

## RESERVATION OF LEADER TIME

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

## WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I am going to—I believe I have an opportunity to speak on the floor now on the pending measure as in morning business, but I am going to yield as soon as the Democratic leader comes back, which I expect to be momentarily, and I would ask unanimous consent to then reclaim the floor. He has just arrived. I am going to yield to the Democratic leader for his leadership time.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I appreciate very much my friend the assistant leader for always looking out for me, as he has for 34 years. I appreciate it very much. We came together here 34 years ago, to Congress, and I appreciate all he has done over the years and especially his friendship.

## ZIKA VIRUS FUNDING AND JUDICIAL NOMINATIONS

Mr. President, quickly, it is hard for me to understand how my friend the Republican leader can stand here and talk about Zika. Let's just look back at what happened. We passed here, with 89 votes, a compromise Zika funding bill. Democrats and the President wanted more money. We agreed to \$1.1 billion. It flew out of here and went to the House. The House decided they wanted to do a few things. They wanted to restrict funding for birth control provided by Planned Parenthood. Remember, 2 million women visited Planned Parenthood last year. With all the problems with Zika now, there are a lot more who are going to be showing up at Planned Parenthood. That legislation exempts pesticide spraying from the Clean Water Act. It cuts veterans funding by \$500 million—half a billion dollars. That money was being used to speed up the process in the veterans' claims. It cuts Ebola funding by \$107 million. Yet it rescinds \$543 million of ObamaCare money. It strikes a prohibition on displaying the Confederate flag.

So, in effect, the Republicans in the House decided they would send back

this bill loaded with poison pills. We had just passed the bill that I told you went over there—straight funding for research and taking care of the problems with Zika. That was it. It was very simple. Even though the Republicans voted—89 votes—with us a few weeks before that, they suddenly decided: Well, we will go along with flying the Confederate flag, cutting ObamaCare, and destroying Planned Parenthood. So how can he with a straight face talk about our having hurt Zika?

Zika is a very dangerous virus. We are learning more about it every day. One of America's prominent scientists today said that now Zika affects everybody. The virus goes in people's eyes and leads to vision impairment and blindness. It is not just women of child-bearing age; it is going to affect a lot of people.

Please, please, Mr. Republican Leader, don't talk about this anymore. It takes away from your dignity.

Yesterday I objected to committees meeting to bring attention to the fact that the Senate Republicans refuse to hold a hearing on Chief Judge Merrick Garland, this man who should go to the Supreme Court. As said by a senior member of the Republican caucus, ORRIN HATCH of Utah, he was a consensus nominee, but they refuse to allow this man to go on the Supreme Court. They want to save that Supreme Court nomination for Donald Trump. Donald Trump picking who goes on the Supreme Court—a man who believes in waterboarding. He said that waterboarding isn't enough torture; we need to do more than just waterboarding. That is just one of the little snippets from this man.

This morning, a number of Senators are going to go to the Supreme Court steps with former clerks of Judge Garland, and we are going to hear positive statements about Merrick Garland, as if we need more. We have plenty. This is a good man.

I am glad to see that the Republican leader is talking about some movement on Zika. Maybe we have a path forward on that. We are going to continue to take steps to keep attention on this important nomination and on Zika and other things.

The Republicans simply aren't doing their job. You have seen these charts we have, and we will continue to show them. It is very simple: Do your job. And the Republicans simply are refusing to do their job.

In the meantime, I want to find other ways to focus attention on what they are not doing to help Chief Judge Garland. My friend the assistant Democratic leader is going to attend a meeting—which he does whenever they have one, with rare exception—of the Judiciary Committee. He loves that committee. He is the ranking member and was chair of the Constitution Subcommittee. Tomorrow, it is my understanding that we are going to try to do a markup of some district court judges.

I look forward to what is going to happen at that meeting of the Judiciary tomorrow.

## OBAMACARE

In this morning's Wall Street Journal—a paper not ever confused with being liberal or pro-Obama—there is stunning news—very positive news—about the number of Americans who now have health insurance. According to the Centers for Disease Control, our Nation's uninsured rate stands at 8.5 percent. From where it was before, that is stunning. Because of ObamaCare, almost 92 percent of Americans now have health insurance—92 percent of Americans. People no longer have to worry if they have a child with diabetes or someone has been in an accident or you are a woman—you can now get insurance. Insurance companies don't control what goes on.

I remind my Republican colleagues, who love to come down here and berate ObamaCare, could ObamaCare be better? It could be a lot better if we had 5 percent help from the Republicans, 2 percent, 1 percent, but they have done nothing to help the health care delivery system in this country. In fact, they have done things to hurt it. Some 70 times they voted to defund ObamaCare and do away with it. It wasn't long ago that we talked about how many millions of people had no health insurance. That is no longer an argument. It has been 6 years and the Affordable Care Act has cut the number of uninsured Americans significantly. The Nation saw the sharpest decline in the number of uninsured people in 2014 when the ObamaCare coverage provisions kicked in. This is no coincidence. While the Republicans have been making much about the premium increases, the fact is, the vast majority of Americans are protected by ObamaCare provisions that safeguard against these huge tax rates and tax increases.

These are the facts. All across America our constituents are getting the health coverage they were promised when Congress passed the Affordable Care Act. I repeat: It could be made better if a few Republicans would break away from the Trump mentality and try to help us. It is time for Republicans to stop denying the evidence. ObamaCare has worked and it is working.

## NOMINATION OF MERRICK GARLAND AND THE JUDICIARY COMMITTEE CHAIRMAN

Mr. President, after 7 weeks, we are finally back working. We finally returned from a historically long and unprecedented long, long, long summer vacation. About 2 months were wasted by Republicans who could have been doing their jobs. We would have been happy to join with them in getting things done on the Senate floor and in our committees. If Republicans were serious about their constitutional duties, they would have spent some time giving Chief Judge Merrick Garland the hearing he deserves. He deserves to have a hearing.



Why are they afraid to give him a hearing? They are afraid to give him a hearing because if they did, this good man's credibility, competence, experience, and just the simple fact that he is such a nice man would be overwhelming. They don't want to do that. The American people would know they are trying to hold up somebody who should be on the Supreme Court.

The American Bar Association said he was unanimously "well-qualified." They can't give a higher rating. If they could, they would. Senator HATCH said there is "no question" he could be confirmed and that he would be a "consensus nominee," but Senate Republicans will not even give this good man a hearing. It is nothing short of being shameful.

As a USA TODAY editorial last month said, "Flat-out ignoring a vacancy on the nation's highest court, which Senate Republicans have vowed to do while President Obama remains in office, is an abrogation of its constitutional duty."

The people we represent across this great country cannot believe their representatives have put partisan interests above their constitutional duties. They cannot believe the chairman of the Judiciary Committee has gone along with this scam, and that is what it is.

Over this recess, the Des Moines Register, Iowa's largest newspaper, published another letter to the editor. There have been lots of editorials. Here is what one Iowan said:

I am a 60-year-old registered Republican and this year I am not voting for Chuck Grassley. Senator, you have tossed 225 legal years of tradition in the trash heap and have made this country weaker. . . .

