The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak for such time as I may consume.

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

Mr. BAUCUS. Mr. President, Franklin Delano Roosevelt said:

> Our capacity is limited only by our ability to work together. What is needed is the will.

I have just returned from a week at home in Montana traveling from Fort Benton to Billings to Bozeman. I visited with constituents from all across our State. At each one of my meetings, the conversation would touch on the first snow of the season or football and the Bobcats or the Grizzlies. Those are, in this case, football teams. But inevitably every conversation turned to the challenges we face in Washington and the standoff we just had over the country's borrowing limit and funding the government.

People have lost faith in our ability to serve them. They are worried about what the dysfunction means for the future of our country.

For more than 2 weeks, Congress was stuck in a stalemate, unable to agree on a course for our Nation. The political standoff shook America's confidence and threatened the global economy. Thankfully, compromise was able to overcome conflict. Cooler heads finally prevailed. But our Nation didn't emerge from the fight unscathed.

The 16-day government shutdown took a $24 billion bite out of the U.S. economy, according to Standard & Poor's. The rating agency now projects the U.S. economy will only grow at 2.4 percent in the fourth quarter as opposed to the already slow 3 percent predicted prior to the shutdown. That is a staggering self-inflicted wound, and defaulting would have been even worse.

Thankfully, that didn't happen. Leader REID and Minority Leader MCCONNELL were able to find the will and come together to provide a path that averted default. Their bipartisan legislation, passed on October 16, pulled us back from the brink. It created a conference committee to negotiate a budget compromise and it gave the President the power to suspend the debt limit until early February. It also gave Senators an opportunity to object and overturn the suspension using what is called a resolution of disapproval. That is what we are considering today.

I strongly urge my colleagues to reject this resolution. For the good of our economy, it cannot pass. Passing this resolution would plunge this Nation back into the same economic crisis we were facing just a few weeks ago. With economic confidence still suffering from the shutdown, another debt ceiling crisis could drive the Nation—and the world—back into recession. We cannot let that happen. It is time to be responsible leaders. Congress needs to stop governing from one self-created crisis to another.

Tomorrow, the budget conference committee will begin discussions on a plan to resolve the fiscal challenges before us. The conference will be led by Chairman MURRAY and Chairman RYAN. They are smart, hardworking and solutions oriented and I am confident they can craft a compromise.

I began my remarks with a quote from President Roosevelt and I will close with another. Roosevelt once said:

> The great test for us in our time is whether all the groups of our people are willing to work together for continuing progress.

Today, we face our test. Can we work together for continuing progress?

I strongly urge Members of the Senate to reject the resolution before us. It is a step backward, a return to shutdowns and showdowns. Enough is enough. Instead, we must find the will to work together for progress, for the good of our economy and the good of our country.

Thank you. I yield the floor.

● Mr. INHOFE. Mr. President, earlier this month, I expressed my opposition to S. 1569, which allowed our debt limit to increase through February 7, 2014. Today, the Senate considers S.J. Res. 26, which would reject the suspension in the debt limit and immediately halt any new debt issuances by the United States. I support this resolution.

My position remains unchanged from earlier this month. Our national debt is topping $17 trillion and has nearly doubled since the beginning of the Obama administration. If we allow the Nation to continue on its current path, it will only lead to economic destruction. Allowing the debt to continue increasing without any commonsense solutions to rein in the federal government would be irresponsible and reckless.

The recent increase in the debt limit is President Obama's sixth since coming to office. In that time, no significant action has been taken to reduce the long term trajectory of the debt. If we continue to do nothing to rein in spending, the national debt will skyrocket to $25 trillion in the next decade. Even the President agrees with these numbers. We cannot allow this to happen, which is why I support the resolution prohibiting a continued suspension of the debt limit.●

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

DISAPPROVING OF THE PRESIDENT'S EXERCISE OF AUTHORITY TO SUSPEND THE DEBT LIMIT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to the motion to proceed to S.J. Res. 26.

Mr. DURBIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 220 Leg.]

YEAS—45

Alexander	Cruz	McConnell
Ayotte	Enzi	Moran
Barrasso	Fischer	Murkowski
Blunt	Flake	Paul
Boozman	Graham	Portman
Burr	Grassley	Risch
Chambliss	Hatch	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker

NAYS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NOT VOTING—1

Inhofe

The motion was rejected.

EXECUTIVE SESSION

NOMINATION OF RICHARD F. GRIFFIN, JR., TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The assistant legislative clerk read the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the motion to invoke cloture on the nomination.

Who yields time? The Senator from Iowa.

Mr. HARKIN. Madam President, we are getting ready to vote to end debate.

This is a cloture vote on the nomination of Richard Griffin to serve as general counsel of the National Labor Relations Board. As I stated yesterday, this is an important role for making sure the NLRB can do its job.

This summer, as we know, we voted to fill the Board with the requisite number of Republicans and Democrats on the Board. I thought that was a good vote. This is the one left over; that is, the general counsel position. Mr. Griffin is very well qualified. He has been thoroughly vetted.

I have received absolutely not one objection to his qualifications or his background. He has had 30 years' experience as a labor lawyer and he deserves strong bipartisan support. I urge my colleagues to vote for cloture so we can get to the vote later today.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I am not going to vote to confirm Mr. Griffin because I think his nomination to be general counsel to the Board does not do anything to keep it from moving toward advocacy instead of being an umpire. But I do think it is time to close the debate and have an up-or-down vote. I am going to vote yes on cloture.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

Harry Reid, Brian Schatz, Barbara Boxer, Carl Levin, Bill Nelson, Jeff Merkley, Robert P. Casey, Jr., Debbie Stabenow, Mark R. Warner, Tammy Baldwin, Jeanne Shaheen, Kirsten E. Gillibrand, Mark Udall, Tom Udall, Michael F. Bennet, Amy Klobuchar, Elizabeth Warren, Ron Wyden.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Richard F. Griffin, Jr., of the District of Columbia to be General Counsel of the National Labor Relations Board shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 37, as follows:

[Rollcall Vote No. 221 Ex.]

YEAS—62

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Blunt	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Corker	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Flake	Mikulski	

NAYS—37

Barrasso	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Chiesa	Hoeven	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McConnell	Wicker
Enzi	Moran	
Fischer	Paul	

NOT VOTING—1

Inhofe

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Pursuant to Senate Resolution 15 of the 113th Congress, there will now be 8 hours of debate on the nomination equally divided in the usual form.

The Republican whip.

Mr. CORNYN. Mr. President, in the aftermath of the battle over the continuing resolution and the debt ceiling, I am sure I am not alone in hearing from my constituents they are hoping that Democrats and Republicans can now work together on some of the most important and chronic problems that challenge our country. But instead of doing that, my friends across the aisle have taken this opportunity to engage in what can only be described as a power grab that will result in even more polarization and partisan acrimony here in Washington.

What I am talking about specifically is the effort of the President and Democratic leadership to pack the District of Columbia Court of Appeals. For those who may not follow the Federal court system, America has 13 different Federal appellate courts, but the DC court stands out as the most powerful in the country. Some have called it the second most important court in the Nation because it has jurisdiction over a variety of regulatory and constitutional matters. Whether it relates to Dodd-Frank in financial services, to ObamaCare and its implementation, or to national security matters, all of those types of cases get heard in the DC Circuit Court. No other appellate court in the Nation wields such vast influence over hot-button issues, ranging, as I said, from health care to the Environmental Protection Agency and its activities, which I know are as important to the Presiding Officer as they are to me, as well as gun rights and the war on terrorism.

President Obama argues the DC Circuit Court needs three more judges in order to get its work done, but the facts simply don't bear that out. That is not true. For example, between 2005 and 2013, the DC Circuit's total number of written decisions per active judge actually went down by 27 percent. The number of appeals filed with the court fell by 18 percent. So instead of having more work to do, it has less work to do than it did in 2005.

As one commentator has observed: The DC Circuit already has the lowest caseload in the Nation and, if anything, trends show their workload is decreasing—decreasing, going down—not up.

Indeed, one DC Circuit Court judge recently told the senior Senator from Iowa that if any more judges were added now, there wouldn't be enough work to go around. So one might wonder why then the President and Senator REID would want to pack the DC Circuit Court with three additional judges if there is not enough work to go around today.

Let me also note the DC Circuit Court has a unique record in that it actually took 4 months off between May and September of this year. That is hardly the record of a court that has too much work to do and simply can't get it done.

Meanwhile, there are courts across our country, both appellate courts and district courts, that are overburdened. Some of these courts are labeled as judicial emergencies because they simply have such a heavy caseload they can't get the work done. Why wouldn't we want to allocate more judicial resources, more help, to those courts that need the help rather than to pack the DC Circuit Court with judges it simply doesn't need?

Don't just take my word for it. Prominent Democratic leaders have actually made no secret of what is happening here. One might wonder what the rationale is, if there is not enough work to do. Why would Senator REID and other Democratic leaders want to add new judges to a court that doesn't have enough work to do? Well, back in March, the senior Senator from New York, Senator SCHUMER, said the following of the DC circuit judges:

> Here's what they have done in the last year: They have overturned the EPA's ability to regulate existing coal plants . . . They have rendered the SEC impotent by saying that the SEC can't pass rulings unless they do what is called a cost-benefit analysis . . . They have ruled that recess appointments couldn't be taken into account.

Senator SCHUMER also said:

> We will fill up the DC circuit one way or another.

Well, I disagree with Senator SCHUMER's characterization on some of these cases, but it is true the DC Circuit Court has a unique role in American jurisprudence in deciding some

very important cases for the entire country. There are administrative agencies that are part of the executive branch, and when they make decisions—whether it relates to financial services, the Environmental Protection Agency, Health and Human Services, or any administrative agency—those decisions typically get decided and reviewed by the DC Circuit Court of Appeals.

More recently, the majority leader put it this way when he said:

> We're focusing very intently on the DC Circuit. We need at least one more. There's three vacancies. We need at least one more and that will switch the majority.

So this isn't about the efficient administration of impartial justice. This is about stacking the court by changing the majority. That was a quote from the majority leader of the Senate. So there is no mystery about what is going on here. The majority leader and his allies are attempting to pack the court with judges who will rubberstamp their big-government agenda.

