

the often slow process of methodically building bipartisan coalitions. A breakthrough in the Senate Judiciary Committee last week in beginning to come to grips with criminal justice reform is a fresh example of this and so was enactment this summer of the electronic surveillance reforms in our USA FREEDOM Act.

I would remind everybody, we are not alone in this body. Legislative work in a democracy in large part is the art of compromise. Compromise is essential in assimilating and digesting competing points of view and competing interests, which are all the more diverse in a large and heterogeneous nation like ours. We are not just some small nation made up of just one particular class of people. The remarkable strength of the United States is that we have people who came here from all over the world and made us a strong nation. And I think we Senators keep faith with our core values as we listen to the perspectives of others. Insisting on our way or no way at all is a sure-fire recipe for stalemate, to the great detriment of the entire Nation and the people we represent. As Winston Churchill once said: ‘The maxim, ‘nothing avails but perfection,’ may be spelled shorter: PARALYSIS.’

Some measure of self-restraint is essential for a legislative body in a democratic republic like ours to function. Louis Brandeis once said, ‘Democracy substitutes self-restraint for external restraint. It is more difficult to maintain than to achieve.’ He was right. Self-restraint in a democracy is not an easy virtue.

In the previous Congress, as President pro tempore, I had the pleasure of accompanying Chaplain Barry Black to the podium as he offered the morning invocation. I like to think—maybe it is more than I like to hope—that some of his inspiration rubs off on us, at least a little, each day. One morning years ago, for instance, he said: ‘Give them (the Senators) the stature to see above the wall of prideful opinion.’ We can each point to each other, the other 99, and say: See, that is for you. We have to remember it is for us, too, each one of us.

I was talking, my wife Marcelle and I, last night about 15,000 votes. It didn’t seem possible when I came here as a junior Member of the Senate. I also know there is a lot more work to do. I hope we can restore the bipartisan campaign finance reform that so many in this body—Republicans and Democrats—supported. I hope we can restore the historic and foundational Voting Rights Act. I hope we continue to fight to support our farmers, who give us food security and are the very fabric of this country. We are a nation that can feed ourselves. I think we should fight against government overreach in the wake of national security threats. Sometimes going into all our private matters is itself a national security threat. We should do more to support our veterans and their families. When

they come back from war, we should continue that support. We should expand education opportunity for all. My family came to Vermont in the 1850s. I became the first Leahy to get a college degree and my sister, the second one. We hope our children and grandchildren will have the same educational opportunities. We should rebuild the American middle class and offer helping hands to lift all Americans out of poverty. We should fund our roads and bridges. We build roads and bridges in other countries in wars where they sometimes get blown up. Let’s build some in our own country where we need them. We should pass appropriations bills, not continuing resolutions. Pass them every year, each year. It is a lot of work, but not an insurmountable goal. It will take good will and bipartisan cooperation to achieve them.

We 100 Senators should never forget that we are but the public face of an institution that is supported by thousands of hard-working staff, our office aides and policy experts—my own, of course, among the best in the Senate—the Capitol Police, the folks who keep order and help to showcase this great building to millions of tourists, and those bright and dutiful Senate pages in the well of this Chamber, all of them are part of the Senate family.

The Senate at its best can be the conscience of the Nation. And I have seen that happen over the years when we’ve risen up together and expressed the conscience of the Nation. And I marvel in the fundamental soundness and wisdom of our system every time it does. We can’t afford to put any part of the mechanism on automatic pilot. It takes constant work and vigilance to keep our society working.

It is easy for politicians to appeal to our worst instincts and to our selfishness. Political leaders serve best when they appeal to the best in us, to lift our sights, summon our will, and raise us to a higher level. I still get a thrill every time I walk in this building and walk out on this floor, knowing the history of this place, just knowing I am going to be a part of that history. Senators have come and gone, but I have had one partner through these 15,000 votes: my wife, Marcelle. We came here in 1975 with three wonderful children: Kevin, Alicia, and Mark. Alicia was here in the Chamber yesterday representing her husband, Lawrence, and their children. And I remember my parents and Marcelle’s parents visiting often. I remember how much they enjoyed visiting here, seeing what we are doing. But I think they especially wanted to visit their three grandchildren. Well, now I look at our grandchildren—Roan, Francesca, Sophia, Patrick, and Fiona—and I understand how my parents felt.

