

different ways: our justice system, our foreign policy system, and our ability to respond to the havoc that is taking place in the Middle East right now. Let's put an end to all of this obstruction. Let's move forward with votes on these qualified consensus nominees as we have done historically. It wasn't until this Republican crowd arrived in the Senate that they started doing it. We have never had this before. We may have held somebody up for a while, but they basically put a stamp of disapproval on anything that President Obama wants to do.

We are not going to stand by silently and allow these nominations to linger in the Senate. We are going to continue to demand that they schedule votes on these qualified, dedicated public servants so they can work on behalf of our great country.

Mr. President, would the Chair announce the business of the day.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Democratic whip is recognized.

TERRORIST ATTACKS AGAINST FRANCE

Mr. DURBIN. Mr. President, earlier in this session we observed a moment of silence to exhibit our solidarity with the people of France. I add my voice to others here today in sharing my deepest condolences and solidarity with the people of that great nation. As a result of barbaric violence that occurred over the weekend, we are finding this solidarity coming together from across the world, standing behind the people of France in their hour of need.

These events that occurred in Paris were heartbreaking and infuriating. America knows well from the tragic events of September 11 that this kind of savagery is a challenge to the civilized world, one which we must collectively stand and defeat.

As French President Hollande said to a joint session of the French Parliament, when France is attacked in such a manner, the whole world is attacked. I agree.

The people of Russia are also victims of such violence in the recent downing of their airplane departing Egypt, another tragedy for which ISIS has claimed credit. The people of Lebanon and Turkey have suffered horrific bombings in their capitals in the last few weeks from these same terrorist groups, and the brave reformers in Tunisia—one of the few countries to emerge from the Arab spring with an inclusive and inspiring democracy—have faced similar violence against innocent people at their museums and tourist destinations.

The perpetrator of all of these monstrous attacks is ISIS, which has filled

the void created by the wars in Iraq, Syria, and the broader political chaos of the Arab spring. These murderous henchmen have conducted the most heinous of acts: beheadings, mass rape, torture, and the murder of innocents in a sick attempt to intimidate the civilized world and to feed their own warped ideology.

I have supported President Obama's leadership in organizing a global coalition to defeat ISIS and will continue to do so. I applaud Secretary Kerry for his efforts to negotiate an end to the Syrian civil war, but we must do more.

When France is attacked and President Hollande reaches out to his allies, he is reaching out to the North Atlantic Treaty Organization, NATO, of which the United States is a member. He should reach out as well—and we all should reach out—to Russia which, as I mentioned earlier, has been victimized by this terrorist group in the downing of that aircraft. Then reach out to the Saudis and Muslim leaders around the world. Join us in a coalition to destroy ISIS, first in their occupied territory in Syria and in Iraq, and then in their murderous web of recruitment and hate around the world.

Several people in the United States have reacted to the tragedy in France by calling for us to suspend refugees coming to this country. Many of these people have not reflected on the refugee situation in our country. Each year, the United States of America accepts about 70,000 refugees from around the world. These refugees are each carefully investigated, reviewed and vetted. That process takes anywhere from 18 to 24 months before a refugee from any part of the world is allowed to enter the United States. We do everything humanly possible and take extraordinary efforts to make certain dangerous people do not arrive on our shores. That vetting process must continue and when it comes to suspicious circumstances, must be doubled in its intensity to make certain our Nation is safe, but for those who are focusing on that as the answer to what happened in Paris, they are very shortsighted.

One out of four of the refugees coming to the United States in the last fiscal year came not from the Middle East but from Burma. In addition to that, we find many refugees coming to the United States from Iraq. It turns out that over 3,000 refugees came from Iran. In each and every instance, we should apply the standard of strict vetting and the highest standards of investigation. I certainly stand by that, but those who say we should turn away refugees coming to the United States have forgotten the lesson of history. It was May of 1939, a ship docked in Florida. The ship was named the *SS St. Louis*. On that ship were almost 1,000 Jews from Europe who were trying to escape persecution. Sadly, the United States turned them away and they had to return to Europe. They were afraid for their lives. The Nazis had engaged in Kristallnacht and violence against

Jewish people, and these refugees were coming to our shores seeking refugee status. In May of 1939 we turned them away. They returned to Europe and over 200 of them died in the Holocaust.

