told a group of campaign donors that people who still

talk about his health care law are “not speaking to the real concerns that people have.” The President still does not seem to understand that Americans do have real concerns about his health care law. They are not partisan concerns, they are practical concerns. The reason Americans are worried is because the law directly impacts their personal lives, their personal health, and their personal pocketbooks.

That is why I have come to the floor week after week to talk about some of the alarming side effects of the President's health care law, and there are many alarming side effects related to the law that people are seeing and dealing with in their everyday lives. I have talked about how this law has increased premiums, how it has cut paychecks for many families, how week after week more people are realizing that they are suffering as a result of the law. They are not helped by the law but are suffering as victims of the President's law.

Today I wish to talk about another costly side effect of the law: the massive amount of taxpayer dollars that continues to be wasted under the law. For example, KMOV, a television station in St. Louis, recently reported about a call center in Missouri that processes paper applications for insurance in the State exchanges. Remember, the applications were supposed to be handled on a Web site, so they should not need a call center handling very many paper applications, but it doesn't seem to matter.

The company got a contract for \$1.2 billion. According to the report, there are 1,800 employees. What are these people doing who are taking all of this money? It turns out a lot of them are not doing very much. They are being paid with hard-earned taxpayer dollars and they are not doing very much. One employee said, “There are some weeks that a data entry person would not process an application”—weeks, and not a single application. They are just sitting there and looking at their computers. The report says some of them are playing Pictionary or 20 Questions and collecting paychecks funded by the taxpayers. Another former employee told the Associated Press: “It was like stealing money from people.” It was like stealing money from people.

It is not just happening in Missouri. Another TV station, KOLR, found a call center run by the same company—this one is in Arkansas—and reported that the same thing that is happening in St. Louis, MO, is happening in Arkansas. One employee told the station that he has been there 6 months—6 months and getting paid for full-time work—and has processed a total of 40 applications.

To make matters worse, we have learned of another clear way Washington is wasting taxpayer dollars while implementing the law. Over the weekend the Washington Post reported that Federal health care subsidies may be too high or too low for 1 million people.

The headline says: “Health payouts may be wrong. Subsidies too high or [too] low for 1 million. Government flags errors but can't fix them yet.” Incredible incompetence on the part of this administration. There is mismanagement like people have never seen before in this country.

The Post reported:

The problem means that potentially hundreds of thousands of people are receiving bigger subsidies than they deserve.

These are the subsidies some people get to help pay for their insurance in the government exchanges. It turns out that the computer system Washington built to make sure it gave the right subsidies—well, guess what. It doesn't work.

When the healthcare.gov Web site crashed last fall, the Obama administration scrambled to patch and duct tape it back together. But according to the article, behind the scenes, important aspects of the Web site remain defective or unfinished.

The article goes on:

The government may be paying incorrect subsidies to more than 1 million Americans in the new federal insurance marketplace and has been unable so far to fix the errors, according to internal documents and three people familiar with the situation.

The problem means that potentially hundreds of thousands of people are receiving bigger subsidies than they deserve.

Apparently the government can't fix it and the Web site can't be fixed. So what do they do? These people are sending in information, and, according to this article, “piles of unprocessed ‘proof’ documents are sitting in a federal contractor's Kentucky office, and the government continues to pay insurance subsidies that may be too generous . . .”

The inability to make certain the government is paying correct subsidies is a legacy of computer troubles that crippled last fall's launch of the Obama health care law.

So again we see more waste of taxpayer dollars and more reasons for Americans to have very real concerns about the law.

Just this past week the President of the United States told donors: Oh, not speaking to the real concerns that people have.

The President of the United States is wrong. The American people have real concerns about these components of the health care law. President Obama said to the Democrats in this body: Democrats should forcefully defend and be proud of the health care law. I want to see one of the Democrats stand and defend what I have just talked about and be proud of what I just talked about. The President says you should, so where are you right now? Not one of them is here to make that defense or to stand proud about this law.

