

All 12 subcommittees are represented. But I will say more about it when we bring the actual bill to the floor.

Madam President, 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.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MIKULSKI. I ask now for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the joint resolution having been read the third time, the question is on passage of the joint resolution.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 86, nays 14, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—86

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Baldwin	Graham	Murkowski
Baucus	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Booker	Heitkamp	Reed
Boozman	Hirono	Reid
Boxer	Hoeben	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Sessions
Carper	Kaine	Shaheen
Casey	King	Shelby
Chambliss	Kirk	Stabenow
Coats	Klobuchar	Tester
Cochran	Landrieu	Thune
Collins	Leahy	Toomey
Coons	Levin	Udall (CO)
Corker	Manchin	Udall (NM)
Cornyn	Markey	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Fischer	Menendez	Wyden
Flake	Merkley	

NAYS—14

Barrasso	Heller	Roberts
Coburn	Inhofe	Rubio
Crapo	Lee	Scott
Cruz	Paul	Vitter
Enzi	Risch	

The joint resolution (H.J. Res. 106) was passed.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lie on the table was agreed to.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013—MOTION TO PROCEED—Continued

AMERICAN OPPORTUNITY AGENDA

Mr. SCOTT. Madam President, when I was growing up, my now 93-year-old granddaddy would hold the newspaper and read it while he drank his coffee. Every morning it seemed he was always focused on reading the paper. He looked like an executive, a doctor or an attorney, always making sure his grandsons saw him reading.

I learned several years later that my granddaddy couldn't read, but he was wise enough to model the behavior that he wanted his grandsons to follow. The circumstances of his life forced him out of the classroom at a very young age and into the cotton fields to help support his family. But granddaddy has now lived long enough to see a grandson elected to Congress and another grandson earn the rank of command sergeant major in the U.S. Army. Only 1 percent of NCOs reach that rank.

In a single lifetime, families can go from not having a fair chance to learn to read to seeing their kids graduate from college, as my grandfather has seen two of his grandsons graduate. That is the power of America. That is the power of opportunity.

Over the last several months, I have spent many hours talking and working with people from every walk of life, beginning when I was bagging groceries at the local Piggly Wiggly or waiting tables at the California Dreaming or 2 weeks ago when I took a ride on the public bus just to have an opportunity to sit back and talk with everyday Americans about their hopes, their dreams, and their fears or, last weekend, as I swept floors at the local Moe's restaurant. What I have heard is that people in America and throughout South Carolina are hungry for opportunity. They are working hard, but still they are struggling.

People want to work. They want to get ahead, and they still want a better life for their children and their grandchildren. So the questions for those of us in government are simple: Are we a part of the problem or are we a part of the solution? Do we make things more difficult or are we an ally in this struggle to get ahead? Are we trying the same tactics and getting the same results?

It has been said several times that insanity is doing the same things the same ways and hoping for different results. After a nearly 50-year government-led war on poverty, the poverty rates are increasing. Were this a military conflict, we would have changed our strategy decades ago, but somehow we fail to learn and continue to believe that next year it will be different. It has not been different in nearly half a century.

I propose a new way forward—a new way forward so a little girl can rise

from the depths of poverty and become the CEO of a Fortune 500 company, a new way forward that will create a place where young men raised in a single-parent household and living in the inner city housing projects can become a world-renowned surgeon, a new way forward so an intelligent young lady living in rural South Carolina who ages out of the foster care program can still afford a college education. I propose a new way forward, and our opportunity agenda does just that.

We will help to turn neglected neighborhoods ravished by poverty into centers of excellence. We will see that these amazing centers of excellence will become economic engines because of the creativity of the people living in the neighborhoods. We will see economic activity in a place that we once thought not possible.

Today, too many Americans are trapped in low-paying jobs because they lack the skills to improve their incomes. These folks are not asking for a handout; they are asking for a hand up. Every day Americans are struggling, working hard, looking for a way to change their destiny.

That is why we have introduced the SKILLS Act. With nearly 4 million jobs vacant in America today, we believe the skills gap can be covered because of the SKILLS Act.

Our second bill we have filed is called the CHOICE Act, Creating Hope and Opportunity for Individuals and Communities through Education. One of the opportunities we see within the CHOICE Act is for those kids who have special needs to have the opportunity to make their education dollars portable. I believe every single American deserves the opportunity to realize their full potential, but too many of these young kids—bright kids with special needs—do not receive the education that is best for them. So the CHOICE Act provides their parents with portability so they can choose the school that best fits the needs of their kids.

The American Opportunity Agenda encourages each of us to reach our full potential. In the coming months we will introduce legislation that encourages reform of our welfare programs. We will fight to change our Tax Code so small businesses can hire more people and not simply pay higher taxes. Finally, we will work with anyone, anywhere, at any time to reduce the regulatory burdens that stand in the way and close the doors of opportunity.

Last week we submitted an amendment that restores a 40-hour workweek that was destroyed in ObamaCare. The effort to restore the 40-hour workweek has been led by my colleague, the Senator from Maine SUSAN COLLINS, who understands the devastation caused by ObamaCare, where more than 20 million Americans face the loss of up to 25 percent of their income when they move from 40 hours a week to less than 30 hours a week. I applaud my colleague and others for standing strong

and standing tall to make sure we have a serious debate about the income inequality that is caused by ObamaCare. The effort to restore the 40-hour work-week should be something we all champion, realizing its massive impact on our economy.

I have lived a family's journey from cotton to Congress. I know the sense of empowerment and optimism it provides. Once the standard is set in a family, as my grandfather set it in our family, and once the standard is set in a community or a State, the generations to come will set even higher expectations for themselves because success is created almost anywhere in America today. It happens in studio apartments, at kitchen tables; it happens in garages and classrooms throughout America, but it doesn't often happen in government conference rooms in Washington. I believe, and I have experienced, that with a good education, strong work skills, and the help of our Heavenly Father, all things are truly possible.

I yield the floor.

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

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

APPROPRIATIONS

Mr. COONS. Madam President, today, this week, we have come together to consider an omnibus appropriations bill. That is a big mouthful—an omnibus appropriations bill—but I hope to lay out in plain language for our folks back home and for those in this Chamber why that matters, why I am excited about it, and why I support it.

This is first time since I joined this body 3 years ago that we have considered one, and it is a real step forward. The agreement we came to on the budget and the agreement I hope we will pass on this appropriations bill means no more shutdowns, no more crises, no more autopilot, at least not for this fiscal year. This bill helps us return to regular order and to the process that, once election day is over, it is our job as the representatives of the people, elected to come together to find common ground, to solve bigger problems together, and to move the Nation forward.

This appropriations bill is the result of a lot of hard work by Members and staff. I must begin first and foremost by thanking the Senate Appropriations Committee chair, Senator MIKULSKI, and the vice chair, Senator SHELBY, as well as the House chairman ROGERS, and the ranking member, Congresswoman LOWEY, who showed great leadership and worked together on a very tight deadline to craft such a vast and comprehensive bill. Their work follows on the leadership of Senator MURRAY,

chair of the Senate Budget Committee, and Congressman RYAN, of the House Budget Committee, after they came together on a bipartisan budget that paved the way for the Appropriations Committee to reach this deal this week.

I applaud their leadership and thank them for the example they have set. As a member of both the Budget Committee and the Appropriations Committee, it has been a privilege to work with them to craft these bills and ensure we meet our Nation's needs.

The bill before us is, of course, a compromise. It is the essence of a compromise that it is not perfect by any means. There are many who can find fault within it or disappointments aplenty among choices made or not made. It doesn't include—for example, to pick one thing of great importance to my State—enough funding to make real headway on Amtrak's critical infrastructure improvements that I think are essential—just in dealing with the \$6 billion backlog of investments needed in aging tunnels, bridges, and tracks.

So while this bill does provide adequate funding for Amtrak today, which I am very pleased about, it puts off those critically needed investments in repairing these essential elements of its infrastructure, which we will inevitably need to make. That is only one example, and in a bill this big there are hundreds, maybe even thousands, of the tough tradeoffs that had to be made between House and Senate, between the appropriators, and between the majority and the minority.

But as we consider our vote on this bill and how it does or doesn't meet our own priorities or our State's priorities, we can't let the perfect be the enemy of the good. We need to remember that at least in this case the alternative to this bill isn't our own individual or perfect vision of government—whatever view we might hold. The alternative is crisis after crisis, government that doesn't move forward with the country but treads water as the world passes us by in an increasingly competitive global environment.

What this bill does in a very real way is bring back some stability to our government, to our economy, and it allows us to make important investments in our country's growth. For instance, it takes a number of valuable steps for my home State of Delaware.

It funds meat and poultry inspectors, critical to Delaware's chicken industry and its 13,000 jobs. It funds the next stage of an Army Corps of Engineers project to deepen the Delaware River from 40 to 45 feet so that we are ready and can be competitive when the expansion of the Panama Canal nears completion.

It dedicates funding through the Victims of Child Abuse Act—and I am an original cosponsor of a bill reauthorizing the Victims of Child Abuse Act—for the three children's advocacy centers throughout my State. These cen-

ters are critical to delivering justice for the victims of child abuse without harming their healing process.

The bill maintains funding for the Bulletproof Vest Partnership, an initiative that has supplied Delaware police officers with nearly 1,000 bulletproof vests in the past 2 years. Two of those vests, I should add, saved the lives of two officers during a shooting at the New Castle County Courthouse only last spring.

These are only a few of the things for which I am grateful in this broad omnibus bill. Nationally, it also allows us to meet our key priorities of training our workforce for this century, making our communities safer, building a circle of protection around the most vulnerable in our society, and, in combination, making us safer, stronger, and more just.

The investments it makes in America's workforce by funding education programs can last a lifetime. Head Start Programs ensure kids don't fall behind before they have even had a chance. This bill increases that funding by \$1 billion to serve 90,000 more kids this year.

There is a competitive grant program to help States and communities find innovative ways to provide high quality preschool options for low- and middle-income families that I am particularly excited about.

In Delaware, we saw the power of this program when we competed for—and won—Federal funding on a competitive basis for high-quality early education only last year.

The Department of Education's first in the world initiative will help colleges to measure—and thus improve—outcomes, and it brings down costs for students and families. This bill increased our investment in job training programs such as Job Corps and the Veterans' Employment and Training Service, which help everyone from low-income Americans who failed to get on their feet in the job market to veterans who stood for us around the world and have earned our support upon their return.

Next, this bill includes crucial funding that makes our communities safer. We are upping our investment in the COPS program—first championed on this floor by my predecessor Senator JOE BIDEN. It will put 1,500 more officers on our streets and in our neighborhoods, keeping us safe.

The Violence Against Women Act, which we came together in a bipartisan manner to pass last year, is fully funded. We are taking important steps to stop the scourge of gun violence that affects each and every community: a new comprehensive school safety program I am excited about, new investments to improve background checks, and new training to help local law enforcement react and protect the public from active shooters.

Of course, the second part of making our communities safer is ensuring that justice is delivered in our courts when

crime does happen. Unfortunately, the sequester's cuts to our Federal courts cut the judiciary to the bone, imposing furloughs, and hurting our Nation's justice system by leading to layoffs of hundreds of experienced, seasoned, senior court staff. Yet, thankfully, the bill before us reverses these and many other cuts and will minimize the delays of justice that resulted and that are unacceptable to our Nation.

Finally, this bill allows us to build and sustain what I like to call a circle of protection around the most vulnerable in our society that reflects our shared commitment to each other. Our most basic values: Investments in the WIC Program, for women, infants, and children, will make sure 87,000 more mothers and children will have the food they need at a vital early stage of development. LIHEAP—or the Low-Income Heating and Energy Assistance Program—ensures that low-income families don't freeze during the coldest months of the year, and this bill's funding increases will ensure 400,000 more houses have this critical assistance. And lastly, when we pass this bill, which I pray we will by week's end, we will reverse the sequester's devastating cuts to housing programs and, as a result, prevent more than 100,000 American families from becoming homeless.

Each of these investments in our workforce, in our public safety, and in protection for our most vulnerable, together make up the foundation of a safer, a more just, and a more inclusive society. But when we also combine them with investments in research and innovation and infrastructure, we lay the groundwork for growth and shared prosperity today and tomorrow.

After the last 3 years, which in my experience have been mostly defined by bipartisan gridlock—stopgap budgets, crisis governance—this bipartisan Appropriations bill allows us to create some stability for our Nation and our economy. I think it reminds us we are a nation that is at its best when we are determined to be open to each other's ideas, to hear each other's concerns and criticisms, and to find ways to work together.