Since that time the United States has taken a different approach to refugees. We have been a country sensitive to the reality that in many parts of the world people are living in fear of death every day and can only find safety on our shores. Over the years we have accepted 750,000 refugees from Vietnam; we have accepted over 500,000 Cuban refugees, including the fathers of two U.S. Senators, one who is running for President; we accepted over 200,000 Soviet Jews who were escaping persecution in the former Soviet Union; we have accepted refugees from around the world—from Somalia, from Bosnia. The list is long. That is an indication of who we are and our values.

Now, we need to be careful when any refugee comes to the United States. We should give them a thorough investigation, but for us to step back and say we are going to stop being a refuge for refugees from around the world is a retreat from America's values. Let us make sure the process for refugees, immigrants, and visitors is the very best. Let us carefully follow through on each one of them, but let us not turn our backs on many around the world who fear for their lives and are looking for the safety of the United States. That has been part of our heritage for over 60 years and it should continue.

What can we do? We know we have an obligation to keep America safe, and we know ISIS and terrorists like them are trying to find ways into the United States. First, we must acknowledge the obvious. For more than 14 years, with the exception of the Boston Marathon, involving lone-wolf terrorists, we have kept America safe. It has been through the good work of our men and women in the intelligence community, the military, the FBI, and in so many different aspects of our government.

So what can we do in the Senate to make sure they are able to do their job effectively? Why don't we do our job in the Senate. Why don't we pass the appropriations bills for these agencies. Imagine, here we are, over a month into this fiscal year, and the Senate has not passed the appropriations for the FBI, the appropriations for the Department of Homeland Security. What are we waiting for? Instead, we have vote after revote after revote over old issues that have been resolved on the floor of the Senate months ago. This week, if we want to fight terrorism and protect the United States, let us pass the appropriations bills for all of the agencies of our government. It is time to do it and to do it now.

Secondly, we need to make sure our country has the tools to fight terrorism, the kind of terrorism we have seen in Paris, France. We know we need to change the approach when it comes to the encryption of data and communications so that we have access

to the communications of terrorists. Technology is leaping ahead of our capacity. We are told by our agencies of government that to keep America safe we have to deal with encryption standards today. That is the reality of the challenge to the United States.

Some would dwell on refugees. I think we ought to be careful on every single refugee that comes to this country, but there is more we can do. Pass the appropriations for the agencies that keep us safe, put in new standards so we can deal with the encryption where would-be terrorists are hiding their communications from our surveillance even under court order.

Third, we need to come together—France, the NATO nations, Russia, those Muslim countries that abhor this extremism that is exhibited by ISIS—and wipe ISIS off the map in Iraq and Syria. We need to rely on local forces there who have been so effective, like the Kurds, who are willing to fight the ISIS troops on the ground and to defeat them. Eliminating them from Iraq and Syria is no guarantee they will not continue their efforts around the world, but let us have a common enemy in ISIS and come together in a large global coalition to fight them and stop their efforts.

I come to the floor with some emotion today because my wife and I, for years, have visited France. We consider it to be a wonderful country with great people. We have had our differences on foreign policy from time to time, but any student of history knows the French stood with us when it came to our Revolution. The French have been by our side time and again, and we have been by their side in both World War I, World War II, and in so many other theaters.

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

Mr. DURBIN. Mr. President, I will conclude by saying, from the birth of our Nation to this day, France has always been one of our closest allies. America stands arm in arm with the people of France.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, like the speaker before me, I rise to offer my condolences to the nation of France. As the previous speaker said, she is one of our oldest allies, and the people of America stand proud with her during this tragic time.

AFFORDABLE CARE ACT

Mr. HELLER. Mr. President, I rise to share my concerns about the devastating impact of the Affordable Care Act and, specifically, the Cadillac tax. The Cadillac tax is a 40-percent excise tax set to take place in 2018 on employer-sponsored health insurance plans. In Nevada, 1.3 million workers who have employer-sponsored health insurance plans will be hit by this Cadillac tax. These are public employees in

Carson City, service industry workers on the strip in Las Vegas, and small business owners and their retirees across the State of Nevada.

My colleagues from across the country have heard the same concerns I have: This 40-percent tax will increase costs, significantly reduce benefits or result in employers getting rid of employer-sponsored health coverage all together. Is this what we want? Is this what we voted for? Is this what the other side voted for?