The majority leader is also threatening to use the nuclear option again unless Senate Republicans simply snap to attention and salute smartly. Well, that is not going to happen. In simple terms, Democrats are prepared to violate the Senate's own rules to help flip the DC circuit in favor of the Obama administration's aggressive administrative overreach. If these tactics succeed, the Senate will be weakened as an institution and the Nation's second highest court will be transformed into a far-left ideological body.

But I will remind my colleagues that what goes around comes around in the Senate. When Republicans control the Senate and we have a Republican in the White House, I warn my colleagues the same rules they put into effect with the nuclear option will be used to their disadvantage then. We shouldn't do it. We shouldn't go there.

But it is clear what the motivation is. Again, this is not about the efficient administration of impartial justice. This is about getting your way and getting a rubberstamp on the actions of regulatory overreach that are far too common here in Washington, DC.

It is true the DC Circuit Court has ruled against the Obama administration and its regulatory agencies, but it is also true they have affirmed many of the most important and far-reaching decisions of the Obama administration's regulatory agencies. One example where it ruled against the administration is in 2011, when it struck down the ''proxy access'' rule of the Securities and Exchange Commission by declaring the agency failed to conduct a cost-benefit analysis required by law before adopting the regulation.

I don't know about anyone else, but I wish the government would do more cost-benefit analyses, not less, and so I am glad the DC Circuit Court struck down that rule because of the failure of the Securities and Exchange Commission to conduct a cost-benefit analysis.

In another example last year, the court vacated the cross-State air pollution rule of the Environmental Protection Agency, noting it would ''impose massive emissions reduction requirements'' on certain States ''without regard to the limits set by the statutory text.''

In other words, they acted beyond their congressional authorization. This was also an example, in Texas—Texas got swept into this cross-State air pollution rule without even an opportunity to be heard and to offer competing analyses of the models the Environmental Protection Agency used. No matter how committed we all are to clean air, we should not sanction an administrative agency run amok, doing what is not authorized by the statutory text.

The DC Circuit has also rejected as unconstitutional a pair of appointments the President made to the National Labor Relations Board. Talk about overreach. This is where the President tried to trump the confirmation powers of the U.S. Senate in the Constitution—the power of advice and consent, it is called—by making unconstitutional so-called recess appointments. The DC Circuit called him on it and held that it was unconstitutional.

More recently, the court held that the President's Nuclear Regulatory Commission was simply flouting the law. Do we not want a court to call the President when administrative agencies are simply flouting the law if we are a nation of laws? In this case, they flouted the law by delaying a decision on whether to use Yucca Mountain as a nuclear waste repository.

These were all commonsense decisions, and you can probably tell from my comments that I think they were well grounded in the law and the facts and I agree with the decision. In that case, they all went against the Obama administration's preferred position, but it is true that the DC Circuit has also ruled in favor of the administration's position in a number of cases. Again, here is an EPA decision. Since 2012, Jeremy Jacobs reports, the Agency has won 60 percent of the cases that have been reviewed by the DC Circuit Court of Appeals. In 60 percent of the lawsuits where the Environmental Protection Agency has been taken to court for exceeding its authority, 60 percent of the time the EPA position has prevailed. That is a better performance than the EPA had at the circuit during George W. Bush's administration. In particular, the EPA has scored landmark victories related to greenhouse gas regulations, ethanol-blended gasoline, and mountaintop-removal coal mining. But beyond energy and environmental issues, the DC Circuit Court has upheld President Obama's Executive order regarding embryonic stem cell research on two separate occasions, in 2011 and 2012.

Again, these are not my preferred outcomes, but I think they demonstrate that the DC Circuit Court has learned to strike a balance and certainly is not pro-administration or anti-administration. It epitomizes what a court should be, which is an impartial administrator of justice. Again, this same court upheld the Affordable Care Act in 2011, ruling that the individual health insurance mandate was constitutional under the commerce clause. We know what happened when it got to the U.S. Supreme Court. They had a different view.

It demonstrates the kind of judicial restraint that the current DC court, balanced as it is with four nominees by a Republican President and four nominees by a Democratic President—how it has administered evenhanded justice, which would be destroyed if the President is successful and if Senator REID is successful in packing this court with three more of their liberal allies. As I said, this court is currently split right down the middle. Four of the active judges were appointed by a Republican President and four were appointed by a Democratic President. Yet it is clear that the DC Circuit Court is in the crosshairs of the majority leader and his Democratic allies, including the President, because they want to tilt the court in their direction—a more liberal, bigger government direction, one that is more deferential to administrative agencies, such as the Environmental Protection Agency and other agencies that refuse to take into account a cost-benefit analysis, which we ought to have more of, not less.

The truth is that there is an answer to this standoff in terms of the court-packing President Obama and Senator REID are attempting. There actually is a way to reallocate these unneeded seats from the DC Circuit Court of Appeals to other courts that actually need the judges, unlike this court that has the lightest caseload of any circuit court in the Nation.

Senator GRASSLEY, the senior Senator from Iowa, has offered a reasonable compromise which would allow several of President Obama's appellate nominees to be approved for district courts or courts of appeals where they are actually needed. In other words, President Obama would still get to pick them; he would just have to pick them for courts where they would actually have enough work to do and where they are needed.

Again, based on current caseloads, the DC Circuit Court does not need new judges, but other appellate courts really do. I would think that during a time when judgeships are constrained after the Budget Control Act, when discretionary spending is down, and when the courts need more resources allocated, we would want to allocate the resources to courts and to jurisdictions where they are actually needed, not to places where they are not needed.

For all these reasons and more, I hope Members of both parties will agree that the reasonable way to do it would be to pass the Grassley bill, the Grassley compromise to reallocate

these judges to the places where they are really needed and to prevent the stacking of this court and this reckless power grab.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

SUPERSTORM SANDY

Mr. BLUMENTHAL. Mr. President, I rise today in recognition of the 1-year anniversary of Superstorm Sandy's landfall in the Northeast and the destruction it brought on a ruinous path through Connecticut, New York, New Jersey, and Rhode Island. I will be joined today on the floor—and I ask unanimous consent that we be permitted to engage in a colloquy—by my colleague from New York, Senator SCHUMER, and from Rhode Island, Senator WHITEHOUSE, if there is no objection.

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

Mr. BLUMENTHAL. Mr. President, I can scarcely capture in words the awesome, monstrous power of this storm as it hit the Northeast as I traveled there. I was near the coastline of Connecticut, traveling some of the roads in the midst of this storm as it ripped through my State, tearing apart communities along the coast, destroying homes and businesses, displacing families, and forever altering the shoreline itself. Anybody who questions the power of nature at its most destructive should have seen this storm as it unfolded and the damage it left in its wake—in fact, in Connecticut, $770 million in damages.

What I remember from touring Connecticut is not only the size and magnitude of the destruction but also the resilience and strength of Connecticut's people as they struggled through the pain and anguish of coping with this devastation, wondering how they would ever rebuild. In fact, they have rebuilt with the courage and relentless strength and fortitude that have so marked the character of Connecticut and New England and New York as they rallied around one another and exhibited that sense of optimism and hope. It was as important as any material resources that were brought to bear. They rallied around each other with gratitude and with hope because they had each other, and they have succeeded in clearing the debris, reconstructing, rebuilding in a way that is inspiring.

I only wish Congress's response was as effective and courageous as that of the citizens of Connecticut that I viewed in the storm's aftermath. The Senate was slow to act, but it was before the House in passing the $60 billion recovery package for the Northeast. The effort was stalled in the House, quite bluntly, with bipartisan politics of the worst kind and trivial obstruction.

There are lessons to be learned. No. 1 is that partisanship and politics should have no role in our response to disasters, whether in Oklahoma or Colorado or Louisiana or the Northeast. We are all in this effort together when disaster strikes. We should rally around each other as the people of Connecticut rallied.

Our response has to be quicker, smarter, stronger than it was in this institution. We owe it to ourselves as well as to the people who suffered the financial and emotional loss. For many of them, there were physical injuries as a result of this natural disaster.

Those two lessons are reinforced by a third, which is that these superstorms have become a new normal. We can no longer regard the once-in-a-century storm as once every hundred years. They are coming once every year because climate disruption is increasing their frequency and force in a way that is awesome and alarming and astonishing. So another lesson is that there has to be preparation to prevent damage and to mitigate the effects of these storms when they strike, and the investments—and they are investments—have to be smart and strong, with means such as storm barriers, breakers, better shoreline resilience.

Eventually, the Federal Government provided aid, and Connecticut has put to good use the $200 million that was distributed through the National Flood Insurance Program to homeowners and business owners. Cities and towns around my State have used $42 million in FEMA assistance, and more than $10 million has gone toward health services and facilities. As our Governor announced yesterday, an additional $65 million has been granted to the State to supplement the initial $72 million from the Department of Housing and Urban Development in the form of community development block grants for disaster relief. These new Federal dollars are critical to the effort of rebuilding, and I will continue to fight not only for additional funds but also against the bureaucratic logjams and redtape that have prevented so many from receiving more timely aid.

This aid has come too slowly, it has been too small, and it has been behind the efforts—in time and strength—of the people of Connecticut. I will continue to fight for increased aid, including from the $100 million that was announced yesterday and today—today's announcement of the U.S. Department of Interior of $100 million in the coastline resiliency project. I will support all qualified applicants from Connecticut securing some of this competitive funding. We will fight for a fair allocation of this money to benefit the important work Connecticut is doing to strengthen our coastline so that we can prevent and reduce the effects of these storms in the future.

I had the privilege to travel the State as a leader of a listening tour for the Hurricane Sandy Rebuilding Task Force this past May, just over the half-year mark from the time Sandy hit.

The progress made with this help from the Federal Government, combined with the good will, drive, and sense of responsibility toward one another—exemplified by the people of Connecticut—has been remarkable. We must resolve to do better at the Federal level, and I hope that not only the storm itself but the shortcomings of the relief effort will be a teaching moment for the Nation.

The evidence is irrefutable that climate disruption is impacting our oceans and atmosphere and leading to an increasing number of severe weather storm events across the country that we cannot control. We will see more of such monstrous storms here and in other parts of the country.