I think the people of Iowa are not served by waiting over a year for a judicial hearing. Where is the senator I first voted for 40 years ago?

I have been in Congress for 34 years, and this is something that is a familiar refrain that we hear from people all over Iowa, and that's how I feel. Where is the Senator I first started serving with in the Congress those many decades ago?

I admit, as I consider all of the unprecedented obstruction of Merrick Garland's nomination, I am again forced to ask: Where is the CHUCK GRASSLEY I have come to know over the last three and a half decades? I can't imagine this man who we always thought was an independent person would refuse to do his job on the Judiciary Committee. As chairman, he failed to schedule a hearing on this qualified nominee.

The first speech I gave on this floor those many years ago was talking about the Taxpayer Bill of Rights. The Presiding Officer was the Senator from Arkansas, David Pryor. Senator GRASSLEY heard my speech. He agreed to help me. With the help of Senator GRASSLEY and Senator Pryor, we got that passed my first year in the Senate. It was really quite a big victory. We put the taxpayer on more equal footing with

the tax collector, and Senator GRASSLEY worked with both Senator Pryor and me. That is the way GRASSLEY used to be—independent. I could not have imagined—but I have to accept it—that he would refuse to do his job by blocking a vote on Garland's nomination, but that is precisely what the chairman of the Judiciary Committee has done. He has blocked his nomination. He was nominated 175 days ago. For 175 days, this senior Senator from Iowa has refused to lift a finger in consideration for this nominee.

The Senator I knew would not cede the independence of this very good committee—famous committee. It has been around forever in the Senate. I could never have imagined what he has done. Since he became chairman, we have seen the independence and prestige of the Judiciary Committee manipulated by Senator GRASSLEY's boss, the Republican leader, for narrow, partisan warfare.

We all know where the Republican leader stands on President Obama's Supreme Court nominee. Long ago, Senator MCCONNELL decided to abandon any degree of bipartisanship or decorum just to spite President Obama. We heard that within hours of Scalia having passed away. The Republican leader admitted as much last month when he told a gathering in Kentucky, "One of my proudest moments was when I looked at Barack Obama in the eye and I said: 'Mr. President, you will not fill this Supreme Court vacancy.'"

Isn't that something to be proud of? One of the Republican leader's proudest moments was the time he abandoned his constitutional duty and failed to do the job he was elected to do. Republicans' proudest moments are not accomplishments, they are obstruction. What a shame that he is putting Senator MCCONNELL's political vendetta against President Obama over the will of the people of Iowa and the other 49 States. It is disappointing that Senator GRASSLEY is going along with this obstruction. Where is the Senator I have known for such a long time?

I am not mad at Senator GRASSLEY. I remember who he used to be—what he used to be—and that is going to overcome any animosity I have toward Senator GRASSLEY. My only concern is that I think the great record of this man from Iowa is being tarnished—some say beyond repair. His legacy is going to be damaged, and we have seen that in editorials out of Iowa as well as letters to the editor out of Iowa—lots of them.

Donald Trump is the American nightmare. He is the most unqualified major party Presidential candidate anyone can remember. He is a bigot and a scam artist. He will not show us his tax returns, and Senator GRASSLEY is holding the Supreme Court vacancy for this man.

Just last week, the chairman of the committee even compared Donald Trump—listen to this one—to Ronald Reagan. Wow. I served with Ronald

Reagan for a little bit, and I didn't agree with everything he did, but I admired him as a person. I thought he had a good administration. I thought what he did in bringing the Cold War to an end and swallowing a little bit of pride, which you have to do sometimes in order to do important things—he met with Communist leaders on more than one occasion. He, more than anyone else, brought the Cold War to a close. He didn't have an unblemished record. There was the commerce fiasco which had a lot of problems, but he was a good person.

With all due respect to the Senator from Iowa, I know President Reagan and I worked with him and, as I indicated, had a few differences with him, but I can say unequivocally that Donald Trump is no Ronald Reagan. That is the most significant understatement I have made on this floor in a long time. The fact that my colleague from Iowa would lump Ronald Reagan in with an egomaniac—a selfish person like Donald Trump—should scare the people of Iowa. This is not the GRASSLEY we have come to know all these many years. Instead of spending his days as Trump's fan, the Judiciary chairman should perform his constitutional duty and give President Obama's Supreme Court nominee due consideration. That is the job the people of Iowa elected him to do, and it is simple common decency and fairness.

Senator GRASSLEY should do his job and give Merrick Garland a hearing and a vote, and it should be now. Don't make another Iowan question: Where is the Senator I first voted for 40 years ago?

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

#### ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, I listened carefully to the statement made by the Republican leader, Senator MCCONNELL, about the Zika crisis we face. I would like to give the Members of the Senate and those who are following this debate an update of what occurred in the United States of America between the time we adjourned and now returned to this session of the U.S. Senate.

The last time I came to the floor to speak in July to talk about Zika, there were 3,667 people in the United States and U.S. territories who had Zika infections. Included in that number, 599 pregnant women. As of late last week, that number has skyrocketed. There are now 17,000 people infected with Zika in the United States and its territories. That is a fourfold increase over the 7 weeks since we left for recess. It included 1,595 pregnant women.

I say to the Republican majority: You have been warned by the President, by public health experts, and others that your failure to respond to the President's request for resources would endanger people living in the United



States and its territories and especially pregnant women. Yet the Republican leadership has refused the President's efforts to provide the resources necessary to fight this deadly Zika virus.

The numbers are devastating but not surprising. It was last February—7 months ago—when the President asked Congress for \$1.9 billion in emergency funding so public health experts would have the resources they needed to fight Zika. Here we are almost 7 months later—200 days later—and Congress still has refused to provide the resources necessary to protect American families from this virus. This is a disgrace. It is an outrage.

Our Federal health agencies, including the Centers for Disease Control and Prevention, have been doing everything they can to move money around within their agencies to try to make do in this fight against Zika. They are out of options.

Last week, Dr. Frieden, Director of the CDC, said:

The cupboard is bare. Basically, we are out of money, and we need Congress to act to allow us to respond effectively.

Dr. Frieden came to see me before the recess. In my office, he said he was incredulous. He said: You mean you are going to leave without Congress responding to the President's call for emergency funding to fight Zika? And I said: Unfortunately, that is the case. And that is what happened. For 7 weeks, we have said to the public health leaders across America that the Republican-led Congress will not respond to the President's call for emergency funds. It didn't have to be this way.

In May, the Senate approved a bipartisan compromise funding bill supported by 89 Senators, including many who have come to the floor on the Republican side. It was negotiated by Senators BLUNT, MURRAY, and others. It provided \$1.1 billion in emergency funding to fight Zika, not what the President asked, which was \$1.8, but \$1.1 billion. Instead of voting on this bipartisan measure after it passed the Senate with 89 votes, the House Republican leadership put forth an inadequate proposal to fight Zika in the range of \$622 million, about one-third of what the President asked for. Then when that bill was a nonstarter, the House Republicans decided to double down, so they drafted the special House Republican Zika funding bill. What an outrage. This bill included a litany of poison pill riders that the House Republicans knew didn't have a chance in the U.S. Senate.