Although there are plenty of areas where I disagree with my Republican colleagues, as I have gotten to know them over the past 3 years we have found many more areas of common good and common work. Let me briefly mention a few of them as I celebrate what I think is the most important aspect of this bill, which is that it is truly bipartisan.

Senator MARCO RUBIO and I were both elected in 2010 and came to this Chamber at roughly the same time, and we found ways to work together to invest in STEM education and to open pathways to college for young Americans. Senator HATCH and I wrote a bill together called I-Squared—and we are joined by Senators KLOBUCHAR and RUBIO—and this is a bill that helps bring high-skilled workers to our

shores and helps invest in STEM education for American citizens. Senator KIRK and I have worked together to create a national manufacturing strategy that focuses our energy and resources on creating manufacturing jobs in America. And just this Monday Senator ROBERTS of Kansas and I announced our partnership on a new bill to make the research and development tax credit and its funding available to startups and to young innovative companies.

There are so many issues where we can work together to invest in our workforce, to protect the public, to sustain this storied circle of protection around the most vulnerable, to invest in long-term economic growth, and to lift up every community and every American.

I am incredibly thankful for the leadership of Senators MIKULSKI and SHELBY and the way they displayed that leadership with action through this process, by putting aside their differences and finding common ground. I wish to also close with a note of personal thanks to the countless committee staff on both sides who worked tirelessly throughout the holidays to make this bill a reality. With this Omnibus appropriations bill it is my sincere hope we are putting an end to a cycle of manufactured crises and we are sending to the American people and to our markets and to our communities the message that we can and will work together to confront the many challenges that remain here and in the future.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I came to the floor to spend some time on the unemployment insurance, but I have to comment, after hearing my colleague mention his esteemed favor of the bill that will be in front of us, I have to say my perspective is totally different.

We have a 1,500-page bill that nobody has read, other than my staff, and we have read it completely and outlined it completely. We have a bill that is dishonest, because you still have changes in mandatory funding and programs and you create \$17.9 billion out of nothing, which everybody on the Appropriations Committee knows allows you to spend \$17.9 billion but not pay for, and you transfer that sleight of hand to our children.

But it doesn't seem to bother anybody on the Appropriations Committee that we actually lie to the American public about how much we are actually going to spend. The bill actually spends about \$63 billion, the way you have written it, more than we did last year—about 6½ or 7 percent. The bill is loaded with parochial benefits, which is the pleasure of the appropriators, I understand, but it doesn't pass muster in terms of no earmarks.

But there is one point that I agree with. This has been an agreement be-

tween Republicans and Democrats to bring the bill to the floor. And it will pass because it is an agreement, because people did work together. Whether I like it or not, they worked together and came to a conclusion. The only problem is there are going to be no amendments, so no way to be honest with the American people on this \$17.9 billion that is supposedly paid but isn't. It is truly an untruth. It is dishonest. It has no integrity with it whatsoever. It undermines every Senator up here who is going to vote for this bill because you say one thing and you are going to do exactly the opposite.

I was just given a poll as of today. The No. 1 problem Americans see in our country is us—the U.S. Government. Twenty-one percent of the people in this country identify us as the problem. Is it any wonder, when we tell them we are going to do X and then we don't do X? For example: We had a budget agreement, and then we changed the budget agreement because we couldn't live within our means and we wouldn't raise the revenue to be able to do that. Then we come to a new budget agreement that is much higher—don't honor the previous budget agreement. Then we put an appropriations bill on the floor that is going to fund all the Federal Government until September 30 and nobody has totally read it. They pick out the things they like in it and then talk about it. Is it any wonder why 21 percent of the people think the Congress, politicians, poor leadership, corruption, and abuse of power in Washington are the No. 1 problem with our country?

You know what. They are right. It is an abuse of power to vote for a bill that you know spends \$18 billion—\$17.9 billion—more than what you are telling the American people it is going to spend. You do it through sleight of hand, and you pass muster with the powers that be, but it is not honest with the American public. So we are going to do it again. We are not going to have a government shutdown, everybody is going to get to go home on break and spend a week away from here and say: Oh, look at us, we are not at loggerheads anymore.

The only reason we are at loggerheads is because we have abandoned the process of the Senate through the majority leader who does not allow the Senate to force consensus. For the life of me, I don't understand why my colleagues on the other side of the aisle accept it. They get no amendments either. So we have 1 person out of 100 who decides what amendments will be acceptable and what will not.

Jefferson has to be spinning in his grave because he wrote the original rules for the Senate. It had nothing to do with one person deciding. As a matter of fact, until 1917, one person stopped everything in the Senate if they didn't have consensus. So the whole goal was to trade what you would like to do to give somebody else

the ability to do that. When we have a czar running the Senate, we no longer have that ability. The whole purpose for having a bicameral legislature, with a minority rights provision protecting it, was so we would generate consensus so that their views could then be sold to the American public.

This isn't about me being able to offer an amendment. This is about the 4 million people in Oklahoma not having a say in the Senate. I mean, there are some bright people in Oklahoma who have some good ideas. But those ideas cannot be heard in this body anymore. They are not my ideas. It is not my vote. It is their vote. And yet 54 of my colleagues on the other side of the aisle acquiesced their right for their States to offer their State's ideas as we debate issues in this body. They give that away and say one person gets to decide. It has never been that way in the Senate—never before.

The prime example of that is the unemployment bill. If this were really a priority for the majority leader, why are we doing it now instead of before it expired? All the weeks of time in quorum calls in the Senate we could have been doing this. It wasn't a priority. It is a political priority.

I actually think we ought to extend the unemployment insurance, but I think we ought to do it in a smarter way, and I certainly think we ought to pay for it. I can sit and show \$9 trillion of waste and spending reductions that 80 percent of average Americans would agree with. Yet we can't find \$20-some billion out of all this mess of a Federal Government to help people who are not employed.

My colleague from Delaware mentioned job training. The only thing that has happened based on the GAO reports of this government on duplication is that the House took it to heart and they took the job training programs and they converted the 47 job training programs, spending almost \$30 billion a year, and they passed the SKILLS Act, which consolidated those into 6 programs that actually have metrics.

When you study our job training programs, regardless of whether we fund them, here is what you find. All but three of them duplicate one another—all but three—and not one of them has a metric on whether they are actually training people to do a job, giving them a life skill. So the House passes that bill and we won't even take it up. You save money and you actually improve what the Federal Government is trying to do in terms of that. So if we were to expand unemployment insurance or continue the emergency in the sixth year, might we not want to do something about the quality of the jobs programs that are available for the people who are on unemployment? Might we also not want to give people back their dignity by having them do something in their community for the earning of that?

There have been no tax dollars paid by any worker for this program. They

didn't contribute anything to it through their past unemployment or FICA fees. Would we not do better if we did what Norway has done, where they show that people will start hunting for a job earlier if you plus up the benefits early and taper the benefits later so that they start looking for a job long before they run out of benefits? What the studies actually show, especially the three States that have now been disqualified from this, is their employment numbers went up, their unemployment went down, and the number of people needing assistance actually went down as well.

So it is one thing to say we want to help people; it is totally different when it is all in a political contest about the next election.

That brings me to my final point. I believe children need to have a good start toward school. But as the Senator from Delaware just mentioned, we are going to add \$1 billion to Head Start, and that is going to give us 90,000 new kids in Head Start. If anybody does the math on that, \$11,000 per year for a Head Start Program? Think about that. Give the money to the States and let them run it themselves outside of the Federal Government and they will do it for \$4,000 or \$5,000. Because it is a Federal program, it costs twice what it should. Or if you did it through the States, you could do \$180,000 versus what we are doing.

So we are going to have a debate. Hopefully we will get back to the unemployment insurance. But if we want to have that debate, it has to be paid for. We owe that to the very people we say we want to help. And, No. 2, you have to have the input of everybody, not just one person in the Senate.

I will finish up by saying this: When you see this poll, where 21 percent of the country thinks the biggest problem in the country is us, the government—the corruption, the abuse of power, and the poor leadership are the specific things that were mentioned in this poll—what we ought to do is look inside and ask ourselves: Why is that?

That is because we concentrate on the political and not on the people. We use them as pawns to advantage our own political careers, our own elections, and the long-term best interests of the country get sacrificed. What this poll shows is the American people are pretty darned smart, because they see the problem, they know what it is, and they know what is going to happen.

So we are going to pass a bill that is going to spend over \$1 trillion, with all sorts of favors in there—not truly earmarks, but as close to them as you can come—with new programs by the appropriators instead of the authorizing committee. That is the other thing in this bill, programs written by the Appropriations Committee instead of the authorizing committee. We are going to pass this bill, and this number is going to jump from 21 percent to 25 percent.

The jig is up. We can no longer come down here and say with honesty: Here

is what we are doing. Because what we are doing is not honest. And what the American people are saying with this is: Integrity matters, straightforwardness matters, truth in budgeting and spending matters.

At least if we are going to do this, let's own up to what we are doing. Let's not be dishonest with the American public about the numbers.

Mr. President, I yield the floor.
The PRESIDING OFFICER (Mr. COONS). The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to start by thanking my friend, the distinguished Senator from Maryland, as well as her counterpart in the House, Chairman ROGERS. They have shown great leadership in working across the aisle to accomplish this mammoth task we had given them on a very tight timeline, and I appreciate their efforts.

I am here today to talk about why it is important we pass this Omnibus appropriations bill and continue to build on the bipartisan steps we have taken so far.

Last week I spoke at a press conference on youth unemployment with a young man who was present. His name was James. Listening to James, it was pretty clear he was hard-working and ambitious. But he explained to me, as old as he is, in his twenties, he is still living at home with his parents because despite a lot of searching he has not been able to find a job.

What was clear to me from James' story and from a lot of others across the country is that even though the economy has made progress, far too many Americans still aren't feeling the benefits. Too many of them are working more hours and earning less or wondering whether they can afford to send their kids to college or worrying that they won't be able to save enough to retire. Those are the kinds of problems we need to be thinking about here and solving.

I hope our work this session, this year, will be entirely focused on doing everything we can to create more jobs and more opportunities for all Americans, especially those who are struggling in what is still a very tough economy. There is a lot we need to get done. If one lesson came out of the constant crises last year, it is that in a divided government the only way to get things done is through compromise and bipartisanship.

The budget deal Chairman RYAN and I worked together on and reached is a good example. It wasn't the bill I would have written on my own. It wasn't the bill Chairman RYAN would have written on his own either. But after hearing from families and communities in my home State of Washington, I knew we needed to do more to restore the critical investments that were being lost as a result of sequestration, and we needed to break out of the constant crises which have caused so much gridlock and dysfunction over the last several years. So I worked with Chairman RYAN to reach a compromise. I am

pleased that our agreement rolled back some of those automatic across-the-board cuts to priorities important to all of us, such as education, infrastructure, and research. We did that in a balanced way, without relying on spending cuts alone.

Importantly, in reaching that deal we were able to lay some groundwork so Chairman MIKULSKI and Chairman ROGERS could move forward on the important work of funding the government. Families and communities across the country will be better off as the result of their leadership. Their legislation invests in starting our children off strongly by expanding access to early Head Start for infants and families. It expands access to Pell grants to help more of our young adults today afford higher education. It supports other important priorities such as medical research, which help create jobs and spur innovation.

In my home State of Washington, I know all of these investments, as well as others, such as funding for the Columbia River Crossing Project, for repairs and improvements at Joint Base Lewis-McChord, are going to make a huge difference.

I wish to spend a few moments as chair of the Subcommittee on Transportation, Housing and Urban Development to talk about some of the important parts of that bill within this Omnibus.

That bill addresses critical challenges on everything from homelessness, affordable housing, to traffic congestion, and transportation safety. This bill represents a very firm commitment to providing housing and supporting services to families in need. It actually increases funding for the section 8 program which provides housing for our low-income families in this country. If funding had remained at the sequester level, more than 100,000 families today would be at risk of losing that assistance and becoming homeless. Under our bill, that will not happen.

I am also very proud that the bill includes \$75 million for vouchers for the joint HUD-Veterans Affairs supportive housing program. As a result of that funding, an additional 10,000 homeless veterans and their families will have access to housing and supportive services.

Our housing and transportation bill prioritizes job creation and economic growth by investing in transportation. It includes \$600 million in TIGER funding, which supports projects that improve transportation safety and reduce traffic congestion. That, by the way, is in addition to the \$41 billion in much-needed funding to repair our Nation's roads and bridges.