I thank my colleagues, Senator WHITEHOUSE and Senator SCHUMER, who have been strong and steadfast leaders in this effort to recognize the effects of climate disruption and prepare for them.

Connecticut is in the process of upgrading our infrastructure to strengthen our resiliency among the most vulnerable communities. We are investing in microgrids, often powered by hydrogen fuel cells manufactured in our State, to provide backup power for hospitals and senior communities in towns such as Preston and Franklin, which I visited in the aftermath of the storm.

In Milford, residents are using HUD funding to elevate their homes so they can guard against these storm surges. Other coastal towns are employing green infrastructure with marsh grass to slow surging waters during storms.

In Stamford, CT, my hometown, the city is using Federal aid to upgrade a 17-foot hurricane barrier by replacing manual pumps to ensure against damage to the city's communities in future storms. I visited the shoreline of Stamford, as I did up and down the coast of Connecticut, and I have since, to see how Connecticut is learning these lessons so we can reduce dollar costs as well as human costs. The improvements taking place across Connecticut speak volumes to our strength of will and mind and the determined character of our people in Connecticut.

I express appreciation to colleagues, such as Senators SCHUMER and WHITEHOUSE and others in this body, who helped us in a time of need. They came forth to provide encouragement and support. They assured the people of Connecticut that they are not alone.

No one in the United States—whether it is in the Presiding Officer's State of West Virginia or in the western most part of Hawaii—should be alone after being struck by a natural disaster. We need to rally together.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Before I join the colloquy with Senators BLUMENTHAL and SCHUMER, I have two bits of housekeeping.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that at 5 p.m. today all postcloture time on the Griffin nomination be yielded back, and

the Senate proceed to vote without intervening action or debate; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, this is my 48th trip to the floor to remind Congress that it is time to wake up to the threat of climate change.

I am joined by Senators BLUMENTHAL and SCHUMER because 1 year ago today Hurricane Sandy struck our States with frightening force. Now, a year later, communities across the Northeast have dug out and are rebuilding, but Sandy left a permanent mark on our coasts and on our consciousness.

To be sure, we cannot say that this devastating storm was specifically caused by climate change. However, Sandy showed the many ways we are vulnerable to the undeniable effects of climate change, such as rising sea levels and warming oceans—effects that can in turn load the dice for more damaging storms.

As evening fell on October 29, 2012, a storm surge from the largest Atlantic hurricane ever recorded swept against Rhode Island's shores about 5 feet above mean sea level. A few hours later, waters peaked around New York City—about 9 feet above mean sea level. A harrowing night followed for victims of Hurricane Sandy. It was a night that took more than 150 lives and caused $65 billion in physical damage and economic loss.

Hurricane Sandy, or Superstorm Sandy as many remember it, hit 24 States with direct effects. Floodwaters invaded homes and swept out roads. High winds knocked out power to 8.5 million homes and businesses, cutting a swath of darkness that could be seen from space. An entire New York neighborhood was gutted by fires that emergency personnel could not reach through the storm.

Sandy flooded nearly the entire coastline with beaches and dunes driven down by the waves and wind. Displaced sand and stone covered roads like here on Atlantic Avenue in Misqaumicut, RI. Houses were swept off their foundations in Rhode Island's southern coast communities like Matunuck, shown in this photo. Here we see Governor Lincoln Chafee, a former Member of this body, surveying the damage to these homes.

President Obama granted Governor Chafee's request for a Federal disaster declaration covering four of Rhode Island's five counties. More than 130,000 Rhode Islanders lost power. Eight cities and towns implemented evacuation actions. Nearly one-third of all Rhode Islanders were directly affected one way or another. In a close-knit State such as ours, nearly everyone was touched by Sandy.

Rhode Islanders are resilient and we are recovering. Over $30 million has been paid out to Rhode Islanders for more than 1,000 Federal flood insurance claims. FEMA has approved more than 260 projects for reimbursement. Over $12 million has been put to repairing our State's parks, wildlife refuges, and historic sites. Individuals and families received more than $423,000 in grants to meet their immediate basic needs for housing and other essential disaster-related expenses.

The Federal Government will always play a central role for communities such as ours, picking up after a disaster like Sandy. So it would make sense for the Federal Government to learn from these events and be smart as we plan for future risks.

The Government Accountability Office recently reported on the risks to U.S. infrastructure posed by climate change. Roads, bridges, and water systems are designed to operate for 50 to 100 years. Well, 50 to 100 years from now, our climate and our coastline will be very different. Sandy threw at Rhode Island's shores Atlantic seas that had risen almost 10 inches since the 1930s, against a shoreline that had already retreated more than 100 feet in some locations. As climate change progresses, more and more infrastructure will be exposed to more and more risk.

Earlier this year GAO added to its High Risk List the United States financial exposure to climate change. GAO, our congressional watchdog, now warns that it is fiscally irresponsible to ignore the signs of climate change. The President's Hurricane Sandy Rebuilding Task Force, and his Climate Action Plan, both call for adaptation to this risk from climate change—particularly for better coastal resiliency and preparedness.

Here is an example of doing it right. When hurricane Katrina hit the I–10 Twin Span Bridge that crosses Lake Pontchartrain near New Orleans, it twisted and toppled the bridge's 255-ton concrete bridge spans off their piers and into the lake. The bridge was rebuilt by using Federal Highway Administration funding, but they built it stronger, better engineered, and in some sections they built it more than 20 feet higher.

It makes sense to make sure that our agencies repair American infrastructure to the commonsense standard that it is ready for future risks. Rebuilding to the specs that failed is not common sense. Being deliberately stupid in order to deny climate change is a losing proposition.

Congress can do something smart right now. We could pass the Water Resources and Development Act with the resiliency and restoration provisions that were in the Senate-passed bipartisan bill. Congress could support the President's Climate Action Plan, using our wise Earth's natural protections for our coastal infrastructure.

Of course, even robust climate adaptation won't let us off the hook in some places. New England can build levees and dams to hold the waters back, but the vast low areas of southeastern Florida are porous limestone. Even if you built a giant dike, the water would just seep in through the underlying limestone.

A study last year found that 3 feet of sea level rise, which is what we presently expect, will hit more than 1.5 million Floridians, and nearly 900,000 Florida homes—almost double the effect on any other State in the Nation. So Florida should want to prevent as much climate as possible, and that means cutting carbon pollution.

Ultimately, for the open market to work, we need to include the full cost of carbon pollution in the price of fossil fuels. Anything less is a subsidy to polluters. What Florida should want is for Congress to enact a carbon pollution fee to correct the market, and then return that fee to American families.

Ultimately, inaction is irresponsible, and Americans get it. Eighty-two percent of Americans believe we should start preparing now for rising sea levels and severe storms from climate change.

Young Americans, in particular, see through the phony climate denial message. Three-quarters of independent young voters and more than half of Republican young voters would describe climate deniers as ''ignorant,'' ''out of touch,'' or ''crazy.'' Let me repeat that. The majority of Republican voters under 35 would describe climate deniers as ''crazy,'' ''ignorant,'' or ''out of touch.'' Continuing the climate denial strategy is not a winning proposition for our friends on the other side. Even their own young voters see through it.

Congress should wake up to the alarms that are ringing in nature and to the voices of the American people. One of the loudest alarm gongs was Hurricane Sandy. Voltaire said: ''Men argue, nature acts.'' Well, nature acted, driving epic winds and seas against our shores, and she will continue to act if we continue to tip her careful balances with reckless carbon pollution and shameless subsidies to the big polluters.

We need to wake up as a Congress and take responsible action to protect our homes and communities. We need to remember Sandy and learn her lessons.

I yield the floor for my distinguished colleague from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague, the Senator from Rhode Island, for calling Senator BLUMENTHAL and me and others together and for taking action on climate change. There has been no one in this body who has done more to sound the alarm about climate change.

I have enjoyed his regular ''time to wake up'' speeches. I guess this is number 49—excuse me, 48. One of them was

so good I read it twice. He has been relentless on this issue in a positive, articulate, and superb way.

There could not be a better day to talk about climate change than today because we are at the 1-year anniversary of Superstorm Sandy. Senators WHITEHOUSE and BLUMENTHAL and I remember it vividly. We each visited our communities on the days afterwards and saw the terrible blow that Sandy delivered to New York and the whole east coast. It created such damage and upheaval to communities and lives. Sandy was a horrible event, but the one silver lining in this large awful cloud is that people take climate change more seriously. I think most Americans agreed that climate change is real, but there was not a sense of urgency about climate change pre-Sandy. People said, well, it is happening 25 years from now or 50 years from now. Unlike Senator WHITEHOUSE, who has a sense of passion and a sense of urgency daily and immediately about this, most people said we can let things wait.

Unfortunately, despite the efforts of the Senator from Rhode Island and others, our bodies are not doing enough on climate change. But when Sandy occurred, a sea change occurred. Americans understood—those of us in the Northeast probably more than anybody else—that we cannot afford to wait. It took 10 years to get the American people to accept the fact that climate change is real. It took one storm to get them to understand that we had to move immediately.

Sandy was awful. In the days after the storm, I toured places such as the Rockaways and Long Beach, Staten Island, Lindenhurst. Whole neighborhoods were leveled and thousands of New Yorkers were homeless. To see an elderly gentleman, Mr. Romano, sitting in front of his lot in Great South Bay in Lindenhurst, his house totally destroyed, sitting in one of his few possessions left, a little lawn chair, was devastating. I asked Mr. Romano: Are you going to move?

He said: Look at the view.

Two days after Sandy, the skies were peaceful, the Sun was beautiful, and it was reflected off of Great South Bay. He said: Every year I have had 364 good days and 1 bad day. I am not moving.

That story can be repeated, but the devastation was real. To drive down the streets in the Rockaways or the streets of Long Beach or of Staten Island, the South Shore of Staten Island, and see house after house with piles in front of the houses of not just furniture, although that was a problem—we all have our favorite chair, a favorite place to sit. But people's lives were out there: heirlooms that had been in the family for generations, pictures and albums gone, like that.

This is an example of one of the places hurt the worst: Breezy Point, a hardy community of cops, firefighters, teachers, EMT workers; the heart of New York City's middle class. They are the very same people—many did from Breezy Point—who rushed the towers on 9/11, and some lost their lives. They were the people who were devastated here. A fire erupted, 120 houses—it looked like Dresden after the bombings in World War II—and all that was left was this religious shrine. I will never forget that scene and having the local firefighters showing me what had happened.

