a bipartisan bill—House leaders took the unprecedented step earlier this year and split food assistance from the other essential programs supported by the farm bill, even though we passed a farm bill that would save $25 to $30 billion.

After months of delay, last week the House voted on a separate nutrition title, which only moves us further away from enacting a farm bill before the programs expire on September 30. This latest lurching maneuver means even more uncertainty for farmers.

Instead of standing with the millions of Americans who are still struggling to put food on the table—these House Members never have to go hungry, except by choice, because of the huge salaries they make—it is regrettable and inexcusable that the House Republicans are turning to slashing essential nutrition help for struggling Americans. Ensuring that these programs can continue to serve Vermonters and all Americans in need is a key part of enacting a strong farm bill for our country. It is a reality recognized by the bipartisan Senate-passed farm bill.

The House cuts SNAP benefits by levels 10 times as high as the bipartisan Senate bill and twice as high as the House's original bill. These cuts would mean that each year an average of 3 million people would be kicked off food assistance, even those who are working and making as little as $2,500 per year. What is worse, the bill will mean hundreds of thousands of children will lose access to school meals. Ask any teacher, whether in Hawaii, Vermont or in any other State, does a hungry child learn? Of course not.

These school meals are an investment in our future and an investment in our children. Having young people who are able to learn is an investment in the future of the U.S. economy. So what do we say? Oh, no, we are not going to feed them. This is a country that spends billions of dollars just to get rid of excess food and on needless diet programs, but we cannot feed children in school. It is shameful. It is mean-spirited, shortsighted, and it hurts America.

If that were not enough, the House Republicans also assert with their bill that 3 months of benefits every 3 years is plenty of time for out-of-work Americans to find a job that pays well enough to feed a family. Get real. Have they seen what happened to the economy in this country? Have they seen what happened as we try to drag ourselves back from the horrible recession they put us into a few years ago? Unfortunately, when there is only one job for every three unemployed workers. Simply telling out-of-work Americans to get a job is easier said than done. Somebody ought to ask them why don't they do their jobs.

Times of high unemployment are the very reason we have food assistance. These food programs were always carried by Republicans and Democrats who worked together to help Americans get back on their feet. Despite the heated rhetoric, our Food Stamp Program is working as intended.

I was fortunate to come here when we had two men with entirely different philosophies. Both men became nominees of their party to run for President, George McGovern and Bob Dole. They worked together to feed the hungry people in this country, especially in the School Lunch Program.

The Congressional Budget Office forecasts that the SNAP costs will fall over the next several years. As the economy improves and people get back to work, those costs will come down. Children who are educated will create jobs.

Instead, we have bumper sticker politics—appealing to our worst instincts. It is churlish, childish, and irresponsible. I might also say it is immoral.

The House-passed CR and the House so-called farm bill will only worsen the gridlock that crippled the Senate since our return from the August recess. We are elected not to grandstand but to legislate. Let's legislate around here. Members need to stop running to the cameras, getting little sound bites and saying things such as: I am standing up for America, as they do everything to kill the American economy.

We were not elected to make the government less efficient. We are even unable to make the most basic decisions that the American people elected us to make. The American people want us to solve the problems now through fair solutions and through the give-and-take of our elected government.

I appreciate the fact that the people of my State—Republicans and Democrats together—give me the honor of serving here. I have become the longest serving Senator from our State and also the longest serving Senator in this body. I have seen Republicans and Democrats work together on these problems. I have seen people in the past do that. I know it can be done but not when a tiny minority says: We are the only ones who know what to do, and we will make the decision. No. We have good men and women from both parties in the House and Senate. Let's stop the bumper sticker politics. Let's get back to work and do things the way they should be done. There is still time to show the American people that we know why we were sent here and that Congress can still do the work of the Nation.

Mr. President, I yield back all time.

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

The question is on the Hughes nomination.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 204 Ex.]

YEAS—98

Alexander	Flake	Mikulski
Ayotte	Franken	Moran
Baldwin	Gillibrand	Murkowski
Barrasso	Graham	Murphy
Baucus	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Paul
Blumenthal	Hatch	Portman
Blunt	Heinrich	Pryor
Boozman	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Risch
Burr	Hoeven	Roberts
Cantwell	Inhofe	Rockefeller
Cardin	Isakson	Rubio
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schatz
Chambliss	Johnson (WI)	Schumer
Chiesa	Kaine	Scott
Coats	King	Sessions
Coburn	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Lee	Toomey
Cornyn	Levin	Udall (NM)
Crapo	Manchin	Vitter
Cruz	Markey	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	

NOT VOTING—2

Shaheen	Udall (CO)

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

RECESS

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

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, as the chair of the Appropriations Committee, I rise to oppose the continuing resolution the House passed last week

on a party-line vote of 230 to 189. On behalf of all of the people of Maryland and all of the people of the United States, I am so frustrated; they should have a government that they can count on to operate, that they could count on to work as hard as they do; they should be able to count on having the government they pay for. However, what we have here is a manufactured crisis, with histrionics and theatrical politics attempting to bring us to the brink of a shutdown. It is shutdown, slam-down politics.

The CR that was sent over to us is loaded with political ideology. What does it do? First it wants to defund the President's Affordable Care Act and take health care away from those who need it. It also is designed to create a crisis over the debt ceiling and undermine the full faith and credit of the United States. Our President has been clear that he will veto any bill with these toxic political riders. He is right, and we will support him.

Much will be said in the media over the next several days about something called the continuing resolution. Well, here we go again using Washington-speak that nobody in America understands. Here we go with budget-speak. And the American people are saying: What are they trying to accomplish? Well, let me explain it in a straight-talk way.

A continuing resolution is a straightforward, simple act where we extend the government's funding beyond October 1 to a date certain. It is meant to continue the funding. It is always, historically, meant to be, No. 1, short-term and, No. 2, a stopgap measure as we work on getting final resolution of budgetary and fiscal matters. It is also designed to keep the U.S. Government open and functioning while we work out our difficulties.

So that is what a continuing resolution is meant to be. It was never meant to be a vehicle for controversial, provocative, poke-it-in-your-eye and stick-it-to-you controversial legislation. It was never meant to be a negotiating chip for a grander bargain to resolve issues, nor was it ever designed to be a weapon in the fight over the size and role of government. That is for the authorizing committee. That is what we do in our appropriations committees at the subcommittee level. That is what Senator MURRAY in her Budget Committee worked on when we passed the budget. That is where those fights come in, not at the end of the fiscal year.

Here we have the same old tricks and techniques we have seen year after year since President Obama was elected. They not only want to throw sand in the gears of the Obama administration, they want to throw cement into the gears of the functioning of government. Well, I think that is outrageous.

The House continuing resolution is a manufactured crisis driving us toward a shutdown. We have plenty of real crises in our country. How about the crisis of sustained chronic unemployment at 7 percent or higher in many of my communities or in certain sectors, such as construction, or in the rural parts of my State? There is also a real crisis for those who need health care. There is a real crisis for those who are seeking higher education and can't afford it. And look at our crisis in the foreign policy arena.

On the very day the President is speaking at the U.N. to project American power, the other side is trying on the Senate floor to make us powerless to function. If they want to project American power, they should be willing to show that the greatest parliamentary, deliberative body in the world can be parliamentary and deliberative in solving our problems. If they want to project power, it starts here, showing we can govern ourselves. We start by acting right and focusing on solving real problems with real solutions and getting off of this brinkmanship.

The President has said he will veto it, so the riders are veto bait. This is all designed to use a lot of time and a lot of resources. I was elected to the Senate to be a legislator, not a prop for a political farce. This is not Gilbert and Sullivan, this is the real deal.

The American people are fed up with these manufactured crises, and so am I. So let me give my view about where we want to go. And who is the ''we?'' I believe it is not only the Democrats in the Senate, but I believe there are pragmatists on both sides of the aisle who want to find a sensible center where we can achieve fiscal stability, begin to draw down our public debt but also have an opportunity to be progrowth in our country, where we focus on important issues of national security, rebuilding America with infrastructure, rebuilding our human infrastructure in terms of our educational system and also our research and development, coming up with the new ideas that will lead to the new jobs in the new century. The way we want to do this and the way I am suggesting is the way the American people would like us to vote.

The other party would like us to have a continuing resolution until December 15. That is one more gimmick to bring us to Christmas Eve, where we will have a lot of theatrics and jingle bells-jingle bells while we try to solve our situation.

I want a short-term CR. I would like one between now and November 15—not long term, not something just to dilly and dither. I am tired of dilly and dither. So I suggest a short-term CR for sometime around mid-November. The purpose of that would be that we would use that opportunity to get to a vote in December that would be on the funding of all of our bills, arrived at by a vote here, a conference committee with the House, where our spending would be sensible, it would be affordable, it would meet compelling human need, the national security issues of the United States, and would rebuild our infrastructure.

This isn't hard, but in order to get that, we need to clear out the toxic political items in the CR. So I want a clean CR. A clean CR means getting rid of the political riders of defunding ObamaCare and striking the debt limit rider.

Second, we need to have a shorter date. My recommendation would be around November 15 because the longer term CR means more autopilot functioning of government—in other words, more government dysfunction. November 15 keeps the pressure on both sides of the aisle to get the job done.

What is getting the job done? First of all, we would like to cancel sequester, and we would like to cancel sequester in a balanced way. What is sequester? We have to come up with about $110 billion in debt reduction. We can do that through additional strategic cuts. As an appropriator, I am willing to look at them. Secondly, revenue. What about those loopholes Mitt Romney talked about? Let's bring some of those back and examine them. Let's look at some of the items in mandatory spending. This is the way we can enact our bills, invest in and protect our country.

Our Nation faces long-term fiscal challenges. It does demand action from the Congress. But the place for those negotiations is not in a continuing resolution. It belongs in the Budget Committee. And the six Republican Senators who are planning to filibuster this week are the same ones who threatened and blocked the budget the Senate passed going to conference in the House. So they blocked the budget. Then they blame us because we don't have a budget. Go figure.

The House and Senate Appropriations Committees, the appropriators, have marked up annual funding bills. We are ready to make sure we can do our work, but we need the Budget Committee to give us a top line. We can't get to conference because Republicans have objected. Now they want to have a simple stopgap that leads to a showdown and a shutdown.

If we don't come together, we will have very serious consequences. If we do not enact a clean continuing resolution by October 1 that enables us to get to a sensible outcome in early December, the government will shut down. Doesn't that look great for the United States of America. We say to emerging democracies all over the world, Look at us.

We need to show we can govern.

It has not only consequences in the way we are viewed in the world; it provides uncertainty for business, it will be terrible for our economy, and it will have a direct impact on jobs. Business will not know what the government is going to do and so they don't know what they can do, so they will not be spending to create jobs. All we are doing is creating more chaos.

We want to be sure the Small Business Administration approves loans—they need to be open to do that—that rural housing development and farm

loans are able to go out so we can help where that is needed.

We need to make sure crucial lifesaving discoveries at NIH happen. Right now if we have a shutdown, people will not be able to be admitted to the National Institutes of Health clinical trials and programs because they don't know if they will be continued.

Weather forecasters will be told they are not an essential service.

We are now looking at the impact on Federal law enforcement.

I could go item by item. I will talk more about these items as time goes on.