They threw in a provision—listen to this—at a time when women, fearful of becoming pregnant and infected by the Zika virus, were seeking family planning advice and counseling, the House Republicans threw in a provision on the Zika funding bill to block funding for Planned Parenthood. They knew with no vaccine available to protect these women, women's health clinics

like Planned Parenthood were on the frontlines of giving women who faced a pregnancy the opportunity to delay that pregnancy so they wouldn't be infected and give birth to a child with serious problems.

Did they stop there? No. The House Republicans had more. They threw in provisions to undermine the Environmental Protection Agency on key provisions of the Clean Water Act. Then they added provisions to cut Affordable Care Act funds to reduce the opportunity in Puerto Rico, which is ground zero in our territories, to fight the Zika virus. Essentially, the Republicans are putting red meat for the right wing of their party ahead of protecting the people living in America and our territories—and especially pregnant women—from this public health threat.

It is no surprise that this hyperpartisan bill coming out of the House went nowhere.

Now, Senator MCCONNELL comes to the floor and blames the Democrats—blames the Democrats—after the Republicans put in the provision to block funding for family planning at Planned Parenthood.

Let me be clear. Democrats were committed from the start to fund this effort that the President asked for at \$1.9 billion so that we had the resources to fight this public health emergency. The Republicans decided to play politics with it.

I have been in Congress for a while, in the House and in the Senate. We have had a lot of disasters—natural disasters and others. Time and again we put party aside to respond to the real needs of the American people. That has all changed. With the arrival of the tea party and this new spiteful spirit that we see in the Congress, even a public health crisis like Zika has become a political football in this Republican-controlled Congress.

When it became clear the Republicans were not going to approve the funding level the President asked for, we agreed to a compromise of \$1.1 billion. This bipartisan bill passed the Senate overwhelmingly, and all the House had to do was to approve that bill so that we could provide funding to fight Zika. They refused.

I worry that my Republican colleagues are underestimating the threat that this virus poses. Local transmission of Zika has now occurred in Florida, with more than 35 Floridians contracting the virus without having traveled overseas. And, for the first time ever—for the first time in the history of our country—the Centers for Disease Control and Prevention is warning Americans that there are certain parts of the continental United States that are not safe to travel in. They are advising pregnant women to avoid neighborhoods in Miami, FL. That has never happened before. When the President warned us in February of the danger of this crisis, did any of the Republicans who opposed him think

there would be parts of America that we would be advising Americans not to visit because of the danger of this public health crisis? Certainly, if they did, they would have paid closer attention to the President's request.

During the past 6 months, we have discovered new and worse information about Zika. Here is what we know. Zika can be spread through sexual transmission. We also know women with Zika in their first trimester face a 13-percent chance that their baby will be born with microcephaly. And even if pregnant women don't show any signs of infection, the baby can be born with serious physical and neurological disorders. Researchers are also examining the links to other negative health outcomes: Eye infections that can lead to blindness, autoimmune disorders that can cause paralysis. And what about the impact of maternal stress on the baby? I can't imagine the anxiety that pregnant women must feel right now, especially in Florida, and as a result of the looming crises in Texas, Louisiana, and certainly in Puerto Rico. If you call yourself a pro-life Congressman or Senator, wouldn't you want to do everything in your power to protect these babies from this elevated risk?

In July I met with maternal and fetal health medicine specialists and community health leaders in Chicago who shared with me their fear about what parents were going to go through. Illinois has now had 47 cases of Zika, but with Chicago being a major transportation hub, hundreds more of pregnant women have sought care and advice from providers and have undergone tests to make sure their babies are safe.

I am tired of the partisan games being played with the health of pregnant women and babies but, to date, that is exactly what has happened with this partisan response to the Zika crisis. It is time for this to stop.

I am heartened that some House Republicans—only a few—have had the courage to step up and say what is obvious. Florida Republican Representative TED YOHO recently said: "Take everything out except Zika funding and don't put any riders in it" when he was asked how we should respond to the Zika crisis. He basically said to Speaker RYAN and the House Republicans: You have to reverse course and take the politics out of the Zika public health crisis.

Well, I hope the Republican leadership is listening. Let's not wait for another 17,000 infected by Zika. It is time for the Republicans to stop playing these political games, to come back and approve the measure that passed with 89 votes in the Senate.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, I have come to this floor for many years now to alert the American people to a looming crisis. It is a crisis involving for-profit colleges and universities. Many people were not even aware that there was a difference between public and private universities



in the for-profit sector, but there is a big difference. I have said it repeatedly and sadly it is still the case.

There are three numbers that tell the story about for-profit colleges and universities. Ten. Ten percent of students enrolled in post-secondary education go to these for-profit schools—schools like the University of Phoenix and DeVry and Rasmussen and Kaplan—10 percent of the students. Twenty. Twenty percent of all of the Federal aid to education goes to these for-profit schools. Why so much? Because they charge so much in tuition. But the big number is 40. Forty percent of all student loan defaults are students who attended for-profit colleges and universities. Ten percent of the students, 40 percent of the defaults. Why? For several reasons.

First, these for-profit colleges and universities are recruiting young people who are not ready for college. They don't care. Sign them up. Sign them up so that these for-profit schools can walk away with their Pell grants, can lure them into student loans that send thousands of dollars for each student back into these for-profit schools. Many of the students finally wake up to the reality that they are not ready for college or that the debt they are accumulating is too high, and they make a terrible choice but an inevitable one—they drop out. So they sit there with a debt and nothing to show for it but wasted time. Or, they stick with the program. For-profit schools take them to "graduation" and then they find out the reality that the diploma from for-profit colleges and universities in many cases is worthless, despite all the debt and all the time wasted.

Yesterday, one of the worst actors in the for-profit sector, ITT Tech, announced it was closing after years of exploiting students and fleecing taxpayers. In the post mortem, many are focused on the Department of Education's decision a couple of weeks ago to prohibit ITT Tech from enrolling any new students using Federal student loans, in addition to other restrictions. But the root of the ITT Tech demise stretches back much further than that. This is a company that literally rotted from the inside.

The story of ITT Tech, like that of Corinthian, another failed for-profit college, is really the story of the for-profit college industry—for-profit education companies consumed by greed, fed by students who are understandably trying to make a better life for themselves, and enabled for too long by poor Federal oversight and congressional inaction. Like Corinthian before it and many for-profit colleges still today, ITT Tech charges students too much in tuition, provides them too little in the form of meaningful education, and leaves them with crushing debt.