Of course, our local infrastructure was terribly damaged as well. Here we have the R train, which Secretary Fox and I just announced is going to be up and ready in 1 year. The tunnel had millions of gallons of water—brackish water, salty water—that not only ruined the infrastructure of the tunnels, but the signals that depended on electric functioning—gone. These scenes are repeated over and over.

What Sandy did is make climate change real to New Yorkers in a horrible way. The same is now happening across the country. So what Sandy did was not alert us to the fact that climate change exists but alerted us that it was a call to action. While climate scientists try to avoid blaming any single weather event on climate change, we know that a warming planet can load the dice for more frequent and extreme storms. As sure as we all are sitting here, there will be other storms, unfortunately, and God forbid but in all likelihood, of Sandy's devastation that will affect different parts of the country. As I and others have said in the days after Sandy, we have had far too many events over the past 3 years in New York, including Irene, Lee, and then Sandy, to think we can ignore the impact of a warming planet and the impact that is having on our communities.

Even if one denies the scientific reality of climate change, there is little dispute over the stark challenge facing our country. The weather is more dangerous than ever and threatens our economy. According to recent polling, Americans now support taking action on climate change to protect our children and grandchildren.

So we need to do two things at once. We need to decrease our reliance on fossil fuels to slow down the warming of the planet, and we have to start investing in real climate adaptation projects in the most vulnerable parts of the country.

My colleague from Rhode Island talked about the devastation in Florida. He is right. The Florida delegation should be up in arms. I know some of our colleagues—they tend to be on this side of the aisle—are, but we hear silence from the other side of the aisle on climate change. In just a generation, a good percentage of Florida will be out of commission. Miami, one of the largest cities in the country, is virtually unprotected when it comes to climate change.

So we have to do both of these things. One year after Sandy, I am pleased we have made some progress.

First, the Hurricane Sandy relief law we passed earlier this year provided an injection of billions of dollars into mitigation for the east coast. When we rebuild this subway line, the signals are going to be higher up so if, God forbid, there is another flood, they will not be out of commission. At the entrances to the various tunnels—hundreds of thousands of people take these every week—there will be gates or a certain kind of airbag that can instantaneously prevent the tunnel from being flooded. We are elevating homes and building new floodwalls and dunes to prevent damage from the next Sandy.

So one thing we are doing is mitigation. Those of us—Senator WHITEHOUSE, Senator BLUMENTHAL, and others from New Jersey and Maryland and Pennsylvania and Delaware and New York and Connecticut, Massachusetts and Rhode Island delegations made sure in this legislation there is ample money for mitigation, so that if or when, God forbid, another storm such as Sandy occurs, we will be better protected.

Second, the President took a bold and important step in releasing his climate action plan, a critical blueprint for reducing carbon pollution. The plan also lays out a framework for implementing new mitigation plans for Federal, State, and local governments by tying Federal funding to new standards on climate adaptation. We now know a simple economic truth from many years of investing in mitigation projects: They save money. According to research, for every $1 we invest in mitigation, we save $4 down the road because of what will be protected and taxpayers will not have to shell out the same dollars again and again and again.

So it doesn't matter what side of the climate change debate one is on when it comes to investing in mitigation. Being promitigation makes good fiscal sense for the Federal Government.

A recent study found that Federal taxpayers spent $136 billion on disaster relief in just the 3 years of 2011, 2012, and 2013—$400 per household. The only way we can shrink this burden for the American people over time is to make critical mitigation investments at the same time we fight climate change by cutting carbon pollution.

I wish to specifically mention one piece of legislation which my colleague from Rhode Island also mentioned. He is on the EPW Committee and he has championed it with many of our colleagues. WRDA, the bipartisan Water Resources Development Act, got 83 votes in the Senate and will be a real boost for investment in climate adaptation.

In this bill, there is a new program called WIFIA. The very successful TIFIA Program which, for instance, without the local taxpayers spending a nickel, will bring our subway system all the way over to the far west side. I look forward to opening it with the mayor soon. Modeled on that program is WIFIA. It helps local governments

invest in mitigation projects by providing low-interest loans and a new banking design to attract private investment into these projects.

There are also new authorities that will allow the Army Corps to expedite and prioritize hurricane protection studies and project recommendations. I thank my colleagues, led by Senator BOXER, of the EPW Committee for working with us to draft some of this language.

These new policies are very important for New York and the States affected by Sandy. I urge our colleagues in the House to work with us to include these items in the WRDA conference.

We need to use the tragedy of Sandy to learn how to make our cities and towns stronger for the next storm. We know it is coming. We have to work at the local level in terms of mitigation. We have to work at the macro level to reduce the amount of carbon that has poured into our atmosphere that will just devastate the planet if we continue to sit on our hands.

I will close my remarks by borrowing a simple refrain from my friend from Rhode Island. As his poster says, it is time to wake up. Superstorm Sandy was New York's wake-up call. Let's honor the thousands of victims of that event by investing in our future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, before I depart the floor, and while Senator SCHUMER and Senator BLUMENTHAL are still here, I wish to add a point that is a personal observation of mine as a Senator; that is, first the Senator from New York is widely and properly regarded as one of the more formidable presences in the Senate. Having witnessed the difficulties that Senator BLUMENTHAL discussed at getting the Sandy disaster relief out and done, I will say we learned Senator SCHUMER has an even higher gear when it comes to the urgent needs of his home State and of his coast. When his New York City lies battered and drowned by storm, the work that he did to make sure a reluctant House passed this relief for us was an exercise in legislative craftsmanship and personal vigor that many of us will long remember.

Of course, I have seen Senator BLUMENTHAL fighting for his people in Connecticut, both after Hurricane Sandy and, of course, after the terrible tragedy that Connecticut experienced when a crazed gunman went into an elementary school and began to murder its children. So Senator BLUMENTHAL, in responding to those cares, concerns, and crises of his home State of Connecticut, has been truly exemplary. It has been a privilege for me as a Senator to see these two Senators in action in their causes I just mentioned.

Mr. SCHUMER. Mr. President, will the Senator yield?

Mr. WHITEHOUSE. I yield the floor.

Mr. SCHUMER. I am sure Senator BLUMENTHAL joins me. I wish to say to my dear friend from Rhode Island—and he truly is a dear friend—that his generosity of word and spirit is only equaled by his intelligence, his diligence, and his foresightedness, not only on this issue but on so many other issues on which we are working. In fact, we are going to make a call in a few minutes—he and I and a few of our colleagues and I think Senator BLUMENTHAL as well—to talk about another of his issues. He is just such an intelligent thinker, and he is thinking ahead of the curve on climate change. But delivery system reform in health care is another issue on which the Senator from Rhode Island has taken leadership.

So I thank him for his kind words and just say ''right back at you, baby.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank both of my colleagues. I am not sure I can match their eloquence in describing their gifts and their contributions on this issue and so many others, but I hope they and others will join me in meeting with the present Sandy task force in seeking to remedy or correct perhaps some of the logjams and redtape and deficiencies in process that led the people of our States to wait for so long before they saw relief in practical terms.

I thank them for their eloquence today and for their truly formidable contribution on the issue of climate change and global warming and to thank them also for the very powerful contributions they have made on the response to Superstorm Sandy that affected so many people in Connecticut.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

BUDGET CONFERENCE

Mr. PORTMAN. Mr. President, I rise to talk about an opportunity—actually something good that this body could do for the American people and for our economy and for the taxpayers. Tomorrow, the Senate budget conference that was established as part of this recent agreement that was made over reopening the government and extending the debt limit will meet. This will be the first public meeting of the group. We have had some other meetings, including the one I just had with some of the Members of that group, but this is the first opportunity for us to meet as House Members and Senate Members, Republicans and Democrats, in this budget conference, and it could not come soon enough.

The opportunity we have with this group is that in the wake of what happened at the beginning of this month—which was, again, a government shutdown and then a debt limit debate and then pushing right up against the debt limit—the opportunity we have now is to finally deal with this issue of government shutdowns and to deal with the underlying problem of overspending that forces us to extend the debt limit time and time again.

So let's start with government shutdowns.

The agreement opened the government for 3 months. That is right. In January, we once again come to this cliff where the government shuts down unless we act. So Merry Christmas and Happy New Year everybody. In January we hit this again.

It does not have to be that way. Earlier this year I introduced, with Senator TESTER from Montana, bipartisan legislation that would have prevented the last shutdown and would prevent all shutdowns in the future. It is called, appropriately, the End Government Shutdowns Act. It is pretty simple, and it addresses several critical issues we saw firsthand during this last shutdown.

It would end the chaos we saw on Federal services and citizens who depend on them. It would give government agencies the predictability they need to plan their budgets based on these appropriations levels. It would add certainty to the economy, and more certainty in the economy is certainly needed right now as we try to bring back the jobs. It would also take away the pressure for these haphazard, last-minute budget deals, which inevitably have stuck in them little provisions that nobody finds out about because they are all done at the last minute to avoid a government shutdown.

Here is how this would work: When we do not have spending bills agreed to by the time the fiscal year comes to an end—and that would be October 1—then the spending continues just as it was the previous year. So it is the same level of spending, except that automatically it would begin to reduce spending after 120 days and 90 days. So Congress would have 120 days to come together and figure out a budget. That is the carrot. The stick is that after 120 days the spending would be ratcheted down 1 percent and then again every 90 days another 1 percent.

I think it has become painfully obvious that Congress needs encouragement to get its work done, and this certainly would be encouragement. By the same token, we would not have these government shutdowns. That gradual decline in spending, by the way, would treat all spending equally. So all discretionary spending would be treated the same way—no exceptions for liberal spending priorities or conservative spending priorities. It would be the same for everybody. Both sides of Congress would feel the pain, and both sides then might be more willing to actually get the work done.

