

That means almost half of the jobs we are creating are low-wage jobs—not the kind that will get Americans to a more secure financial future.

Americans have had a tough time over the past 5½ years, and if the President has his way, it is about to get much worse. This week the President's Environmental Protection Agency announced a national energy tax that will drive up Americans' energy bills and destroy jobs while essentially doing nothing for the environment.

Coal is responsible for approximately 40 percent of our country's energy production and is a significant part of the economies of several States. Currently, there are nearly 560 coal-fired powerplants in the United States, but if the administration's new greenhouse gas regulations go into effect, a majority of them will close and no new plants will be built. That means energy companies are going to have to scramble for new sources of energy. With utilities faced with fewer and more expensive sources of energy, electricity rates will soar to unprecedented levels, and that will leave millions of Americans struggling to afford their energy bills.

What the administration has proposed this week is nothing short—make no mistake about it—of a national energy tax, and it will hit low-income families and seniors who live on fixed incomes and already devote a large share of their income to the electricity bills the hardest. In my home State of South Dakota, low-income families already spend almost a quarter of their income on energy bills. There is no way they can afford to spend hundreds more to pay for President Obama's national energy tax—that is, of course, if they can even get electricity.

The polar vortex that covered large portions of the United States with extreme cold and snow this past winter pushed the electricity grid to its limits. The Chairman of the Federal Regulatory Commission described the grid as “close to the edge,” with coal-fired powerplants running at 90 percent capacity to keep houses warm during a historically cold winter. These are the very plants that are being targeted by this administration. Closing these powerplants, which provide affordable power throughout the year, will severely jeopardize our ability to produce reliable electricity and heat during times of peak power demand. This will be particularly dangerous in winter months when an overstressed grid could leave thousands of Americans without a source of heat for their homes.

Driving up energy bills and compromising the energy grid would be sufficient reason to reject the President's new carbon dioxide regulations, but that is not all these regulations will do. The President's new regulations will also destroy tens of thousands and possibly hundreds of thousands of jobs.

First, of course, there are the thousands of Americans who will lose their

jobs when the coal-fired plants that they work for close their doors. Then there are the manufacturing jobs that will be lost if these regulations go into effect. U.S. manufacturing is currently enjoying a renaissance thanks to the abundant, affordable energy the United States offers. Manufacturers are actually moving production from overseas to the United States and investing billions of dollars in our economy in the process. But if we drive up the cost of energy here at home, manufacturers will no longer have the same incentive to locate jobs here in America. Instead, manufacturers will send jobs overseas.

Given the terrible costs of these regulations, one would assume that the payoff would be huge—a drastic reduction in global carbon dioxide concentration levels.

The truth is the President is proposing to devastate American families and destroy our economy for nothing, because the President's proposals would have essentially no impact—no impact—on the concentration of carbon dioxide in our atmosphere. Even the President's own former EPA Administrator admitted: “U.S. action alone will not impact world CO₂ levels.”

The truth is, as long as the United States is acting unilaterally, global emissions will not be reduced in any meaningful way. In fact, the President's proposals could actually drive up emissions in other countries as manufacturers send jobs from the United States to some of the world's top polluters such as India and China.

Manufacturers in the United States are already reducing emissions. U.S. manufacturing and other industrial carbon dioxide emissions are down 13 percent since 2005. In the meantime, however, China's CO₂ emissions have grown by 69 percent, while India's have grown by 53 percent.

After 5½ years of the Obama economy, Americans are struggling—struggling to pay for health care, for college tuition, for food, and for gas—and they are wondering where the promised recovery is and how long they are going to have to live paycheck to paycheck, praying they can afford unexpected bills. Too many of them are wondering if they will be able to find a job to replace the one they lost. Others are wondering if they ever will find the better paying job they have been waiting for.

Now the President is prepared to hike electricity prices for every one of these Americans. Worse, he is prepared to eliminate thousands of their jobs. For what? For a significant reduction in global carbon dioxide concentration levels? No. He is prepared to damage their budgets and destroy their jobs just so they can appear to be doing something about global warming. He is willing to overlook the economic havoc these regulations will create as long as his extreme environmental base is content.

News reports have suggested the President has backed these new carbon

regulations because he believes they will be an impressive addition to his legacy. I wish to suggest that the record of lost jobs and struggling families is not the kind of legacy the President would want to leave.

I hope in the coming days we will hear from the President's party on this issue. I challenge my Democratic colleagues in the Senate to stand and tell the American people where they stand. Do they stand with American jobs and American families or do they stand with their party's environmental fringe?

The American people deserve to know. Their jobs, their standard of living, and their future hang in the balance.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF KEITH M. HARPER FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE U.N. HUMAN RIGHTS COUNCIL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Keith M. Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the U.N. Human Rights Council.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided and controlled in the usual form.

Who yields time?

If no one yields time, the time will be charged equally to both sides.

The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent to address the Senate for approximately 10 minutes as in morning business.

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

MARKETS TRANSPARENCY

Mr. KING. Mr. President, I believe in markets and I believe in transparency, and that is what I wish to speak about today. I think markets generally are the best allocators of goods and services, but in order for markets to work, people who purchase—consumers—need information. I wish to address one small piece of a very important market today.

I serve on the Budget Committee of this body and as such I have had an opportunity to look at not only the current budget but projections of future

budgets. I think it is important to emphasize that virtually all the growth—all the growth—in future Federal budgets is attributable to health care—all the growth. It is not Pell grants, it is not national parks, it is not national defense, it is not the National Security Agency; it is all in health care.