In my hometown of Springfield, IL, we have a mall called White Oaks Mall. Every time I would drive out there and

take a look at the huge ITT Tech sign on the side of that mall, I would think to myself, I know what is going to happen here. This school is going to lure in hundreds of unsuspecting students from this area, saddle them with debt, and give them worthless diplomas, and probably ITT Tech one day would go out of business. It happened. In my hometown, an ITT Tech student seeking an associate's degree in information technology, computer and electronics engineering technology, computer drafting and design, and parallel studies could sign up with ITT Tech and expect the 2-year program to cost them \$47,000—\$47,000 for 2 years at ITT Tech in Springfield, IL, for an associate's degree. If they went a few miles away to Lincoln Land Community College, they could get an associate's degree in fields like information technology, computers and electronics for \$3,000, so \$47,000 at ITT Tech and \$3,000 at Lincoln Land Community College a few miles away. And here is something to think about: At Lincoln Land, only 1 in 50 students ends up being unable to pay back their Federal student loans—1 in 50. At ITT Tech: One in five. Students are 10 times more likely to default on their student loans if they went to ITT Tech instead of Lincoln Land Community College for the same degree. Why? The difference in tuition: \$47,000 in debt at ITT, \$3,000 in debt at Lincoln Land.

According to one recent Brookings study, ITT Tech students cumulatively—cumulatively, these students owe more than \$4.6 billion in Federal student loans, and now ITT Tech is going out of business.

How much is being paid back on that accumulated debt to ITT Tech, this for-profit college? According to the same Brookings study, minus 1 percent of the balance has been repaid in 2014. How is that possible? How can it be a negative number? Because the interest on the cumulative debt is accruing faster than the payments being made by students nationwide. These students are being fleeced—fleeced by a fly-by-night, for-profit college that should have been closed long ago.

Individual students often have no chance of paying back their debt. They have taken on huge debt for a worthless diploma from ITT Tech.

In 2009, ITT Tech's 5-year cohort default rate on student loans was 51 percent. More than half their students defaulted.

Marcus Willis from Illinois understands it. He was recruited by ITT Tech with two or three phone calls a day until he finally signed up. He relented from the pressure and signed up for classes. Marcus graduated in 2003 from ITT Tech and spent months looking for a job. Of the student debt he incurred, he says: "It's too much to even keep track of; I will never be able to pay it back." He says he wouldn't wish ITT Tech on his worst enemy.

ITT Tech and many of these for-profit colleges are approved by our Federal

Government to issue Pell grants and student loans. Is it any wonder that students like Marcus Willis think they are legitimate schools and they turn out to be nothing but fleecing operations by these people who are raking in millions of dollars?

Like Corinthian before it and many more for-profit colleges still today, ITT Tech has engaged in unfair, deceptive, and abusive practices to lure students into their programs—false promises, high-pressure tactics, flashy advertisements.

Yesterday, when it announced it was going to close, ITT was under investigation by—listen—18 State attorneys general. It is being sued by Massachusetts and New Mexico at this moment. The New Mexico attorney general found ITT placed students into loans without their knowledge, falsely stated the number of credits a student needed to take in order to push them even deeper into debt, failed to issue refunds in tuition and fees in compliance with Federal law, and many other deceitful practices.

The Consumer Financial Protection Bureau is suing ITT Tech for predatory lending. This was a for-profit college with the blessing of the Department of Education. There are many more, sadly, just like it.

Despite what happens to students and their families, the executives who worked at ITT Tech are not going to suffer in this closure. Kevin Modany and Daniel Fitzpatrick were two ITT execs. Modany received \$515,048 and Fitzpatrick received \$112,348 in big bonus checks as recently as January. In 2014, Modany was paid more than \$3 million in total compensation. I think that is more than any college president in America. This man was paid that amount of money by ITT Tech because students came in and signed up for their worthless courses. These are the same two individuals the SEC say violated numerous securities laws in their fraudulent private student loan scheme at ITT Tech.

Accreditation for ITT Tech? The for-profit industry takes care of that. They accredit their own schools. It is time for us and the Department of Education to stop playing ball with that.

Yet for all of this, in its swan song, ITT Tech is engaging in a pity campaign for itself—blaming everyone but its own greedy executives and shady practices for its collapse.

True to form, the Wall Street Journal calls the collapse of ITT Tech an "execution" carried out by the Obama administration. The words "for-profit" as used in the term "for-profit colleges and universities" are such a siren song for the Wall Street Journal that they don't even have the good sense to recognize crony capitalism when it comes to the for-profit colleges and universities. These colleges and universities are the most heavily federally subsidized businesses in America today.

ITT Tech's irresponsible actions now leave tens of thousands of students



across the country wondering what is next.

Many who recently attended ITT Tech will be eligible for closed school discharges, but must weigh their options carefully.

If students use ITT Tech credits to transfer to a similar program of study, they may not be eligible for a closed school discharge.

Those who decide to transfer should look at community colleges or other not-for-profit options. I have asked Illinois community college presidents to assist ITT Tech students to continue their educations. I urge my colleagues to do the same in their States.

The last thing we want is these students to fall into the open arms of other for-profit colleges facing State and Federal investigations or lawsuits.

In addition, there are countless ITT Tech students who likely qualify for Federal student loan relief under a defense to repayment given the voluminous evidence of ITT Tech's unfair, deceptive, and abusive practices.

The Department of Education should work with State attorneys general and other Federal agencies who have evidence of this wrongdoing to ensure ITT Tech students who were defrauded receive the relief to which they are entitled under the law.

Of course, all of this will cost taxpayers dearly. The Department estimates that the outer limit of potential closed school discharges could be around \$500 million. Potential defense to repayment claims pushes the price tag higher.

In addition to the \$90 million the Department currently holds from ITT Tech, the Department should seek the full \$247 million it required ITT Tech to post in August and explore other ways to ensure that ITT Tech and its executives pay for as much of the relief as possible.

But the high cost can't mean being stingy with relief to students. As I said with Corinthian, we can't leave them holding the bag.

We also can't continue to rely on a policy of oversight that only protects students on the back end, after a major collapse.

We have to reform our accreditation system so that there is meaningful accountability with respect to student outcomes on the front end. I will be introducing legislation with several of my colleagues in the coming weeks to do just that.

We need earlier and more aggressive enforcement from the Department of Education, including expanded use of letters of credit to ensure taxpayers are protected. I am pleased that the Department has created an enforcement unit to identify and respond to wrongdoing early and is working through the Borrower Defense Rule to establish triggers that will require a school to post a letter of credit.

We also must ensure that students can hold schools directly accountable in court by banning the use of manda-

tory arbitration. I am hopeful that the coming Borrower Defense Rule will also include a strong ban on this practice which hides wrongdoing and leaves taxpayers as the only option for relief when students are wronged by schools.

I am going to close by saying that there is more work to be done. This is not the last shoe to drop. Corinthian left so many thousands of students with worthless diplomas and, sadly, worthless student debt. They didn't earn anything for it. The same thing is happening at ITT Tech.

Who are the losers? The students, their families, and the taxpayers are. When these students can't pay back their loans, the taxpayers of America lose. This ITT Tech could be a billion-dollar baby when it comes to penalties for America's taxpayers. When will this Senate and this Congress wake up to the reality of the disgrace of the for-profit college and university industry?