I will conclude by saying during this last year on both sides of the aisle the Appropriations Committee has functioned well. I thank not only my subcommittee chairmen—I see Senator DURBIN, who chairs the defense subcommittee—but I also wish to thank the Republicans. My vice chairman of the committee, Senator SHELBY of Alabama, supported me at every step of the process. We functioned with civility, intellectual rigor, and open amendments during the committee process. It was transparent. We had ''yes'' votes, we had ''no'' votes. But everybody had their day and everybody had their say. We were able to move our process forward, although we disagreed sometimes on the funding level for this or the funding level for that. But we came to a conclusion. I wish to thank them for their cooperation in the process.

Now we are here, where we could take the next step. Yes, we have to debate some of those line items. We do need to debate some of those programs. But we can't move forward unless we resolve the shutdown showdown.

Let's pass a continuing resolution that takes us to mid-November. Let's make that continuing resolution a clean CR, which means let's get rid of the political riders. Our goal in December is that we pass an omnibus bill that is affordable, sensible, meets compelling human needs, national security needs, our human infrastructure, and also lays the groundwork for new jobs by funding research and development, at the same time to cancel sequester, because we have arrived at it in a balanced way where, yes, we can make additional strategic cuts, where we also need to look at some of the items of mandatory spending, and let's look at some revenue. I think we can do it.

If we want to project American power, the way to do that is right now show that we can govern. Let's not get ourselves into a box where we are heading to a showdown. Let's not get ourselves in a situation where we end up with a shutdown. This will not be a way that builds confidence, builds our economy, and makes America continue to be as strong as it can be.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, it is my understanding that under unanimous consent the Senator from Texas is to be recognized, but I ask if he would allow me 5 minutes to follow the Senator from Maryland and then yield the floor to him.

I thank the Senator from Texas.

Madam President, I stand in support of the statement made by the chairman of the Senate Appropriations Committee. We have served together in the House, now in the Senate. I am happy to serve with her in the capacity as chairman of the Defense Appropriations Subcommittee, the largest in dollar amount that has this responsibility.

I think what she has spelled out on the floor is very straightforward and very honest.

We were challenged in the Senate to come up with a budget resolution this year. Many of our critics said, You have come up with excuses; now come up with a budget resolution. And we did. Six months ago we passed a budget resolution, and then we asked for consent to go to a conference committee with the House to work out our differences. Time and time again Senators on the other side of the aisle objected to our meeting with the House to work out our differences. They had a different reason every day. The net result was we couldn't have the conference committee to reach an agreement with the House on how much we would spend.

Then Senator MIKULSKI told each of us in our appropriations subcommittees: Do your work. Sit down with your Republican member and come up with a spending bill for next year that gets rid of sequestration and that is sensible. And we did. Time and again we worked these out on a bipartisan basis, brought them through committee, ready for floor action. The first bill came to the floor, transportation. Senator PATTY MURRAY brought it to the floor. We wanted to bring this first spending bill to the floor. Let's debate it, let's get it done. The Republicans objected to considering this appropriations bill on the floor. They objected to a conference committee on a budget, they objected to the spending bills, and here we are at the eleventh hour, approaching October 1, without the money to continue the functions of government. We are facing a slowdown this week, and we are going to begin what may not technically be a filibuster but at least is a delay in meeting our responsibility to fund our government.

Some have said—the House Republicans and others—if you do not stop President Obama's health care reform act, we will shut down the government. That isn't fair. As Senator MIKULSKI has said, there are people across America counting on the functions of our government. This notion that we are somehow going to shut down the government with this political threat is unacceptable—unacceptable to the American people and unacceptable to this great institution.

Senator MIKULSKI is correct: We ought to have a short-term CR so we can sit down, roll up our sleeves, and finally finish this business. Whether you are a Democrat, Republican, or Independent, people are fed up with this do-nothing Congress that doesn't address the real issues American families are facing across our Nation. We need to roll up our sleeves and get it done. To have long speeches that go on for hours, delaying the funding of our government, jeopardizes the most basic functions of what we need to achieve right here. We need to come together on a bipartisan basis. A filibuster, delay, long speeches may get the attention of the media for a few minutes but won't solve America's problems.

The last point I want to make was her strongest point. The President is at the United Nations this week meeting with leaders around the world to try to bring about a more peaceful world in a very dangerous climate in many places. He wants to let people know that America will use its leadership and its power to come together to make this a better world. And what message is coming out of the United States Senate? That we are divided, we are fighting with one another, we are facing filibusters, and on and on. This isn't what America should be projecting.

Let's project the kind of unity and the kind of determination that has made this a great nation. Let's fund our government; let's solve our problems; let's stop the obstruction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I rise today in opposition to ObamaCare. I rise today in an effort to speak for 26 million Texans and for 300 million Americans.

All across this country Americans are suffering because of ObamaCare. ObamaCare isn't working. Yet fundamentally there are politicians in this body who are not listening to the people. They are not listening to the concerns of their constituents, they are not listening to the jobs lost or the people forced into part-time work, to the people losing their health insurance, to the people who are struggling.

A great many Texans, a great many Americans feel they don't have a voice. I hope to play some very small part in helping provide that voice for them. I intend to speak in opposition to ObamaCare, I intend to speak in support of defunding ObamaCare, until I am no longer able to stand, to do everything I can to help Americans stand together and recognize this grand experiment 3½ years ago is, quite simply, not working.

I also say at the outset that I am particularly honored to be standing side by side with my friend and colleague Senator MIKE LEE from Utah. Senator LEE has shown visionary leadership in standing and taking the mantle of leading the effort to defund ObamaCare and to challenge this train wreck of a law, and Senator LEE has been repaid at times with vilification from official Washington.

In my judgment there is no Senator in this body, Republican or Democrat, who is more principled, who is more dedicated, who is more fearless and willing to fight for the principles that make this Nation great than is Senator MIKE LEE. It is a singular privilege to serve with him and to stand side by side with him and so many others in this body, and, even more importantly, so many millions of Americans all across this country.

There is a problem in Washington, and the problem is bigger than a continuing resolution. It is bigger than ObamaCare. It is even bigger than the budget. The most fundamental problem and the frustration is that the men and women in Washington aren't listening. If you talk to the man and woman on the street, that is the message you hear over and over again: Why don't they listen to me? Why don't they hear what we have to say? They aren't listening to the millions of people, Democrats, Republicans, Independents, Libertarians, across the spectrum who say our elected officials get to Washington and they stop listening to the people.

We just had a 6-week recess during August where a substantial percentage of Members of Congress chose not to hold townhalls during the 6 weeks we had to be back in our home States, not even to give their constituents a chance to say their views, because it is very easy when those of us who are in elected office have been here for a long time to believe Washington knows better; to believe that all the solutions are found in Washington, DC, and the rest of the country is better—as they say of small children—seen but not heard.

We need millions of people to get an answer. Millions of people are asking for accountability, for responsibility, for truth from their elected officials, truth about how ObamaCare is failing the men and women of America. It is time, quite simply, to make DC listen. That is a point I intend to make over and over, because it is fundamentally what we are trying to do. We are trying to gather the American people to make DC listen.

The whole debate we are having is not over strategy. It is not about process. It is not about procedure. If you read the papers it looks like it is. If you read the papers it is all sorts of confusing cloture on the motions to the what-the, to the which-the. To anyone outside of DC, their eyes glaze over. Even to anyone in Washington, DC, their eyes glaze over.

This is also not about pollsters. It is not about pundits or consultants or those who are making money back and forth on the political process. They have always been with us, and I am confident they will remain with us for all time. The problem is DC is not listening. The problem is our elected leaders are not listening to their constituents.

Everyone in America understands ObamaCare is destroying jobs. It is driving up health care costs. It is killing health benefits. It is shattering the economy. All across the country in all 50 States—it doesn't matter what State you go to, you can go to any State in the Union, it doesn't matter if you are talking to Republicans or Democrats or Independents or Libertarians—Americans understand this thing is not working.

Yet Washington is pretending not to know. Washington is pretending to have no awareness. Instead we have politicians giving speeches about how wonderful ObamaCare is. At the same time they go to the President and ask for an exemption from ObamaCare for Members of Congress.

If ObamaCare is so wonderful, why is it that its loudest advocates don't want to be subject to it? I will confess that is a very difficult one to figure out.

DC is using a rigged process to keep ObamaCare funded, to keep this job-killing bill funded. What they want to do fundamentally is ignore the men and women of America and keep up with business as usual. People wonder why Congress has such low approval ratings. I remember when all 100 of us were in the historic Senate Chamber for a bipartisan meeting. Multiple Senators stood and expressed frustration with the low approval ratings that Congress has. It varies—sometimes, 10, 12, 14 percent—but it is always abysmal.

Some suggested the reason was that we are not legislating enough. We just need to pass some more laws and the American people will be happy. I have to admit, that does not comport with just about anything I have ever heard in the State of Texas. That doesn't comport with anything I have ever heard from constituents. I am going to suggest the most fundamental reason Congress remains in the low teens in approval ratings is because Congress is not listening to the American people.

Every poll that has been done for years, when we ask the American people what is their top priority, the answer is consistently jobs and the economy—over and over, jobs and the economy. That is national. That is in your State, my State. That is in all 50 States. Jobs and the economy is the answer you get. It is also not partisan. You can ask Republicans, ask Democrats, you can ask Independents. They say we need jobs, we need economic growth back.

Yet I will tell you, Madam President—you and I have both served in this institution some 9 months, not very long, but in the time we have been here we have spent virtually zero time even talking about jobs and the economy. It doesn't make the agenda. It apparently is not important enough for this body's time. We spent 6 weeks talking about guns, talking about taking away law-abiding citizens' Second Amendment rights, and we spend virtually no time talking about fundamental tax reform, about regulatory reform, about getting the economy going. And politicians wonder why it is that Congress is held in such low esteem. This is unfortunately a bipartisan issue, on both sides.

We need to do a better job of listening to the people. If the top priority of the American people is jobs and the economy, I am going to suggest the top priority of Congress should be jobs and the economy.

Madam President, you and I should both be scratching our heads, trying to think about a time when we weren't talking about jobs and the economy because, I tell you, we certainly have not gotten it taken care of yet. The American people are frustrated because their elected officials do not listen.

When we are home on the campaign trail, we say we listen. Yet something about this Senate floor, something about Washington, DC—I don't know if it is the water, something in the air, the cherry blossoms, but people get here and they stop listening to the American people.

As I traveled throughout the State of Texas—I spent the month of August and the beginning of September traveling virtually every day on the road throughout Texas and across the country listening, hearing the stories. The American people are hurting. This is a difficult time. The very rich, they are doing fine. In fact, they are doing better under President Obama than they were before. But hard-working American families are struggling and their life has become harder and harder and harder.

ObamaCare is the biggest job killer in this country. The American people want to stop this madness, and so do I. In Washington, we pass million-dollar bills, billion-dollar bills no one has ever read, often without even voting on them. We call it unanimous consent. It is only unanimous because they don't let anyone know.

In Washington, we spend $2 trillion more than last year and then tell voters we saved money. The system is deliberately designed to hide what we are actually doing.

In this debate right now over ObamaCare and the continuing resolution, voting to pass bills is called procedure, as if it doesn't matter. We pretend it doesn't matter. It does matter. Our leaders right now demand approval for bills before they are amended: Everyone come to the floor, vote for the bill. Then we will amend it to make it say the opposite of what it says right now, but you have already voted so don't worry about it. We are told to agree to the bills without even knowing what the final product will be and that is what is happening right now. Our leaders in both parties are asking us to support a bill, to cut off debate on a bill without even knowing what is in it.

It is as the former Speaker of the House NANCY PELOSI once observed: Pass it to find out what is in it. That is how Washington does business.