It is hard to imagine that my colleagues can possibly be proud of a law that pays people to do nothing all day long. Can they possibly be proud of a law that awards large subsidies for people

who don't qualify for them? Are the Democrats who voted for this health care law ready to forcefully defend all the taxpayer dollars that continue to be wasted every day?

There is no end in sight and there is no effort to stop this. After all, how does that provide a fair shot for everyone? Isn't that what the promises of the President are? He said: I want a fair shot for everyone. How does all of this actually help with this wasted money? How does that help anybody get better health care? Millions and millions of dollars are being wasted to pay people to sit around and play computer games. Millions more are on Web sites designed in States that have been basically called broken, dysfunctional, crippled—you name it, they are not working.

The FBI is doing an investigation about some of these reports. How does that give anybody better health care—all these wasted taxpayer dollars.

The people know what they wanted with health care reform. They wanted better access to quality, affordable care. Let's think about what people want with health care reform. They want access, they want affordable care, they want choices—which they have been denied under this President's health care law—and they want quality. That is the kind of fair shot they wanted, but it is not what they got from the President's health care law.

Republicans have offered a patient-centered approach that would solve the biggest problems families face, such as access to care, cost of care, quality of care, and choice. That means ideas such as allowing small businesses to pool together in order to buy insurance more cheaply for their employees. That gives small businesses and the employees working there a fair shot. It means letting people shop for health insurance that actually works for them and their families, not what President Obama says is best for them. If I had to say who has the best chance of knowing what is best for a family, I would say it is likely the family and not President Obama and the Democrats who passed this law. People deserve a fair shot at buying a plan that is best for them and best for their families.

These are just a couple of the solutions Republicans have offered to give Americans real health care reform and a real fair shot—health care reform that gives patients the care they need from a doctor they choose at lower costs, without the ongoing harmful, expensive side effects we are seeing every day with the President's health care law.

Thank you. I yield the floor and I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

THE PRESIDING OFFICER. The Senator from Utah.

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

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

EXECUTIVE OVERREACH

Mr. HATCH. Mr. President, I rise to discuss a critical issue facing this body and this country. The occasion for my remarks happens to be the nomination of Sylvia Mathews Burwell to head the Department of Health and Human Services. As a senior member of the HELP Committee and the ranking member on the Finance Committee, I have taken a great deal of interest in her nomination and have participated in her confirmation hearings.

I am afraid the cordial nature of our exchanges and my recognition of Ms. Burwell's impressive qualifications has allowed some ObamaCare partisans to misconstrue my approaches as an acknowledgment that somehow the Affordable Care Act is working. Let me be absolutely clear on this point. I oppose ObamaCare, and I am going to fight as long as it takes to repeal that misguided law and replace it with a system that actually works for American families.

That is why I have collaborated with several of my colleagues to unveil the framework of the Patient CARE Act, a plan that would repeal ObamaCare and replace it with commonsense, patient-centered reforms that would reduce health care costs and increase access to affordable, high-quality care. It would save the taxpayers about \$1 trillion and yet have a better health care system than we have today with Obama.

Let me also be clear on another point. No matter what the administration says, the reality is that ObamaCare is not working. The President and his allies are claiming the law is a success because the administration has mostly corrected the botched rollout of healthcare.gov and has had a certain number of individuals sign up—as if forcing people into ObamaCare, under the coercive threat of government penalty, is somehow cause for celebration. In reality, the mass cancellation of insurance coverage last fall was just the first prick of pain ObamaCare will inflict on the American people.

I could talk for hours about rising premiums, growing deficits, backdoor bailouts and of course numerous other maladies, all of which threaten the quality and the enforceability of health insurance for so many Americans already struggling through the Obama economy, but the concern that motivates me to speak today goes beyond the many failures of ObamaCare as a matter of policy. Perhaps the most troubling of all has been the unlawful manner in which this administration has gone about implementing it.

When faced with the prospect of enforcing disruptive features of his signature law, the President has chosen to ignore his fundamental obligation to enforce the law and has instead sought to rewrite various provisions of ObamaCare unilaterally.

