



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, MONDAY, APRIL 27, 2015

No. 61

Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You are our strength and shield. We are grateful for Your great and precious promises that provide us with inspiration and hope. Daily, You have provided for our needs, leading us along the road toward abundant living. We continue to be sustained by the promise of Your eternal presence. Lord, forgive us when we surrender to those influences that draw us downward.

Bless the Members of this body. Teach them that Your hand is on the helm of human affairs and that You still guide Your world. Renew their strength and give them the courage to persevere in doing what is right.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. PERDUE). The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, it is a hard thing to admit you are wrong. It is always very difficult. It is not very pleasing to look back and say to yourself: Oh, I wish I wasn't so far off; I was way off.

But as public servants, we have to accept reality, regardless of where we may have stood or what we may have said in the past.

Unfortunately, Republicans in Congress are trying their utmost to escape the reality that ObamaCare is a smashing success.

Just consider a few of the facts—and these are only a few of them: 16.4 million Americans now have quality health coverage, many for the first time in decades, many for the first time in their lives.

Since 2013, the United States has seen the largest decline in the uninsured rate—ever. Nine in ten Americans have health insurance. In the last 18 months, the uninsured rate for non-elderly adults has fallen by 35 percent. Health care costs have grown at their slowest rate in 50 years.

Since 2011, the number of preventable deaths at hospitals and care centers has dropped by 50,000. That is 50,000 lives—50,000 people are alive today who wouldn't have been but for ObamaCare, and ObamaCare enrollees are overwhelmingly satisfied with their coverage.

Those are the facts. No matter how hard my Republican colleagues try, they cannot wish those numbers away. All of the doomsday reports are wrong.

I understand that many Senate Republicans have worked hard to make their opposition to ObamaCare their legacy.

In June of 2009, the Republican leader—the majority leader—was on the Senate floor decrying health care reform more than 3 months before the bill even passed. His mind was made up before he even saw the bill.

And so it has been with too many other Republicans in this body, and certainly in the other body where they voted—I lost track of it—65 times to repeal it. Each time it has been a colossal flop.

The junior Senator from Wyoming, for example, has been relentless in his

condemnation of ObamaCare. He comes to the floor all the time with his charts and everything, but he avoids the facts. He has been relentless in his condemnation of ObamaCare—before and after the bill was passed. But he is wrong. I don't say so, the facts say so.

For example, Paul Krugman's piece in the New York Times today effectively lays out the options congressional Republicans have with respect to ObamaCare. Remember, this isn't some high school teacher talking about the merits of ObamaCare, it is a Nobel laureate in economics.

This is what he said today, and I quote part of what he said—simply put, Republicans were wrong on ObamaCare. In this body, it is understandable for a Senator to be dead wrong on some piece of policy from time to time. It happens. But what is not understandable and what is not acceptable is for the entire Republican Party to double down on its opposition after they have already been proven wrong. It says a lot about their inability to govern and, quite frankly, their grasp on reality—that Republicans refuse to acknowledge facts.

That is a reality.

I ask unanimous consent to have printed in the RECORD the full piece from the New York Times written by Paul Krugman.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 27, 2015]

NOBODY SAID THAT
(By Paul Krugman)

Imagine yourself as a regular commentator on public affairs—maybe a paid pundit, maybe a supposed expert in some area, maybe just an opinionated billionaire. You weigh in on a major policy initiative that's about to happen, making strong predictions of disaster. The Obama stimulus, you declare, will cause soaring interest rates; the Fed's bond purchases will "debase the dollar" and cause high inflation; the Affordable Care Act will collapse in a vicious circle of declining enrollment and surging costs.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

But nothing you predicted actually comes to pass. What do you do?

You might admit that you were wrong, and try to figure out why. But almost nobody does that; we live in an age of unacknowledged error.

Alternatively, you might insist that sinister forces are covering up the grim reality. Quite a few well-known pundits are, or at some point were, “inflation truthers,” claiming that the government is lying about the pace of price increases. There have also been many prominent Obamacare truthers declaring that the White House is cooking the books, that the policies are worthless, and so on.

Finally, there’s a third option: You can pretend that you didn’t make the predictions you did. I see that a lot when it comes to people who issued dire warnings about interest rates and inflation, and now claim that they did no such thing. Where I’m seeing it most, however, is on the health care front. Obamacare is working better than even its supporters expected—but its enemies say that the good news proves nothing, because nobody predicted anything different.

Go back to 2013, before reform went fully into effect, or early 2014, before the numbers on first-year enrollment came in. What were Obamacare’s opponents predicting? The answer is, utter disaster. Americans, declared a May 2013 report from a House committee, were about to face a devastating “rate shock,” with premiums almost doubling on average.

And it would only get worse: At the beginning of 2014 the right’s favored experts—or maybe that should be “experts”—were warning about a “death spiral” in which only the sickest citizens would sign up, causing premiums to soar even higher and many people to drop out of the program.