Let me tell you how this is likely to unfold. Senate majority leader HARRY

REID has said he intends to offer an amendment to determine the future of our health care system and based on the public press reports—and I would note you have to rely on the public press reports because this body doesn't know, but based on the public press reports, that amendment is going to fully fund ObamaCare. It is going to strip the language the House of Representatives passed to defund ObamaCare and listen to the American people.

The central vote the Senate will take on this fight will not occur today and it will not occur tomorrow. The first vote we are going to take on this is a vote on what is called cloture on the motion to proceed. Very few people not on this floor have any idea what that means and even, I suspect, a fair number of people on this floor are not quite sure what that means. That will simply be a vote whether to take up this bill and to begin debating this bill. I expect that vote to pass overwhelmingly, if not unanimously. Everyone agrees we ought to take this up, we ought to start this conversation.

The next vote we take will occur on Friday or Saturday and it will be on what is called cloture on the bill. That is the vote that matters. Cloture on the bill, the vote Friday or Saturday, is the vote that matters.

Why is that? Because that vote is subject to a 60-vote threshold. If Republicans vote with Democrats, then this body will cut off debate on the bill. Cloture is simply cutting off debate. It is saying we are not going to talk about it anymore, we are silencing the voice of the Senate, we are silencing the voice of the people, and we are cutting off debate.

Why does that matter? Because once cloture is invoked, the rules of the Senate allow the majority leader to introduce the amendment to fund ObamaCare and then to have it pass with just 51 votes, not 60—51. As the Presiding Officer is well aware, there are more than 51 Democrats in this body. Postcloture, after this body has voted to cut off debate, the Democrats can vote on a straight party-line vote to fund ObamaCare. Madam President, I am going to let you in on a dirty little secret. When that happens, every Republican, if we get to that point, will vote against it and every Republican will then go home to his or her State and say: Look, I voted against ObamaCare.

That is actually the preferred outcome, to have a vote but yet to have the result be business as usual continue in Washington. It is a little bit akin to the World Wrestling Federation, wrestling matches where it is all rigged. The outcome is predetermined. They know in advance who is going to win and lose and it is all for show. There are some Members of this body, if we could have 100 show votes, saying here is what we are for, but mind you, none of them are actually going to change the law, none of them are actually going to occur, none of them are going to make one iota of difference to the American people because they will never become law, but we will get to vote over and over again in proving how committed we are to principle A, B, C, D or E, that curiously would make a significant number of Senators happy.

Our constituents deserve more—no more fake fights, no more hiding our votes, no more games, no more trying to fool the American people. We need to make DC listen—make DC listen. I want to stand and fight for the more than 1.6 million Americans who signed a national petition against ObamaCare and to the millions more who did not because they were told by a politician it is not possible—don't even try to fight because it is not possible.

I am reminded of a children's story. My wife Heidi and I are blessed to have two little girls, Caroline and Catherine, ages 5 and 2, and one of their favorite children's stories, actually from when I was a kid, is ''The Little Engine That Could''—the train going up that said over and over again, ''I think I can. I think I can.''

I have to say, if we listen to a lot of Members of this body, the message would be simple. That little engine can't. What they say to that train when it starts at the bottom of the hill is, no, you can't.

I think I can. I think I can.

No, you can't. No, you can't. We can't win. You can't stop ObamaCare. It cannot be done. It is impossible. There is nothing we can do.

Are millions of Americans out of work? Yes. Are millions of Americans struggling? Yes. Are millions of Americans seeing their health insurance premiums skyrocket? Yes. Are millions of Americans at risk of losing their health insurance because of ObamaCare? Yes.

But Washington tells our constituents: No, no, never mind. It can't be done. It cannot be done. It is impossible. The rules of Washington say this cannot be done.

And we wonder why this body has such low approval among the people. When we go out and tell the American people it cannot be done, there is nothing that can be done to stop ObamaCare, what we are saying is we are not willing to do it. We are not willing to stand and fight.

We are willing to give speeches. Oh, yes, if we want to have a speech contest, we can line up and fall over backward who can give the best speech against ObamaCare. But when it comes to actually standing and fighting, when it comes to actually having the opportunity to listen to the American people, an awful lot of Members of this body, at least so far, have not shown up to battle.

There are a lot of folks in the Washington establishment who do not want to hear from us. The chattering class is quick to discipline anyone who refuses to blindly fall in line. That is the way Washington plays. There are rules. We are not supposed to speak for the people. There is a way things are done in Washington and make no mistake, DC depends upon Americans not paying attention.

They know most Americans are quite reasonably working too hard to provide for their family. They are too busy spending time with their friends and family. They are too busy working to try to make sure their family is provided for. They are going to church. They are dealing with the day-to-day burdens of life. You know what they have learned? The American people have learned when we get involved, even then it seems as though Washington politicians rarely listen.

I believe that can change. I am standing here today to salute, to celebrate the American democratic system. I am standing here today to suggest that if Senators listen to their constituents, if we listen to the American people, the vote would be 100 to 0 to defund ObamaCare. Even those Senators who voted for it who might have believed it would work. Many of us would have disagreed. Had I been here, not surprisingly, I would have voted against ObamaCare 3½ years ago. A number of Members in this body voted in favor of it. Regardless of how Members voted 3½ years ago, one of the great virtues of life is learning, looking at the evidence, looking at the facts, and seeing when something is not working.

Look at the labor unions. Three-and-a-half years ago the labor unions were enthusiastically supporting ObamaCare. Why? Because they heard the promises. They heard it was going to work, and that it would be a bonanza for all. They believed the promises, and that is understandable. Yet one of the things we have seen this year is one labor union after another after another saying: Whoa. This thing isn't working. This thing is hurting us. This thing is hurting our Members.

(Mr. MANCHIN assumed the Chair.)

By the way, the people whom it is hurting are hard-working men and women and hard-working American families. They are the ones getting hammered.

James Huff, the president of the Teamsters, has said ObamaCare is destroying the 40-hour workweek. It is destroying the backbone of the American middle class. That is not me saying that, that is not any politician from Washington saying that, that is the Teamsters.

We should submit the question to the American people: Do the American people want to destroy the 40-hour workweek that is the backbone of the American middle class? That is not a close question. People talk about how we are a 50–50 Nation and how there is a tight partisan divide. I don't believe it. I think on questions such as that there is an overwhelming majority of Americans who say of course we should not destroy the 40-hour workweek. Of course we shouldn't break the backbone of the American middle class.

If more politicians listened to the people, we would respond and avert this train wreck. Yet the politicians of Washington tell us: Don't worry about it. ObamaCare is going to be peachy keen. The Senate is too busy to do anything to avert this train wreck.

Mind you, the Senate is not too busy to exempt ourselves from it. We know enough to say: We don't want to be a part of this thing. The American people know it can't be done. Nothing can be done. We need to accept it.

Americans have never been people who accept failure. Americans have never been people who accept impossibility. If we look to a ragtag bunch of colonists in the 18th century, the idea that we would stand up to Great Britain, the British Army—the most mighty military force on the face of the planet—was impossible. It can't be done. I guarantee that all of the pundits we see going on TV and intoning in deep baritone voices: This cannot be done—if we were back in the 18th century, they would be writing messages in dark ink and sending it by carrier pigeon, saying: This cannot be done. You can't stand up to the British Army. It can't be done. It is impossible. Accept your subjugation. Accept your taxation without representation. Accept that this is impossible.

If we fast forward to the Civil War—a time of enormous pain, anguish, and bloodshed in the United States—there were a lot of voices then who said the Union cannot be saved. It cannot be done. Accept defeat. I suspect those same pundits, had they been around in the mid-19th century, would have written the same columns: This cannot be done.

If we go to the 1940s, Nazi Germany—look, we saw it in Britain. Neville Chamberlain told the British people: Accept the Nazis. Yes, they will dominate the continent of Europe, but that is not our problem. Let's appease them. Why? Because it can't be done. We cannot possibly stand against them.

In America there were voices who listened to that; I suspect the same pundits who said it couldn't be done. If this had happened in the 1940s, we would have been listening to them. Even then they would have made television. They would have gotten beyond the carrier pigeons and letters and they would have been on TV saying: You cannot defeat the Germans.

If we go to the late 1960s when a President, John F. Kennedy, told this country: We are going to send a man to the Moon—when John F. Kennedy told this country we are going to send a man to the Moon, there were a lot of people who said: It cannot be done. It is impossible. It cannot be done. Yet John F. Kennedy had the vision to say Americans can do things—whatever we set our minds to.

If we go to the late 1970s and 1980s, we were in the midst of the Cold War. I remember growing up in the Cold War. I remember being told the Soviet Union cannot be defeated. It cannot be done. We have to accept malaise. We have to accept second-class citizenship. They have a lot of weapons. We cannot possibly stand up to the Soviet Union.

There was a President—a President whom I admired deeply, President Ronald Reagan—who had the temerity to say: What is your strategy on the Cold War? Answer: We win, they lose.

At the time those same Washington founts of wisdom said: It can't be done. No, no, no, we can't win. Winning is a two-dimensional strategy. We need to be much more nuanced than that. We need to push for detente, whatever that means. We need to push for something short of actually winning.

So we get to ObamaCare, and what do all of those voices say? It cannot be stopped. It can't be done. We cannot defund it. By any measure ObamaCare is a far less intimidating foe than those I have discussed, with the possible exception of the Moon. The Moon might be as intimidating as ObamaCare. Yet those same voices of Washington give the same message that they have said over and over and over again, which is the opposite of the message of the little engine that could: No, you can't. It can't be done. No, we can't.

What should we have instead of you know what? We hear echoes from the past battles. We ought to have a vote where we can go to our constituents and say: By golly, we really, really, really dislike ObamaCare. Can we add a couple of more reallys? I want to make it clear that it is really, really, really.

We wonder why our constituents look at us and say: What on Earth are you doing? Do you actually care that we are losing our jobs? Do you actually care that we can't find a job? Do you care that our small businesses are not growing? Do you care that health insurance premiums for people who are struggling are skyrocketing? Do you care that more and more Americans are losing their health insurance?

We don't need fake fights. We don't need fake votes. We need real change. We need a better economy. We need more jobs. We need more freedom. And what is critical in doing that is stopping ObamaCare because Americans should not have to worry about what Washington is doing to them, what Washington is doing to make their life harder, what Washington is doing to take away their job, what Washington is doing to drive up their health insurance premiums, what Washington is doing to jeopardize the health insurance they have now.

I cannot tell the Presiding Officer how many times across the State of Texas I have had men and women come up to me—some with disabilities and some in wheelchairs—and say: Please, stop this bill. Stop ObamaCare because I don't want to lose my health insurance. It is jeopardizing the health insurance coverage I have now.

We all remember when President Obama told the American people: If you like your health insurance, you can keep it. Now at the time that sounded good. Any of us who liked our health insurance wanted to keep it. We liked that promise. That is the kind of promise we like from our candidates and our officeholders.

Yet as I mentioned earlier, one of the great faculties of higher reason is the ability to learn—the ability to learn from evidence and facts. We have learned that promise did not, in fact, meet reality because the reality is millions of Americans are at risk of losing their health insurance.

A few weeks ago UPS sent a letter to 15,000 employees and it said: We are terminating spousal health insurance because of ObamaCare. Their husbands and wives were told: Sorry, your health insurance is gone. Remember, the promise was: If you like your health insurance, you can keep it. For those 15,000 UPS employees—for their husbands and wives—that promise has been disproved by reality. This body would step up and stop ObamaCare if we did just one thing: if we listened to our constituents. So together that is what we have to do: Make DC listen.