Is this the ideal solution to end government shutdowns? No, it is not. The ideal solution is that Congress actually does its work, which is our constitutional duty—the power of the purse—and that is to sit down and have these appropriations bills pass. That requires oversight of the agencies and departments which are badly in need of it. It then requires prioritizing spending in

12 different areas. That is how it should work. This legislation, the End Government Shutdowns Act, would actually encourage that to work, again, because it would establish this situation where, instead of doing a last-minute deal where you can kind of throw in these provisions that Appropriations Committee members might want, you actually have to go through the process; otherwise, it just continues the spending from the previous year and then ratchets it down over time.

Sadly, Congress has shown it is pretty much incapable of doing appropriations bills without some sort of pressure. The Congress has not completed all regular appropriations bills by the October 1 deadline since 1997. Here in the Senate, actually, over the past 4 years, during the current administration, the Obama administration, and under Democratic control here for the last 4 years, we have passed all of one appropriations bill on time. So that is 1 out of 48 that has been done on time. It was a MILCON bill in about 2011, as I recall.

Congress does better with a deadline. Again, we see this with the debt limit and with what we just went through these last few weeks. We can do better. This legislation would keep the impetus for Congress to act without including the threat of another costly and destructive shutdown. I think it is a good idea. It is one that is already bipartisan. It should be adopted by both sides. We had a vote on it earlier this year. It got nearly half of this Chamber. I hope others will take a look at it. I think particularly with what we have just gone through, it is something our constituents would think would make a lot of sense. I hope it gets the support it deserves in this body.

Of course, in addition to dealing with government shutdowns in this budget conference that we are meeting on this week, we also have a chance to address the debt limit—which is going to come up soon also because February 7 is the date that was chosen there. Now some say, well, the Treasury Department can use extraordinary measures to shift that beyond February 7. I suppose they could. But instead, why not deal with the underlying problem—why we need to extend the debt limit—which is the overspending.

It is as though you have maxed out on the credit card. It is a lot like that. We can spend only at a certain level in Congress, and then we have to have statutory authority to go beyond that limit. When you max out on the credit card, you do not just go to the bank and say: I would like to extend it. You have to deal with the underlying problem; otherwise, you cannot keep your credit card and you cannot keep your credit.

So dealing with the debt limit is the other part that I think gives us an opportunity. Over the past 2 weeks I know the administration has said repeatedly: Even though we would not negotiate on the debt ceiling before, even though the President refused to talk to Congress about it—which was unprecedented, by the way; no President in history has ever said that—but he said over the last couple weeks: If you all extend the debt limit and if you reopen government, then I will talk. So now is the time to talk, and the President should talk. I have worked for two Presidents: President Bush 41 and President Bush 43. They did talk to Congress about debt limits. Why? Because it is a tough vote, because our constituents get it, because it is akin to maxing out on the credit card and they want to know we are not just going to extend it again without doing something about the underlying problem. So this budget conference gives us the opportunity to do that, and I hope the administration will engage with us.

It has been 4 years since we have had a budget conference. Think about that. The debt has gone up $5.9 trillion since we had the last budget conference around here. Almost $6 trillion later we are sitting down again, and things are only going to get worse if we do not do something to deal with the underlying problem.

The two-thirds of the budget that is on autopilot—the mandatory spending—obviously is where not just the biggest part of the budget is but the fastest growing part of the budget. It includes vital programs to our seniors, for those in poverty—Medicaid, Medicare, Social Security—vital but unsustainable. These programs cannot be sustained in their current form. By the way, that is not me saying it. That comes from data from the nonpartisan Congressional Budget Office. The President himself has talked about this. By the way, the Congressional Budget Office says that Social Security and health care entitlements alone are 100 percent of the long-term increase in deficits. Revenues are starting to pick up. The discretionary spending is now being capped. The issue is this part that is on autopilot. By the way, it is 66 percent of spending now. It is 77 percent of spending in 10 years. The health care entitlements alone are going to increase 100 percent over the next 10 years based on what the Congressional Budget Office has told us.

I have heard rumblings in the press that this upcoming budget conference is just going to kick the can further down the road; in other words, we are not going to deal with the issue. We are going to say let's just extend the debt limit a little bit further and push off the issue.

I think it is time for the can to kick back. If the can kicks back, that means we will actually tackle some of these tough problems. After all, that is why the American people hired us. That is why they sent us here. If we are not going to do it now, I do not know when we are going to do it. I think divided government is actually an opportunity to do it.

It is time for leadership in the Senate and the House, and certainly from the President. It is time to come to the table. As I said earlier, the President has indicated he now is willing to do it. Do so in good faith and try to put our country on a stable fiscal path. If we do nothing, by the way, if we allow these annual deficits to continue, they will more than quadruple. Annual deficits will more than quadruple to $3.4 trillion within three decades. That is based on the Congressional Budget Office.

We already have a debt that is about $140,000 per household in America. We are talking about annual deficits quadrupling. If we let mandatory spending reach that point where it becomes 100 percent of the deficit—which is what they project—if we allow our national debt to reach two and a half times the entire size of our economy—it is about the size of our economy now, and it would go up to two and a half times the size of our economy—it will be the next generation that will pay, and pay dearly, and our legacy will be one of bankruptcy, skyrocketing interest rates, skyrocketing unemployment rates, and the collapse of these vital programs we talked about earlier: Medicaid, Medicare, and Social Security.

Again, this is not ideology; this is math. It is fact, and it is fact that has been reiterated by the Congressional Budget Office, the trustees of Social Security, the trustees of Medicare, their trust funds time and time again.

This is our opportunity to begin to do something about it—at least take the first steps—both in terms of ending government shutdowns, as I talked about, but also dealing with this underlying problem that everybody acknowledges and that has to be dealt with if we are not going to have for future generations these issues of bankruptcy, higher interest rates, lower value of the dollar, higher unemployment.

The single greatest act of bipartisanship in this Congress over the past few decades has been overpromising and overspending. We created this mess together, and we can only get out of it working together. I have suggested where we can start: $600 billion in the President's own budget. In his own budget he has $600 billion-plus in savings on mandatory spending over the next decade. But whatever we do, I think we can call agree that we are tired of the gridlock, we are tired of the stalemates, we are tired of getting nothing done.

It is time to make some progress, and this is an opportunity to do it. These past few weeks have been trying. They have been tough on the American people, as they have looked at us and said: Wow. Are these guys going to figure it out? And we just kicked the can down the road. But we also set up this process and this structure. Let's take advantage of it. Let's use this opportunity to do something important for the future of our country and for the good of the people we represent. Let's seize it.

I yield back my time.

The PRESIDING OFFICER. The Senator from Delaware.

DEFICIT REDUCTION

Mr. CARPER. Mr. President, I say to the Presiding Officer, former Governor MANCHIN, I wish to follow on the comments we just heard from Senator PORTMAN, who, as he said, served in two administrations—in one of them as OMB Director, in the other as Trade Representative. Before that he had a distinguished career in the House of Representatives. He is someone I am fortunate to serve with on the Finance Committee. I have a lot of respect for his intellect and for his intellectual honesty.

Before I talk about the real reason I came to the floor, I feel compelled to say something. As former Governors, the Presiding Officer and I have made tough decisions on spending, we have made tough decisions on revenues, and they are not always well received by people. They are not always well received by people in our own party.

I like to say there are three or four things we need to do on this issue to make sure our deficits continue to head in the right direction. I do not worship at the altar of a balanced budget every single year. But what I do believe is that when the economy is strengthened and growing stronger, we ought to be having the deficit heading down, and when we are in a war or when we are in an economic doldrum, then I think it is appropriate to, in some cases, deficit spend.

Four things we need to do if we are serious about deficit reduction: No. 1, we need, in the President's words, entitlement reform that saves money, saves these programs for our children and our grandchildren, and does not savage old people or poor people. That is No. 1.

No. 2, we need, in my view, tax reform that brings down the top corporate rates—something more closely aligned with every other developed nation in the world. At the same time we are doing that, we need to generate some revenues for deficit reduction to match what we are doing on the spending side.

If you think about it, the Senator from Ohio knows and the Senator from West Virginia knows about tax expenditures: Tax breaks, tax credits, tax deductions, tax loopholes, tax gaps, add up over the next 10 years anywhere from $12 trillion to $15 trillion. We are going to spend more money out of the Treasury for tax expenditures than we are going to spend on all of our appropriations bills combined. If we could somehow capture 5 percent of $12 trillion over the next 10 years for deficit reduction, that is $600 billion. If we can match that in a Bowles-Simpson number, such as $2 of deficit reduction on the expenditure side and $1 on the revenue side, we could do about another $2 trillion on deficit reduction on top of what we have already done. Is that a grand compromise that I want and I think the Senator from Ohio wants, I know the Senator from West Virginia wants?

It is not a grand compromise, but I would call it a baby grand. A baby grand is certainly better than kicking that can down the road. The last time we kicked the can down the road at the beginning of this year, I remember saying on this floor: We kicked a rather large can down the road not very far. I am tired of doing that. I do not want us to do that.

We have maybe our last best chance here in this budget conference in order to do the kinds of things I talked about. Democrats do not want to give on entitlements. I am willing to do that. But I am only willing to do that if Republicans will give on tax reform that generates some revenues.

I mentioned there are three things to do. The third thing is to look in every nook and cranny of the Federal Government—everything we do. The Senator from Ohio is a member of the Homeland Security and Government Affairs Committee. He knows that we focus—we have large, broad investigative powers, oversight powers, authority over the whole Federal Government. There are all kinds of ways to save money, all kinds of ways to save money in this government of ours, just as there are all kinds in big corporations, big businesses. What we need to do is, in everything we do, look at that and say: How do we get a better result for less money in everything we do?

I do not know if my friends from Ohio and West Virginia hear this from their constituents, but I hear from Delaware constituents and folks outside of my State these words: I do not mind paying more taxes, I just do not want you to waste my money or I do not want to pay more taxes, but if I do, I do not want you to waste my money. I do not want to waste your money or mine.

The fourth thing we need to do to be serious about moving the economy and getting out of this kind of rut we are in right now is to be able to make sure we have some money around that we can invest in the things we know will strengthen our economy. Foremost among those is a strong workforce, capable workforce. The second thing is infrastructure, broadly defined, not just transportation: roads, highways, bridges; not just ports, not just airports, not just railroads, but broadband, all kinds of infrastructure-related items.

The third thing is R&D, research and development that will lead to technologies that can be commercialized, turned into products, goods, and services we can sell all over the world.