This is precisely why Senator MARTIN HEINRICH of New Mexico and I have sponsored the Middle Class Health Benefits Tax Repeal Act of 2015, the only bipartisan piece of legislation to fully repeal this onerous tax. My bill has 19 bipartisan cosponsors.

Over the summer, when I committed to taking a leadership role to fully repeal this tax, I waited for months for a sign that my colleagues across the aisle would work together to repeal this tax. There was a lot of talk, but there was no action. To date there is still little action from these same colleagues, which is why I ask them once again to join me in repealing this bad tax.

This shouldn't be a bipartisan issue. Yet my colleagues across the aisle have turned it into one. That is why I commend Senator HEINRICH for joining me in working together in a bipartisan manner to fully repeal this tax, and this repeal needs to happen and happen quickly for the employers to be able to plan for the future. Whether it is through our bill or any of the must-pass measures the Chamber takes up in the next 6 weeks before the end of this year—for example, tax extenders—the Cadillac tax needs to be fully repealed.

As a member of the Senate Committee on Finance, this is something I have engaged my colleagues on and will continue to do so, especially as we hopefully look to move tax extenders before the end of this year. This is not just something that needs more bipartisan support in the Senate. There are over 218 cosponsors in the House of Representatives—nearly half of them are Democrats—and 83 organizations have endorsed our efforts to repeal the Cadillac tax. It is very rare these days to see this much agreement in Washington, DC. Organized labor, chambers of commerce, local and State governments, large and small businesses have come together with a bipartisan group putting forth a solution to fixing a problem affecting so many hard-working, tax-paying Americans.

The Cadillac tax doesn't officially go into effect until 2018, but the impact of this tax is being talked about more and more because employers are starting to make major changes today now to their workers' health care benefits in order to limit the impact of the tax or avoid the tax altogether.

I have heard from large companies, I have heard from small businesses and organized labor, such as the culinary union in Nevada, and they are all say-

ing the same thing: The Cadillac tax needs to be fully repealed or our employees will experience massive changes to their health care.

We are talking about three things. We are talking about reduced benefits, we are talking about increased premiums, and we are talking about higher deductibles. Is this what we want? All of these lead to more money being taken out of the pockets of hard-working, tax-paying families.

According to the nonpartisan Kaiser Family Foundation, employees who have job-based insurance have witnessed their out-of-pocket expenses climb from \$900 in 2010 to \$1,300 in 2015, on average. That is almost a 50-percent increase in their insurance coverage in the last 5 years. Employees working for small businesses now have deductibles over \$1,800. Kaiser also notes that deductibles have risen nearly seven times faster—seven times faster—than workers' earnings since 2010. Kaiser's president, Drew Altman, said:

It is quite a revolution. When deductibles are rising seven times faster than wages . . . it means that people can't pay their rent . . . they can't buy their gas. They can't eat.

As deductibles rise, another way employers are planning on avoiding ObamaCare's massive new tax is by eliminating health savings accounts and flexible spending accounts. Over 33 million Americans use FSAs, or flexible spending accounts, and 13.5 million Americans use health savings accounts, or HSAs. They may see these accounts vanish in the coming years as companies scramble to avoid the law's 40-percent tax hike.

HSAs and FSAs are used for things like hospital and maternity services, they are used for childcare, they are used for dental care, physical therapy, and access to mental health services. Access to these lifesaving services could all be gone for tens of millions of Americans if the Cadillac tax is not fully repealed.

Every day there is a new article in the national press talking about how middle-class workers, tax-paying Americans, are going to be hit by this tax. Towers Watson, a management and consulting firm, did a survey of large businesses that typically offer the most comprehensive coverage. They found in 2018 more than half of the employers are planning to significantly cut what they contribute to insure employee spouses and children. The United Parcel Service, UPS, is one of those companies that have already said they plan on limiting plan eligibility for spouses of employees.

Shaun O'Brien, assistant policy director of the AFL-CIO, said recently that "employers are coming to the table asking for cuts in benefits based on their preliminary projections around the 40 percent excise tax."

To make matters worse, the chief financial officer of a waste and recycling company, Action Environmental, recently told the Wall Street Journal