A lot of folks in Washington are angry we are even having this fight. A lot of folks in Washington are angry—it is fascinating how many politicians in Washington think this isn't even worth our time. I will point out, as is usually the case—almost always the case—the Senate floor is largely empty. Everyone's schedules are apparently busy enough that standing and coming together to stop ObamaCare doesn't make it onto the priority list. We ought to have all 100 Senators on this floor around the clock until we come together and stop ObamaCare. If they talked to their constituents, that is what they would like. If they would talk to their constituents, their constituents would say: What possibly do you have to do that is more important than getting the economy moving again and bringing back jobs? What possibly do you have to do that is more important than stopping me from losing my health insurance or stopping me from losing my health care? That is what I hear from my constituents over and over again. I am confident the Presiding Officer hears it from his constituents. Every one of us hears it from our constituents because that is what Americans are saying in all 50 States. We should not have to worry about what the next rule, the next regulation, or the next tax is that is going to be handed down from the DC ruling class.

ObamaCare alone has produced over 20,000 pages of regulation. I am confident the Presiding Officer has not read 20,000 pages of ObamaCare regulations. I can tell the Presiding Officer I have not read 20,000 pages of ObamaCare regulations. I would wager all the money in my bank account there is no Member in this body who has read 20,000 pages of ObamaCare regulation.

Yet what is Washington telling small businesses all across the country? You

are bound by 20,000 pages of ObamaCare regulation, and more and more is coming. There is another 3,000 pages added every 6 months. So it is going to keep coming and coming and coming.

I remember doing a tele-townhall several months ago, and a woman who owns a small business asked: How do I comply with all of these regulations? How do I comply with the burdens of ObamaCare? It was quite striking. She said: I don't even know where to start. I will confess that I felt embarrassed because I said: Ma'am, I don't know how to tell you that.

The complexity is so much that it is causing more and more small businesses to stay small—avoid ObamaCare altogether. They can't decipher the rules and regulations so they don't. If they have under 50 employees, they can get out from under it.

I cannot tell you how many small businesses are not hiring right now. If they have 30 or 40 employees, they are not subject to ObamaCare, but if they get the fiftieth employee, that fiftieth employee better be one heck of an employee, because the instant he or she shows up on the payroll, boom, the entire business is subject to 20,000 pages of regulations and crushing costs.

To the men and women at home today who are out of a job, I point out to you that if it were not for ObamaCare, every small business that has an opportunity to expand right now and is not expanding because of ObamaCare—that is a job you are not able to get.

Do you want to know why the job economy is so bad, why there are so few jobs, why we have the lowest workforce participation in decades in the United States? Small businesses generate two-thirds of all new jobs in the economy, and small businesses have been hammered under ObamaCare unlike ever before.

If we listened to our constituents, we would step forward and act to avert this train wreck. The only way that will happen is if the American people demand it, if together we make DC listen. That is what this fight is about. It is about ensuring that the American people have a voice, ensuring that those who are struggling, those who are without a job, those who are afraid of losing their health insurance—that Washington listens to them, that Washington acts on their needs.

Anyone who wants to know why this body is held in low esteem only has to look out to the empty chairs. If you are out of a job, wondering what the Senate is doing to get our economy moving, to help small businesses create new jobs so you can go to work and provide for your family, the answer is displayed right in front of you.

If you are concerned about the health care for yourself, for your family, if you are seeing more and more people losing their health insurance and you are saying: ''What about my family? What if I lose my health insurance because of ObamaCare?'' and you ask what the Senate is doing to listen to you, the answer, right now, is an empty Chamber.

Our system was based on a profound notion: that sovereignty resides with the American people, that every one of us—sometimes people in the Senate behave as if they have no bosses, as if they are autonomous rulers. And Washington is a little bit of a town that treats the people in Washington—they behave like kings and queens of their own fiefdoms. Yet every one of us has a whole lot of bosses. In my instance, I have 26 million bosses back home in Texas. Who are the 26 million Texans whom I work to represent? Those who supported me and those who did not. It is my job to represent every one of them, to fight for every one of them. The most fundamental problem, bigger than ObamaCare, is the problem that Washington has stopped listening to the American people.

It is quite striking that in discussions about ObamaCare among elected officials, we hear more complaints about ''I don't like all the phone calls I am getting from my constituents'' than we do about ObamaCare. It is apparently an imposition on some Members of this body for their constituents to pick up the phone and express their views. It is viewed as somehow illegitimate. How dare they? Apparently, standing on those steps and taking the oath of office invests 100 people with somehow greater wisdom, greater insight, more brain cells. Our constituents—there is a tendency in this town, particularly as time goes on, to view our constituents as an annoyance.

Today—just today—I have heard multiple Senators complaining: too many phone calls from my constituents. What a remarkable complaint. What a remarkable complaint.

Mr. President, you and I have both worked in the private sector. In the private sector, if your boss picked up the phone and called, I suspect neither you nor I sat at our computer playing Solitaire when our boss picked up the phone and called. Neither one of us said: Boss, I am too busy. Boss, I don't want to listen. You may have some priorities for the business but not me. I know better than you.

None of us did that. Because in the private sector, there is a quick and immediate response. If you tell your boss in the private sector: Hey, boss, my time is too important for you; I don't care about your priorities; I am not going to listen to you, I suspect that will be your last day at that place of employment.

Why is Washington broken? Because you have 100 people, a significant number of whom, on a daily basis, tell their boss, tell their constituents: I am too busy for you.

Don't even bother to call my office because it just ties up my staff. It is annoying. I know better than you do. I know the priorities better than you do.

What a broken system. What a broken system. We work for the people. Why are the people unhappy with Washington? Why are they disgusted with Washington? Because Washington is not listening to them. There is a game instead that is focused on maintaining the status quo. Staying in office—that is what is important because it is apparently very important to be invited to all the right cocktail parties in town. I will confess, I do not go to a whole lot of cocktail parties in town. I am pretty sure you do not either. But there are Members of this body for whom that is very important.

At the end of the day, we do not work for those holding cocktail parties in Washington, DC. We do not work for the intelligentsia in the big cities who write newspaper editorials. We work for the American people. We work for single moms. We work for young people. We work for seniors who are struggling. We work for Hispanics, for African Americans. We work for every American who believes in the American dream.

This body is not listening to the people. Indeed, the very fact that over 1.6 million Americans have signed a petition, have picked up the phone, have been calling offices in this great Chamber is viewed as an inappropriate imposition. What an indictment of this body that we think it is somehow illegitimate that the American people would ask us not to focus on irrelevant priorities. It is not like the American people are calling, saying focus on some parochial issue. By the way, phone calls are not coming from our districts saying: Senator, please take more of the American people's tax money and send it back to our district. We would like some more pork.

Those are not the calls. Those are not the calls we are getting. The calls are from people who are saying: Listen, jobs and the economy is my No. 1 priority. Why isn't it Congress's? Jobs and the economy matter. Why? Because if you are working, if you are working in a good job, you are providing for your family. It makes it easier for families to stay together. Moms and dads—it makes it easier for them to raise their kids, raise them with good values. It makes it easier for them to provide a good education for their kids.

When you have one job, it lets you begin to climb the economic ladder to a better job and a better job and a better job. That is the American spirit. Yet we have tens of millions of people in this country out of work. Every month we get the reports from the Bureau of Labor Statistics that say even more people have given up looking for work.

The odd way our unemployment statistics work, that makes the number the newspapers report go down. Because when a few hundred thousand people say: All right, I give up, it is so hopeless, I will never find a job, that, curiously, results in the unemployment number going down because the number that gets reported in the papers is a measure of a percentage of how many

of the people looking for work are unable to find it.

I am going to suggest that people giving up is even worse. What a sad testament, given the American spirit, the American spirit that we can do anything we set our minds to, that anyone—the great blessings of this Nation have been fundamentally that it does not matter who you are, it does not matter who your daddy was, it does not matter whether you were born into great wealth and privilege and advantage or whether you were born into humble means, anyone in this country can achieve anything based on hard work, perseverance, and based on the content of your character. What a tremendous, unique blessing that is in the United States of America. The reason this ObamaCare fight matters so much is that is imperiled right now. In order for anyone with nothing to achieve anything, they have to be able to get a job to start. They have to get on to the first rung of the economic ladder to have a chance of getting to the second or the third or the fourth or the fifth.

Just a week ago the Wall Street Journal had a long article about the ''lost generation,'' about young people coming out of school in the last few years who have not gotten their first job or who have gotten a part-time job. Because of ObamaCare, their employer does not want to hire them for 40 hours a week, so they get hired for 29 hours a week.

Think about young people. If they do not get that first job, they are not going to get the second, they are not going to get the third. The impact for young people right now that ObamaCare is having is absolutely devastating. What this Wall Street Journal article was saying is that the economic data shows that impact will be with them their entire lives; that when they start off their career not gaining skills, not working, not climbing the economic ladder, that delay will stick with them forever.

What a travesty. Where is the outrage? Where is the outrage? Where are the Senators standing here saying: What a travesty that young people are being denied a fair shot at the American dream because of what we have wrought because of ObamaCare. That should unite all of us. If we were listening to the American people, that would be where our attention would lie.

Fundamentally, what this week is about is that we need to make DC listen, make them listen to the single mom working at a diner, struggling to feed her kids, who has just been told she is being reduced to 29 hours a week. Who is speaking for that single mom right now? Who is talking about how ObamaCare is forcing more and more people into part-time employment? And, by the way, she does not get health insurance. Instead, forced into 29 hours a week, what does that single mom do? She gets a second job. So now she is working two jobs, with 29 hours a week for both of them. Now she is away from her kids even more. She does not have health insurance at either job now. But she has to travel from one to the other. She has to deal with two conflicting schedules because one job wants her to work Tuesday, and the other job wants her to work at that same time on Tuesday. She has to go to both of her bosses. Both of them say: You need to be there Tuesday afternoon. Who is speaking for that single mom right now?

On Friday or Saturday of this week we will vote on cloture. Anyone who votes yes for cloture, anyone who votes to cut off debate on this bill, is voting to allow Senate majority leader HARRY REID to fully fund ObamaCare. That is a vote that I think is a profound mistake. It is a vote that I hope all 46 Republicans will stand united against. It is a vote that, in time, I hope more than a few Democrats will stand against.

To fix the problems in this country, this does not have to be a partisan issue. Many of the President's most vocal supporters have started coming out against ObamaCare. Why? Because the facts show it is not working, because if you get beyond the team mentality in Washington, if you get beyond the partisan focus in Washington and you ask, is this thing good for the American people, it is very hard on the merits to make the case that it is.

It is very hard. It is quite interesting that in the course of this debate there have been more than a few newspaper articles, more than a few attacks from our friends on the Democratic side of the aisle and also from our friends on the Republican side of the aisle.

I told my wife that I now pick up the newspaper each day to learn just what a scoundrel I am and just what attacks have come, some on the record and some—actually the ones that are often even better are the anonymous ones. I have to say there is no courage like the courage in Washington of the anonymous congressional staffers. I have chuckled at more than a few of them. You know, it says something when Members of this body, the congressional staffers, and members of the media want to make this about personalities. They want to make this about a battle of this Senator versus that Senator, this person versus that person, so it is all personal. It is like reading the Hollywood gossip pages. That is how this issue is covered. It is not by accident because one of the ways Washington has discovered for not listening to the people is distraction. Distract the voters with smoke and mirrors.