But our bill isn't just about roads and bridges. Americans are increasingly relying on public transit, so I am especially pleased our bill provides more than \$10.7 billion to support our public transit system.

Also, last year across-the-board spending cuts known as sequestration

forced the Federal Aviation Administration to enact a hiring freeze, which meant when employees such as our air traffic controllers left the agency, no one was hired to replace them. So our bipartisan bill ensures the FAA has the resources it needs to end that hiring freeze and hire and train new employees who can help our air travel be safe. This bill fully funds the Essential Air Service and contract tower programs on which so many of our communities depend.

We also include reforms to improve the programs we fund—for example, important section 8 reforms to reduce costs and create efficiencies.

In short, I am very pleased with what my colleagues and I in the Senate and House have been able to accomplish together on housing and transportation investments in this bill. I wish to take a moment and especially thank my colleague on the Senate transportation and housing appropriations bill, Senator COLLINS, for all of her great work and support during this entire process.

I am very proud to be part of the tireless effort of Chairwoman MIKULSKI. She has worked very hard to make sure we have a full appropriations bill and act considered, and not just another continuing resolution.

Just like Chairman RYAN and I said when we finished our deal, I am pretty sure Chairwoman MIKULSKI and Chairman ROGERS would each agree this package is not perfect. Each of them probably would have done certainly different things on their own. But because they were willing to compromise, they are delivering far more for the American people than either could have done if they had refused to work together.

If this legislation is passed into law—which I strongly believe it will be—we will have a choice to make: We can build on the bipartisan work which has been done so far and continue reaching agreements through compromises, as people across this country do every day, or we can see more of the all-or-nothing approach which caused so much damage last year.

I was in fact really disappointed that yesterday my colleagues rejected a good-faith offer to provide relief to workers and families who are still struggling in this country to get back on their feet, even after Democrats time and time again offered compromises to try to get a deal. We tried hard to reach a fair agreement that both sides could support, and we are going to keep trying. I hope today our Republican colleagues will think of the many families out there who need this lifeline and look at the great bipartisan work done on the appropriations bill, and I hope they will reconsider their return to all-or-nothing political tactics.

I know there are fundamental differences here between the two parties. I know compromise is never easy. But we can't afford to let those challenges get in the way of delivering for the families and communities we serve.

And we don't have to. The legislation Chairwoman MIKULSKI and Chairman ROGERS just completed is proof that there is a much better way to get things done. If both sides are willing to continue to make some tough choices, there is much more we can do together to create jobs, strengthen the recovery, and build the foundation for stronger, broader growth in the future.

I thank Chairwoman MIKULSKI and Chairman ROGERS again for their leadership. I hope we can all build on their bipartisan step forward by choosing to work together, and find opportunities for compromise and continue to deliver for the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

HEALTH CARE

Mr. ROBERTS. Mr. President, today I wish to stress the problems and impact the President's legacy program, the Affordable Care Act—known as ObamaCare—is having on Kansans and, for that matter, patients and people all over the country.

I know some of this has been repeated over and over. The problem is, it seems the administration continues to turn a blind eye, unfortunately, to some very egregious problems which plague the President's legacy program. Perhaps the title of my remarks should be "Promises Made and Promises Not Kept."

When I travel home to Kansas and talk to people involved in the rural and urban health care delivery system, folks who came to the townhall meetings because they were worried and concerned about ObamaCare to begin with, that concern turned to frustration, then it turned to fear, and now it switched back into anger. They have said: What on Earth can we do to solve some of these problems and these challenges which are directly affecting people in such an egregious way?

I think everybody now understands the rollout of the health care exchanges was a debacle. I think that is the favorite word of the people writing and providing news about this. But the point is the administration has failed to hold anyone at the Department of Health and Human Services accountable for the complete failure of the exchange, the waste of taxpayer dollars, and the confusion and headaches this has caused. I know the only one who has been held accountable—or terminated, if you will, fired—was the current contractor and they have hired a new contractor. There is news—which we would have to confirm—that the new contractor was recently fired by the National Health Service in Great Britain for being \$2 billion over on the contract. That doesn't bode well if we are going to actually fix this Web site.

At the time of the rollout, the refrain was that ObamaCare is certainly more than a Web site. Similar to NANCY PELOSI's words prior to passage, we were all told: Just wait and see. That is still what the refrain is, with the presumption that things are going to work

out, it will just take time, for the American people.

Unfortunately, what I and many of my colleagues have said is coming true and a lot of people back in Kansas have told me is coming true in what they are going through, and it is the polar opposite of what was promised by this President. Again, promises made, promises not kept.

Estimates are that over 5 million people have received cancellation of their health care policies and that is just in the 35 States for which we have estimates. So much for the promise, "if you like your plan, you can keep it," which has been highly publicized.

The President proposed a so-called fix to this problem, which caused insurance companies to scramble to delay things until after the midterm election, and the only person in America for whom this was convenient was the President. It is still not working.

What about the promise of less cost? A specific promise made by the President, of those people forced into the exchanges we continue to get reports—firsthand reports, I know, to everybody in the Senate and the House as well—reports that have received a lot of coverage with regard to the news media that the premiums are going up, not down, as promised by the President. There are reports of ObamaCare more than doubling people's costs and increasing deductibles by sevenfold. I am not sure that is the average, but that at least is a high one with regard to some of the reports that are still coming in, obviously becoming then more than people can afford.

It is no surprise that only 2.2 million have signed up, and 2 to 1 on that goes to Medicaid as opposed to the new program, so one can see where we are headed with regard to Medicaid and some of the challenges there. That is according to the recent estimates of the Department of Health and Human Services. That is far below what was expected.

Of those enrollees, only one-quarter of them are young and healthy individuals, and that is a problem. Without younger and healthier people in the exchanges to offset costs, we can only expect premiums to rise even higher. Once people are enrolled that is not the end of their problems, however. Some folks in Kansas are reporting that when they go to the doctor, they only then discover they do not have the insurance they thought they purchased. Some have had to cancel planned appointments with their doctors because their exchange coverage was not in order or could not be confirmed. In some of the worst cases, patients in the emergency room were forced between getting care they desperately needed or leaving to avoid high costs when their coverage could not be verified. That is exactly opposite of what the President promised—again, promises made and promises not kept.

Emergency rooms will face more problems in the future. Recent studies

have shown that instead of reducing emergency room utilization as the President promised, which has been identified as a crowning achievement, people with coverage are actually accessing the emergency room more than their uninsured counterparts.

Some weeks ago I spoke about one of my favorite topics, in that as a member of the HELP Committee and the Finance Committee, the amendments that I had dealt with rationing and the worry of rationing with regard to the Affordable Health Care Act or at that time what was called PPACA, now referred to as ObamaCare or the Affordable Care Act, depending on which side you are on.

These rationing boards represent some of the more frightening aspects of the law. I have always referred to them as the four rationers. I think a colleague of mine, who is an expert on health care, actually said they are the "Four Horsemen of the ObamaCare Apocalypse."

Let me go down these four rationers. It gets involved, but patients and people worried about their health care coverage have every reason to worry about them.

First is the CMS Innovation Center. We know what that stands for, the CMS Innovation Center. That allows CMS to use taxpayer dollars to invest in ways to reduce patient access to care that they may want. What this means for patients is the CMS has a new and expanded power over and above what they are already doing to cut payments to Medicare beneficiaries, with the goal to reduce program expenditures but the reality being they will reduce patient access to health care, to their doctor.

Second, rationing. The new authorities granted to the U.S. Preventive Services Task Force—that is a mouthful, USPSTF—I don't know how on Earth one would pronounce that acronym, but it is the U.S. Preventive Services Task Force. These folks are to determine what should and should not be covered by health insurance. It is some unelected group of bureaucrats deciding what should and should not be covered by health insurance. What this means for patients is that if the USPSTF, the mouthful acronym doesn't recommend it, then it will not be covered by your health care plan and you will bear the cost of the procedure.

Here is the third rationing. The Patient-Centered Outcomes Research Institute, that is the PCORI, if you are discussing health care policy with CMS or the Department of Health and Human Services, does comparative effective research—comparative, effective research, CER.

To me, that is a slippery slope—that I tried to amend back during consideration within the HELP Committee and the Finance Committee, unsuccessfully on a party-line vote—that will lead to the government deciding whether the care or a treatment a patient wants is

worth paying for. What this means for patients is that research could be abused to arbitrarily deny patients access to treatments or—and treatments by age or by gender or by race—services to save the government money.

If that was not enough, finally, the fourth horseman, there is everyone's nemesis, IPAB, the Independent Payment Advisory Board. We don't want to saddle up on this horse. This is a board made up of 15 unelected bureaucrats who will decide what gets to stay, what gets to go into Medicare coverage. We used to do that in this body and over in the House. It was alleged during debate that we could not make those decisions because we were too close to the people involved.

What is that all about? Isn't that what we are supposed to be doing in terms of representing the folks we represent? No, it has to go to this 15-member unelected board that will decide what gets to stay and what gets to go in Medicare coverage.

They will decide what treatments and services will be covered and which will not. The primary reason is to save money. Goodness knows we are all for saving money in the health care system—or saving money period, given our national debt and all that involves. This Board has no accountability. There is no confirmation process; they are appointed. There is no real transparency and we cannot do anything about it. I think the provision of the bill is we can say, wait a minute, they made the wrong decision on Medicare payments to hospitals or to any part of our health care delivery system, that we could by a supermajority, 67 votes, maybe change it, maybe not.

I have been talking about the four rationers for a long time and what it means to patients. I will continue to talk about that. I will come to the floor after next week and see if we can't put this together in a little bit better way so people are alert to what is going on and people are alert to what dangers lurk for them in regard to the availability of their doctor and their current way of treating themselves and their family.

What is scary about this, as I watched all the other warnings and broken promises come true, is what is going to happen to Kansas constituents and those across the country when these new warnings about ObamaCare continue to come true. The bottom line? We need to protect, we truly need to protect the all-important relationship between the doctor and the patient, which now is at risk.

In order to do that, it seems to me that small fixes are not going to do this. We need to repeal and, most importantly, replace ObamaCare with real reforms that work, not only for Kansans but everybody across the country. The whole program needs to be repealed, replaced, defunded, delayed, not just the parts that are politically convenient for the President or the parts that have yet to be decided

by the President as the Lizzy Borden ax falls in regard to those decisions. I know Kansans and the American people certainly deserve better.

I am going to talk and talk about the four rationers again in more detail. This only serves as a warning and an alert about promises made, promises not kept, but people have to understand who these four rationers are, what they intended to do, and what the dangers are and why amendments to prevent rationing were not successful in the beginning when this bill was passed.

I yield the floor and it appears to me we do not have a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, today the Gallup organization released a new poll that asked the American people a simple question: What do you think is the most important problem facing the country today? The results should not shock anyone. Twenty-one percent of the American people think the Federal Government is the problem. This is a quote from the poll: "Dissatisfaction with government/Congress/politicians; poor leadership/corruption/abuse of power."

Eighteen percent of the American people say the economy is the biggest problem facing the country. So 21 percent say it is Washington and the Federal Government, and 18 percent say it is the economy.

I would point out that, not coincidentally, Politico has a story this morning that highlights one of the sources of this dissatisfaction. It cites senior White House officials describing the Senate Democrats meeting with the President at the White House this afternoon to talk about their 2014 playbook, and some of it is going to be to cover the themes the President is going to talk about at his State of the Union speech. According to Politico, the aim is to highlight the differences with the GOP and to provide fodder for the Democrats along the campaign trail even though these measures stand little chance of passing in Congress.

There is nothing wrong with our Democratic friends having a philosophical difference with the Republicans, or political differences, for that matter, and it is logical that there would be different approaches to solving our Nation's problems. But this calculated effort—starting at the White House with the President of the United States having a team meeting with our Democratic friends to look at how they can contrast their agenda with that of the Republicans—strikes me as a shallow and cynical effort to distract people from the fundamental problems which are facing our country.

We know the President has been in office 5 years now. The economic recovery, after 2008, has been anemic. After the Federal Government has paid out almost \$¼ billion in deficit spending for unemployment benefits on an extended basis, you would think the kind of meeting the President would want to have—not with just Democrats but with Republicans—is to figure out what we can do together to deal with this anemic economic growth and get America back to work.

The President's promises about ObamaCare, one after another, have proven to be untrue. The statements he made about his health care plan—such as if you like what you have, you can keep it; the price of your health care will go down an average of \$2,500 a family; if you like your doctor, you can keep your doctor—have not proven to be true. None of it has proven to be true.