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise today to highlight the importance and urgent need of the Water Resources Development Act of 2016 and the urgent need to bring it to the Senate floor and to act and pass it in the Senate.

Unfortunately, there are many events, floods, and disasters around the country in recent times that highlight the need for this. The most recent—even more unfortunately, from my point of view—is in South Louisiana—the devastating thousand-year flooding in greater Baton Rouge and parts of Acadiana.

WRDA 2016 addresses many of the needs that events like this highlight. It builds on the necessary commonsense reforms we made in 2014. It reinforces why Congress should be passing these water resource bills every 2 years. This is one of the reasons why WRDA has come out of both Senate and House committees with overwhelming bipartisan support. We can't continue to rebuild neighborhoods and cities time and again after disasters. We have to become more proactive in protecting life and property, more diligent in our oversight of the Corps of Engineers to ensure that projects are delivered on time, as well as more focused on creating real paying jobs that help grow our economy with the important work contained in these bills.

Some of the highlights of WRDA 2016 that particularly impact Louisiana are as follows:

First of all, let's go to the disaster area with this devastating flooding. As chair of the Senate Subcommittee on Transportation and Infrastructure and in light of that recent flooding, I added to this bill language that would expedite construction of the Comite River diversion and additional flood protection measures along the Amite River and tributaries in East Baton Rouge and adjoining areas.

The Comite River project was first authorized by Congress in 1992, and it is one project that I have been pushing

forward for several years. Had this project been completed, it absolutely would have dramatically reduced the flooding we recently saw in greater Baton Rouge. Constructing the remaining phases of the Comite River Diversion Project must be an absolute top priority, which means getting it ready to go, encouraging State and local officials to acquire the necessary footprint and mitigation lands.

In addition, the WRDA 2016 bill authorizes the West Shore Lake Pontchartrain Hurricane Protection Project and the Southwest Coastal Louisiana Hurricane Protection Project. These projects will provide necessary protection for residents outside of the New Orleans Hurricane Protection System along I-10 and throughout communities in southwest Louisiana.

We authorized the Calcasieu Lock, another vital project to reconstruct an aging lock to ensure safe, reliable transportation along the Gulf Intracoastal Waterway, a vital shipping lane.

In the bill, we have additional reforms to the harbor maintenance trust fund. This extends vital programs for ports that move much of our Nation's energy commodities, that modernize cost shares to maintain our Nation's competitive advantage in the global economy and provide for additional operation and maintenance needs for small agricultural ports along the Mississippi River.

We give authority for ports to get limited reimbursement for maintenance they perform using their own equipment for Federal navigation channels. This will help clear the bureaucratic logjam for routine maintenance and operations of our waterways in a very cost-effective way.

We provide increases in beneficial use of dredge material. That is critically important for the restoration of our coast, including the placement of dredge material in a location other than right next to the existing project.

We provide for local flood protection authorities to increase the level of protection after a disaster and rehabilitate existing levees to provide authorized levels of protection and meet the National Flood Insurance Program requirements.

We provide for allowing locals to get credit for money they spend for operations and maintenance of multipurpose protection structures and work they have already completed on coastal restoration projects.

Finally, in WRDA 2016 we also have vital studies to look at improvements to the Mississippi River, flood protection and ecosystem restoration in St. Tammany Parish, and other measures.

It is vital that we better protect our communities all across America, including in Louisiana, from disastrous floodwaters. We must be proactive, aggressive, and hold everyone accountable, certainly including the Corps of Engineers, as well as State and local partners, to ensure that these flood



protection projects get constructed on time. Congress and the bureaucracies cannot continue to drag their feet on authorization, construction, and oversight of these vital projects.

It is my hope that all of us take this into consideration and that all of us move forward with this WRDA 2016 measure, bringing it to the Senate floor, acting on it expeditiously, and getting on with the vital work of maintaining our ports and waterways and building important flood protection for communities all across Louisiana and America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

#### OBAMACARE

Mr. ISAKSON. Mr. President, on Christmas Eve 2009 on the floor of the Senate, I and the other 99 Members of the Senate voted on what is known as the Affordable Care Act, which later became known as ObamaCare. It has been 7 years since that debate, and a lot has happened.

When it passed on the floor of the Senate and in the House, I voted against it because I feared it would limit access, cost more, and limit choice.

It was sold as doing the opposite. It was sold as costing less, expanding choice, and expanding access. But facts are stubborn things. It is now time for us to look at ObamaCare and the Affordable Care Act, realize what it has done to us, and realize time is running out for us to correct the imperfections of that legislation.

On choice, remember what the President said: If you like your policy, you can keep it. Because of what we are doing, there is going to be more access for those who don't have a policy.

But, in fact, those who liked the policy they had didn't get to keep it. In fact, a lot of their coverage went away or became more limited.

The cost was going to be less expensive because everybody was going to be covered, but, in fact, everybody was not covered and costs have gone up. In fact, in our charity hospitals, our inner-city hospitals, and our high-trauma, level-1 centers around America, the payments for the disproportionate share of costs were going to be eliminated because ObamaCare was going to have everybody covered and there would be no uninsured people going to hospitals, but, in fact, that didn't take place.

Access was going to increase because there was going to be more coverage, more insurance, more things like that. But what has been the fact is the following: Choice is limited or nonexistent, cost is more expensive than ever, and access is gone.

As to my State of Georgia, I want to read you a few facts. Just last month after Aetna, UnitedHealthcare, and Cigna announced they would leave Georgia's marketplace, Blue Cross filed its third premium increase for the third time this summer—an increase of

21.4 percent. Earlier in the summer, Humana announced average premium increases in Georgia of a whopping 67.5 percent. This year, all 159 counties in Georgia had at least two provider options. In 2017, 96 counties in Georgia will have one option and one alone.

The numbers do not lie. ObamaCare is forcing insurance carriers to leave the market, eliminating competition and choice, all the while placing the burden of higher costs on the backs of working taxpayers in this country. Worst of all, the inevitability of the Affordable Care Act as a single-payer government system, which is on the horizon, is what I feared the most in the debate of Christmas Eve 2009—something all of us in the Senate hoped would never happen. It is going to be on our doorstep if we don't act now to correct ObamaCare, repeal the portions of it that are wrong, keep the portions of it that are right, but bring about choice, access, and quality to our residents. That is what we promised them 7 years ago, and that is what they deserve today.

It is time for the Senate, the House, and this administration and the next administration to realize that our No. 1 priority was to bring about the promise of a program that has more access, lower costs, and more choice for American citizens. We cannot rely on going to a government single-payer system. It will bankrupt the country, destroy health care, and eliminate the choice we all love as Americans.