These actions form a troubling pattern of lawlessness and executive overreach by the Obama administration, one that all citizens and all Members of this esteemed body, whether Republican or Democrat, ought to condemn and resist.

The harms I will discuss today are not just a theoretical abstraction. This administration's abuse is a very real threat to our constitutional system of government and to the liberties each of us enjoys. In recent weeks, I have come to the floor on a number of occasions to speak out about the Obama administration's lawlessness in a wide variety of contexts. I will continue to do so to defend the separation of powers, the rule of law, and the legitimate prerogatives of the legislative branch and this body in particular under the Constitution.

Even in light of these serial abuses which have only accelerated under the President's new "pen and phone" strategy, the implementation of ObamaCare stands out as the crown jewel of executive overreach. By my count, this administration has acted unilaterally on at least 22 separate occasions to alter the law, something it does not have the right or power to do.

Through its actions, the Obama administration, in particular the current Health and Human Services Secretary, has demonstrated cavalier disregard for the constitutional obligations of the executive branch. The President and his team have shown outright contempt for the legitimate role of Congress.

Today, I wish to highlight a few of the Obama administration's most egregious acts and explain why these actions are unlawful and pose such a serious threat to our constitutional system of government. Let me begin with something most Americans unfortunately remember all too well, President Obama's now infamous promise that if you like your plan, you can keep it.

Make no mistake, this promise was the key selling point for ObamaCare, which was approved by the Senate by a razor-thin party-line vote. Without the President's assurance that Americans could keep their current health plans if they wished, the bill simply would not have passed this Chamber.

Yet it has long been clear that the White House never intended for Americans to be able to keep their plan. I do not say that lightly. It is not some unsubstantiated partisan attack. It is a well-documented fact. From the very beginning one of the key premises underlying ObamaCare's government takeover of health care was the notion that Americans could not and should not be trusted to choose their own health insurance and that instead Washington's so-called experts could be tasked with determining the sort of coverage Americans could buy.

Indeed, that is the entire point of having the minimum coverage provision the Obama administration fought

so hard to include in the bill. If Americans' existing plans do not comply with some government official's specifications, then ObamaCare forces individuals off of their insurance. To put the President's promise more honestly, if he likes your plan, you can keep it.

Several respected news outlets have responded how policy aides within the Obama White House objected to the President's obviously inaccurate claim that if you like your plan you can keep it, only to be overruled by the President's appointed political advisers. Despite knowing it was false, the administration purposely perpetrated this dishonest claim.

Tragically, millions of Americans relied on the President's promise, only to face the prospect of having their health insurance plans cancelled after his reelection. To make matters worse, the administration did not settle for the natural attrition that would eventually force Americans with the plans they like to buy an additional level of coverage, one they did not want, but one that ObamaCare forced them to purchase. No. Instead the administration rushed to publish regulations that defined exactly which existing plans could be grandfathered into the new scheme. The regulatory definition was so narrow in scope that even a minor or routine change to an existing plan could disqualify it.

As the Solicitor General recently conceded to the Supreme Court, Obama administration officials knew the number of qualifying individuals would be "very, very low, because it is to be expected that employers and insurance companies are going to make decisions that trigger the loss of the so-called grandfather status under the governing regulations."

Given the President's broken promise and the many cancelled plans, I joined with a number of colleagues to move quickly to use our power under the Congressional Review Act to try to overturn these regulations. Unfortunately, every single one of my colleagues on the other side of the aisle voted against providing this relief.

What followed was tragic but entirely predictable. Insurers were forced to cancel policies and millions of Americans were unable to keep the plans they liked. When ObamaCare's failed social engineering became a reality in the wake of millions of cancellation notices that went out last fall, even staunch supporters felt the intensity of the inevitable public outrage. Many in this body were eager to support legislation that offered relief to constituents suffering from this latest dose of the ObamaCare plan.

The House of Representatives passed legislation with the bipartisan support of more than three dozen Democrats that would have allowed insurers to continue to offer the plans that millions of Americans had chosen to purchase. Yet once the chorus of public outrage got so loud that even President Obama could no longer ignore