

the actual health care to those patients. It is wasting hundreds of billions of dollars on overhead and bureaucracy instead of caring for sick people.

ObamaCare is an expensive disaster. Now, that is not just my opinion. A new poll came out the other day from CNN. It found only 11 percent, only one in nine Americans say the law is a success. President Obama says the law is working. Well, only one in nine agree with him. In another poll, just 39 percent of people support the law. That is down 10 percentage points in 1 year.

You ask: Why is it?

Well, because people look at it and say it is a bad deal for them personally.

The President made promises, and he has broken them. He said: If you like your coverage, you can keep your coverage.

Millions lost their coverage. He said the cost of insurance premiums would drop by \$2,500 per year.

Costs have exploded, the cost of the premiums, the cost of the copays, the cost of the deductibles, and many people who have this expensive new insurance cannot get care. Coverage does not equal care. That is why this health care law is more unpopular now than ever before.

Sometime this month the Supreme Court could make an important decision about the health care law. The Court is set to rule on whether some of the billions of taxpayer dollars that President Obama has been spending were even supposed to be spent under the law. This decision could affect more than 6 million Americans. So you would assume the White House is prepared for the decision. You would assume the White House would have a plan.

Well, does the White House have a plan for these 6 million Americans who are worried about how they will pay for their expensive, new ObamaCare plans with all of its mandates? Not according to the President.

In Germany yesterday, the President refused repeatedly—refused—to talk about a plan B. The closest he came was to say, “Congress could fix this whole thing with a one-sentence provision.” That is not a real solution. People see their premiums going up, and they are very concerned.

President Obama owes America a serious answer. Republicans aren’t interested in a one-sentence fix unless that sentence is: ObamaCare is repealed.

We want to protect the American people from this complicated, confusing, and costly health care law.

If the Court rules against the President, then Republicans will be ready to sit down with Democrats to get some things right. That means stopping ObamaCare’s broken promises and its harmful mandates.

Republicans will offer a plan, and we will work with the President to give people back the freedom, the freedom to make health care choices that work for them and for their families. It will

be up to the President and Democrats in Congress whether they want to join us or if they want to continue with their partisan fight and their delusions that this law is popular and working. I hope they will work with us on the reforms the American people need, want, and deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

ARENA ACT

Mrs. CAPITO. Mr. President, I rise to speak about our Nation’s energy economy.

“Alpha Natural to Lay Off 439 at West Virginia Coal Mine”; “Murray Energy expects more than 1,800 coal mine layoffs”; “Job Cuts Are Devastating Blow for Ohio Valley Coal Miners”; “Coal analyst says industry facing toughest time”; “Power Bills To Get Higher”—these are just some of the headlines that have been in the recent news in my area. These headlines are a stark reminder of the impact misguided Federal policies will have on the lives of real people.

West Virginia and other energy-producing States have suffered devastating blows. Hard-working Americans are losing their jobs as their energy bills keep climbing. I come to the floor to encourage my colleagues to stand up for our Nation’s energy future.

Last month, I introduced the Affordable Reliable Energy Now Act—the ARENA Act—with Leader McCONNELL, Chairman INHOFE, my fellow West Virginian JOE MANCHIN, and nearly 30 of my colleagues. This bipartisan legislation would empower States to protect families and businesses from electricity rate increases, reduced electrical reliability, and other harmful effects of the Clean Power Plan.

The ARENA Act would require that any greenhouse gas standards set by the EPA for new coal-fired powerplants are achievable by commercial powerplants, including highly efficient plants that utilize the most modern, state-of-the-art emissions control technologies.

Back in February, I asked EPA Acting Assistant Administrator Janet McCabe to explain why, despite multiple invitations from Federal and State legislators, the EPA did not hold a public hearing on its proposed Clean Power Plan in West Virginia, given the large role coal plays in our economy and our electricity generation. And do you know what she said? She told me public hearings were held in places where people were “comfortable.” Well, that response is unacceptable to me and to the people of my State. That response, which represents EPA’s disregard for the real-world impacts of its policies, helped shaped this legislation.

The EPA’s proposed greenhouse gas regulations will negatively impact both energy affordability and energy reliability. Coal provided 96 percent of

West Virginia’s electricity last year and West Virginia was among the lowest electricity prices in the Nation. Last year, the average price was 27 percent below the national average, but these low prices are not likely to survive this administration’s policies.