So why in the world can't we work together to try to address the problems? The problem about lack of access to health care isn't going to go away, but it looks as though all of this has been put on the shelf in an effort to try to drive a wedge between Americans for no other reason than to shore up his political base leading up to the 2014 midterm election. Why else would the President use his bully pulpit to stomp for legislation that has no chance of passing in Congress?

This last exercise—actually a very sad exercise—started about a week ago when the majority leader brought a bill to the floor that would extend long-term unemployment benefits. It wasn't paid for. In other words, it would add \$6 billion to the national debt, and it would be for 3 months.

Well, on Monday of last week when we had a vote—the Presiding Officer will remember we had a lot of bad weather—17 Senators were not able to be here for that vote. It was as if the majority leader intended to go forward knowing 17 Members of the Senate were not going to be here, because he really wanted the bill to fail, not to succeed. Well, I and others encouraged him to reconsider, and thankfully he did. So we had that vote on Tuesday a week ago, and we got on the bill.

The President ought to be bringing Americans together, not pitting them against one another. Of course, the President isn't the only one to blame for the people's dissatisfaction with government. I am sure there is plenty of blame to go around, but Majority Leader REID has to accept a major part of the responsibility for the dysfunction of the Senate and for the failure of the unemployment insurance extension bill.

Republicans, in an act of good faith, filed 36 amendments that we believe would have made that bill a better bill. The majority leader said, no, there will be no amendments, no votes. Take it or leave it. He then came back later on and said: We will make these other changes, but these are the only

changes we are going to make, and we are not going to have an open amendment process and vote. So instead of allowing the Senate to function, the majority leader filled the amendment tree and blocked every single Member of the Senate—Democrats and Republicans alike—from offering even the most reasonable amendments.

Senator COBURN, for example—Senator TOOMEY was down here talking about this today—had an amendment which would have ended unemployment compensation for millionaires and billionaires. What could be more common sense than that? Why can't the Senate—Republicans and Democrats alike—come together to vote on such amendments? Well, you will have to ask the majority leader about that because the Senate voted on a similar amendment in 2011 and voted 100 to 0, but the majority leader still decided to block this amendment on this bill even though it would have improved the integrity of the Unemployment Insurance Program.

Many other colleagues worked in good faith with the majority leader through the weekend to try to come up with another option. Senators COLLINS, HATCH, INHOFE, PAUL, SCOTT, THUNE, and PORTMAN all filed amendments which would have created jobs in a variety of ways and help grow the economy. What better way to deal with the problem of unemployment than to help grow the economy and create jobs? The alternative seems to be: Let's just give them unemployment compensation and they will be happy. I daresay there are very few people who are unemployed who are happy accepting unemployment compensation. They would much prefer the dignity and self-respect that comes along with working if they could simply find a job to do.

Irrespective of this demonstration of good faith by Republicans to try to improve the bill and help grow the economy and get people back to work, the majority leader's response was to block every single vote. He instead chose politics over commonsense proposals that would help get Americans back to work.

I must say this is in stark contrast with what we have seen happening in the House of Representatives. This is a shocking figure, but the House of Representatives has passed 170 pieces of legislation—many of which deal with the poor growth of the economy and the need to create jobs—that the majority leader has ignored. One hundred seventy pieces of legislation have passed the House. Basically all of them passed on a bipartisan basis, but the majority leader of the Senate has ignored them.

These include the Northern Route Approval Act, which approves the Keystone XL Pipeline. By the way, the President said he would announce his decision on whether to approve the connection of this pipeline which would connect the pipeline from Canada all the way down to Port Arthur, TX,

where refineries exist that would make this into gasoline and jet fuel and other byproducts.

The House passed a piece of legislation called the Keep the IRS Off Your Health Care Act, which prohibits the IRS from implementing ObamaCare. I understand that is controversial. The majority leader wants to try to protect ObamaCare, with all of its flaws, which are becoming apparent on a bipartisan basis.

Here is another one that should have enjoyed bipartisan support in the Senate. It is something called the SKILLS Act, which eliminates and consolidates Federal job training programs. There are over 40 different job training programs in the Federal Government. Can you imagine what might happen if those programs were consolidated so the money that is now used for overhead and administration could be used to actually train people and provide them the skills they need in order to qualify for many high-paying jobs that go without trained workers? If Senator REID were serious about that, he would have taken up that bill and allowed Democrats and Republicans to improve it with their amendments. Yet he refused to allow it to even be considered.

Then there is the REINS Act, which allows Congress to vote on major regulations that cost the economy over \$100 million a year.

One big frustration back where I come from in Texas, when I go home every weekend, is people ask: How come nobody seems to be held accountable? When things don't work, how come nobody gets fired? How come Congress and the President kick the can down the road?

Well, of course, one of the biggest challenges we have when it comes to accountability is the regulatory state—the bureaucracy, the people who are appointed by the President who have the authority to issue regulations. As the Presiding Officer knows, this isn't legislation that people vote on. These are regulations that are promulgated by administrative agencies. But when they have an impact of over \$100 million on the economy a year, doesn't it make sense that Congress—the only people the American people can hold accountable—would get a chance to actually vote on whether they should be approved and have a discussion on the cost-benefit analysis rather than have the regulatory agencies run amok and have litigation as our only recourse? Well, you get my point.

The majority leader has shut down every effort by the House of Representatives to pass legislation and have it come over here to the Senate to try to improve our anemic economic recovery since the great recession of 2008. That is the reason economists say this is an atypical, an unusual recovery from a recession, because usually it is kind of V-shaped. Once you hit bottom, you bounce back pretty quickly. What we have is a U-shaped recovery that is al-

most flat-lined with an economic growth that is not fast enough to keep up with the population increase. So not only do we have 7 percent or higher unemployment, we have—at least for the last 30 years—a historically lower percentage of Americans actually participating in the workforce.

One of the reasons the unemployment figures are coming down is not necessarily because the economy is getting that much better, but because people are giving up. They quit looking for work. That is an American tragedy.

The House is acting not only to try to earn the American people's trust and confidence but to get the government out of the way and to let the private sector create more jobs.

Conversely, the Senate, under the iron rule—and some might say the dictatorship—of the majority leader, is neither afforded the opportunity to actually consider this legislation that has passed in the House nor to offer amendments and improve legislation that is on the floor of the Senate, such as the long-term unemployment insurance bill that was on the floor this last week. That is one reason why I think Gallup says that 21 percent of the American people cite that as the biggest problem facing the American people today: dissatisfaction with government, poor leadership, and abuse of power. It doesn't have to be that way, and it won't be if the American people give our side of the aisle the majority in November. It will be different.

I thought the Republican leader, Senator MCCONNELL, gave a really important speech last week, saying if the voters give us the responsibility for leading in the Senate, we will return the Senate to its prior reputation as the world's greatest deliberative body. Whether a person is a Democrat or a Republican, whether I like an amendment or not, we will all have an opportunity to offer our ideas, and we will have a chance to vote them up or down. That is the way the Senate used to work. That is the way I think most Americans think it should work, and that is the way it will work if we are given that opportunity.

On the topic of the health care exchanges that opened on October 1 under ObamaCare, we learned that the first reports about the composition of the pool of people who signed up for ObamaCare has caused reasons for grave concern. The vast majority of people who signed up under the exchanges are older and sicker. That, of course, is their right. But many young people—necessary to provide the actuarial stability and success of these exchanges—have chosen to take a pass. We have asked for those numbers to be released on a weekly basis. As a matter of fact, the House is going to take up a bill that will increase transparency in these insurance exchanges so Congress and the American people can be better informed about what is exactly happening with the implementation of ObamaCare.

I remember 5 years ago I was out on the Capitol steps when the President, in his inaugural speech, told the American people—he said these words: "Transparency and the rule of law will be the touchstones of this Presidency." Those are stirring words. As an advocate of open government, transparent government, and freedom of information, I thought that was a very positive statement by the President. But, today, in light of what has happened since that time, they seem to be a bad joke.

ObamaCare is the most recent example. It has been 3½ months since these Federal exchanges officially came online, and the administration still won't provide the American people with reliable, detailed information on exchange enrollment numbers and the problems with the Web site. I don't have any doubt that the Web site problems are going to be and have been substantially repaired. One problem the House has pointed out is there is still no guarantee that if a person puts their personal information into the Web site, that it will be protected against cyber attacks and identity theft—something that ought to concern everybody. One would think that the majority leader was concerned about that too, that he would give us a chance to vote on the legislation that passed the House earlier this week.

In order to help Americans get better information about ObamaCare, Senator ALEXANDER, the senior Senator from Tennessee, has introduced legislation that would require the administration to provide weekly updates on exchange enrollment and Medicaid enrollment, as well as Web site problems and other issues. The cost of this legislation, according to the Congressional Budget Office, which is the gold standard when it comes to scoring the cost of legislation, is zero. It is a big goose egg. I am proud to be a cosponsor of that legislation. Unfortunately, the White House has already issued a statement saying it would veto the legislation if it passed because it would be "too costly." The majority leader and the President have been pursuing legislation this last week that would have increased the deficit and the debt by \$6 billion, but they are unwilling to consider this transparency legislation that would cost zero because they say it is too costly.

It is true the problems with ObamaCare go well beyond just a lack of transparency, as we all know. For starters, the President continues to treat ObamaCare as a law that means whatever he wants it to mean, whenever it is convenient for him, because he continues to change the law by executive waiver. This is another common question I get back home. People say: How can the President delay the employer mandate while the penalty against me as an individual—the individual mandate—remains the law of the land? How can he carve out or exempt certain parts of the population

from the application of the law? How can he claim executive privilege when it comes to cooperating with oversight investigations by the Congress? How can he do all of these things in a country that is founded on the rule of law and where no man and no woman is above the law, and no man and no woman is below the law? We are all entitled to equal protection of laws. How can the President choose which laws to enforce and which laws to ignore?

Sadly, I don't have a good answer for that. Congress has the authority to pass the law, but the executive branch, under our Constitution, is the one that is supposed to enforce the law. But when the executive branch refuses to enforce the law or ignores the law or purports to waive the law, there isn't a lot of recourse, other than private litigation which takes months and years to conclude. From my perspective, these waivers reflect an utter disregard for the constitutional duties of the executive branch of government. If the President feels as though certain aspects of ObamaCare have become unworkable, it is his duty to come to Congress and say: Work with me to change it. But he refuses to do that. I think some of the most popular words out of his mouth are: I will go it alone. I will issue an Executive order. I will ignore Congress and the constitutional coequal branches of government, and I will do it alone.

The President knows just how unpopular his signature legislative achievement, ObamaCare, has become, even among many Democrats. I talked about accountability a little earlier. Many Democrats who walked the plank with him on ObamaCare and actually believed and, indeed, repeated the promises he himself made about how the law would work are going to be up for election in 2014. He won't be on the ballot. He has been through his last election. There is no way to hold President Obama accountable for his broken promises on ObamaCare. But there is a way to hold the people who supported the President accountable and who repeated statements which have proven to be false about how ObamaCare would work. But if the President feels as though the law isn't working the way it should or if our Democratic colleagues feel as though—notwithstanding their hopes and their aspirations for how it might work—it didn't turn out that way, then what we ought to be doing is working together in order to fix the problem, not perpetuate it.

We know the President is acting as if he is above the law. He is acting as if he can selectively enforce the law based on political expediency. I don't think it is an exaggeration to say that this behavior is undermining our democracy and making the American people even more cynical about Washington, DC. Again, I don't think it is any coincidence that the Gallup poll cites the government as the single biggest problem in America today, accord-

ing to the people polled in this Gallup poll published January 15, 2014.

This administration was supposed to be defined by transparency and the rule of law. That is not what I said; those aren't my words. Those are the President's words. In reality, it has become an administration defined by obstruction, deception, and partisan power grabs, and that is a sad development. One of these power grabs, of course, is ObamaCare itself, which passed on a party-line vote in 2010. But, amazingly, it wasn't really implemented until 2013, starting in October, and people are just now beginning to see what ObamaCare is really like.

We know, as a historical fact, that it was muscled through on a party-line vote, despite major public opposition. Thus far, it has been a complete disaster on just about every level. First, the administration wanted us to believe it was all about the Web site: Yes, we have a bad Web site contractor, but we are going to fix it. These are glitches that can be repaired, and everything will turn out just fine.

But the reality is far different. Much of the regulatory confusion surrounding the President's health care law is a result of conscious decisions and politically motivated delays.

People don't have to take my word for it. The Washington Post reported last month that the White House "systematically delayed"—those are their words—"key provisions of ObamaCare"—and this again is another quote from the Washington Post—"to prevent them from becoming points of contention before the 2012 election."