So with that, I challenge the Senate to get down to business, correct the inequities in the law that was passed and do the right thing for the people of Georgia who I represent—give them insurance that is accessible, affordable, and accountable to the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO MARVIN WILLIAMS

Mr. COTTON. Mr. President, I would like to recognize Marvin Williams as this week's Arkansan of the Week for his work as the UCAN coordinator at the University of Central Arkansas in Conway. UCAN stands for Unlocking College Academics Now, a program at UCA aimed at helping students facing their first academic suspension to improve their grade point average and continue their education. Students who participate in UCAN are permitted to stay in school during their first suspension rather than withdrawing for the semester.

As the program coordinator, Marvin works with students to help identify their academic weaknesses and find

ways to accommodate them. Under Marvin's leadership, the program has helped 347 students obtain their college degrees. Without UCAN, it is possible that many of these students would have taken their semester suspension and not have returned to complete their degree.

The impact Marvin has on students' lives cannot be overstated. One of his colleagues wrote:

[Marvin] meets with students on a daily basis to encourage them to take control of their lives and their education, so they can improve their future. On a regular basis he experiences the difficulties of life as students bring him their circumstances, and he walks with them when they have no one else to turn to. Along with that, when they need correction, he does it with empathy, and leads them back to the path they need to be on.

But Marvin's compassion does not end with his work in the classroom. Marvin was also instrumental in establishing the Bear Essentials Food Pantry, the UCA on-campus food bank. The food pantry idea was born out of a meeting Marvin had 2 years ago with a student who had very little to eat. He provided the student with a list of nearby food pantries, but she lacked the transportation needed to visit the off-campus locations. Marvin responded by taking the student to the cafeteria and paying for her meal and then springing into action. He recruited a few other UCA employees to help him, and the group successfully opened a food bank on UCA's campus.

In conclusion, I would like to quote again Marvin's colleague, who concluded his nomination with these words:

I don't think I can accurately describe the work that Marvin has done. I'm sure in the past he's received recognition, awards, and the like. However, I believe that this week, this month, maybe even this year he is the type of Arkansan that we should aspire to be in our communities.

I am pleased to recognize Marvin Williams as this week's Arkansan of the Week, and I join all Arkansans in thanking him for his positive impact on those around him.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. 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. THUNE. Mr. President, as President Obama's Presidency draws to a close, talk tends to turn to his legacy. What will President Obama leave behind? Internationally, of course, he will leave behind a growing terrorist threat and an emboldened Iran on its way to becoming a nuclear power. Domestically, the President will leave behind a weak economy, as the recent economic growth numbers for the second quarter made clear. We grew at a



little more than 1 percent. If you look at the historical average since World War II, average growth has been 3 percent, 3.5 percent. In fact, President Obama will be the only President in history—at least since they started keeping these sorts of numbers—who will not have had 1 year in his Presidency where the growth rate exceeded 3 percent.

Under his Presidency, we have averaged about 1.5 percent, so it is a sluggish, anemic economy that continues to keep wages at lower levels for American workers, the highest number of people who have left the labor force and lowest labor participation rate literally in 40 years. That is the economic legacy of the President.

Of course, the President will leave behind his signature law, ObamaCare. Many Democrats would still like to think of ObamaCare as the President's signature domestic achievement, but you can ask anybody to scan any newspaper, and you can see it is well on its way to being a disaster.

This is just a small sampling of recent ObamaCare headlines. From the New York Times, this headline read: "Think Your ObamaCare Plan Will Be Like Employer Coverage? Think Again."

From the Chicago Tribune: "Illinois ObamaCare rates could soar as state submits insurance premium increases to feds."

From the Washington Post: "Health-care exchange signups fall far short of forecasts."

From a Lancaster, PA, newspaper: "Lancaster residents will have rising premiums, fewer choices from 2017 ObamaCare health plans."

From the Wall Street Journal: "Insurers Move to Limit Options in Health-Care Exchange Plans."

From The Tennessean, quoting the Tennessee insurance commissioner: "Tennessee insurance commissioner: Obamacare exchange 'very near collapse.'" That is a headline from The Tennessean.

I could go on. In fact, I could go on for a long time. Those are just a few of the headlines from the past 3 weeks. I could literally fill an entire speech with the negative ObamaCare headlines just this summer. Just to reiterate, these are newspaper headlines. These are not conservative talking points. ObamaCare is failing so badly that even those who might like to deny it cannot.

But let's get into the specifics. What exactly are consumers on the exchanges facing for this coming year? For starters, they are facing huge premium increases—36 percent, 43 percent, 19 percent, 22.9 percent, 89 percent. Those are some of the average rate hikes that Americans are facing around the country.

Let's break that down for just a minute. Let's say that your health care plan for 2016 costs \$10,000. Let's say you are facing a 43-percent rate increase, which is the average rate increase fac-

ing Humana customers in the State of Mississippi. A 43-percent increase means you would have to pay an additional \$4,300 for your health insurance next year—\$4,300. That is a massive increase for so many individuals and families, and that is just the rate hike for 1 year.

Many people facing these kinds of increases already faced a substantial rate hike for 2016. Now they are expected to pay even more in 2017. Who knows what they will face in 2018. These kinds of rate hikes are completely unsustainable. Can you imagine? Just imagine if an individual's mortgage payment increased at a similar rate. Within a couple of years, most people wouldn't be able to afford to pay for their homes. While health insurance may seem like a significantly smaller part of the budget than a mortgage payment, the truth is, for many families it is not.

I have heard from at least one South Dakota family whose health insurance payments exceeded its mortgage payments. In Tennessee, individuals are facing average rate hikes ranging from 44.3 percent to 62 percent for 2017. How many families can absorb a 62-percent increase in their health care costs—and for just 1 year, a 1-year increase.

Residents in my State of South Dakota are also facing huge rate hikes. A 40-year-old nonsmoker in South Dakota faces a whopping 36-percent rate hike for a silver plan in 2017—36 percent in my State of South Dakota. I have to tell you that is simply not affordable for most South Dakotans.

What are consumers getting in exchange for their premium hikes? Too often the answer seems to be not much. For starters, many customers who are already paying massive premiums face thousands of dollars in deductibles on top of that—before their coverage even kicks in.

Then there are the increasingly narrow networks of doctors and hospitals on the exchanges. As the Wall Street Journal reported recently: "Under intense pressure to curb costs that have led to losses on the Affordable Care Act exchanges, insurers are accelerating their move toward plans that offer limited choices of doctors and hospitals."

The days of the President's "if you like your doctor, you can keep your doctor" promise are long gone. Nowadays you have not only lost your doctor, you may have very few options to replace them. Of course, all of this is assuming you still have your health care plan.

Countless Americans this year are once again discovering the hollowness of the President's "if you like your health care plan, you can keep it" promise. Because the other side of the story is that insurers are dropping out of the exchanges in droves.

In August, insurance giant Aetna announced it is pulling out of 11 of the 15 States where it offers plans on the exchanges. Meanwhile, Humana is exiting several exchanges, while megainsurer

UnitedHealthcare is pulling out of a whopping 31 States. What does this mean for consumers? Well, for many people it means they have lost their health care plan and their insurance company and that they may have very few options for replacing them. The President promised that choosing a health insurance plan would be like buying a TV on Amazon. For many people nowadays, going on healthcare.gov is akin to choosing a TV on Amazon if Amazon only offered one or two TVs.