The fourth thing we need to do is to do an even better job—and Senator PORTMAN was the leader as our trade ambassador. He knows what it is all about in terms of knocking down trade barriers. But while we do entitlement reform, we do tax reform, while we look in every nook and cranny of the Federal Government, investing in the three areas I mentioned, we have got to make sure when we develop these new products and services that we can sell them around the world without impediment, we can knock down trade barriers. The Senator has done a lot of work in that regard as well.

As the Senator leaves the floor, I will say there are many things for us to work on. I hope we will.

ARCHULETA NOMINATION

That is not why I came to the floor, but I thank the Senator for letting me join in that colloquy with the Senator from Ohio. The reason I came to the floor is to say a word on behalf of the President's nominee to be our next Director of the Office of Personnel Management. We have not had a confirmed OPM Director for the last half year. If you look across the Federal Government, the executive branch of the Federal Government, it reminds me a lot of what I call Swiss cheese, executive branch Swiss cheese.

We start with the Department of Homeland Security. We do not have a confirmed Secretary. We have one nominated, just nominated, just starting to go through the vetting process in the Senate. We have not had one for a month. The Deputy Secretary of Homeland Security—we do not have a confirmed Deputy Secretary. We have had ''acting'' for a number of weeks now, months. While the people who are in the acting capacity are very good people, very able people, it is not the same as having a confirmed Secretary of Homeland Security or confirmed Deputy Secretary.

There are any number of other positions in Homeland Security. As chair of Homeland Security and Government Affairs Committee, I probably focus more on that than on the OMB, Office of Management and Budget, trying to make sure that Sylvia Burwell from Hinton, WV—the Presiding Officer knows her well. As a guy who grew up in West Virginia a little bit, born there, spent some time in Hinton, I have a huge respect for her. We worked very hard to get her management team, her senior leadership team confirmed. They are confirmed. She has a great team. We need to make sure that in our other departments we have from the top to way down the ranks strong people in confirmed positions.

OPM, Office of Personnel Management. The President nominated a woman I had never heard of earlier this year. He nominated a woman named Katherine Archuleta. Katherine Archuleta—I never met her, never heard of her. The first thing I learned about her is she has been the political director in the President's reelection campaign. She must have done a pretty good job if the results were to be examined. Maybe some people are troubled by that. If we stopped there, that does not define who she is or what she has done.

If somebody looked at my resume while I have been a Senator, if they think that is all I have ever done in my

life, they would be wrong. I have been privileged to be Governor of my State, leader, and, as the Presiding Officer has, chairman of the National Governors Association, one of the great privileges of my life. I was privileged to be a Congressman for a little bit, treasurer of my State, and before that a naval flight officer for 20 some years, retired Navy captain. That is who I am. That is not all of who I am, but that is a better resume. If people say all I have ever done is my current job or my last job, they would say: Well, he is not very well rounded.

I want us to take a minute and say—I am going to date myself on this, but a guy named Paul Harvey used to do the news. He used to say page 1, and then he would say page 2. I am going to go to page 2. Page 2 is a little resume of some other things she has done with her life. I want to quote one of our old colleagues, Ken Salazar, who has known her for decades and hear what he has to say about her. She was born and raised in Colorado, I think has spent almost more than half of her life there. She has been, from time to time, among other things, chief of staff at the U.S. Department of Labor. She did that for several years. She also served as senior advisor on policy and initiatives for the city and county of Denver, CO. There are more people who live in the city and county around Denver than live in a lot of States, including my own. She has done that job.

Before that, a number of years ago, she had a number of roles in the office of mayor of Denver, for almost a decade, including deputy chief of staff. In a city that size, again as big or bigger than a number of States, that is a lot of responsibility.

She has been a senior policy advisor at the U.S. Department of Energy.

She has also served at the U.S. Department of Transportation, first as deputy chief of staff, and then later as chief of staff.

She has been a professor at the University of Denver. She has done all kinds of things. But she is a whole lot more than what people see and say: Well, I know what her last job was. She has done a whole lot before that. I think that helps prepare her for this job.

There has been a bunch of people who have been nominated to serve as Office of Personnel Management Director since I guess the 1970s. I think this is the first time we have ever had a situation where the President's nominee—I do not care what party, Democrat or Republican—where the OPM nominee has required cloture or even a rollcall vote since the agency was created in 1978. That is 35 years ago.

I want to quote Ken Salazar, one of my dearest friends, who was a Senator, went on to become Secretary of the Interior, who has known Katherine Archuleta for 25, 30 years, really all of her adult life. Here is what Ken Salazar says about Katherine Archuleta. He says she is a ''terrific'' human being. He goes on to say she ''helped create modern Denver'' as we know it as deputy chief of staff through Mayor Pena. She led economic development efforts throughout the city. She was instrumental in the creation of the new Denver International Airport. Ken went on to say she was ''a star of the Clinton team in the U.S. Department of Transportation.'' Star.

I say to my friends and colleagues, we have to get past this situation—I do not care if it is a Democrat President or Republican President—where we leave these gaping holes in leadership in confirmed positions. It is not good for our country; it is not good for these departments; it is not good for morale; it is not good for efficiency. We are interested in getting work done.

You can disable the government by shutting it down or you can disable the government and make it less effective, less efficient, by making sure we do not have key people in the top leadership positions. It makes a difference if people are confirmed as secretaries, deputy secretaries, and these other positions.

As the agency responsible for managing our Federal workforce, OPM's mission is critical to ensuring that our government runs efficiently. Unfortunately, vacancies at the top levels of leadership have limited OPM's ability to fulfill its mandate. They have backlogs in terms of the processing they are supposed to be doing in job applications and others, people applying for pensions. They need to be addressed.

In Katherine Archuleta's hearing before a subcommittee chaired by Senator TESTER, one of the things she made clear is that she would make that her priority, going after the backlog, which I would say God bless her if she is confirmed. I hope she will be.

But at any given moment, we are lacking critical leadership in any number of positions in just about every agency. It undermines the effectiveness of our government. While Congress and the administration have taken some steps to address this problem, the fact remains we still have more work to do to ensure we have got the talented people in place to make these critical decisions.

This week, we consider the President's nomination of Katherine Archuleta to be the next Director of OPM, Office of Personnel Management. I have talked a little bit about her background. One of the other people who knows her pretty well, another Senator from Colorado, is Senator UDALL. She was actually introduced at her confirmation hearings along with MICHAEL BENNET. Here is what Senator UDALL said about Katrina Archuleta. He said, ''Throughout her career, Katherine has demonstrated her ability to lead, to motivate and to work constructively with a diverse range of people and personalities.''

Her story is a story of firsts. Although neither of her parents completed high school, they worked tirelessly to create better opportunities for their children. Throughout her career, she served as an example for women and Latinos and would be the first Latina Director of OPM.

The President nominated her to this critical position back in May. We held a hearing to consider her nomination—Senator JON TESTER held it. We voted her out of committee shortly thereafter. At her confirmation hearing, Ms. Archuleta committed to quickly taking steps to identify some of OPM's challenges, such as continuing to implement the multistate plan under the Affordable Care Act, reducing the retirement claims backlog to ensure retirees receive their full pension benefits without serious delays, which many retirees see today.

As to the recruiting and retaining the next generation of Federal employees, I think we have a nominee who is qualified. We have a nominee who has been vetted. We have a nominee who is ready to go to work. It is our responsibility to give her a swift vote, a thoughtful vote, but a swift vote here on the Senate floor, I hope this week, so she can go to work, take the reins at OPM, and begin directing this critical agency with oversight from us.

When the Presiding Officer was Governor of his State of West Virginia, when I was privileged to be Governor of my State, the tradition in Delaware is the Governor would nominate the people to serve on his or her cabinet. The tradition in our State was to nominate division directors under the cabinet secretaries. The tradition in my State is that the legislature, the senate to which the nominees were sent, would hold hearings, and would vote up or down without delay on those nominations. I think in the 8 years I was privileged to serve as Governor of my State, every one of them was confirmed. I do not think I ever lost a nomination for a cabinet secretary or for division director. That is the way we do business in Delaware. That is the way we ought to do business here.

If you have a nominee who is qualified, who has good integrity, is going to work hard, surround themselves with good people and has a track record he or she can be proud of, that nominee deserves a vote. Let's give this nominee a vote and let's give her a chance to go to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

SUPERSTORM SANDY

Mrs. GILLIBRAND. Today it has been exactly 1 year since Superstorm Sandy hit my home State of New York and the surrounding region. Today is a very solemn day where we pause to ponder the unimaginable loss of 61 precious lives and the great collective pain as countless other lives were shattered. Over 300,000 homes were damaged or destroyed and businesses lay in rubble. Over 250,000 businesses were affected, many of which are still unable to open their doors.

There is something else to remember today. In the days and weeks that followed Superstorm Sandy, we also saw the absolute best of New York. We know New Yorkers are a resilient bunch. We get knocked down, but we get right back up.

As I traveled all across New York City, I saw neighbors coming together, going door to door to help the homebound, donating resources, volunteering their time, clearing debris. In the Rockaways I saw hundreds of residents create an impromptu bustling plaza of hot food, clothing, and anything people might need.

I remember talking to one small business owner in Staten Island whose restaurant was nearly split in two by a boat from a nearby marina, and he simply said to me: ''We will rebuild this better than it was before,'' before agreeing to have dinner together this time next year in that very spot where that boat was resting. He said yes, and we had lunch at his restaurant only a few months ago. It was amazing.

In Westchester, a small business owner gave me a hug, and she vowed she would rebuild. She said defiantly, ''This is our community.''

On Long Island, I walked the streets of Lindenhurst, Massapequa, and visited Long Beach and Fire Island. While the devastation I saw was awful, I have never met more resilient and compassionate people. I witnessed homeowners struggling to pick up their own pieces and to get it out of the way to help neighbors, sharing food, sharing water supplies, giving each other rides to the stores, sharing generators, and clearing each others' debris.

While the road to recovery is very long and very hard, New Yorkers will rebuild. They will rebuild stronger, but we all have to do our part. Too many communities are still recovering and rebuilding. Some families are actually still homeless, living in trailers or confined to the second floor of their homes and still waiting for additional assistance. Too many homeowners have not yet received the funding to repair their homes and their businesses. Too often, those who are struggling to rebuild have been caught in redtape.