There was a conscious decision to delay the implementation of ObamaCare until after the President ran for reelection, and now we have seen many aspects of ObamaCare unilaterally delayed until after the 2014 midterm elections.

What about accountability? While the White House is trumpeting a recent increase in signups for ObamaCare—as I said, they are unwilling to release on a real-time basis what the facts are—the number of signups is still dwarfed by the number of people who have had their health coverage canceled because of ObamaCare. If we look back to 2010, it was the very regulation that would result in the estimate by the Congressional Budget Office that tens of millions of Americans would lose their existing coverage under ObamaCare, primarily because of the mandate in terms of the coverage.

For example, a person has grandparents who are required to buy health insurance that includes maternity coverage they don't need and they don't want, so why should they have to pay for it? Well, because ObamaCare says they have to. Why should young people have to pay more for their health insurance when it doesn't really cost that much for them to get the medical care they need? Because they have to subsidize the older generation.

Perhaps no one other than the President has maneuvered more to cover up

ObamaCare's shortfalls than the person at the head of the Department of Health and Human Services, Kathleen Sebelius. My colleagues will recall that back in 2010, Secretary Sebelius threatened to ban certain insurance providers from ObamaCare if they communicated with their own customers. They wanted to tell their customers what would happen to their existing insurance coverage if this law passed, and they were threatened by the Secretary of Health and Human Services, who said: If you communicate with your own customers, you are going to be punished.

Last year, it came out that Secretary Sebelius later on was shaking down private insurance companies to help fund ObamaCare's implementation. For that matter, when Americans began to lose their existing coverage because of ObamaCare regulations, the President initially blamed it on what he called "bad apple insurers," even though this administration knew years ago that the law would force millions of people to forfeit their existing coverage. Yet the President—I think it was almost 30 times; certainly more than 20 times—said: "If you like what you have, you can keep it." But he said that knowing that tens of millions of Americans would lose their existing coverage, and many of them would lose the ability to continue to be treated by a doctor of their own choosing because they would no longer be part of their plan.

I submit that what I have just recited has contributed a lot to this poll which has said people think government is the biggest problem facing the country today. I have just a few final thoughts—I see the Senator from Missouri here—before I yield the floor.

I conclude by saying that the core conceit of ObamaCare, indeed, the most offensive part of it, is that the folks who supported it—from the President to those who voted it into law—understand that the health insurance needs of individuals are better decided by those individuals and their families and the doctor they trust. But as a result of this arrogance, millions of health plans have been canceled, and millions more will be in the future. The premiums and the cost of health care coverage have skyrocketed, together with huge deductibles, which essentially would leave people self-insured. Many people have been forced into ObamaCare plans that have \$5,000 deductibles. So for all practical purposes, people are self-insured.

We know that health care providers have also been forced to deal with enormous uncertainty. I hear it every day from the physicians and hospitals and health care providers in Texas.

We also know that America's already weak recovery has been made even weaker. As I said earlier, historically, a rebound after a recession is sort of V-shaped. After you hit the bottom, you bounce back, and you get a spurt of economic growth. But not this time, not with the ObamaCare recovery or lack thereof.

The National Bureau of Economic Research has said that ObamaCare may eventually “cause substantial declines in . . . employment,” and that seems very intuitive in what we are seeing happening today.

It did not have to turn out this way. How was ObamaCare sold to the American people? Well, under false pretenses. We know that because 90 percent of people polled said they liked their current coverage. That is why the President said: If you like what you have, you can keep it—which has proven to be false. But the premise of ObamaCare was everybody gets covered. But even under the Congressional Budget Office estimate, ObamaCare will leave 31 million people uninsured by 2023. So not even the underlying premise of universal coverage under ObamaCare is true.

Republicans believe that expanding health care choice and health care portability are important ways to reduce costs across the board, and really the reason why people are uninsured is because they cannot afford it. We need to bring down the cost, not to raise the cost, which has happened under ObamaCare.

I believe, and I believe my colleagues believe, that by adopting sensible, targeted reforms—not to undermine the coverage for 90 percent of the people who like what they have but to deal with the 10 percent who do not like what they have or do not have coverage they can afford—we need those kinds of targeted reforms to help the uninsured and help those with pre-existing conditions, without disrupting everyone else’s existing coverage, without throwing out the baby with the bath water.

We believe families understand better than the bureaucracy what the health care needs are in each family. If given the opportunity, we will start over, once ObamaCare collapses of its own weight or when finally there is a universal recognition in the halls of Congress that we have to start over and do better, but do it better by replacing ObamaCare with patient-centered reforms that I know the American people want and they deserve.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to follow right along with what my good friend, the Senator from Texas, was talking about.

First, I would like to say, I think one of the philosophies of government was so well stated in such a succinct way by Abraham Lincoln at Cooper Union in New York in 1860 when he said: Government should do for people only those things that people cannot better do for themselves.

There are some things in health care that government actually could do to then let people do things better for themselves. That is why our side, beginning in 2009—and before that—advocated things like buying across State

lines, a bigger marketplace. Organize a marketplace. Do not try to operate a system. Do not try to create an environment where people cannot make decisions about what they want and somehow that we think the government can make those decisions better.

As the Senator from Texas said, we all talk to people every day who had coverage they were happy with that met their needs, and now they are told by the government: Your new coverage is better. It does not matter if you do not have any children, you have pediatric dental care. It does not matter if you are retired and plan not to have children, you now have maternity coverage. It does not matter if you have always had insurance, this covers people with preexisting conditions.

The American people have figured this out, and they do not like it. The system we had at the workplace-based insurance was largely a system that developed by accident after World War II, but, interestingly, 85 percent of the people who had insurance, got it at work, and 90 percent of them were happy with it. I think that is going to be the next thing we find out as we walk down the road: how many people are no longer going to get their insurance at work.

But now we know the impact on people who generally did not have insurance at work or have insurance for the first time. I have some stories I want to share from people who have contacted our office in the last few days, and that is since I was here a week ago to talk about some stories I had then from people who were telling me.

Just earlier today—additional anecdotal evidence—I heard from somebody who, at age 27, left their family policy to get their own, first insurance policy ever, with the biggest insurance company in the country. They went to the doctor they had always gone to, and the receptionist, the people dealing with her, said: We don’t take that insurance here anymore. Then her request was: Well, I want to see the doctor I have always seen. Can I just pay cash? The answer was: No, you can’t pay cash because we now know you have insurance. Under the new Federal requirements, you cannot pay cash to see the doctor you want to see; you have to go somewhere that will take your insurance.

Surely that is not what we all really intended to do. Those people here who voted against the bill, even those who voted for the bill, even those who, like me, spoke against it, would not have anticipated that one of the prohibitions would be that you could not pay cash to see the doctor you want to see because you find out that your insurance does not cover your doctor. This is actually a step beyond: If you like your doctor, you can keep your doctor. This goes to: If you like your doctor, you cannot even pay your doctor to see your doctor, if the policies available to you did not let you see your doctor.

But here are some letters I got just this week and some email messages

and some text messages, but all from Missourians. Even though I am not going to give anybody’s last name, these happen to be all Missourians whom I think my staff has called and asked: Do you mind if we tell your story, just in case your neighbor figures out this must be you if you are, for example, Christina from Lee’s Summit, MO.

Christina says she is a single mother of two. She is working her way through school as a waitress, working 25 hours a week. She previously received insurance through her employer, but she was not allowed to renew that plan, and now the cost of her daughter’s deductible will go up from \$100 a year to \$2,500 a year—a 2,500 percent increase.

As the Senator from Texas said earlier, some of these deductibles for most families are like you do not have insurance at all. I do not know what Christina’s situation is, but I know somewhere there is a 25-hour-a-week waitress with two kids where if they are told their deductible is \$2,500, that means they really do not have any coverage because they do not have \$2,500, and they are not going to figure out how to get \$2,500, and they cannot get insurance that makes that difference.

Jeanna from Kansas City has a birth defect that eventually resulted in her having to have a hip replacement and hip revision. She has had health insurance every year of her life until this year. Her previous Blue Cross Blue Shield policy is no longer available, and policies on the exchange are just too expensive.

She says:

At this rate, we won’t be able to afford health insurance in our current situation. I want to go back to the old system! At least I know I have insurance and that I have my doctors too. My primary doctor retired due to Obamacare.

She says:

I’ve always had health insurance for me and my family. After 2014 I won’t.

I wish that was an unusual letter, but it is not. Surely, there have to be people benefiting from this system. Just the law of averages would catch up with you. Somebody has to be having coverage they did not have before. Maybe they could not get in the State high-risk pool. By the way, we could have expanded those. That was one of the proposals I made for people who had a preexisting condition.

The biggest challenge to reality, I think, of this whole debate has been that nobody else had any other ideas, that this was the only set of ideas out there. I brought a list to the floor the other day of the 10 or 12 bills I introduced as a House Member. The biggest one was 75 pages long. One that, according to Senator HARRY REID, the majority leader, has accounted for a third of the people who went on insurance because they were able to join their family’s policy—I introduced that bill in the House. It was 4½ pages. I guess if I had been really good at this—and that was a third of the people on

insurance—I could have come up with a bill that was about 12 or 13 pages, and we would have gotten everybody. We did not need 2,700 pages of legislation, if 4½ pages get a third of the people who are now covered.

Mitchell in Weston, MO, said he still has insurance. His premiums will go up over \$40 a month. Frankly, that is one of the better stories I have had—somebody who still has insurance, and it is \$40 a month higher. But he says:

This ObamaCare is not the answer for Americans with [or without] health care insurance. This is a national problem now.

He says:

My health insurance is going up only \$40.00 a month starting [in] January. But that is still \$120.00 a week for my wife and me.

He says:

Most of my friends' insurance rates are going up \$100.00 and more a week.

I do not know if that is a scientific survey, but that is Mitchell's view of what is happening with most of his friends.

Toney is a former owner of a hardware store. When he closed his store, he was not able to find insurance. Toney is from West Plains, MO.

He enrolled in the Missouri State Health Insurance Pool, the high-risk pool. But when it was terminated, he was told to enroll in the Federal health exchange. I think he has finally gotten that done. He just says it happens to cost him more than it cost him before. Remember, the high-risk pool—here is what Toney says in his letter:

When national health care became available the legislature—

This would be the Missouri legislature; I think this is what happened in most States—

voted to end the [Missouri High-Risk Pool] effective Dec. 31, 2013 and sent me a letter saying I should enroll in the Federal program. I began on the web site the first week in October and made some attempt to enroll every day thru October and November. I was finally successful in accessing the policy plans available just before December 1st.

Here is another point I want to make too. The rollout itself has had negative consequences on the makeup of people who have insurance. I think there are many reasons why young, healthy people will decide not to buy insurance. One is that it costs them relatively more than it ever has before under the law.

In December, in fact, if you were in your early twenties, you were paying about one-fifth of what someone was paying for health insurance in their early sixties. But in January, you had to pay at least one-third of what somebody was paying in their early sixties. People's insurance in their early sixties did not go down, but people's insurance in their early twenties went up. I just had a dad today tell me—and besides that, you tell young people—and you can get insurance if you have a serious health care problem because there is no prohibition if you have pre-existing conditions.

So if you are a young person, your insurance—this is the most uninsured

group: young healthy people who think they are young and healthy and probably do not need insurance because they are young and healthy, who should worry about an accident. I mean, I am a dad. I understand how you have these discussions: Now, wait a minute. That does not cover all of your potential problems.

But still, this is the biggest uninsured group. They are not signing up, and part of why they are not signing up—one of the smaller reasons, there are fundamental problems with the plan itself. But believe me, if you are wondering if you should get insurance every day, you are not going to do what Toney did. You are not going to be on the Web site every single day from October 1 until December 1 until you get insurance. At some point you are going to say: Well, I did not really think I needed this anyway. I am not going to keep beating my head against the wall to sign up for something that all of my friends tell me is a bad deal, and for sure is a worse deal than I would have gotten in December of last year because the law insisted it be a worse deal for young, healthy people.

The White House said last week that the number of people signing up—when they were challenged about the number of people signing up was not nearly enough, they said—well, I think the White House spokesman said: It is not the number of people; it is the mix of people that matters. I think the number they had out there is about 40 percent of the people who sign up need to be under 35 and hopefully healthy. That number is about 25 percent. So the mix is not working. The number is not working. The cost is not working.

According to Shawn from Independence, his premiums for his private policy went up 40 percent. If he elected to drop his private policy and sign up on the exchange, according to him his premiums and deductibles would more than double, and he would not qualify for any subsidies. So for Shawn the best deal was the 40-percent increase. He had a more than 100-percent increase if he went to the exchange and higher deductibles.