What about the overall effect on insurance coverage? Several months into 2014 many leading Republicans—including John Boehner, the speaker of the House—were predicting that more people would lose coverage than gain it. And everyone on the right was predicting that the law would cost far more than projected, adding hundreds of billions if not trillions to budget deficits.

What actually happened? There was no rate shock: average premiums in 2014 were about 16 percent lower than projected. There is no death spiral: On average, premiums for 2015 are between 2 and 4 percent higher than in 2014, which is a much slower rate of increase than the historical norm. The number of Americans without health insurance has fallen by around 15 million, and would have fallen substantially more if so many Republican-controlled states weren’t blocking the expansion of Medicaid. And the overall cost of the program is coming in well below expectations.

One more thing: You sometimes hear complaints about the alleged poor quality of the policies offered to newly insured families. But a new survey by J. D. Power, the market research company, finds that the newly enrolled are very satisfied with their coverage—more satisfied than the average person with conventional, non-Obamacare insurance.

This is what policy success looks like, and it should have the critics engaged in soul-searching about why they got it so wrong. But no.

Instead, the new line—exemplified by, but not unique to, a recent op-ed article by the hedge-fund manager Cliff Asness—is that there’s nothing to see here: “That more people would be insured was never in dispute.” Never, I guess, except in everything ever said by anyone in a position of influence on the American right. Oh, and all the good news on costs is just a coincidence.

It’s both easy and entirely appropriate to ridicule this kind of thing. But there are some serious stakes here, and they go beyond the issue of health reform, important as it is.

You see, in a polarized political environment, policy debates always involve more than just the specific issue on the table. They are also clashes of world views. Predictions of debt disaster, a debased dollar, and Obama death spirals reflect the same ideology, and the utter failure of these predictions should inspire major doubts about that ideology.

And there’s also a moral issue involved. Refusing to accept responsibility for past errors is a serious character flaw in one’s private life. It rises to the level of real wrongdoing when policies that affect millions of lives are at stake.

MR. REID. Mr. President, I see no one on the floor, so will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT

THE PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1191 for debate only, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1191) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Pending:

Corker/Cardin amendment No. 1140, in the nature of a substitute.

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

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

RELIGIOUS FREEDOM

MR. HATCH. Mr. President, Congress unanimously passed the International Religious Freedom Act in 1989 with a 98-to-0 vote in this body for that legislation, including 19 Senators still serving today—11 Republicans and 8 Democrats. We asserted that religious freedom “undergirds the very origin and existence of the United States.” Yet, religious freedom today is under attack across the country.

Political activists are attacking religious freedom as the enemy of equality, claiming that laws protecting religious freedom are designed to enshrine discrimination in State law. This effort is misinformed, it is misguided, and it is misleading. It will serve only to harm religious freedom and to demon-

ize religious people, many of whom would be allies in the effort to promote equality.

The attack on religious freedom misunderstands the history and importance of religious freedom in America. That story began more than 400 years ago, as one religious community after another came to these shores so they could freely live their faith. As far back as December 1657, residents of the community known today as Flushing, NY, signed a petition called the Flushing Remonstrance. This petition protested a ban on certain religious practices that prevented the Quakers from worshipping. The petition signers stated that they would let everyone decide for themselves how to worship.

One hundred twenty years later, the original States and the Federal Government specifically protected religious freedom in their Constitutions. Indeed, the phrase America’s Founders chose for the first individual right listed in the First Amendment—the free exercise of religion—is very important. The free exercise clause is not limited to particular exercises of religion or to the exercise of religion by certain parties but instead protects the free exercise of religion itself. James Madison wrote in 1758 that exercising religion according to conviction and conscience is an inalienable right. Two hundred years later, Supreme Court Justice Arthur Goldberg declared that “to the Founding Fathers, freedom of religion was regarded to be preeminent among fundamental rights.”

This belief in the special importance and preeminent status of religious freedom did not end with America’s founding generation. In his famous 1941 State of the Union Address, President Franklin D. Roosevelt asserted that “the right of every person to worship God in his own way” is an essential human freedom. Just 4 years later, after the end of World War II, the United States signed the Universal Declaration of Human Rights. This crucial document includes religious freedom as one of the inalienable rights universal to all members of the human family.

Our last several Presidents have issued annual proclamations declaring January 16 Religious Freedom Day. This date marks the anniversary of the Virginia General Assembly’s adoption of the Virginia Statute for Religious Freedom. In this year’s proclamation, President Obama said that religious freedom is a fundamental liberty and defined religious freedom as the right of every person to live and practice their faith how they choose. In previous years, President Obama has called religious freedom a universal and natural human right and an essential part of human dignity. President George W. Bush similarly declared that no human freedom is more fundamental than the right to freely practice one’s religious beliefs. President Clinton said that religious freedom is a fundamental human right, a core value