This fight is not about any Member of this body. This fight is not about personality. Look, most Americans could not give a flying flip about a bunch of politicians in Washington. Who cares? You know, almost all of us are in cheap suits and have bad haircuts. Who cares? What the American people care about is their own lives. What the American people care about is giving their kids a better future. What the American people care about is having a job with a future, not a job where they are working 29 hours a week, where they are punching a clock, where they feel as though they are just going through the motions, but a job where they say: Hey, I have a career. I can see the next step. I can see the future for my family. That is what the American people care about.

So regardless of the rocks that will be thrown—and they will continue to be thrown—I have no intention of engaging in that game, no intention of speaking ill of any Senator, Republican or Democratic, because it is not about us. Anyone who is trying to make this a battle of personalities is trying to change the topic from the topic that should matter: whether ObamaCare is helping the American people.

If we focus on the substance, the evidence is overwhelming. This law is a train wreck. Every day the headlines come in: more jobs lost, more people losing their health insurance, more premiums going up, more people pushed into part-time work. Yet every day the Senate goes about its business and says: We are too busy to listen to the American people.

There are different games, to be sure, that go on on both sides of the aisle. Many of our friends on the Democratic side of the aisle right now endeavor to convince the American people: Pay no attention to your lying eyes; ObamaCare really is terrific. That is not going terribly well. But on the Republican side of the aisle, there is a lot of energy and attention focused on saying: Well, yes, ObamaCare is terrible, but under no circumstances could we ever do anything about it. That is beyond us. We are destined to lose. So what we are interested in on the Republican side of the aisle is let's cast a show vote—2, 3, 10—as many votes as possible to say: ObamaCare is really bad. We cannot fix it.

You know, that problem—it crosses that middle line. Whether you are telling your constituents it is really working out well despite the objective facts to the contrary or whether you are telling your constituents: I agree, it is a terrible thing, but I cannot do anything to fix it, in both cases you are not listening to the people. That is something we need to correct. All of us, all 100 of us—we need to listen to the people. Together, we need to make DC listen. If we do not, the frustration will grow. If we do not, the disillusion with Washington will grow. If we do not, the approval rating of Congress will keep going down, keep going down, keep going down. The only way to fix this problem is to demonstrate that we understand—we understand the fact that we are not driven by partisan ideology; that we are driven by doing our jobs and listening to the American people.

It is my fervent hope that over the course of this week, over the course of this debate, that all 46 Senators on the Republican side will unite and that

more and more Democrats will come together and say: Listen, we have an obligation to our constituents. That is an obligation we are going to honor.

Mr. LEE. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. LEE. I would ask my distinguished colleague, the Senator from Texas, a series of questions with regard to this concept to make DC listen. It is interesting that we are having this discussion right now at a time in our history when never has it been easier for so many people throughout the country with so few resources to be heard by so many.

In the past, you had to own a newspaper or perhaps in more recent years you had to own a radio station or a television company or something like that to be heard by a lot of people. But these days pretty much anyone can gain access to a telephone or the Internet, they can send an e-mail, they can submit a post. It is one of the things that have made possible a groundswell of people—just a few minutes ago the Senator mentioned 1.6 million Americans just in the last few weeks signing a petition asking for Congress to make a decision to protect the American people from the harmful effects of ObamaCare.

They want government funded, just as we want government funded. They want government to be able to continue to do the things government does. They want people to be able to rely on government to protect them, to protect our borders, to protect our sovereignty, protect our homeland against those who would harm us. They want government to be able to carry out its basic functions and its responsibility. They want their government funded. But they do not want that held hostage by something else. They do not want that funding tied to the funding of ObamaCare in the sense that they want to keep government funded but they want us to defund ObamaCare.

The House of Representatives shows that at least that side of DC, that side of the Capitol was listening. I applaud the Speaker of the House and the other leaders in the House of Representatives who did that. That suggests to me that they were listening on that side of the Capitol. They had many millions of Americans calling out on the telephone, through mail, e-mail, every conceivable medium for relief from this bill. They listened. They listened because they understand that the American people are being hurt by this. They ask the same questions the Senator from Texas and I and others have asked: How many more Americans will have to lose their jobs because of ObamaCare before Congress acts? How many more Americans will have to see their wages or their hours cut as a result of this ill-conceived law before we do something about this? How many more people will have to lose access to health coverage before Congress does something?

Just last Friday we saw Home Depot—one of America's great companies, one of America's great success stories, one of America's great employers—announce that 20,000 employees will be losing their health coverage. How many more stories like this will we have to hear before Congress does something to protect Americans from the harmful effects of this law—a law that was passed a few years ago without a single Republican vote in the House of Representatives; a law that was passed a few years ago without a single Republican vote in the Senate; a law that was passed—all 2,700 pages as it was then constituted—without, as far as I know, many, if any, Members of this body or the other body in the Capitol having had the opportunity fully to read it. Since then, of course, it has expanded. We have had an additional 20,000 pages of regulations promulgated, increasing rather exponentially the impact of this law. The popularity of the law has not improved with time, just as the complexity of the law has not become less problematic in the intervening 3½-year period.

So as we look at this, we think about the fact that it is important for Congress to listen to the American people. Again, today it has never been so easy for so many Americans with so few resources at their disposal to make sure that they are, in fact, heard. So we have to ask ourselves the question—I have to ask the Senator the question: How long will it be before Congress acts?

I am pleased that the Senator referred to the opportunity crisis, the economic opportunity crisis in America. He referred to the economic ladder in this country. You know, I think it is an interesting fact and we need to consider that—according to one recent study published I believe just in the last few weeks—for the first time in American history, 40 percent of those born in America, into the bottom quintile of the American economy, the bottom 20 percent of income earners in this country—40 percent of the bottom 20 percent will remain in the bottom 20 percent throughout the duration of their lifetime. To my knowledge, that has never happened in this country. To my knowledge, this undercuts what has long been a very distinguishing, enviable characteristic of the United States. It is what has made this the greatest civilization the world has ever known—the fact that this is a country where regardless of where you were born on the economic ladder, regardless of the circumstances in which you came into this world or came into this country, you could make it. In fact, your chances of doing so were relatively strong. Yet 40 percent of those people, we now understand, will stay there throughout the duration of their lives.

Another study came out, also a few weeks ago, indicating that in 34 States and the District of Colombia, an individual or a family is actually likely to see a dip in their well-being, a dip in their standard of living if, instead of receiving welfare benefits, they decide instead to shed those benefits and go on to an entry level job. That is sad. That is sad because that suggests that our government—as well-intentioned as many of those programs might be, they will have set in place a series of conditions that trap people, especially parents, into a vulnerable, poor condition.

If there is one thing that I think parents feel somewhat universally, it is a degree of risk aversion. People do not like to take risks that could jeopardize their ability to provide for their children. If we set up a set of conditions in which people, in order to maintain their level of certainty that they might have while surviving under a system of welfare benefits provided by the Federal Government—if they become locked into that, locked into poverty in perpetuity because of that, that is disconcerting because the risk is always too high to make that jump to an entry level job. Without the entry level job, there will never be the secondary job, there will never be the first raise or the second raise or the first, second, or third promotion. Without those things, there is no ladder. Without those things, there is an opportunity lost and people remain on the bottom rungs of that very ladder.

We see at the top rung a system of crony capitalism that sometimes has the impact of keeping some people and some big businesses artificially held in place at the top of the economic ladder at the expense of others, at the expense of would-be competitors who are driven out or held out from the beginning from the competitive marketplace through the oppressive intervention of the government, through the government's favoritism, and through the government's ability sometimes, regrettably, to choose winners and losers in the marketplace.

You see where most Americans are, right in the middle of the ladder. On the middle rungs you see people working, trying to get by from day to day. They are able to survive, able to provide for the basic needs of their families. But they would like to do better. They would like to be able to provide a more comfortable living for their families.

They find very often that no sooner do they find an increase in their income than that same increase has been gobbled up by a combination of oppressive taxes, oppressive regulations, and a devastating impact of inflation. When those things happen, we find people are unable to make their way up that economic ladder.

We find ourselves at a precipice of sorts. We find ourselves about to embark on a very bold experiment in which we rather dramatically expand the role of the Federal Government, injecting it more directly, more completely, more dangerously into one of

the most personal aspects of most people's lives, into the health care industry. This is an industry that comprises a very significant portion of our Nation's economy in an area in which people feel strongly about their own right, about their own innate, inherent need and desire to maintain a degree of control that is not subject to the will and whim of government bureaucrats in Washington.

At the same time the government is doing that, the government will be consuming an increasingly large share of the resources moving through our economy, making it even harder for people who are trying to get by to do so and to do so without undue interference from the government.

This is an issue that is important to so many people. This is an issue that reminds people of the fact that whenever government acts, it does so at the expense of our own individual liberty. It does so at the expense of our ability to live our lives as we would live them. It does so very often at the expense of the American economy. It does so very often at the expense of economic opportunity for Americans, you see, because when we expand government, we expand its cost. We make ourselves as a country less free. We leave ourselves with fewer alternatives.

Is there a role for government to play in health care? Absolutely. Of course there is. No one disputes that. Are there improvements that can be made to our health care system? Certainly there are.

But a 2,700-page law that was passed after Members of Congress were told they had to pass it in order to find out what is in it, that has expanded since then to include within its penumbra 20,000 pages of regulatory text, a law that has become less and less popular as time has gone on—this has become very difficult. We find this becomes less and less something that the American people support.

I would ask if Senator CRUZ feels that the American people have every right to speak out on this. Specifically does the Senator feel the American people have every right to expect that those of us serving in the Senate will do everything we possibly can, even casting difficult votes, even casting procedural votes that might be difficult to cast or difficult to explain? Do they have every right to do that even if it causes great inconvenience for them and for us in the process of complying with their wishes?

Mr. CRUZ. I thank my friend from Utah for that very good question. The answer is absolutely yes. That is the foundation of our Nation. If you look at the history of government in the world, it hasn't been pretty. The history of government for most of the existence of mankind has been a story of oppression, a story of rulers imposing their will on their subjects. For millennia, we were told that rights come from government. They come from kings and queens, and they are to be given to the people by grace, to be taken away by the whim of the ruler. That has been the state of affairs for most of the history of humanity.

The founding of our Nation embodied many revolutions.

The first revolution was a revolution that was a bloody revolution fought with guns and bayonets. But even more important than that revolution was the revolution of ideas that occurred. The revolution of ideas that began this Nation was twofold.

First, America began from the presupposition that our rights come from God. It is for that reason the Declaration Of Independence begins: ''We hold these truths to be self-evident, that all men are created equal,'' that we are endowed—not by a king, not by a queen, not even by a President—but ''endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.''

That is and was a revolutionary idea, and it led to the second revolutionary aspect of the founding of our Nation which was that we inverted the concept of sovereignty. For millennia sovereignty began at the top. It was the ruler who was called the sovereign. The word sovereignty derives from that notion. Of course, the sovereign is where sovereignty resides.

The American Framers turned that notion on its head. We said: There is no sovereign. Sovereignty resides with we the people. That is why our Constitution begins ''We the People,'' because this Nation wasn't founded by rulers, it wasn't founded by elected officials, it wasn't even founded by States. It was founded by we the people, the American people. That is the only place sovereignty has ever resided in the United States of America.

The Constitution, in turn, was created to lend power to government, not to give it, to lend it and to lend it, I would suggest, only in good behavior. Thomas Jefferson referred to the Constitution as chains that bind the mischief of government, that sovereignty is an idea we need to get back to.