Lynn from Farmington, MO, says that at Mineral Area Regional Medical Center premiums increased even more than usual due to the Affordable Care Act requirements. We have increased the employee's portion of the health insurance premium in order to increase deductibles and copays due to the ACA-required new coverage that every plan has to include.

Barbara at Fulton, MO—Winston Churchill gave the famous "Iron Curtain" speech at Westminster College in Fulton—says: Her husband's Blue Cross Blue Shield plan was canceled because it was deemed "illegal" per the Affordable Care Act.

Her family—her husband and two daughters—is now paying more money for health insurance.

My husband had insurance that he liked, and then we received a letter from Blue

Cross Blue Shield that his plan was going to be discontinued due to requirements of the Affordable Care Act.

They were disappointed.

I was also told that my 4-year-old child should apply for state Medicaid and my 9-year-old child earned too much to qualify for insurance through healthcare.gov.

They qualify for neither of those programs, she says.

Because of ObamaCare, we, as a family, are paying much more for health insurance for our children and my husband is not currently fully insured.

My last letter is from Scott in Independence, MO, who says his employer dropped his retiree health plan for 2014 due to increased costs associated with the ACA.

I do not see here who his employer was. But we have seen big employers—IBM dropped their retiree health plan. UPS dropped their health care insurance for all of the spouses and dependents of their employees, in both cases saying: Well, now you have somewhere to go. You need to go to the exchange rather than the plan you had as part of being a retiree or part of being a spouse of someone who worked here.

Scott looked at plans on the exchange. For a plan that is worse than what he had under his employer, he will pay 280 percent more in premiums, and his out-of-pocket expenses—guess that means deductibles—will quadruple; four times the deductibles, 280 percent for the premiums.

He says—let me read one other thing here. He talks about being a disabled veteran.

Since I am also a disabled veteran and exempt from the ACA, I went to see what my cost would be for a policy for just my 9-year-old daughter. Unfortunately, I cannot enroll her unless I enroll. So my costs will go from \$159 dollars for a Cadillac policy, to \$459 per month for—

His description.

a horrible ACA policy this year. Essentially I was forced to buy a policy I neither want or need. It will cost me far more and provide far less than my cancelled employer plan.

Bigger marketplace with more choices, more ways to ensure you can take your insurance from one place of work to another, more ways to ensure that expanded high-risk pools would let people join those high-risk pools. By the way, if you are an insurance company, you have to participate in that in some way, at least you know that all of the other insurance companies are, too, and everybody in that group is somebody who had a preexisting condition as opposed to having to assume you are going to get less healthy people than hopefully you get.

I would just say that everybody in this country and everybody in the Congress knows more about health care than most people did 5 years ago. I think it would be a good time for us to take all of that new knowledge about health care and see if we can look at this again and do a better job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for about 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back now for the 55th time that the Senate has been in session, each week, to urge my colleagues to wake up to the toll that carbon pollution is taking on our atmosphere, on our oceans, and on our people.

While climate change deniers continue to gin up phony doubt to mislead the public, top American businesses and corporations recognize the risks posed by climate change. They are preparing for the economic fallout. Members of Congress bury their heads in the sand like the proverbial ostrich, hoping the issue will go away, wondering in some cases recently whether the recent cold front disproved decades of research and an overwhelming scientific consensus.

Business leaders in the real world, not the political world, not the polluter-paid, phony-doubt world, business leaders in the real world are doing what they do best; that is, taking steps to protect their bottom line and maintain their relationships with their customers.

Major corporations, even those with large carbon footprints, are taking voluntary action to lower their own carbon output. Some are joining broader efforts to support policies that reduce carbon emissions. Some of our largest and most sophisticated companies are even factoring the economic burden of climate change in their own accounting and their own long-term planning by—guess what—assigning an internal price to carbon.

The Bicameral Task Force on Climate Change, which I lead with Congressman WAXMAN, wrote to over 300 businesses and organizations seeking their views on actions the Federal Government could take to reduce carbon pollution and to strengthen our resiliency to climate change. The response from the business community was very encouraging. Some examples: Coca-Cola, headquartered in Georgia, wrote this:

We recognize climate change is a critical challenge facing our planet with potential impacts on biodiversity, water resources, public health and agriculture. Beyond the effects on the communities we serve, we view climate change as a potential business risk, understanding that it could likely have direct and indirect effects on our business.

That is Coca-Cola. Texas- and Maryland-based Lockheed Martin told the task force of the major headway it has made in reducing its greenhouse gas emissions. I will quote from Lockheed Martin:

From 2007 through 2011, Lockheed Martin reduced its absolute carbon emissions by 30 percent, and continues to focus on carbon emission reductions by championing energy conservation and efficiency measures in our facilities.

Lockheed Martin. Let's look at Walmart, founded and headquartered in Arkansas. Walmart wrote:

We are committed to reducing our carbon footprint and we are working with our suppliers to do the same.

Indeed, I met yesterday with the general counsel from Apple, doing exactly the same thing, working to reduce their carbon footprint, working with their suppliers to push for reductions on the part of their suppliers.

Walmart's 2009 sustainability report shows its longstanding commitment to fighting climate change. Here is what Walmart said:

Climate change may not cause hurricanes, but warmer ocean water can make them more powerful. Climate change may not cause rainfall, but it can increase the frequency and severity of heavy flooding. Climate change may not cause droughts, but it can make droughts longer. Every company has a responsibility to reduce greenhouse gases as quickly as it can.

That is Walmart.

That is why we are working in a number of areas to reduce our company's carbon footprint, and also working with our suppliers and customers to help them do the same. Currently we are investing in renewable energy, increasing energy efficiency in our buildings and trucks, working with suppliers to take carbon out of products, and supporting legislation in the U.S. to reduce greenhouse gas emissions.

That is Walmart. I also wish to commend the Walmart family foundation for the work they are doing on oceans as well as on the atmospheric aspects of carbon. Let's look at Mars, the Virginia-based candy company. Mars states:

We are committed to reducing our greenhouse gas emissions in absolute terms because this is the right thing to do. As climate change has implications for the production of agricultural ingredients, addressing it requires changes to the way we source materials and manufacture our products.

Mars, maker of the famous Mars bars and M&Ms. North Carolina's VF Corporation, which makes major apparel brands such as Lee and Wrangler, Nautica, and North Face says this:

We seek to conduct our business with the highest levels of honesty, integrity and respect. These values are embedded in our approach to sustainability, which reflects our commitment to operating our business so future generations can live with cleaner water and air, healthier forests and oceans and a stable climate.

Toy maker Hasbro, from my home State of Rhode Island, has issued its energy pledge:

Climate change mitigation is a pressing global issue and we aim to reduce our corporate carbon footprint by improving energy efficiency and reducing greenhouse gas emissions at our sites.

Hasbro was awarded a Climate Leadership Award by the EPA in 2012 for excellence in greenhouse gas management.

These companies and their products are household names in this country. They are major players in the American economy.

Lockheed Martin had annual revenue in 2012 of over \$47 billion. We trust

them with some of our most important defense contracts. Coke topped \$48 billion and may be the most recognizable corporate franchise in the world. Walmart is the world's second largest company, with 2012 revenue of more than \$443 billion.

These are serious companies, they are serious about their products, and they are serious about their returns. In part, they earn their impressive returns by being serious about science, and they understand the harm carbon-driven climate change causes. They see the unfair advantage big polluters get when those big polluters don't have to factor the costs of their carbon pollution into the price of the coal or oil.

That is why more and more leading businesses are calling on Congress to wake up and set new ground rules to even the energy playing field. Mars and VF Corporation, along with eBay, Gap, Levi's, Nike, Starbucks, and other name-brand American corporations, are members of the Business for Innovative Climate & Energy Policy coalition—BICEP—which is pushing for energy policies that will draw down carbon emissions and boost economic growth. BICEP is only one of the impressive initiatives organized by Ceres, a nonprofit organization that helps to mobilize investors and business leaders to build a sustainable global economy. If we in Congress are willing to take on the special interests, the polluting special interests that keep Congress barricaded, BICEP member companies and others will have our back.

What we need to do is to price carbon properly, to get a right price for carbon. That means making the big carbon polluters pay a fee to the American people to cover the cost of dumping their waste into our atmosphere and oceans. That is a cost they now happily push off onto the rest of us.

Because of the political control of the polluters over Congress, conditions do not presently allow us to price carbon. So Senator BOXER and those in our new Senate Climate Action Task Force are pushing to change those political conditions. While we are doing that—and we will do that because we have the public, the facts, the science, and the imperative, both moral and practical, on our side—while we are doing that, these big, name-brand American companies have begun to assess their own internal prices on carbon.

A recent report by the Climate Disclosure Project, which gauges carbon emissions and energy usage of major corporations, has identified 29 large companies that use internal carbon prices in their operations or their long-term planning. Some of those companies price carbon to drive energy efficiency. Others see it as a smart way to prepare their business practices for the likelihood of a national American carbon fee. Among those companies are some of the world's largest oil and gas companies, as well as major energy consumers. For example, ExxonMobil

estimates that a price of \$60 per metric ton of carbon dioxide will be assessed on carbon by 2030. BP's figure is \$40, and Devon Energy's is \$15. Some of the biggest carbon emitters in history are preparing for a price on carbon. Let that sink in for a second. The emitters have already baked into their planning a price on carbon—among other reasons, because they know it is the right outcome.

Who else is using internal carbon pricing? Well, Google assesses an internal carbon fee of \$14 per metric ton that it uses to invest in green initiatives.

Likewise, Microsoft charges each of its organizational divisions a quarterly carbon neutral fee of \$6 to \$7 per metric ton. The revenue from those divisions from that carbon fee goes—very similar to Google—to a central fund to support carbon offset projects. Microsoft even published a carbon fee playbook as a guide for businesses looking to establish their own internal carbon fees.

The Walt Disney Company—talk about a nameplate company—charges its subsidiary businesses a carbon fee based on their share of the company's overall footprint.

According to a company statement:

The higher the carbon footprint, the more they pay. We have built this into our capital planning process as well, so businesses have to take the price of carbon into account while planning new projects. The additional operational cost has started to incentivize businesses to seek methods to reduce their impact.

Walmart ran the numbers assuming an economy-wide carbon fee of \$18 per ton. The company finds that “Walmart's early action on emission reductions represents a competitive advantage over other retailers that have not performed such projects.”

Investors, who are behind a lot of these companies, are also voicing concerns about the exposure of their portfolios to the effects of climate change, and they are pushing for climate action. The Carbon Asset Risk Initiative—also coordinated by Ceres—is a coalition of 70 investors worth nearly \$3 trillion. They have pressured 45 of the world's top fossil fuel companies to disclose the climate risks facing their investments in those companies. Should the oil and gas interests prove, well, investors may soon have other resources at hand to evaluate the climate risk to their portfolios. Bloomberg News, for example, has developed for its readers the Bloomberg Carbon Risk Valuation Tool—a model which can describe the potential effect of carbon regulations on fossil fuel company earnings and share price.

Investors and corporate executives take climate change seriously because of how they see it will hurt the bottom line and because of how it will affect their relationship with their customers. They get it. Big nameplate American corporations get it—unlike this building, this institution and the

one down the hall, the Senate of the United States and the House of Representatives, which remain under the control and thrall of the polluting interests and won't take action like these big nameplate American corporations already have.

We can work with these big corporations. We have to work with them to break the campaign of polluter-paid denial that has Congress barricaded. That campaign of denial is as poisonous to our democracy as the underlying carbon pollution is to our atmosphere and oceans. We need to clean up both of them. We need a democracy that is clean of polluter-paid denial, and we need an atmosphere and oceans that are clean of polluter-emitted carbon.

It is time to push back on the misleading propaganda of the polluters. It is time to recognize that our allies are out there to work with us. It is time for us to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

U.S. ENERGY EXPORTS

Ms. MURKOWSKI. Mr. President, I had an opportunity early last week to give a speech at the Brookings Institution about the significant opportunity of the United States when it comes to energy production and our opportunity as a nation to expand our energy trade.

I was able to present this speech based on a white paper I have recently released. It is entitled “A Signal to the World: Renovating the Architecture of U.S. Energy Exports.” This builds on a document that I presented to this body, to my colleagues, to folks who care about any aspect of what is going on within the energy industry within our country and our energy opportunities. It is a document that I entitled “Energy 20/20.” It is 115 pages of not legislation but really concepts, discussion points, areas where I think we as a nation have an opportunity to lead when it comes to our energy potential.