I am so grateful to my fellow Vermonters for the confidence they have shown in me. It is a measure of trust that urges me on and which I will never betray or take for granted.

As I have reflected on these 15,000 votes, it reminds me of the significance every time we vote, why I feel energized about what votes lie ahead, and how we can keep making a difference.

I thank the distinguished Presiding Officer for his forbearance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

COMMENDING SENATOR LEAHY

Mr. NELSON. Mr. President, I want to reflect on the comments the senior Senator from Vermont has shared. I want to say to Senator LEAHY that what he has reflected in the course of his career of casting 15,000 votes, spanned over four decades in the Senate—some would say the courtliness, the gentlemanliness, the bipartisanship, the deference, the respect, the honor—some would say these are old-fashioned ideas.

This Senator happens to feel they are American values, and how often have we seen those characteristics not on display? Tonight the House of Representatives is going to pass not only raising the debt ceiling so we can pay our bills but also a budget template—a blueprint—under which we can then appropriate the specifics.

Mr. LEAHY. Mr. President, will the Senator yield for one moment?

Mr. NELSON. Absolutely.

Mr. LEAHY. Mr. President, the Senator from Florida and I have been friends for decades. To get this praise from a man who served with distinction as a Congressman, a Senator, and an astronaut means a great deal to me. I thank him.

Mr. NELSON. The Senator is very gracious, but I stood to comment upon the characteristics he has exemplified in his public life that is a role model for all of us. I was about to say, here we are seeing tonight that the U.S. Congress is going to be able to move ahead without falling off the fiscal cliff because there is going to be a bipartisan vote in the House of Representatives. My goodness gracious, isn’t this what it is supposed to be all about?

The Senator from Vermont can remember well over 30 years ago when this Senator was a young Congressman, and the role models in the House of Representatives at the time were Tip O’Neill and Bob Michel—the Democratic speaker and the leader of the Republicans. They had their fights, and at the end of the day they were personal friends. They had a personal relationship. They then could work out all the thorny problems and build consensus in order to govern.

I thank the Senator from Vermont.

TRANSPORTATION BILL

Mr. NELSON. Mr. President, I came to talk about the Transportation bill. We have it in front of us. Transportation has laid the foundation of our country’s success, whether it was

Henry Ford, who showed us how to do mass automotive manufacturing, revolutionized the manufacturing of cars, whether it was Henry Flagler, who built a railroad on an unsettled land along the East Coast of Florida, brought in the development of my State, whether it was the Wright brothers—these guys were much more than bicycle shop owners. These guys were geniuses who studied the movement of birds. They were the first ones to be able to figure out how—what they called it in the day—a heavier-than-air flying machine could do that. These ideas, and over the years the investments, helped make this country become a global leader in almost everything.

With regard to transportation, we have gotten off course. Rather than making big investments, we keep kicking the can down the road. Today's extension—short-term extension, I might say—of the highway trust fund is one more example of this because it is just putting off what we have to do, which is improve our roads, our rails, and our port infrastructure. That means we have to increase the investments in our infrastructure and focus on the area that will not only create jobs and support our economy but will rehabilitate this infrastructure. Our roads are crumbling. Our bridges are crumbling. Remember a few years ago when the bridge collapsed on the main interstate highway in Minnesota—killing a number of people, injuring others. Our infrastructure is crumbling. We need to do these investments in our transportation infrastructure to make sure it is safe.

In July the Senate stood tall. We had a Republican chairman and a Democratic ranking member, Senator INHOFE and Senator BOXER, and they came together just like that—like it is supposed to be around here—and they passed the highway bill. We call it the highway bill, but it includes a lot more: ports, rail, highway safety, all the things that go on with building a new road, such as sidewalks. We passed that. It passed overwhelmingly. It passed overwhelmingly bipartisan—but then you get to the point of how in the world are we going to pay for it.

That bill included many important provisions that will keep workers on the job. For the first time, the bill included a freight rail program that aims to improve freight across all types of transportation—not just freight but trucks, ports. Of course, what this is going to do is it is going to help us move goods more efficiently, whether they are traveling through a port or on rail or on the highways.