Studies have projected that the Clean Power Plan will raise electricity prices in West Virginia between 12 and 16 percent. Just last month, 450,000 West Virginia families learned of a 16-percent increase in the cost of electricity. While there were multiple factors that contributed to this rate increase, compliance with previous EPA regulations played a significant role. If we allow EPA’s plan to move forward, last week’s rate increase will only be the tip of the iceberg.

Affordable energy matters. Mr. President, 430,000 low- and middle-income families in West Virginia, which is nearly 60 percent of our State’s households, take home an average of less than \$1,900 a month and spend 17 percent of their aftertax income on energy. These families are especially vulnerable to the price increases that will result from the Clean Power Plan.

Other West Virginia families will bear the brunt of the EPA’s policy more directly. In the past few weeks, 1,800 West Virginia coal miners received layoff notices. The notices came at Alpha Natural Resources and Murray Energy—the two largest coal companies in our State. Patriot Coal also filed for bankruptcy for a second time. Three coal-fired powerplants closed, also costing more jobs in the State of West Virginia.

When mines and coal-fired powerplants close, the ripple effect is felt throughout our entire economy. The Wheeling Intelligencer reported that the Murray Energy layoffs alone would mean almost \$62 million in annual lost wages for Ohio Valley residents.

Other parts of our State have been hit just as hard. In Nicholas County, the local government was forced to lay off employees, including a number of sheriff’s deputies, because of a drop in the coal severance tax.

Last month, the Energy Information Agency released its analysis of the proposed rule. The administration’s own energy statistician found that the Clean Power Plan would shut down more than double the coal-fired powerplant capacity we have by the end of this decade.

The PRESIDING OFFICER. The Senator’s time has expired.

Mrs. CAPITO. I thank the Chair. I urge support for the ARENA Act, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, what is our parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business, with Senators permitted to speak therein for up to 10 minutes.

Mr. NELSON. May I be recognized.

The PRESIDING OFFICER. The Senator from Florida.

NATIONAL DEFENSE
AUTHORIZATION ACT

Mr. NELSON. Mr. President, I rise to give my overall support for the content of the Defense authorization bill, but my considerable concern and, therefore, my “no” vote on final passage in the Committee on Armed Services was because the bill, as crafted by the majority in the committee, is a travesty, using an artificial budget to authorize the necessary operations and troop readiness of our military establishment.

Now, that is what the bill does. It is an artificial budget. That may not sound particularly offensive, particularly when as a policy bill there are many good things in this Defense bill; things such as providing for the increase of our military services; things such as certain weapons systems that are authorized.

Historically, this bill has been recognized as being bipartisan, and it addresses the problems posed by an increasingly dangerous world. The Defense authorization bill has historically provided the military with the resources our Nation needs. But the ranking Democrat, the Senator from Rhode Island, and I are compelled to oppose this bill because it addresses these problems with an artificial budget that treats an essential part of our military, which is preparedness—the necessary operations training and maintenance, preparedness of our military—in an unplanned way. They are treating it as an expense by sending it over to an account that is not even on the budget—an account called overseas contingency operations or the funds for what used to be the Iraq war and is now the winding down of the Afghanistan war. This is an unbudgeted item—operations readiness, training—necessary for our military to be ready, and they are taking it out of the Defense Department budget and sticking it over here. Now, that doesn’t make sense.

Some might say: Well, why in the world would they do that? Because folks around here are concerned about something called the sequester, which is supposedly an artificial limit on keeping expenditures of the Federal Government below a certain level. That may sound like a good thing, if it is done with legitimate numbers, but when in fact you are creating that artificial limit pressing down on Federal spending, but you take a major part of that Federal spending out and put it over here in an unaccounted-for account that doesn’t reach those budgetary caps, that is nothing more than—I will put it politely—budgetary sleight of hand. I will put it more directly: That is budgetary fakery. Therefore, this Senator is going to oppose the bill.

The Senate Committee on Armed Services has received testimony from military leader after military leader—chief master sergeants, generals, admirals—who have said the policy of this arbitrary budget cap called sequestration is harming our national security

and is putting our military strategy at risk.