When we talk about energy in our country, it is very easy to talk about kind of “all of the above.” I did make a very concerted effort to address all forms of energy we in this country are blessed to have, whether it is our traditional fossil fuels, our oil, our natural gas, our coal resources, whether it is the enormous potential we have with our renewable fuel sources such as wind, solar, geothermal, ocean energy, marine hydrokinetic, our hydropower, the opportunities that present themselves with our biofuels, and the importance, the great significance of nuclear within our energy portfolio.

I didn't want that document to only be yet another document that somebody produces and other good ideas that are thrown out there to just founder. I have been working to present a series of these white papers. I had an opportunity to present one several months back on natural gas. This week it is a paper on the architecture of U.S. energy exports. In several weeks I plan on introducing yet another.

I come to the floor this afternoon to share my thoughts on energy exports with the Senate—all energy exports—and to enter my recommendations on this important subject into the CONGRESSIONAL RECORD. My point, again, is not to trot out legislation in one area or another but as a nation to have us focus on our energy potential—all of our energy potential—and our opportunity to utilize this energy potential to share this amazing wealth we have, whether it is within our traditional fuels or whether it is within our renewables or our nontraditional, to really focus on what it means as a nation to be a nation that enjoys energy abundance rather than a nation that faces energy scarcity.

I think it is fair to say that for far too long the conversation has been based from a position of energy scarcity. It is time to change that focus, it is time to shift that dialogue, that debate, to how do we perform, how do we operate, how do we take advantage of our relative abundance.

Before I start my comments and kind of summarize my white paper and the speech I gave, I want to pause for a quick note. This is the cover of my white paper, which will form the basis for my remarks today. I chose a U.S. Navy photograph that was taken aboard the USS *Carl Vinson*. It was taken by Mass Communications Specialist 2nd Class James R. Evans. I want to make sure he gets the proper credit for the photograph, because as I look at it, it gives me the sense of optimism that I think we should all have about the future of our energy trade. I think that future is bright. I think it is promising.

Let us start the discussion by looking exactly at the opportunity that we do have before us. Simply put, the United States is both producing and exporting more energy now than ever before. We are producing and we are exporting more than we ever have before. Net energy imports are at a 20-year low and projected to fall below 5 percent of total consumption by the year 2025.

To put this into perspective, when I came to the Senate, we were importing about 60 percent of our oil at that time. Net energy imports, now at a 20-year low, are projected to fall below 5 percent of total consumption by 2025. So this is all energy imports.

Energy exports are reducing our trade deficit, and they are boosting American commerce around the world. We have been talking all this week and last about unemployment insurance—how we can work to improve the economy for those who lack jobs or are underemployed. Let me tell you, this is an area of opportunity when it comes to our energy production.

So energy exports are helping us with our trade deficit and they are boosting commerce and jobs, but the regulatory architecture—the framework we are operating under—that governs energy exports is antiquated. It goes back to acts that were passed in the 1930s, in

the 1950s, and in the 1970s. Furthermore, they are applied unevenly across the sector. So my white paper proposes a series of recommendations to renovate our Nation's approach to energy trade and to strengthen America's global posture.

I know around here when you put an idea out on the floor, you also put a target on your back. But I think this is an important discussion for us to have. Again, I am not proffering legislation, but what I am pushing, what I am going to edge my colleagues toward is a greater discussion about energy and energy exports.

The first resource I wrote about in my white paper was coal. I think we have to acknowledge these are some pretty uncertain times for what has truly been the backbone of the U.S. energy supply. Coal is projected to remain the top source of electricity for the next two decades, but we know it faces competition from other energy sources.

There is clearly a regulatory effort that will make the construction of new plants an extremely difficult endeavor, but I think we can see here that net exports of coal are at their highest level on record, and as a share of their production, they are at their highest level in 30 years. Exports of coal are presently free of burdensome regulations. I think they should remain so. I think other Federal regulatory agencies should not require climate change studies in the course of their permitting process for any proposed facilities. I say this because coal is going to be consumed around the world regardless of U.S. trade policy. We know that. We see that. We can point to the countries where they are seeing increased coal imports. The only question here—the real question here—is whether the coal is produced here in North America. If it is produced here in North America, the environmental standards are going to be high—higher than they will elsewhere. So the real question is: Do you produce it where you have stronger environmental standards or are you going to get it from countries where their environmental standards are held to a lower level?

The next resource we are talking about is natural gas. There has been a great deal of discussion of late about natural gas. North America is quickly emerging as one of the world's most important hubs for the natural gas trade. Record levels are flowing to Mexico and Canada via pipeline. The buildup of seaborne export capacity, which requires the liquefaction of gas for loading onto cargo ships, is proceeding too slow under the watch of the Department of Energy. Other nations are approving capacity, they are securing financing, they are building projects, and they are contracting with customers. They are making these long-term contracts ahead of the United States. So a little more in-depth on this particular resource area, building on the white paper. I think

DOE should expedite its review process for applications to export LNG to non-FTA countries. The last time an application was approved was back in mid-November, over 2 months ago now. I don't see the reason for continued delay here.

I do think we have to monitor the role of the other agencies that are involved. We have the FERC, we have the Maritime Administration, and we have the Pipeline and Hazardous Materials Safety Administration. I think it is important to understand whether this process is as streamlined and as functional as it should be.

There are some who are suggesting there needs to be a pause button pushed here, whether it is at DOE, the FERC, or at any other agency. No new study should be commissioned as the NERA study from 2012 is more than adequate and DOE has access to all the latest EIA and the other market data when it issues its orders. Our allies overseas and American workers here at home have waited long enough. We can do more and we can do it in an expedient manner.

The third area is natural gas liquids. A variety of fuels is produced alongside oil and gas as part of the energy renaissance underway here in this country. There is butane, propane, and pentanes plus. These are known as natural gas liquids, and they have various uses. They have not typically represented a major source of either revenue or volume to American exporters. Since the energy renaissance has begun, we have seen exports of more of these products on the uptake. We have seen them surge.

The regulatory structures that surround NGL exports are working pretty well. They are working smoothly. I don't think they require modification. Trade in these products plays a valuable role in reducing volatility and creating additional demand to stimulate production.

Next is the issue of crude oil and condensates. Obviously, this generates a little more interest and discussion, and that is OK, because again, I want to have this discussion.

We are producing more oil in this country today than at any point in the past 20 years. What has happened is this increase has resulted in a plethora of what is known as light tight oil, and this is coming from the Bakken, from Eagle Ford, and from other places around the country. This crude is lighter and sweeter than the U.S. refinery system was built to accommodate. Existing capacity upgrades to existing refineries and logistical feats to transport that light crude to appropriate refineries on the east coast—instead of over on the gulf coast, where you have the heavy refining capacity that dominates—have allowed for new volumes of light crude to be refined and brought to global markets as product.

So you have a situation where under existing regulations the Department of Commerce may license the export of

crude oil under certain conditions, most notably if that oil is destined for Canada. But in addition, you have large amounts of condensates, another hydrocarbon, that cannot be exported, and these are also being produced along with the record levels of crude and natural gas.

Many producers fear that rising light crude production will soon exceed not only our light refining capacity but also the ability of our refiners to adapt to the new production slate. When this point is reached, when this mismatch occurs, the U.S. oil resurgence will collide with the de facto ban that we have on crude oil exports.

You are going to hear people say—the opponents will argue—that lifting the ban is somehow or other going to increase the price of gasoline. Well, coming from a State where we have probably some of the highest gas prices at the pump anywhere, that is not my interest. That is clearly not my interest. But I think there are a number of sound economic reasons why this is not going to be the case.

First, gasoline is a petroleum product and petroleum products are subject to global pricing, just as crude oil is. So to the extent that greater U.S. production of crude oil puts downward pressure on the international oil prices, then production increases have benefited U.S. consumers by marginally lowering the gasoline and the crude oil prices. American consumers are already generally paying a global price for petroleum products, including gasoline, and would also benefit to the extent that lifting the ban on crude oil exports would send a positive signal to oil producers to then increase production.

The second point here is the cost of inaction. Prohibition on the free trade of any product, with all things being equal, increases prices, it creates market distortions, it leads to misallocation of capital, and it has a deleterious impact on job creation. So to the extent the crude oil export ban contributes to supply disruptions and decelerating oil production, which affects unemployment, then the American consumer suffers these consequences. I have taken the position the status quo does not benefit the American consumer. In fact, not acting could actually negatively impact the Nation.

All sectors of the U.S. oil industry are global leaders. Upstream, American technology and expertise enables the growth in production. Midstream, a complex network of pipelines transports that oil across the country safely every day. And then, of course, downstream we have American refiners who are among the most advanced in the world. So lifting the de facto ban will strengthen this system by protecting jobs, boosting production, and enhancing efficiency and specialization.

I mentioned the Commerce Department earlier. They may retain sufficient statutory authority to lift the

ban on its own as part of a larger swap. Some have suggested trading U.S. light crude for Mexican heavy, which sounds interesting, but it is a little more complicated than that. The President may also make a national interest determination that the present regulatory structure, which generally prohibits crude oil exports, is unnecessary and counterproductive. White House action on this matter is of course the shortest way from point A to point B, and if the President is so inclined, he can call me. He can count on my full support on this.

If the White House disagrees with this interpretation of its authority or it chooses to maintain the prohibition on exports, then I think it would be appropriate for the Senate to update the laws to reflect 21st century conditions.

After crude oil and condensates is the growing success story of our petroleum products and their exports. An enormous expansion of the American export profile in global petroleum product markets has accompanied the crude oil resurgence. Exports of petroleum products must continue without burdensome regulations. The U.S. refining industry is the global leader and delivers gasoline, diesel, and other fuel to American friends and allies around the world. These fuels will be consumed whether or not they are imported from the United States, which, again, uses the strictest environmental standards.

Of course, when we are talking about energy production and our opportunities for exports, there is our renewable energy resource. There is renewable technology. Producers of wind turbines, solar panels, and other renewable technologies also help reduce the U.S. trade deficit through our exports. Again, it is very important to make sure, when we are talking about energy exports, to truly talk about all of them, including our renewable technologies. I think the general lack of trade restrictions on renewable energy technology products doesn't need to be modified. If renewable technology is the future, then it needs to be competitive.

Finally, the last area is nuclear technology. The United States has been the undisputed leader of nuclear technology throughout the world. We have produced more nuclear power than any other nation. As the global nuclear trade has developed, what we have seen is that the U.S. market share has declined. I think the Federal Government must continue its efforts to help develop small modular reactors, and I think we can do this without putting international security at risk or violating nonproliferation controls.

The energy resurgence has fueled a beneficial expansion of U.S. energy trade. The evidence is clear that exports can help facilitate enhanced production by opening U.S. supply to global markets. Trade is creating jobs, increasing supply, and enhancing our Nation's security, without doubt. Competition and efficiency are the

strengths of the American economic system. They are not defects. Trade and consumption will occur with or without us.

So the question is whether we can enhance or whether we will demote our global position. To the extent that American-made energy can displace other less clean sources, then the global environment will benefit from enhanced U.S. trade.

People come first, though. We recognize that. The Nation's opportunity to help us alleviate energy policy is one we should not miss.

I believe we need to send a powerful signal to the world that the United States is ready to reassert its role as a leader on energy, the environment, and trade. To me, that is a signal worth sending.

As I have said, this is a debate worth having in the Senate, in this new year, and I look forward to joining my colleagues. I know there are many on the other side who have differing views when it comes to our fossil fuels, but I think we would find alignment in other areas when we are talking about our energy exports and our great potential.

So as we are trying to build our Nation's economy, as we are trying to strengthen jobs across the country, let us not forget the enormous growth potential we hold when it comes to our energy production and potential for energy export.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Ohio.

TOBACCO

Mr. BROWN. I always appreciate the comments of Senator MURKOWSKI, who is always thoughtful and works across the aisle. I appreciate the work she does.

Mr. President, I rise briefly, joining with Senator BLUMENTHAL of Connecticut and Senator MERKLEY, who is now in the Presiding Officer's chair but who will be joining us, to mark the 50th anniversary of Surgeon General Dr. Terry's groundbreaking report on the dangers of smoking.

The 387-page report released five decades ago concluded something that was almost revolutionary in its time, and was revolutionary in its impact, that said: "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

We know how our views in this country have changed about smoking. But we also know that 400,000 people every year die from smoking-related illnesses. That says the tobacco companies have to find 400,000 new customers every year, and the people they have tried to seduce into smoking are not people my age. They are the pages' age or even younger. Those are the people they aim at to teach them to start smoking.