Throughout the past year, I have pushed to change some of the Federal policies that have stood in the way of recovery. We have had some successes. We were successful at pushing FEMA to extend critical deadlines for Sandy survivors to document their losses, so that those who have had trouble getting back into their homes are not prevented from filing flood insurance claims.

We were able to get the Department of Housing and Urban Development to relax regulations that would have prevented substantially damaged homes from accessing critical recovery funds. We received assurances from the Army Corps of Engineers that they will fund critical shore protection projects at full Federal expense, ensuring that these projects can move forward quickly without having to wait for our communities to find the matching funds out of very tough and local struggling budgets that are already stretched too thin.

That is not enough. For all of our successes, we are still facing so many challenges. There is still far too much redtape getting in between families and recovery. My office hears every single day from homeowners and families who are struggling just to move forward.

Many of us are working on a bipartisan bill to postpone the potentially disastrous flood insurance rate increases coming into effect as a result of the Biggert-Waters flood insurance reform law. I urge my colleagues in the Senate to pass this bipartisan bill that was introduced by Senator MENENDEZ and Senator ISAKSON that would delay the premium increases set to go into effect until after FEMA has completed a study and provided Congress with a plan to make the rates more affordable. Our families working so hard to rebuild, frankly, deserve nothing less.

Some homeowners, even as they do rebuild, have started seeing their rates increase. This would cause so many of our constituents to be forced out of their homes and communities that they love, that they have lived in their whole lives. This is why the Menendez-Isakson bill is so critical and why I strongly urge my colleagues on both sides of the aisle to support this commonsense legislation.

As we focus on providing communities with all of the resources they need to rebuild from Sandy, the Federal Government is partnering with States, local governments, the private sector, and academia to develop solutions that will protect us from the next disaster. We know that for every dollar spent to make our homes, businesses, and infrastructure more resilient, $4 is saved in potential recovery costs down the road.

Earlier this year Senator WICKER and I introduced the STRONG Act, which stands for Strengthening the Resiliency of Our Nation on the Ground. This bipartisan bill seeks to build on the progress that has been made locally by requiring the Federal Government to develop a national resiliency strategy, assess where there are gaps and opportunities for improvements. It also creates a new information portal for both the public and private sectors to share information about how to strengthen our communities and protect against future extreme weather threats.

We have come a long way in the past year, but I am very sad to say we have so much more work to be done. Our communities are working as hard as ever to recover, but we have to work equally as hard toward rebuilding and being better prepared for the next storm.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Later this week we will hit the 1-month anniversary of the launch of President Obama's health insurance exchanges. My question is, what have we learned the past 4 weeks? We know the rollout of the exchanges and the healthcare.gov Web site, Americans would agree, has been disastrous.

Last week the Associated Press ran a headline about what people in my home State of Wyoming had experienced. It said: ''National health insurance site sputters in Wyoming.''

The article goes on to talk about the health care law, the Web site, and says: ''Wyoming Insurance Commissioner Tom Hirsig said Monday that he's personally been unable to register on the Federal Government's Wyoming site despite trying every day.''

The insurance commissioner from the State of Wyoming has been unable to register on the Federal Government's Wyoming site despite trying every day starting October 1. This is the same story we have seen all across the country.

We have also learned over the past 4 weeks that the President's health care law is much more than just a failed Web site. What we know is that there is sticker shock hitting people all across the country as they start shopping and find that higher premiums are what they are facing. They are going to be paying much higher premiums if they are able to buy health insurance, if they are able to get through the exchange.

CBS News had the story of one woman in Florida whose health insurance will cost 11 times what she is currently paying—from $54 a month to $591 a month.

Over the past 4 weeks, another thing we have learned is that many people have received notices in the mail—cancellation notices—from their insurance companies. They are being told that the insurance policies, the coverage they have had, is being cancelled. Only a small number of people have been able to get insurance through the government exchanges so far. We have seen that over the last month.

In testimony today in the House hearing, a person from the administration said they cannot tell us how many people have been unable to get insurance through the exchanges, but we know that hundreds of thousands of people are losing the insurance they had.

Here is what one woman told CBS: ''What I have right now is what I'm happy with, and I just want to know why I can't keep what I have. Why do I have to be forced into something else?''

Like many Americans, this is a person who actually believed President Obama when he promised that if people liked the insurance they had, they could keep it. Now she learned under the President's health care law, it is not only a Web site, it is a broken promise. It turns out if the White

House likes your plan, then you can keep it. If the White House doesn't like your plan, then you are out of luck, you can't keep it.

Yesterday the Obama administration finally admitted that millions of people across the country will lose their insurance. We know all of these ways that the President's health care law is more than a failed Web site, so the big question now is what don't we know yet? What is there that the American people don't know about the health care law? How much worse are things going to get before the White House admits the entire law is broken?

We have seen one headline after another about problems with the health care law that the Obama administration knew about and would not admit. There has been one revelation after another about troubles they hid from the American people and did so deliberately. What else is this administration not telling the American people?

The White House may have finally said publicly that millions of people are going to lose the insurance they have but, according to NBC News, the Obama administration has known that for at least 3 years.

When the train first went off the tracks, the White House said its Web site crashed because they said millions of people tried to use the Web site at the same time. According to the Washington Post, the limited testing the administration did before the launch found the site would crash if only a few hundred people used it.

It is fascinating. The Democrats' whole law was based on the idea that Washington, government, is capable of running America's health care system competently. What we have seen is gross incompetence. It turns out that Washington can't even set up a Web site competently, and it looks as if they knew it.

Computer programmers warned about the rush to get the Web site done by October 1. Instead of hitting the pause button, which they should have done, hitting the pause button until it could get things working, the White House pushed on. This is what we learned from some of the contractors who built the Web site. This Web site cost the taxpayers over $400 million so far and the bills are still coming in.

These contractors testified last week in the House that full tests of the site should have started months in advance, but testing didn't happen until the last 2 weeks of September. Who decided to go ahead anyway? President Obama's administration. They are the ones who decided.

Contractors thought if the registration process wasn't going to work, then maybe it would help to set up a way for people to shop for plans and get information without registering. The administration told them to ''deprioritize'' that plan. What a government word, ''deprioritize'' that plan.

Then when the Web site turned out to be a complete disaster, a systems failure, the Obama administration tried to hide how bad it was. It asked the largest health insurer in North Dakota not to tell anybody how many people have signed up for insurance through the exchange—the administration telling the State: Don't open up, don't tell people the truth. Why not? Because as of last week only 14 people had been able to sign up for the companies' plans. The numbers are so embarrassing for the administration they have been trying to cover up. They continued to cover up today when there was testimony and no numbers were given. It is the same reason the administration won't say how many people have signed up nationwide. They know how many people have signed up, but they refuse to tell the American people, the taxpayers, the people who pay the taxes and see their money being wasted by this administration and this government. There are new problems with this health care law every day.

The Web site was supposed to be the easy part, but to me it is the tip of the iceberg. The Web site failures are just the tip of the iceberg.

What else does the White House know about? By now they should know about cancelled coverage because it looks as if millions of Americans have already received notices from their insurance companies that they have lost their insurance, their insurance has been cancelled.

There have been premium increases. People have talked about the fact that their premiums are going up, and there are higher copays and deductibles to deal with. People are losing access to the doctor. Plus there are always the issues of fraud and identity theft.

What else are we going to learn this week when Secretary Sebelius testifies in the House tomorrow? Will she actually open up? Will she give them the truth? Will she give them the real numbers, or will she not admit to what is actually going on and refuse to answer the questions?

How much worse does the Obama administration's incompetence get? What will it take for the President to admit that his health care law has been a train wreck and they will have to delay it for at least a year? We know he is going to have to do it eventually. There is no way all of these problems are going to get fixed quickly, and he is going to have to delay the individual mandate—the mandate that says every American must buy or have and prove they have health insurance. And who is the enforcer? The IRS—the Internal Revenue Service. The President should just go ahead and do it now and also delay all the other parts of the law, not just the mandate.

It is time for President Obama to really come clean with the American people about what his administration knew and then come to the table to work with Republicans and give people the real health care reform that they need, want, and deserve so people can get the care they want from a doctor they choose at a lower cost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate the remarks of my colleague from Wyoming.

Here in Washington and, indeed, throughout the country everyone is talking about the ObamaCare Web site. No doubt that is a serious concern. The healthcare.gov Web site has been, to put it bluntly, a debacle. I don't know of a single Member of Congress, Democrat or Republican, who would say otherwise.

That said, we need to be clear about something: The problems with ObamaCare go much deeper than a faulty Web site. Sure, the administration would have the American people believe that the problems with this law are simply technical in nature and that once they bring in technical experts to fix the Web site, all will be right with the world. But let's not kid ourselves. The problems with ObamaCare are fundamental and systemic. The administration may very well get the Web site up and running in the next few weeks, and they should, but that won't fix the health care law. I would like to take a few minutes today to talk about some of the problems facing ObamaCare that have nothing to do with the Web site.

When he was trying to get the law passed, President Obama repeatedly promised Americans that ''if you like your current health plan, you will be able to keep it.'' This promise was central to the President's efforts to sell ObamaCare to the American people, and as it turns out, it was all a lie. Now even the White House admits that millions of Americans will not be able to keep their health plan under the law, and if recent news reports are to be believed, they have known this for years. Experts have predicted that as many as 16 million Americans may lose their existing coverage due to ObamaCare's new requirements. According to the NBC News story from yesterday, the Obama administration has known about this for at least 3 years. We have known about it as well.

Consumers throughout the country are already receiving cancellation letters from their insurance providers. For example, in New Jersey 800,000 individuals are being dropped from their existing plans. Kaiser Permanente in California has sent notices to 160,000 people informing them their current coverage will end. Florida Blue is ending policies of 300,000 customers due to ObamaCare. This isn't some unforeseen or unintended consequence of the law. On the contrary, it is precisely what was intended when the law was put into place.