According to a report released in August, one-third of the country may have just one insurer to pick from on the exchanges for next year. Well, if you don't like that insurance company, apparently it is your tough luck.

One county in Arizona may actually have no insurers from which to choose, not a single one. It is abundantly clear ObamaCare is failing American families, and even Democrats are starting to indicate they realize the current situation can't continue. Of course, Democrats' answers rarely involve going back to the drawing board to consider a better solution. Instead, Democrats generally offer proposals that involve throwing good money after bad. Democrats claim that more government is the solution. Throw more taxpayer money at the problem or let the government run all of health care—all health care plans to be government run. That is what we are starting to hear.

Of course, maybe government-run health care for all was the plan all along, but would you trust the Federal Government to run your health care plan after seeing how it is doing with ObamaCare? Then, of course, there is the administration's solution, what the New York Times calls "a major push to enroll new participants in public marketplaces."

Previous recent pushes have been of limited effectiveness. Enrollment in the exchanges currently stands at roughly 12 million, just over half of what was projected to be at this point in the law's implementation, but leaving that aside, the administration is unlikely to have a lot of success with a new enrollment push because it is abundantly clear it is pushing a broken program.

How does the administration think it is going to make high premiums, high deductibles, and limited choices look attractive to Americans? If I were the administration, I wouldn't hold out too much hope for an advertising campaign coming to the rescue. If we wanted to coin a phrase to describe the Obama Presidency, it might be the "Presidency of diminished expectations." This, after all, is the Presidency in which Americans started to doubt the cornerstone of the American dream, something we all grew up with, that their children will have a better life than they do.

It is the Presidency in which we were asked to start looking at weak economic growth—as I mentioned, a little



more than 1 percent in the last quarter and 1 percent in the quarter before that—weak economic growth as the new normal. This is good enough. Obviously, it is the Presidency in which we were asked to look at a future of high premiums and few choices as the new standard for health care.

I don't believe or think for a minute we need to resign ourselves to the diminished expectations of the Obama Presidency. We don't have to be stuck in the Obama economy for the long term, and ObamaCare doesn't have to be our health care future.

ObamaCare's goals of affordable, quality care were noble goals, but this law has utterly failed as a way of getting us there. We need to start over. We need to lift the burden ObamaCare has placed on American families. We need to replace this law with health care reform that will actually drive down costs and increase access to care. I have to say, Republicans have a lot of ideas to bring to the table, we are ready to start working on a new solution, and I hope Democrats and the new President will join us.

The American people have been stuck with ObamaCare for long enough.

#### ZIKA VIRUS FUNDING

Mr. President, I wish to take a moment to talk about one other health care issue; that is, Federal funding to combat the Zika virus.

Democrats blocked \$1.1 billion in Zika funding for the third time this week, despite the fact that every single Democrat in the Senate supported the exact same level of funding this spring. That is right. Every single Senate Democrat supported this exact level of funding this spring. Republicans were all ready to pass a final version of the bill and get this funding into the hands of the people fighting the virus, and then Senate Democrats changed their minds. They have offered a lot of different excuses. The Zika bill attacks women's health care, they claim, despite the fact that the bill actually increases women's access to care.

It threatens clean water protections, they say, despite the fact that the bill lifts just a handful of redundant regulations for a brief period of 180 days so mosquitoes can be sprayed—to kill the mosquitoes that are carrying the virus. They also claim to dislike the way the bill is paid for, despite the fact that the majority of the money used to fund the bill has been sitting around unused.

Either Democrats are so beholden to special interest groups that they cannot make decisions for themselves or they cannot take yes for an answer. The Zika funding bill provides expanded funding for community health centers, public health departments, and hospitals. The bill funds research into a Zika vaccine. It funds research into Zika treatments, and it streamlines mosquito control efforts, as the best way to protect people is to make sure they don't get bitten in the first place.

The head of the Centers for Disease Control and Prevention, the lead gov-

ernment agency for fighting diseases, has said \$1.1 billion—the exact amount we are talking about—will take care of immediate Zika needs.

So the question is, What are the Democrats waiting for? The number of Zika cases in the United States is rapidly increasing. More than 2,700 people within the continental United States are infected and many more in the territories. Democrats have talked and talked about the importance of addressing this crisis. Yet they just rejected their third opportunity to act.

How big does this problem have to get before Democrats decide to stop playing politics with the Zika funding? I hope they will act soon, work with us, and answer the calls and demands we are getting from the American people to provide a solution to this problem.

I yield the floor.

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

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

#### LOUISIANA FLOODING

Mr. CASSIDY. Mr. President, I rise today to discuss the thousand-year flood that hit my State of Louisiana a few weeks ago. It is not named, so we call it the Great Flood of 2016, in which 13 people lost their lives and \$8.7 billion in damage occurred in just a few days.

As an example of the enormity, here are the power outages that followed the flooding. This is baseline before the flood. The lights went out, and all of this reflects homes substantially flooded. There is no substitute for witnessing the aftermath of the disaster yourself, but I will try to paint a picture of the damage of this terrible event and the situation from which my constituents are currently trying to rebuild.

Again, it was an unprecedented weather event. The National Weather Service deemed it a once-in-a-thousand-year event. There was no way to prepare. It was not as if there was a storm system off the coast of Africa that was proceeding across the Atlantic Ocean. Less than a quarter of the population had flood insurance and not because they were supposed to and didn't. Most weren't supposed to because it wasn't supposed to flood, and they were not required to have flood insurance. Again, the flooding occurred in areas more than 50 feet above sea level where folks were told they were not in a flood zone or were at low risk. That is one example.

Thursday afternoon, residents were warned of a possible flash flood from a weather system moving into the area, but even the National Hurricane Center had no expectation of how devastating the storm would be. It was missing key cyclone characteristics, and these parishes, never having been

hit by a flood such as this, felt all was well. The first parishes to be hit by flooding had no time to evacuate or prepare.

In just the first 2 days, as much as 2 feet of rain fell in South Louisiana. This record rainfall statistically had a 0.1-percent chance of occurring; thus, it is described as a thousand-year weather event. Again, this is baseline—grass, trees, roads. This is the same street. All that brown is water.

In parts of Livingston Parish, within 15 hours, 31 inches of rain fell. By the end of the third day, Baton Rouge, the capital city, had 19.14 inches of rain; Denham Springs, within Livingston Parish, had about 25 inches of rain; Watson, LA, saw over 31 inches of rain.

We received more than three times the rain that Louisiana saw from Hurricane Katrina. The recordbreaking rainfall led to recordbreaking river crest. For example, the National Weather Service recorded the Amite River's height at 46.2 feet—5 feet higher than the previous record.