For the first time, this highway reauthorization was a bipartisan reauthorization of Amtrak. Amtrak was last reauthorized 2 years ago—way back in 2013. With a strong commitment from the commerce committee chairman, Senator THUNE, all of us on the committee were able to include provisions that will improve our passenger rail

systems. In the commerce committee, we fought to improve safety and increase investments in our infrastructure. There were many provisions—especially on trucking and vehicle safety issues—that needed to be improved. What we put in the bill was to prevent rolling back safety improvements in transportation.

Here we are. Today we need to pass this bill so we can quickly get to work on the final bill. This is a stopgap temporary message. I urge the House to work toward a bipartisan compromise like the Senate bill rather than weigh the bill down with a whole bunch of ideological things, safety rollbacks and giveaways to industries. This highway bill is too important to get mired in partisan politics. For us to maintain the safety, efficiency, and growth of our transportation system, Congress must put an end to the instability caused by what we are going to have to do today, which is a short-term extension. We can only do this by working together to find commonsense and bipartisan solutions.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT). 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.

OBAMACARE

Mr. HATCH. Mr. President, it has been a while since I have come to the Senate floor to talk about the shortcomings of the so-called Affordable Care Act—a few months at least. The last time I spoke about ObamaCare on the floor, I spoke at some length about the ever-increasing insurance premiums that had resulted from the law's draconian mandates and regulations.

Sadly, as I rise to revisit this subject, things haven't gotten better for ObamaCare. In fact, if the Obama administration's own estimates are to be believed, things are actually getting much worse. As we all know, this Sunday, November 1, marks the beginning of the 2016 open enrollment period for the ObamaCare health insurance exchanges. This is an important milestone for the health care law in large part because President Obama and his supporters have, since the day the law was passed, repeatedly promised that as Americans become more familiar with how the law works, the more they will grow to love it.

ObamaCare proponents wrote off problems in the first year of enrollment as glitches that were to be expected as the country transitioned to a new health care system. Problems in the second year were similarly dismissed as necessary growing pains as everyone learned from the mistakes

that were made the previous year. Now, as we approach the third year of enrollment, supporters of the President's health care law are running out of excuses. At this point, most reasonable Americans—including many who may have initially been huge supporters of this endeavor—expect the system created under the law to work the way it was designed to work.

You know what? The law is working the way it was designed to work. The problem is, it is not working the way the designer said it would work. At the time the law was drafted, the architects of ObamaCare said they can impose all new mandates and regulations on the insurance market, requiring massively expanded coverage above and beyond consumer demand, claiming that any increased costs that resulted from these requirements would be offset when more young and relatively healthy consumers were forced to buy insurance or pay a fine. Of course, they only called it a fine when they were drafting the law and initially selling it to the American people. Now a few years and a Supreme Court decision later, we were all supposed to call that fine a tax, but I digress.

My point is that those who drafted the President's health law and then subsequently forced it through Congress on a strictly partisan basis said their new system would expand health coverage for everyone without increasing costs. In fact, they went further. They claimed that it would actually bring costs down. However, due to the way the law was actually designed, it was never going to work that way.

No matter how many ad campaigns the government charged to the taxpayers and no matter how many talk shows the President went on to encourage hip, young audiences to enroll in the exchanges, the numbers were never going to add up. This is true for one simple reason: For all the attention the drafters of ObamaCare paid to expanding coverage and remaking the health insurance industry, they did not do anything to reduce the actual costs of health care in America.

The problems with ObamaCare are not due to bad marketing, they are the result of fundamental design flaws. Health care costs are the biggest barrier keeping participants out of the insurance market. Health care costs are among the main factors contributing to wage stagnation for American workers. And health care costs continue to be the single largest problem plaguing our Nation's health care system. Yet despite the obvious problems, health care costs were all but ignored when the so-called Affordable Care Act was being drafted, and the few provisions in the law that were aimed at bringing down costs were either poorly conceived, terribly implemented or both.

For example, we had the Consumer Operated and Oriented Plan Program, or CO-OP Program, which was created