As you know, Mr. President, the President's health care law includes a mountain of new mandates and requirements for health insurance plans. Any plans that fail to meet those onerous requirements are invalidated under the law. True enough, the law provides that plans that were in effect as of

March 2010 will be grandfathered in, allowing consumers who prefer to keep those policies to do so even if the plan's don't meet the law's requirements. However, the Department of Health and Human Services has, through regulations, all but eliminated the protections enjoyed by those in existing plans by saying that the grandfathering provision does not apply to plans that have undergone any changes—even small changes to deductibles or copayments—since 2010. Under this requirement, many of the plans that were in place before passage of ObamaCare, particularly those in the individual health insurance market, will fail to pass muster. That is why we are seeing hundreds of thousands of Americans being dropped from their current insurance plans and why the same fate is certain to befall millions more.

As I said, the Obama administration knew about these problems a long time ago. In fact, regulations issued in July of 2010 estimated that because of normal turnover in the individual insurance market, 40 to 67 percent of consumers would not be able to keep their policies. Let me repeat that. The administration knew in July 2010 that at least 40 to 67 percent of consumers in the individual market would not be able to keep their plans in place. Yet the President never took back his promise: ''If you like your current health plan, you will be able to keep it.'' This, quite frankly, is preposterous.

The response we are getting from the administration is that, sure, many people will lose their existing health insurance, but it will be replaced by better, cheaper options. This claim is at odds with the facts. For many people, health expenses will increase under the new plan as a result of higher premiums, higher deductibles, and higher copays. One study from the Manhattan Institute found that individual market premiums will increase 99 percent for men and 62 percent for women nationwide. For others, the new plans may not cover visits to their current doctor or the hospital they have used in the past. That is because insurers are reducing the number of doctors and hospitals covered by plans in the exchanges in order to reduce premium prices. These changes are a direct result of ObamaCare's new requirements and mandates.

I have received letters from my constituents from all over Utah who are scared, who are angry, and who are confused about the changes they are facing. For example, Brenton in Provo, UT, currently has a high-deductible plan and uses a health savings account. This arrangement works well for Brenton and his family, and they would like to keep it. Unfortunately, Brenton's plan has been canceled due to ObamaCare. The plan he will be required to purchase is more expensive and includes coverage he doesn't want. There is also Kathy from Salt Lake City, who wrote to tell me her deductible will increase from $3,000 to $5,000, her copays for doctor visits will increase by 30 percent, and her copays for prescription drugs will increase to 50 percent. Kathy let me know that as a result of these changes, her health care expenses will now be higher than her income.

Even those who were in favor of the law are now finding it is not being implemented as they expected. A recent L.A. Times article profiled a young woman who was shocked by the 50-percent rate hike she received as a result of the health care law. She was quoted as saying, ''I was all for Obamacare until I found out I was paying for it.'' That is a refrain I think we will be hearing from a number of people who supported ''health care reform.''

Increased costs aren't the only problem consumers will be facing under ObamaCare. There are other serious, more subtle problems that have yet to be addressed. For example, some consumers may have their personal information compromised by an ObamaCare navigator or by submitting an application to the federally facilitated marketplace, the Federal data services hub, or one of the Affordable Care Act call centers. I have warned about that for a number of months—that they are moving too fast and not doing the job well enough—and a lot of people are going to get hurt.

Social Security numbers, employment information, birth dates, health records, and tax returns are among the personal data that will be transmitted to this data hub, resulting in an unprecedented amount of information collected in one place by a government entity. Every piece of information someone would need to steal an individual's identity or access their confidential credit information will be available at the fingertips of a skilled hacker, providing a gold mine for data thieves and a staggering security threat to consumers. The entire system, including the data hub—a new information-sharing network that allows State and Federal agencies to verify this information—has not gone under any independent review to determine whether the data that is entered is secure. This means an individual's personal and financial records may be at serious risk of becoming available to data thieves.

I have already been to the floor several times to discuss these issues. I am here again today because as of yet there has been no solution—or should I say no solutions—to these problems. In fact, the ObamaCare exchanges are less than a month old and data breaches are already occurring at the State level. A recent CBS News story featured a Minnesota insurance broker who was looking for information about assisting with ObamaCare implementation. Instead, what landed in his in-box last month was a document filled with the names, Social Security numbers, and other pieces of personal information belonging to his fellow Minnesotans. In one of the first breaches of the new ObamaCare online marketplaces, an employee of the Minnesota marketplace, called MNsure, accidentally emailed him a document containing personally identifying information for more than 2,400 insurance agents. While the incident was resolved, the broker said it raised serious questions for him as to whether those who sign up for MNsure can be confident their data is safe. These types of incidents are only going to increase as time goes on if rigorous testing is not performed to ensure that the data hub is sufficiently secure.

Despite assurances by the chief technology officer for the administration in early September that ''we have completed security testing and received certification to operate,'' we all now know that all the testing had not been completed until just days before the October 1 launch date and that no third party—no third-party expert—had a chance to review it.

But there is much we don't know. What kind of testing was done? Who did the testing? What did they look for? What were the results? And perhaps most importantly, what are the risks of using the Web site? To help get answers to these questions, today several of my colleagues on the Senate Finance Committee and I are sending a letter to Secretary Sebelius asking detailed questions about the testing protocols, what waivers were received with respect to the testing requirements, and any and all results of the limited testing that did occur. Hopefully, that will enable Congress and the American people to better understand exactly what is broken with the system and help to ensure it does not happen again.

These questions and problems demonstrate why it is imperative that the Government Accountability Office—GAO—independently verify that sufficient privacy and security controls are in place for the data hub and the entire Federal marketplace so that Congress has independent assurance that the necessary controls exist and that taxpayers know their personal information is secure. That is why I introduced S. 1525, the Trust But Verify Act, which calls on the GAO to conduct such a review and delays implementation of the exchanges until the review is completed. The bill currently has 32 Senate cosponsors.

As you can see, Mr. President, the problems with ObamaCare are numerous and fundamental. As I said before, this law was bad policy when we debated it, it was bad policy when the Democrats forced it through the Congress, and it remains bad policy today.

I have little doubt the administration can eventually get the Web site up and running. They would have us believe that once that task is accomplished, everything will be fine. But that is simply not the case. They can't

say everything will be fine when millions of Americans are losing their existing health coverage as a direct result of the health care law. They can't say everything will be fine when health care costs are continuing to skyrocket even though the President claimed his health law would bring costs down. And they can't say everything will be fine when consumers' personal information is at serious risk because the administration didn't take the proper precautions with its new data system.

As I said, the healthcare.gov Web site has been a debacle and the President is right to recognize it as such, but it would be a huge mistake to simply write off the problems with ObamaCare as a simple IT problem.

My own position on ObamaCare is very clear. I support repealing the law in its entirety. As more and more Americans lose their health coverage—coverage they shopped for and liked—and face outlandish costs as a result of the law, I believe that position will eventually be vindicated. In the meantime, I think we can all agree that the law is simply not ready for prime time and that at the very least it should be delayed so we can protect the American people from further harm.

I have made this call before and I am sure I will make it again. Today, with all the new information we have received—the broken Web site, the security problems, the skyrocketing costs, and the millions of Americans losing existing coverage—I hope my friends on the other side of the aisle will begin to see the light. I hope they will finally see what happens when one party tries to take on something as vast and as complicated as our health care system all on its own without any help from the other side.

I hope that they would work with us to come up with real solutions to our Nation's health care problems. I will keep waiting, and if the problems we have seen in the last few weeks are any indication, I should not have to wait too much longer.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). Under the previous order, all postcloture time is yielded back.

The question occurs on the nomination.

Mr. HARKIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

At the moment there is not.

Mr. HATCH. Madam President, I suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

SENATOR THAD COCHRAN'S 12,000TH VOTE

Mr. MCCONNELL. Madam President, our good friend, the senior Senator from Mississippi, is about to cast his 12,000th vote, a truly remarkable accomplishment by a remarkable man. He was the first Republican to be elected to the Senate from Mississippi since Reconstruction. A few years ago he was named by Time magazine as one of the 10 most effective Members of the Senate, and they called him ''the quiet persuader.''

For those of you who have recently arrived at the Senate, if you have not had any dealings with Senator COCHRAN yet, you will find that indeed he is the quiet persuader. In fact, it may be the secret to his success.

He has had an extraordinarily accomplished career here in the Senate, and I wanted to take a few moments to congratulate him, not only on his service to his State and the Nation but to our institution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, I am sorry I am a little late here. I see my colleague, the senior Senator from Mississippi. I have had the pleasure of knowing THAD COCHRAN during my entire stay in Washington. He is a fine man. He has had experience in the House and the Senate, as I have. I have always appreciated his courtesies. He is just such a fine human being.

Before his election to Congress, he served honorably in the U.S. Navy. He was a lieutenant in the Navy. After his tour of duty, while attending law school at Ole Miss, Senator COCHRAN returned to active duty for his naval work, even while he was going to law school. After graduating from law school in 1965, he joined the very prestigious law firm Watkins & Eager in Jackson, MS, and in less than 2 years he became a partner in that law firm—which was remarkable. It speaks well for his acumen in the law and for being a nice person.

His break from public service did not last long, though. From the Navy he ran for Congress in 1972 and served in the House for 6 years before running for the Senate. He served as Chairman of the Republican Conference, the Agriculture Committee, and the Appropriations Committee.

Throughout his time in Congress, Senator COCHRAN has promoted the best interests of Mississippi's citizens. Even when we were on different sides of the issues, I always respected Senator COCHRAN's service to his country, his dedication to the people of Mississippi and to the people of this country. I congratulate him on this impressive milestone and appreciate most of all his friendship.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Richard F. Griffin, Jr., of the District of Columbia, to be General Counsel of the National Labor Relations Board.

Mr. HARKIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 222 Ex.]

YEAS—55

Baldwin	Heinrich	Nelson
Baucus	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	
Harkin	Murray	

NAYS—44

Alexander	Cruz	McConnell
Ayotte	Enzi	Moran
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Chambliss	Hatch	Rubio
Chiesa	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Collins	Johnson (WI)	Toomey
Corker	Kirk	Vitter
Cornyn	Lee	Wicker
Crapo	McCain	

NOT VOTING—1

Inhofe

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. HARKIN. Madam President, I ask unanimous consent that the Senate be in a period of morning business for debate only until 7 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

The Senator from Tennessee.