Again, this is all pretty apparent. This is baseline where you have dry land with some lakes in between and now that is water. This would be the river, and the river bleeds out into the surrounding land. The Comite River was at 34 feet—4 feet higher than the previous record. As water poured out of these overflowing river systems, currents were so strong that 14 stream gauges, used to measure the height and current of the river, were broken.

When the rain ended, 13 were dead: William Mayfield, Linda Bishop, Brett Broussard, William Borne, Richard James, Samuel Muse, Kenneth Slocum, Earrol Lewis, Stacy Ruffin, Alexandra Budde, Ordatha Hoggatt, and two others who have not been identified.

Many were swept out into the current of the water. Most were caught completely off guard by the speed at which the flooding occurred. These parishes are more than 50 feet above sea level, and they were not prepared. The majority of the 20 parishes that were declared Federal disaster areas were considered low risk for flooding. In Louisiana, only about 12 percent of homeowners living in low-risk areas have flood insurance. FEMA has already documented over 60,000 homes that were significantly damaged. The number is expected to increase to more than 110,000 homes. Less than 20,000 of those families and individuals had flood insurance.

This is debris piled up in front of homes. After 3 days of heavy rain, 20 parishes—one-third of the State—were declared Federal disaster areas. Among these, East Baton Rouge had 35 percent of its homes and businesses damaged. Ascension and Livingston Parishes had about 90 percent of their homes significantly damaged or declared a total loss.

You walk the streets, and entire lives are lined up by the curb. Imagine almost 100,000 people having to start from scratch. Imagine right now owning only the clothes on your back and



a waterlogged home, which may cost more to repair than you can hope to repay. It is fair to say that this region is in crisis.

A significant portion of our State's population has lost everything. In many cities, thousands had to be rescued by boat or airlifted—taking nothing with them and forced to leave everything behind.

The good news is our community is strong. Neighbors are helping neighbors slowly put pieces back together, but there are challenges repairing infrastructure, sending kids to school, and disposing of large amounts of debris.

Aside from that, we are still in hurricane season. We don't know what might come next, but another storm hitting Louisiana before recovery is complete would be devastating.

Right now my office is working in tandem with the entire Louisiana congressional delegation and our Governor on securing expedited authorization and funding to build the Comite River Diversion and other mitigation projects to keep this from happening again. This is critical for rebuilding and preventing this level of damage from occurring with future storms. Remembering that our State has experienced severe flooding in 36 parishes in less than 6 months, our delegation is requesting a 90-percent to 10-percent cost share between FEMA and the State of Louisiana. We are also asking for supplemental appropriations of disaster recovery community development block grant funds to help with the long-term recovery.

Louisianans will work tirelessly, as we have for weeks, to rebuild. We are so lucky that we have had volunteers from out of the State come to help. Hopefully today, by increasing the awareness of this disaster, more people are encouraged to volunteer and donate in order to help fellow Americans recover.

Mr. President, I yield back.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

# RECESS

Mr. BARRASSO. Madam President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

## WATER RESOURCES DEVELOPMENT ACT OF 2016—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Utah.

### OBAMACARE

Mr. HATCH. Mr. President, I rise to speak once again on the failures of the so-called Affordable Care Act and what they mean for hard-working families and taxpayers.

This is far from the first time I have come to the floor to talk about ObamaCare. Indeed, over the past several years, I don't think I have spoken as often about any other topic, and I am not alone. Since the time the Democrats forced the Affordable Care Act through Congress on a series of pure party-line votes, my Republican colleagues and I have been speaking about the poor judgment and short-sightedness that has unfortunately defined the trajectory of this law from its drafting to its passage and now well into its implementation. Quite frankly, we have had plenty of ammunition. It seems like we are treated to at least one new ObamaCare horror story every week.

My friends on the other side of the aisle have done their best to downplay our criticisms and minimize every negative story written about the problems with ObamaCare. In fact, just this morning the Senate minority leader came to the floor and pronounced the Affordable Care Act a success, but the American people have long recognized the truth: ObamaCare isn't working and it never will. This isn't a matter of opinion. This is not just political rhetoric in an election year. By its own standards—and the standards of those who drafted, passed, and implemented the Affordable Care Act, ObamaCare has been a historic failure.

Case in point, the American people were promised that ObamaCare would bring down health costs, but in reality costs are continuing to go up. Over this summer, as we moved ever closer to the next open enrollment period for the ObamaCare insurance exchanges, we have learned that insurers throughout the country have submitted requests to raise premiums by an average of 18 to 23 percent over last year's premiums. For some plans, the requested rate hikes are significantly higher than that average, coming in at more than 60 percent according to some recent reports.

Consider the following expected rate increases. In California, policyholders can expect a 13-percent average increase in premiums, which more than triples the increases seen in the past 2 years. In Florida, they can expect a rate increase over 19 percent on average over this year. In Nebraska, they can expect an average increase of 35 percent, with some rates increasing by nearly 50 percent. In Wisconsin, rates are expected to increase on average by as much as 30 percent. These numbers are more staggering when you consider

that when the law was passed, the Congressional Budget Office projected rate increases of only 8 percent at this point.

By some estimates, premiums for silver plans—the standard metric—are expected to increase 11 percent, more than they have at any point since ObamaCare was implemented.

While some of my colleagues have claimed that the evidence of massive premium increases is mostly anecdotal and that tax credits help blunt the overall cost increase, they simply cannot ignore the facts. Premiums in the ObamaCare insurance exchanges are going up in markets throughout the country, and according to CBO, the Congressional Budget Office, 12 million individuals are estimated to have to pay the full price next year because they either are not eligible for credits or they would choose to purchase coverage outside the ObamaCare exchanges. What is more, the middle class is increasingly bearing the brunt of these increased costs.

As the Wall Street Journal recently reported, middle-class families are spending 25 percent more on health care costs, which reduces their spending on other necessities. David Cutler, the health care economist from Harvard, is quoted in the article as saying, when it comes to health care, it is “‘a story of three Americas.’ One group, the rich, can afford health care easily. The poor can access public assistance. But for lower middle to middle-income Americans, ‘the income struggles and the health-care struggles together are a really potent issue.’”

Our focus should no longer be on the question of whether premiums are going up. We should instead be trying to figure out why it is happening. In the end, there are a lot of reasons why Americans are paying more for health insurance under a new system that was supposed to help them pay less, but the overall explanation is actually pretty simple: The President's health care law was poorly designed, and they know it.

Recall when my friends were drafting and passing the Affordable Care Act, they claimed that the system they were putting in place—complete with higher taxes, burdensome mandates, and draconian regulations—would entice more people into the health insurance market. With the larger pool of insured individuals, my colleagues on the other side of the aisle argued that insurers would be able to keep pace with all the new requirements imposed under the law without passing costs on to patients. We now know that these projections were, to put it nicely, foolhardy. From the outset, enrollment in the ObamaCare exchanges has lagged behind the rosy projections we saw when the law was passed. As time has worn on, more and more people have opted to pay the fines rather than purchase health care on the exchanges.

In February 2013, CBO projected that more than 24 million people would be enrolled in the exchanges. As of this