I am going to suggest that for some time now the Senate has not behaved as if we the people are sovereign. For some time the Senate has not behaved as if each of us collectively has 3 million bosses. For a long time the Senate has behaved as if the rules that matter are the rules in Washington, DC. That is why the most important objective of this week is to make DC listen. The most important objective of this week is to reassert that sovereignty is with we the people, that calls from our constituents and townhalls are not a pesky annoyance. It is the core of our job. It is the core of our job to listen to the sovereign, which is we the people.

Right now we the people are hurting. If you get outside Washington, DC, you ask them about ObamaCare over and over, and the answer you get is: This thing isn't working.

A few weeks ago I hosted a small business roundtable in Kerrville, TX. Kerrville is a delightful town in central Texas. It is in the beautiful hill country. If anyone wants to come to Texas, I would encourage you. Kerrville is a great destination in Texas.

This was a small gathering in a restaurant, about 20 small business owners. I asked each of them and I said: Let's go around the room. If each of you could introduce yourself, share a little bit about yourself, and then share a concern that is weighing on your heart. Share something you are praying about, share something you are worried about, share something you are focused on right now.

It was a totally open-ended question. They could have talked about any issue under the Sun. They could have talked about Syria, guns, they could have talked about anything.

We went around the table one after the other after the other. Over half of the small business owners around that table said to me: TED, the single biggest obstacle I face in my business is ObamaCare. Hands down, not even close, there is nothing that comes close.

It was striking. Of those 20, there were probably 4 or 5 of them who relayed some version of this same story. One was the fellow who owned the restaurant we were meeting in. He said: You know, we have a great opportunity to expand our business. I have an opportunity to make the restaurant even bigger, expand it, and from a business perspective, this opportunity looks good. But he said: You know, we have got between 20 and 30 employees. If we expand the business we will go over 50. And if we go over 50, we are subject to ObamaCare. If that happens, I will go out of business. So you know what. I am not pursuing the expansion. I am not going to do it. We are going to stay the size we are.

One person after another around the table said the same thing. They had 30 employees, 35, 40 employees. They had great opportunities to go open another location, expand into a new aspect. One after the other said: We will not do it, because if we get over 50 employees, ObamaCare will bankrupt us.

I want you to think about each of those 4 or 5 businesses and the 10 or 20 jobs that each of them didn't create, isn't creating right now because of ObamaCare. Then I want you to multiply that by thousands or tens of thousands of small businesses all across this country that could be creating jobs. I want you to think about all the people right now who are home wanting to work.

There are, by the way, I will note, some politicians who suggest that some people in this country are lazy and don't want to work. I don't believe that. I think Americans want to work. Americans want the self-respect that comes from going to the office, from working, from providing for your family, from working to achieve the American dream.

Do some people give up? Sure. Can you give in to hopelessness? Yes. When

you keep banging your head against a wall over and over again, trying to get a job, and you don't get anywhere, it is only natural for people to feel despair. I want you to think of the millions of jobs we could have but for small businesses that are not growing, not expanding, not creating those jobs.

Another small business owner around that table owned several fast food restaurants. She had a problem. She owned enough fast food restaurants that she had over 50 employees. I will mention the restaurant business and the fast food business side in particular is quite labor dependent. I doubt if there is a sector in this economy that has been hurt more than the labor in the fast food business. But her problem was she had enough stores so she was over 50 employees, so that strategy wouldn't work for her. She described how she has already forcibly reduced the hours of every one of her employees to 29 hours per week.

I will tell you this woman almost began to tear up. She was emotional. She was not happy about this, to put it mildly. She said: Listen, we have been in business a long time. Many of these employees we have known 10 or 20 years. These are single moms. These are people—look, if you are working in a fast food restaurant you are not at the pinnacle of your career. You are struggling to pay the bills. These are single moms who are working hard and they can't feed their kids on 29 hours a week. But, you know, they can't feed their kids if I go out of business either. If we are subject to ObamaCare, we go out of business.

Why 29 hours a week? Well, just like the 50-employee threshold, ObamaCare kicks in and counts an employee if he or she works 30 hours a week. One of the things that is forcing small businesses all over the country to do is to force their employees out of good full-time jobs into 29 hours a week because they don't get hammered with the costs and burdens of ObamaCare.

I will mention another small business owner who I think will particularly hit home with the Presiding Officer because I know the issues that resonate with him. This is an individual who manufactures hunting blinds—actually very interesting. They are hunting blinds that are camouflaged to look like trees. They are really very clever creations. He described how he has been forced to move his manufacturing overseas, to move it to China. So right now he is manufacturing in China.

He said: Listen, I want to manufacture here in the United States. That matters to me. I care about that.

He said this would be 150 to 200 good manufacturing jobs here in the United States.

The Presiding Officer and I both come from States where there are a lot of people who are struggling and who would love to see 200 more manufacturing jobs. Manufacturing used to be a tremendous strength of our economy, but the manufacturing sector has been hammered in recent decades. Yet this small business owner said that because of ObamaCare, if he brought his manufacturing back to the United States, his workers would all be subject to ObamaCare and he couldn't be competitive in the business. It would drive him out of business.

I would ask my colleagues to consider each of those small business owners and multiply it by the millions of small business owners across this country—the millions of small business owners who aren't growing, the millions of small business owners who are forcibly reducing their employees' hours to 29 hours a week, the millions of small business owners who are considering moving operations overseas or have already because of ObamaCare. Why is the economy gasping for breath? Why are people not able to get jobs? Because ObamaCare is killing jobs, and the Senate should listen to the people. We need to make DC listen.

Mr. VITTER. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. VITTER. I thank the Senator. Does he acknowledge that he understands, as I do, that as this monstrosity goes into effect October 1 and as it has all of these really devastating impacts on individuals and small businesses, under a special illegal rule from the Obama administration, Congress and Washington get an exemption; they get a special pass; they get a special deal no other American gets under the law?

Mr. CRUZ. I thank the Senator for his question, and he is absolutely right. There are many scandalous aspects of ObamaCare: how it was passed—on a brutal partisan vote rammed through with late-night deals that have earned rather infamous nicknames, such as the ''Cornhusker kickback,'' which has sadly become part of modern political lore; and the ''Louisiana purchase,'' with all due respect to my friend from the great State of Louisiana, who was not involved in that. And one of the most sorry aspects of ObamaCare is the aspect Senator VITTER refers to, which is that President Obama has chosen, at the behest of majority leader HARRY REID, at the behest of Democratic Members of the Senate, to exempt Members of Congress and their staff from the plain language of the statute.

When ObamaCare was being passed, Senator CHUCK GRASSLEY—a towering giant in this body; a strong, principled conservative—introduced a commonsense provision to ObamaCare that said: If you are going to force ObamaCare on the American people, if you are going to create these health insurance exchanges and you are going to force millions of people into these exchanges, then Congress should not operate by better rules than the American people. So he introduced a simple amendment designed to treat Members of Congress just like the American people so that we didn't have this two-class system.

It has been reported—I was not serving in this body at the time—that amendment was voted on and accepted because Democratic Senators believed the bill would go to conference and in the conference committee they could strip it out and it would magically disappear. But then, because of the procedural games it took to pass it, they didn't have the opportunity to do that, and suddenly, horror of all horrors, this bill saying Congress should be bound by the same rules as the American people became the law of the land.

So what happened? Majority leader HARRY REID and Democratic Senators had a closed-door meeting with the President here in the Capitol where they said, according to public news reports: Let us out of ObamaCare. We don't want to be in these exchanges.

One would assume they are reading the same news reports the rest of us are reading—that ObamaCare is a train wreck, that it is not working—and the last thing Members of Congress wanted to do was to have their health care jeopardized. And the President directed his administration to exempt Members of Congress and their staff, ignoring the language of the statute, disregarding the language of the statute and saying: You guys are friends of the administration. We are taking care of you.

I want to take a minute, in response to this question, to commend the Senator from Louisiana. Senator VITTER introduced an amendment to reverse this exemption, and it was a bold amendment. It was an amendment that said we as Members of Congress should be subject to the same rules as the American people. We shouldn't be treated by special or different rules for us. Indeed, the amendment of Senator VITTER said Members of Congress should be subject to ObamaCare, our staff should be subject to ObamaCare, and members of the administration—the political appointees of the Obama administration, who, by the way, are not in the exchanges—should be too. So if the President and Cabinet appointees and his political officials want to go into communities and tell everyone how wonderful ObamaCare is, then let them do so from personal experience. Let them do so not being exempted but subject to the same exchanges and subject to the same rules the American people are.

The reason I wish to commend the Senator from Louisiana is his introducing that amendment prompted a response that, I will suggest, brought disgrace and disrepute on this body. It prompted a political response that targeted the Senator from Louisiana personally.

Now, we have all heard the saying ''politics ain't beanbag,'' but the nastiness with which the Democratic majority responded to Senator VITTER for daring to say that the Washington ruling class should be subject to the same rules as the rest of America was extraordinary even for Washington, DC.

In fact, I would note that the majority leader and the junior Senator from California, as I understand from public news reports, proposed a response to the Vitter amendment that said any Senator who votes for the Vitter amendment—regardless of whether it passes but simply if you cast a vote in favor of it—he or she will lose their health insurance.

I have to admit that when I first heard of this proposed amendment, I shook my head in amazement. I had never heard of such a thing, and I suggested to a friend who is a law professor that that would make a marvelous law school final exam. Imagine this amendment being passed into law and asking your law students to catalog all of the myriad ways in which such a proposal would be unconstitutional. In fact, I made this point to the law professor I was talking to. I said: If you as a private citizen came to any Member of the Senate and said: Senator, if you vote the way I want you to, I am going to pay you thousands of dollars that you can deposit into your personal bank account, you, Mr. Law Professor, Mr. Private Citizen, would promptly and quite rightly be prosecuted for bribery. It is a criminal offense. It is a felony.

If, on the other hand, you or any other American citizen went to a U.S. Senator—went to Senator VITTER—and said: Senator VITTER, if you don't vote the way I want, I am going to take thousands of dollars out of your personal bank account, I am going to extract them forcibly from your personal bank account, well, as I told the law professor, then you would be guilty of extortion and would be charged and no doubt criminally convicted because under the black letter definition, that conduct—threatening to pay someone individually thousands of dollars or take thousands of dollars away from them as a direct quid pro quo for how a Member of Congress votes—constitutes either bribery or extortion.

Now, let me be clear: No Member of this body is guilty of bribery or extortion. Why? The simplest reason is because the Constitution's speech and debate clause protects all of us, such that given their action was proposing an amendment themselves, there is a constitutional immunity. So I am not suggesting that anyone is guilty of bribery or extortion. But I am saying that if any private citizen who didn't happen to be a Member of the Senate did the exact same thing as the suggested content of their amendment, he or she would have committed a felony under the plain text of those definitions.

So I want to commend Senator VITTER for shining a light on basic fairness, for enduring the vilification that was unfairly directed his way, and for making the point that outside of Washington is simple common sense.

I would suggest that if any of us were to get a gathering of our constituents together, if we were to get a gathering of constituents from the opposing party and ask this question at any townhall gathering in our States: Do you believe that Members of Congress should be exempted from ObamaCare, that we should have a special rule, that we should disregard the language of the statute and not be subject to ObamaCare the way the American people are, the answer would be overwhelmingly no. And it doesn't matter where in the country you are or what your party is.

I thank Senator VITTER for having the courage and the principle to highlight this particularly unfortunate aspect of ObamaCare.

Mr. VITTER. Will the Senator yield for a further question?

Mr. CRUZ. I will be happy to yield for a question without yielding the floor.