Our strategy is not just dependent on defense spending, but it is very dependent upon nondefense spending, which in this bill is not even being addressed because that artificial ceiling—the sequestration—is like a meat ax right across the Federal budget. That is affecting—and every one of those military leaders will tell you—that is affecting our military preparedness.

These arbitrary budget caps impact this nondefense spending. It keeps us from providing funds for other agencies that are so essential to the national security. The Coast Guard, they are out there in the war zone. They are in another war zone down in the Caribbean as they are interdicting all kinds of drug smugglers. What about the FBI, the CIA, the DEA, Customs, Border Patrol, Air Traffic Control, TSA? All of those are affected and affect national security.

So if we are going to continue to budget like this, the result is going to be more budget uncertainty for our military, and it is going to end up bleeding funds away from our military readiness.

What we are doing is we are avoiding the obvious. The obvious is working around to bring those numbers down under those artificial budget caps. So it is time for us to get rid of the sequester. We did it before, 2 years ago, with a bipartisan budget—the one known as Murray-Ryan. We need to do it again. Otherwise, right now, we are wasting our time working on bills that have no chance of becoming law. We need to fix the budget caps for defense and nondefense spending. You do not use a bandaid when you have an artery that is gushing blood.

Now, it is not just this. There are other examples. Take, for example, a program that I have some familiarity with—our Nation’s space program. We have been trying since 2010, since Senator Kay Bailey Hutchison, a Republican from Texas, and I passed a NASA authorization bill that put us on the course that will ultimately, as the President has now announced, take us to Mars. But we can’t get the policy updated because we can’t pass another NASA authorization bill. So what happens? It goes to the Committee on Appropriations. Thank goodness we have folks such as Senator SHELBY and Senator MIKULSKI who direct that.

But now what is happening to appropriations bills? They are being put under this sequester, and, because of that, it is going to be hard in this Chamber to get 60 votes to pass appropriations bills. As a result, we are going to be in near cardiac arrest right at the end of the time, during a continuing resolution, which is no way to run a railroad when you appropriate money. We have to come to the altar and realize what we are facing, and that is this artificial budgetary cap.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

ORDER OF PROCEDURE

Ms. HIRONO. Mr. President, I ask unanimous consent that the following speakers in morning business be limited to speak for up to 5 minutes each: Myself, Senators GILLIBRAND, MANCHIN, and MARKEY.

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

AMENDMENT NO. 1521

Ms. HIRONO. Mr. President, I rise today to support amendment No. 1521, which would limit the use of overseas contingency operations, or OCO, funds. I am proud to be a cosponsor of this amendment, which was filed by the ranking member of the Senate Armed Services Committee, Senator JACK REED.

I wish to start by thanking Senator MCCAIN and Senator REED for their leadership in producing the underlining bill. Drafting the National Defense Authorization Act, NDAA, is no small task, and I support many important provisions included in the bill. As Ranking Member of the Seapower Subcommittee, I worked with Chairman WICKER to include provisions that will strengthen and support our Navy and Marine Corps.

Every Defense bill presents challenges and tradeoffs. There are competing priorities and compromises. For 52 consecutive years, both Chambers have debated the details and come up with a product that supports and enhances our national security. However, this year’s bill presents more than just a difference over details. The overall framework of this bill is a problem. Before us is a bill that presents a serious question about our national values—a question that the Reed amendment would help to answer.

Earlier this year, the Republicans pushed through a budget resolution. That resolution clearly set forth the framework that Chairman MCCAIN had to work within. That framework basically said: We are not going to address sequestration in a meaningful way. Instead, we are only going to provide sequester relief for the defense budget. I note that this budget resolution passed the Senate without a single Democratic vote. I ask my colleagues to join me in objecting to an approach that bifurcates sequester relief as though our country’s national security lies only with the Department of Defense, because that is what this NDAA bill does. How? The bill before us takes \$38 billion out of the base budget at the Department of Defense and moves it into the OCO budget. The OCO budget is not subject to Budget Control Act caps. The reason for this is that OCO funds are intended to support the unknown unknowns that arise during our security operations abroad. Using the OCO account to fund noncontingency items is irresponsible. It is a 1-year fix, and it adds to our budget deficit. It is not fair to our commanders on the ground, who