There are several ways we can control those costs. One way which has been suggested is to simply shift those costs off to other people—to the States, to the elderly, to other citizens—and say it is not the Federal Government's problem; it is someone else's problem. I would suggest that is not the answer. We need to be focused on the issue of health care costs generally, for everyone—for the Federal Government as a consumer, as it is in Medicare and Medicaid, but also for all of us as health care consumers across the country.

The standard response around here to growing health care costs is to cut programs, cut recipients, reduce payments to States, or reduce payments to providers. That does nothing about the fundamental issue. I can tell my colleagues that none of these steps has anything to do with reducing the demand for services or the costs of those services. We have to spend the money we have more responsibly.

There have been discussions recently about repealing the medical device tax which was passed as part of the Affordable Care Act. The theory, by the way, was that the Affordable Care Act would produce, as it has, millions of new customers for the private insurance industry as well as for all of those who participate in the health care system, including those who manufacture medical devices. The Affordable Care Act has produced new customers. And the theory, as I understand it, because I wasn't here when the bill was originally passed, was the industry—the businesses that will profit by the production of new customers through new people gaining insurance who never had it before—was that part of that would be paid back to support the overall system. That was the idea of the tax on medical devices. I realize the medical device tax is a controversial tax and that strong arguments can be made that it should be modified or reduced. But the repeal of the medical device tax would cost the government \$29 billion over the next 10 years. That is money, as we all know, that has to be replaced somewhere else. So I think that is a consideration that has to be taken into account as we discuss this matter which is under consideration as part of the tax extenders package.

As I looked into this issue and thought about the medical device industry, I was surprised to find it is very difficult to find out the price of an implantable medical device. One of the reasons is that the hospitals, which are the purchasers of these devices, are often prevented by agreements with the medical device company from revealing the price they pay. In other words, there is no transparency about

the prices of these devices which find their way into the cost of everybody's health care.

Imagine for a moment going to buy a new car and there is no advertising about the prices of the cars. We couldn't go on the Internet and determine the prices of the cars. We couldn't compare the prices of the cars from one dealer to the other. But we go in and somebody behind a closed door says, OK, the price is \$20,200, and we are not allowed to tell anybody the price we are paying for this car, and we have to sign an agreement that we are keeping that price secret. Imagine that system, and imagine for a moment what would happen to the price of cars. I don't think it is gross speculation to assume that the price would go up, because there is no transparency.

I have filed amendment No. 3802 to H.R. 3474, which is the tax extenders bill that is pending. It simply says that when a medical device is being sold, the manufacturer cannot impose a secrecy provision on the hospitals that purchase these devices, and they also have to report median prices to the Secretary of Health and Human Services on a regular basis.

In 2012, the GAO did a report on Medicare and one of the pieces of the report was titled "Lack of Price Transparency May Hamper Hospitals' Ability to Be Prudent Purchasers of Implantable Medical Devices"—a long title, but the conclusion is contained in the title: "may hamper hospitals' ability to be prudent purchasers." Well, if hospitals can't be prudent purchasers, we who are paying the bills, quite often through Medicare and Medicaid, are not able to get the best prices. Who pays? All of us pay.

This amendment would prohibit medical device manufacturers from requiring hospitals and buyers to sign purchasing agreements that contain confidentiality clauses that would restrict them from revealing the prices paid for medical devices to third parties. In addition, as I mentioned, the amendment would require these manufacturers to submit the average and median sales prices of covered devices to the Secretary of Health and Human Services on a quarterly basis.

In 2007, my good friend Senator GRASSLEY from Iowa sponsored a bipartisan bill to create a process of reporting this kind of price data to HHS, and I believe it is time to do just that.

To the extent that prices of implantable medical devices, which are very expensive generally, are not disclosed, the ability of hospitals to bring price information to bear in negotiations and decisions is clearly limited. I believe if we are going to talk about repealing a medical device tax, we should also talk about calling upon the industry to provide to consumers and policymakers greater transparency in order to better control costs.

In a world of limited resources, we have to spend the money we have most wisely. It is very difficult to spend

money wisely if prices and comparative prices and prices of the various components of the health care system are essentially kept secret.

This is a simple amendment. It is simply based upon the fundamental idea that markets work, but they only work when consumers—in this case, hospitals—have the information necessary to make good purchasing decisions. I think markets, as I said at the beginning, are the best way to allocate goods and services, but that information is necessary for markets to work, and that is the purpose of this amendment.

Mr. President, I ask unanimous consent that all time between now and 12 noon during quorum calls be equally divided.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SPEAK UP ACT

Mr. CASEY. Mr. President, I rise this morning just before the noon hour to talk about our children, a topic which does not get nearly enough attention in Washington. I will try to focus on just one issue. Both parties in this body and in the other body indicate, on a pretty frequent basis, that they are in favor of supporting strategies to protect and to help our children, but not enough attention is paid to what that strategy should be and what the elements of it should be.

I believe it should at least have four major components. One is to make sure children have every opportunity for more early learning. In addition, we need to make sure more children are covered by health insurance and get quality health care. We made a lot of strides in that in the last couple of decades, but we still have a ways to go.

We need to make sure children are protected, an issue I will speak about today in particular. Obviously, we want to put in place better strategies to make sure children have enough to eat and are eating food that is nutritious. So today I will focus on the question of protection.

We know that as we head into the last couple of days of the school year, children are starting to look forward to summer activities such as camp and summer sports and other activities. That is the good news. The bad news is that can create opportunities for people who would do them harm. It is important to reiterate the responsibility adults have generally but in particular at this time of the year.

Adults have an abiding responsibility to protect children from harm and to speak up, literally to speak up when