Mr. VITTER. Will the Senator also acknowledge that given that history on this issue, given that illegal rule to exempt Congress, to have a special bailout, a special subsidy for Congress that the Obama administration is putting into law without valid authority, and given that we are debating and acting on a spending bill this week, we should be voting on that? We should get a vote on my amendment and the Cruz amendment together to block that illegal rule this week?

The majority leader said he had no problem with a vote on that, in theory. He said that last week. He should allow a vote on this crucial amendment, which will be filed to the bill, which will even be a germane amendment on this spending bill this week, before this illegal congressional exemption rule goes into effect. Would the Senator agree with me?

Mr. CRUZ. I agree enthusiastically.

Senator VITTER highlights one of the many reasons why every Republican in this body should vote against cloture on the bill on Friday or Saturday and why I believe a great many Democrats should vote against cloture as well.

As we understand it, we are told the amendment process on this bill is going to be rigged. The amendment process on this bill is going to be that once debate is cut off, there will be a bill simply to fund ObamaCare in its entirety, to delete the House language, and that other amendments will not be allowed. The amendment of the Senator from Louisiana will not be allowed, the amendment repealing the medical device taxes will not be allowed, and the amendment getting the IRS out of the business of ObamaCare will not be allowed. Instead, it will be a rigged playing field.

The only way to prevent that rigged playing field is for Senators to stand together and vote no on cutting off debate on Friday or Saturday when we have that vote. If we stand together and vote no, that forces this body to deal with the problem; otherwise, we know how the Kabuki dance ends. If cloture is invoked, if debate is cut off on the bill, very shortly thereafter the majority leader has publicly announced he will introduce an amendment to fully fund ObamaCare. That will require just 51 votes. So every Republican will get to vote no and tell his or her constituents they voted no. Yet magically and wonderfully it will pass because it will be a straight party-line, partisan vote, and other Senators will be silenced.

I think Senator VITTER is absolutely correct, we should vote on the Vitter amendment. Indeed, I would like to see the Vitter amendment broadened. Another member of our conference indicated that if the Vitter amendment were brought up, he would offer an amendment to expand it to all Federal employees. I think that is a terrific rule.

Right now, Federal employees earn substantially more than the private sector does. I don't think there is any entitlement to take our tax dollars and to live in a privileged condition being a Federal employee. If Members of this body are going to go on television and tell the American people: ObamaCare is great, it is good, it is terrific, it is so great, then they should be eager to live under it.

You can't have it both ways. Either ObamaCare is a train wreck, in which case we ought to listen to the American people and fix it, or ObamaCare is wonderful and terrific and fantastic and all of the great adjectives the proponents of the bill have used, in which case Members of Congress, staff, and Federal employees should all eagerly embrace it.

I very much agree with Senator VITTER that it is critical we vote on the Vitter amendment, and it is critical we make clear to the American people there are not two sets of rules. There is not a ruling class in Washington that somehow gets treated differently.

Let me talk for a minute about congressional staffers. Behind closed doors this issue generates a lot of passion. There are a great many congressional staff members who are dedicated public servants, who have often taken substantial salary cuts to come to Washington to serve this country, who work brutal hours. Among congressional staff, just like among Members, the idea that they would be subject to ObamaCare deeply concerns them. It concerns them on the money side and it concerns them on the quality of care and health insurance that they will be able to get on the exchanges.

To make it real, I note there are multiple members of my staff who have had very serious, even life-threatening health issues for whom the limited health insurance, the subpar, the poor quality health insurance that many fear will be available on the exchanges is not a passing concern, not an academic concern, not a concern that let's put in talking points, it is very real for a great many congressional staff, including staff in my office. If the Vitter amendment passes and Congress is subject to the same rules as the American people, there may well be quite a few

congressional staff who tender their letters of resignation and leave.

I have had one staff member already indicate she would retire after many years of service, and the possibility of being put on ObamaCare was a real factor in that decision.

If we lose some good talent from Congress, that will be a shame and a hardship for every office. But what does that say? If ObamaCare is such a disaster that congressional staffers—and, mind you, a lot of these congressional staffers who may tender their letters of resignation are staffers working for Democratic Senators who drafted ObamaCare, who fight for ObamaCare every day. What does it say that staffers would be willing to quit because the quality of health care under ObamaCare would be so poor that they would rather go somewhere else than be subject to those laws? I think that speaks volumes.

Neither Senator VITTER nor I in the long term has any interest in seeing congressional staff and Federal employees on ObamaCare, but it does have the value of highlighting how bad it is.

If this body is content to leave the American people stuck in ObamaCare, then we ought to be subject to the same rules. If we are not willing to live under those rules, if we say, Wow, ObamaCare scares the heck out of us and we don't want to be subject to it, then the proper answer is not to vilify the Senator from Louisiana or any other Senator in this body. The proper answer is to step in and say to the American people—in fact, let me suggest something that would have a powerful clarifying impact on this body.

If only Senators would behave as if their constituents were at least as important as their congressional staff; if only Senators were to behave as if their constituents were at least as important as they are—to be honest, our constituents are more important. Our constituents are our bosses. They are the reason we are fighting. The fact that this body is so torn apart by the notion that each of us would be subject to ObamaCare and subject to the same rules the American people are highlights how broken Washington is. That shouldn't be controversial. That should be obvious.

Let me suggest to every Member of Congress, to every staffer who is dismayed—and, to be honest, saying they are dismayed is an understatement, to describe the degree of deep concern and even panic about this. Let me suggest to every Member of Congress and every staffer who is feeling that panic, direct that panic not to our own skins; direct that panic to the American people. Direct that panic to the single mom working at the diner, working two 29-hour-a-week jobs who is facing the consequences of ObamaCare.

Under ObamaCare, this President is getting ready to force millions of people onto exchanges where they are very likely to lose their health insurance.

In the privileged corridors of Washington, the risk of losing your health insurance, boy, that gets people worried. And it should. But it should worry us even more for all the people across this country.

The majority leader and Members of Congress can get a sitdown with the President of the United States. But 26 million Texans, most Texans can't get a sitdown with the President of the United States.

If you are powerful, you can get a special exemption. We have seen the President exempting every big corporation in America. Giant corporations, he said, for a year it doesn't apply to you. The language of the law explicitly applies. There is no year delay of the language of the law.

For over 200 years we have operated as a nation of laws, not men. We have operated as a nation that says if that is what the law says, then it kicks in January 1 and not a year from now.

What did the President say? No. Big companies have come to us. My friends in big business, I am going to give you a year-long exemption.

If ObamaCare were so terrific, why would the President be wanting to delay it until after the next election? The year-delay timing is not entirely coincidental. The employer mandate was supposed to kick in January 1 of next year, and the President unilaterally and contrary to law delayed it one whole year until after the November 2014 elections.

If the representations that so many Members of this body make to the American people were true that ObamaCare is terrific, is wonderful, then I would think the President would be eager to have it kick in before the election. If it were a good thing, you would want the good stuff to happen before the election and not after the election. The fact that it was moved for big businesses is an indication of how badly this law has failed.

But it is not just big businesses that have got an exemption. Members of Congress. Senators can get a closed-door meeting with the President of the United States. With much fanfare, the President came to the Capitol, met with the Democratic Caucus, and as was widely reported they asked for a special exemption and they got it. How about the American people? They can't go in.

One of the reasons people are so unhappy with Washington is they get a sense that there are special rules that apply. Wall Street gets special exemptions, the big banks get special exemptions. Dodd-Frank sets up rules that hammer small banks, hammer community banks, hammer the little guy. But what happens to the big guys? They keep getting bigger. Why? Because they get rules made in Washington that favor the big guy over the little guy. And you wonder why there is such dissatisfaction in this country. But if you have political friends in this administration, you too can get an exemption.

Labor unions have more and more been expressing their dismay about ObamaCare as they have realized in practice the thing isn't working. Recently the labor unions came to the Obama administration and said, We want an exemption too. Big businesses got an exemption, Members of Congress got an exemption. Shouldn't labor unions, shouldn't union bosses get an exemption? And with much fanfare the administration reportedly told them, No.

I am going to make a prediction right here and now. If the Congress does not act, if we don't show leadership in defunding ObamaCare, if we don't stand together in imposing cloture on Friday, if we don't act to avert this train wreck for the American people, before the end of this President's term we are going to see him grant an exemption for labor unions. That has been the pattern. Friends, political buddies—they get a slap on the back. They get special treatment.

It wouldn't have been great politics to grant the labor unions an exemption right now, right in the middle of this debate. Right when you have over 1.6 million people signing a national petition, right when Congress is debating it—gosh, it would have looked bad to grant an exemption then.

It is a little reminiscent of the President's remarks regarding Mr. Putin that were caught on tape before the last election—I forget the exact language, but, Tell Vladimir I will be able to work with him a lot more after the election.

I don't think it takes any stretch of the imagination at all to understand that, give it a little time, let the pesky people who are sort of worked up a little bit on ObamaCare dissipate. Then we will quietly do the exemption for labor unions.

Let me note the point ''quietly.'' One of the self-described fact checkers—and we may talk long enough that I talk a little bit about fact checkers, because that is a particularly pernicious bit of yellow journalism that has cropped up that lets journalists be editorial writers and pretend they are talking about objective facts, and basically conclude as a factual matter—not as a matter of opinion—and anyone who disagrees with them is objectively lying.

One point that one of the so-called fact checkers in the Washington Post took issue with was an observation I made that President Obama is quietly granting exceptions.

I note that the exception for big business was announced in a blog posting by a midlevel political appointee in the Treasury Department, if I remember right, on a Friday. I may be wrong on the day but I think it was on a Friday. In Washington language, by any measure, when you announce a major policy that impacts the whole country that exempts giant businesses from your rule that you are jamming on the American people and you don't do it from the White House, you don't do it from the President, you don't do it as

an announcement, you don't take questions on it, you simply put a blog posting from a midlevel staffer, that counts as ''quietly.''

It hasn't been quiet since then because everyone happened to notice. So my prediction right now is if we get past this, if the forces in this body who defend the status quo—and, wow, are there a lot of forces that defend the status quo. There are a lot of people with a vested interest in maintaining the status quo. If they prevail, if ObamaCare goes into effect before the end of this President's administration, mark my words, you will see an exemption for labor unions just like the exemption for big business, just like the exemption for Members of Congress.

What are we left with then? We are left with a system where ObamaCare is a rule for, as Leona Helmsley so famously described them, the little people. For everybody who doesn't have power and juice and connections in Washington, for everyone—look for the men and women at home, maybe you have an army of lobbyists working for you. Maybe you have Senators' cell phones on your speed dial. Maybe you can walk the corridors of power. In that case you too get an exemption. But if you are just a hard-working American, if you are just trying to provide for your family, if you are just trying to do an honest day's work, make your community better, raise your kids, set a good example, then the message this President has sent—and sadly the message the Senate has sent—is you don't count. We are going to treat everybody else better than you.

That is exactly backward. It is the hard-working American we work for, not the lobbyists with tassels on their loafers who wander the halls but the single mom in a diner. They are the people who are losing.

I wish to talk about the harm to jobs and economic growth that is coming from ObamaCare. Americans continue to suffer from high unemployment and severe underemployment. Instead of helping job growth, ObamaCare's mandates and costs are causing businesses to stop hiring workers, to cut employees' hours, and they are increasing the costs to operate businesses. Small businesses in particular are being hammered by ObamaCare.