It is not just young people that tobacco companies are trying to get addicted to smoking; it is also what they are doing in the developing world.

I was in Poland in 1991 working for Ohio State University right after the Communist government in Poland fell. The first billboards all over Warsaw, Krakow, Lublin, and eastern Poland were tobacco—mostly American tobacco companies but also British tobacco companies. Those were the first billboards up.

So as the tobacco companies try to seduce young people in our country to smoke, they have, in some sense, attacked the developing Third World to get people to smoke there. One of the ways they have done this is by using our trade agenda to weaken public health laws in other countries. Some poor, developing countries have enacted public health antismoking laws, and U.S. tobacco companies and tobacco companies from other countries have tried to weaken—sometimes successfully—those laws.

It is important we close loopholes in our trade agenda which allow big tobacco corporations to undermine these global health standards. This administration's decision not to exclude any one product, including tobacco, from the TransPacific partnership—the proposed trade agreement among the United States and 11 other countries—is a disappointment: It opens years of anti-tobacco public health policies to attacks by Big Tobacco, because under the TPP's investor state provisions, tobacco companies can challenge public health laws in the United States and abroad, all under the guise of and in the name of free trade. A record number of investor state cases were filed last year, according to the U.N. Conference on Trade and Development.

So the public health campaign against tobacco continues in our country and Senator BLUMENTHAL has been a leader in this for well over a decade. It extends to our international politics, our international trade regimen.

We have a lot of work to do. That is why I am pleased to join Senator BLUMENTHAL and Senator MERKLEY in their discussion today honoring the 50th anniversary of Dr. Terry's report.

I yield to Senator BLUMENTHAL.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to be with public health advocates such as the Presiding Officer, my very distinguished and eloquent colleague Senator BROWN, and Senator DURBIN, who was on the floor earlier today on this very subject which remains one of urgency and profound importance to the public health of this Nation.

Indeed, if there is a public health threat, enemy No. 1 in the United States of America, it continues to be tobacco use and nicotine addiction.

We talk a lot in this body, throughout the Congress and throughout the Nation, about reducing the costs of health care. If we were to cut tobacco use and nicotine addiction, it would drastically reduce diseases such as cancer and heart disease and lung problems which reduce the longevity of life

in this country but also create enormous costs in treating those medical diseases. Indeed, the cost of tobacco in health care for this country is about \$193 billion a year, not only in direct medical costs but lost productivity.

I am proud to have fought—and fought successfully—through many of my years as attorney general of the State of Connecticut, working in alliance with other attorneys general, with private health advocates such as the Campaign for Tobacco-Free Kids, the Heart and Lung Association, the American Cancer Society, and private advocates throughout the country who have achieved so much.

When we doubt our achievements on this 50th anniversary of the annual Surgeon General's Report on Tobacco and Health, we should remember the days when 43 percent of adults smoked cigarettes and were addicted to nicotine. We should look at "Mad Men," the very popular TV series, where tobacco use and smoking is ubiquitous. There is barely a scene without it. Those were days when doctors in their medical offices smoked cigarettes, the days when Big Tobacco fervently and vehemently denied that tobacco caused cancer or any of those other diseases.

In alliance with attorneys general and eventually the Department of Justice, we fought successfully to bring out the truth and to help not only change the ads and pitches and promotions of Big Tobacco but also eventually to pass the Family Smoking Prevention and Tobacco Control Act of 2009.

Yet for all the progress we have made—and, indeed, the rate of smoking has gone from 42 percent in 1965 to 18 percent in 2002 among adults—we are still lagging. We are way behind where we should be in preventing all those diseases that come from tobacco and protecting the public. The state of regulation and protection in this country is anemic compared to the danger and the threat.

Between 2000 and 2012, cigarette use declined nearly 35 percent. But in that same period of time, cigar use rose by 124 percent, and especially among young people cigar use is increasing. There are new fronts and new frontiers in the fight against tobacco addiction, and the public health consequences—the disasters and catastrophic health consequences that come from lifetimes of nicotine addiction and tobacco use.

Big Tobacco continues many of the tactics which caused so many people to become addicted and die. It is the only industry which makes the only product that kills its customer, and so it must replenish its customer base by luring new people, new users, and its target continues to be young people—young people who are lured into cigar use and then cigarettes by the use of flavors and all kinds of pitches and promotions which make these products seem more like candy and fruit than they do like the killers they are.

We must accept that a major part of the responsibility belongs to the FDA

and to the Federal Government because there are no deeming regulations, which are necessary to regulate cigars in this country. With 3,000 new people under the age of 18 trying cigar smoking each and every day, the fact that we do not have deeming regulations and strong regulations of tobacco products is simply unacceptable.

Deeming regulations forthcoming from the FDA would allow it to regulate these other forms of tobacco, whether it is cigars or spit tobacco—also known as chewing tobacco—all forms of tobacco and tobacco-like products that threaten the health of young people. I have been consistent, along with many of my colleagues, in calling on the FDA to issue these regulations and hope they will do so quickly.

Let me mention another growing new frontier and threat in this country involving e-cigarettes. These new products offer, in the rhetoric and pitches and promotion of the industry, a way to enable people to quit smoking. Yet they are often pitched to young people with flavors and other gimmicks. For those young people, they are a gateway to smoking and nicotine addiction.

Companies that make e-cigarettes, not coincidentally, are being purchased by Big Tobacco, the makers of tobacco cigarettes. The influence of these companies can be seen in the advertising, marketing pushes, and campaigns of these products which feature celebrities, are candy flavored, and purport to offer a safer alternative to smoking. The ability of big tobacco to market these products, just as they were able to market cigarettes to children, gives them the ability to create a new generation of people who are addicted to nicotine and susceptible to going to other forms of tobacco products.

I call on the FDA to act and to reach a determination that will enable it to regulate e-cigarettes and protect young people and all of us against the dangers and the costs of these new products. They are unknown in their ingredients. Many of them may contain the same or similar carcinogens. Somebody using e-tobacco products has simply no way of reliably knowing because they are unlabeled. The amounts of nicotine are also unknown and unlabeled. Studies of e-cigarettes have found that products claiming not to contain nicotine actually do contain it and the amounts of nicotine may vary widely across products.

What is known beyond any doubt is nicotine is highly addictive. In fact, it is probably one of the most addictive legal or illegal drug there is today. We cannot sit idly and allow this new product to addict a new generation of American children. I hope this year's Surgeon General's report will remind us of the accomplishments that have been made but the dangers and challenges ahead that we must confront.

I am proud to yield to one of the great public health advocates in this body, my colleague and friend Senator MERKLEY.

ORDER OF PROCEDURE

I ask unanimous consent that Senator MERKLEY and I be permitted to speak for up to 5 minutes, and that following our remarks the Senate stand in recess subject to the call of the Chair.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent to utilize a visual aid.

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

Mr. MERKLEY. Mr. President, I am very pleased to be here with my colleagues, from Ohio, the Senator in the Chair, and the Senator from Connecticut who just spoke, to draw attention to this incredibly important health issue here in America: addiction to tobacco and the diseases that come from that addiction to tobacco. We are here to commemorate a report put out 50 years ago by Dr. Terry, the Surgeon General. His report was called "Smoking and Health." The contents of that report shocked the world because it was issued in defiance of a powerful and profitable industry that had repeatedly denied there was any link between smoking and disease. This report made national news by telling the American public things that we now take for granted: that smoking is bad for the heart and lungs; that smoking causes cancer; and that the lives of Americans are routinely cut short due to the use of tobacco products.

This single report created a powerful ripple throughout society, a ripple that has continued in the decades since, growing into a wave that has transformed public health in America and saved an astonishing number of lives. Thomas Friedan, the current Director of the Center for Disease Control, says no other single report has had as large an effect on public health. The Journal of the American Medical Association estimates that 8 million have been saved by the antismoking measures that were launched, directly or indirectly, because of this report. That is a reminder of how far we have come in identifying a significant risk, understanding it, educating the public, and reducing the consequences.

There would have been millions of lives lost had a brave Surgeon General not acted 50 years ago, in 1964. If that Surgeon General had said, as others before him, that is too sensitive, that is too provocative, it will be too much of an irritant to a powerful industry, how many lives would we have lost?

If we do not act now to address tobacco addiction from new forms of the product, how many more American lives will be lost? We must take the courage from 50 years ago and channel it into the courage of today to address a significant health risk and to educate the American public and to change the consequences.

The best way to save lives and improve the quality of life 20 or 30 years from now is to prevent young Americans from taking up tobacco products

today. But big tobacco knows this is true. They know the best way to create lifelong reliable customers for their deadly products is to get kids hooked as young as possible, because in general people do not take up tobacco products after the age of 21. These children are what the industry calls "replacement smokers." It is what I call children today who will suffer from tobacco addiction, disease, and death tomorrow.

The tobacco industry is working night and day to come up with new strategies to create more children as replacement smokers, to keep their industry alive. They have come up with quite a variety of strategies. I thought I would share some of them with you today.

This poster is of a product that is essentially presented as a mint. Here you have an Orb or a mint with a clever little dispenser, shaped like cell phones were shaped 6 years ago when they went in your pocket. The understanding is if kids have this in their pocket the teachers would think they have a cell phone and therefore they would not get busted at school.

It seems kind of incredible that dis-solvable tobacco has developed into mints to addict our children; that you eat them. I have one of these right here. These were marketed in Oregon as basically an experiment to see could you get young people to consume them and become addicts to tobacco.

How about toothpicks made out of tobacco, called "Sticks"? This is unbelievable. How about breath strips that you put under your tongue? How about flavors of all kinds?

I note that our time is running out. I ask the Chair for unanimous consent to speak for 3 more minutes.

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

Mr. MERKLEY. Mr. President, this is an example of the cigarillos my colleagues were talking about. This one is flavored apple. This one is flavored sweet cherry. How about this one. That is strawberry. These products are all about addicting our children.

Here is the long and short of it. In 2009, this Chamber and the House signed a bill that gave the FDA the power to regulate these products. The President signed that bill and, since then, the FDA, the Food and Drug Administration, has done nothing to utilize that power to regulate these addictive products that are going to destroy the health of our children in the years to come.

Finally, from June 2009 until October of last year—so more than 4 years—they finally sent a draft deeming regulation to GAO, the General Accounting Office, and there it sits.

To summarize, let us not accept inaction by the FDA. Let us not accept inaction by the GAO. Let's have the courage the Surgeon General had 50 years ago to take on dangerous products damaging the health of Americans so our children will live better lives.

I yield.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. The time of the Senator has expired.

Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 4:24 p.m., recessed subject to the call of the Chair and reassembled at 7:33 p.m., when called to order by the Presiding Officer (Mr. HEINRICH).

The PRESIDING OFFICER. The majority leader.

SPACE LAUNCH LIABILITY INDEMNIFICATION EXTENSION ACT

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 3547.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House concur in the Senate amendment to the title of the bill (H.R. 3547) entitled "An Act to extend the application of certain space launch liability provisions through 2014.", and be it further

Resolved, That the House agree to the amendment of the Senate to the text of the aforementioned bill, with an amendment.

(The amendment is printed in the proceedings of the House of Representatives in today's RECORD.)

MOTION TO CONCUR

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 3547.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant 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. 3547.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk, and I ask it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the 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. 3547, Space Launch Liability Indemnification Extension Act and the Omnibus Appropriations Act for Fiscal Year 2014.

Harry Reid, Barbara A. Mikulski, Benjamin L. Cardin, Christopher A. Coons, Patrick J. Leahy, Brian Schatz, Jack Reed, Tom Udall, Jeanne Shaheen, Tim Kaine, Patty Murray, Richard Blumenthal, Jeff Merkley, Mark Udall, Tom Harkin, Mark Begich, Mary L. Landrieu.

MOTION TO CONCUR WITH AMENDMENT NO. 2655

Mr. REID. Mr. President, I move to concur in the House amendment to the

Senate amendment to H.R. 3547, with an amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant 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. 3547 with an amendment numbered 2655.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2656 TO AMENDMENT NO. 2655

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2656 to amendment No. 2655.

The amendment is as follows:

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

MOTION TO REFER WITH AMENDMENT NO. 2657

Mr. REID. Mr. President, I move to refer the House message with respect to H.R. 3547, with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.R. 3547 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 2657.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2658

Mr. REID. Mr. President, I have an amendment to the instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2658 to the instructions of the motion to refer H.R. 3547.

The amendment is as follows:

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.