Here are some recent statistics on unemployment and underemployment. According to the Bureau of Labor Statistics report for August of 2013, there are 11.3 million unemployed persons. The unemployment rate, the official unemployment rate is listed at 7.3 percent. Yet college graduates over 25 face just a 3.5-percent unemployment.

Former Democratic Vice-Presidential nominee John Edwards used to talk about two Americas. I didn't agree with a lot of things John Edwards said as a political candidate, but I actually agreed with that notion, and it is a tragic notion, that there are two Americas. There are two Americas, A, between the ruling class in Washington and everyday Americans, but there are also two Americas right now between those of wealth and privilege and power and everybody else. If you are lucky enough to be a college graduate, your unemployment rate is 3.5 percent. That is pretty good. The people who are getting hammered, who are losing under ObamaCare, are the most vulnerable among us. They are young people, Hispanics, African Americans, single moms. For Black teens the unemployment rate is over 10 times higher than it is for college graduates—38.2 percent.

Let me ask, when small businesses are not hiring, when small businesses are laying off people, when small businesses are forcing employees to work 29 hours a week, whom do you think that is impacting? It doesn't impact titans of industry. The rich and powerful are not losing their jobs. They are not finding themselves forced into part-time work.

We talked about the fast food business. The fast food business, that industry is being hammered. You want to talk about what a tremendous avenue for employment the fast food industry has been, particularly for the first and second job someone has. When we look at the unemployment rate of African-American teens of 38.2 percent, the fast food industry has been such a great avenue for advancement for minority teenagers.

I note I do not view that from the perspective of abstract numbers on a piece of paper. I view that from a very personal perspective, because 55 years ago, when my father came from Cuba, he was 18, he was penniless, and he couldn't speak English. But he was lucky. He was lucky to get to America. He was lucky to be able to apply for a student visa, to be accepted to the University of Texas, to flee the Batista regime, where he had been imprisoned and tortured as a kid. By the time he was a teenager, my father had endured more than the vast majority of Members of Congress will ever experience.

I will note with that background it does make the back-and-forth of Washington pretty mild by comparison. If someone says something mean about you in the newspaper, it may not be altogether pleasant, but it is pretty darned mild compared to being beaten and almost killed in a Cuban jail as my dad was 55 years ago.

When he landed in Austin—if I could, Mr. President, I would ask you to put yourself in his shoes—not literally, because I think your feet are bigger than his, but figuratively. When my dad landed in Austin, he couldn't speak English. He didn't know anybody. Imagine being in a strange land where you cannot speak English, you have $100 sewn into your underwear that my grandmother put there. The first thing he needed was a job, so he went to look for a job.

The problem is if you are an 18-year-old kid from Cuba and you cannot speak English, there are not a lot of jobs you can get. If you can't speak English, it is pretty hard to get a job where you have to deal with customers who are going to expect you to speak English. At that point he didn't have a lot of skills. He was a teenager. So his first job was washing dishes. He made 50 cents an hour.

Why did he get that job? Because you didn't have to speak English. Even though he did not have a lot of skills as an 18-year-old kid, he was perfectly capable of taking a dish, putting it under very hot water, scrubbing it and setting it aside and he did it over and over.

When my father was here, he had no means of support other than washing dishes. So what he did, one of the reasons he wanted to work in a restaurant, is that restaurants would let you eat while you were working. It was one of the perks of working in a restaurant; the employees were able to eat. My father had no money for food. He barely had money to pay for a tiny little apartment. In fact, he started in the dorms, I believe, and tuition. That was it. He didn't have money to buy food, so what my dad did is he ate at work. Since he liked to eat 7 days a week, he worked 7 days a week. He would go in and he only ate during those 8 hours. During the 8 hours he was working washing dishes, he would eat like crazy, I mean he would just feed his face. Because when he left, the next 16 hours he wasn't eating anything, wasn't buying food until the next 16 hours he showed up at work. That was the next time he was going to eat.

Some people may look at a dishwashing job paying 50 cents an hour and turn up their nose at it and say: Who really cares about people in jobs like that? Sometimes this Senate behaves like that. Who cares about people in jobs like that?

But after some time my father learned English. I will tell you how he learned English. He did a couple of things. No. 1, my father signed up for Spanish 101. When he was a freshman at UT, he signed up for Spanish 101. You might say: Why would a native speaker take Spanish 101? That seems a little dumb.

What my father would do is sit in the classroom and basically try to reverse engineer everything. So the professor would say milk is leche, and he would write it down and say leche is milk. He would try to sit and listen, and as the teacher was teaching Spanish he would try to do everything backward and try to figure out what the English was.

The other thing my dad would do, on Saturdays, he would go to movies. In fact, when I was a kid, we would go to movies all the time together. It was one of the things we loved to do together, still do. My dad used to go to movies on Saturday and he would sit there and watch the same movie in English typically three times. He would just sit there and watch it. When he first came there to Austin, he would

watch a movie three times and have no idea of what was going on the first, second or third time. But then he would do it again and do it again.

The human brain is a miraculous thing. As he would watch the movie two or three times, by the second time you start picking up context, start picking up what was going on and start following the plot. By the third time he would start following it even more. So relatively quickly my father learned English.

I note he had a pretty exquisite incentive to learn English. His incentive to learn English was if he didn't, he was going to flunk out of school because he was taking his classes in English. He took mostly math classes and math was the sort of thing you did not need as much language as you do in other topics. But if he didn't learn English pretty fast, he was going to flunk out of the University of Texas.

Once he learned English, he managed, at the restaurant he was working at, to get a promotion. He got a promotion to be a cook. Being a cook, that was good. Look, being a cook was a lot better than being a dishwasher. It paid a little bit more. I don't know how much he got paid being a cook, but it paid better than 50 cents an hour. He had to speak enough English, so when someone came in and ordered, let me get a steak and potatoes, he had to know what that was and not give them scrambled eggs. So he learned enough to be a cook and respond to the orders.

The place he cooked was a place called the Toddle House. It was a place where the cooks were in front of the people. It doesn't exist anymore, but my father described it as a sort of Denny's. Imagine Denny's combined with Benihana. The menu was similar to Denny's, but the cook was in front of you so you could see him. So my dad learned to flip pancakes. Let me tell you, as a kid on Saturday or Sunday morning and your dad is making pancakes, it is very cool when he can flip them—you could make him flip them high in the air and catch them. But he could do that.

I will credit my father; he invented—this wasn't for the restaurant, but he did it anyway—he invented green eggs and ham. He did it two ways. No. 1, the easy way, is he put green food coloring in the eggs, chopped up ham in it. ''Green Eggs and Ham'' was my favorite book when I was a boy. The food coloring is a little bit cheating, but if you take some spinach and mix it into the eggs, the eggs turn green.

My dad worked as a cook to finish his way through the University of Texas. In 1961, my dad graduated, got a math degree. At his next job, he was hired as a teaching assistant. He began taking graduate classes in mathematics at the University of Texas and he got hired as a teaching assistant teaching undergrads math. A teaching assistant was a better job than washing dishes or being a cook. It paid more and it had more forward advancement. So he enjoyed being a teaching assistant.

He had all sorts of clever final exam questions that he would give. He taught college algebra. I remember one of his final exam questions was: You have a triangle with sides 11, 20, and 9. Compute the area.

You get students who would write pages and pages, trying to put all these various equations together, trying to figure out the area. Almost all of them were wrong. It is a basic rule of geometry, for a triangle the sum of any two sides has to be longer than the third side or else they don't actually meet. A triangle with sides of 20, 11, and 9—11 and 9 add up to 20. That is a straight line. The area is zero. So he enjoyed kind of coming up with clever final exam questions. That was one of them.

But from there, after being a teaching assistant, he applied for and got a job with IBM as a computer programmer. This was, I think, 1962, 1963. It was in the early 1960s. From there he got the skills as a computer programmer. He worked in the oil and gas industry. Subsequently, with my mother, he went on to start a small business, a seismic data processing company in the oil and gas business.

So when I was a kid, as I grew up, my parents were small business owners. When I talk about small businesses, similar to a great many Americans, the majority of Americans, it is not a hypothetical. I have grown up as the son of two small business owners, seeing the hard work, the challenges of trying to run a small business. In fact, I saw my parents' business go bankrupt when I was in high school. I saw the up sides and the down sides of being in a small business. It ain't easy.

If my father had not been able to get that first job washing dishes and making 50 cents an hour, he never would have gotten his second job as a cook. If he hadn't gotten his second job, he wouldn't have gotten his third job as a teaching assistant. If he hadn't have gotten that job, he wouldn't have been hired by IBM. If he hadn't been hired by IBM, he wouldn't have started his own business.

Earlier, the Senator from Utah talked about opportunity and the American dream. When we look at a statistic, such as the fact that African-American teenage unemployment is 38.2 percent, we are talking about a generation of young people who are not getting that first job. They are not getting the equivalent today of that job of washing dishes and making 50 cents an hour. They are not getting the job of flipping burgers in the fast food business because the impact of ObamaCare on the fast food business is so devastating that it is not hiring workers. The travesty is that they do not get to flip burgers. Flipping burgers is honorable work. It is not necessarily the fulfillment of someone's life's ambition, but it is so frequently a stepping stone to the next job and the next job and the next job.

As a young kid, one of the things you have to learn is basic work skills, such as how to show up on time. A lot of teenagers are not very good at showing up on time. They don't understand how to show up on time. Even some U.S. Senators have not figured that out. Yet, if a young American doesn't get a job or learn to work with his coworkers, customers, their boss, how to show up on time, to be courteous, respectful, diligent, and responsible, he or she can't learn the skills it takes to achieve in any job.

Some time ago I tweeted a speech Ashton Kutcher gave. It was actually a terrific speech. It was a speech at one of those award shows where he talked about the value of hard work. One of the things I remember he said was this: In my life, opportunity looks an awful lot like hard work. That was a great message. It was a great message to young people. Part of the reason I tweeted it out and to salute him—I have watched his TV shows and his movies, but I don't know him personally—was because he can speak to millions of young people who would never listen to me. I salute him for carrying a message about hard work, diligence, and working toward the American dream.

The greatest travesty of what is happening with ObamaCare is a generation of young people are being denied a fair chance at the American dream. If we look at economic growth, according to the Bureau of Economic Affairs, GDP growth over the last four quarters has been an abysmal 1.6 percent. The historic average since World War II is 3.3 percent. Our economy is stagnant, and ObamaCare is a big part of the reason.

So I ask the Presiding Officer, where is the urgency in this body? When the Presiding Officer goes home and talks to the men and women in West Virginia—or the men and women in Texas—he must hear that they are hurting. They understand that 1.6 percent economic growth is unacceptable and it is hurting the American people. Where is the urgency in this body? Where is the urgency to say: We have to stand and do something to turn it around.

Jobs are being lost because of ObamaCare. A U.S. Chamber of Commerce survey of small businesses in 2013 found that 71 percent of small businesses say ObamaCare makes it harder to hire workers. The study also found that two-thirds of small businesses are not ready to comply with ObamaCare rules.

Why do we care about small businesses? Look, on one level, we care about the entrepreneurs—the Horatio Algers and the people working toward the American dream—but even more fundamentally, small businesses produce two-thirds of the new jobs in this country. If small businesses are suffering, jobs are suffering and America suffers.

ObamaCare is an absolute disaster for small businesses. Forty-one percent of small business owners have held off on plans to hire new employees, and 38

percent say they are holding off on plans to grow their businesses in direct response to the law.

By the way, the most egregious parts of ObamaCare still have not kicked in. Forty-eight percent of small business owners say ObamaCare is bad for business. Less than 10 percent say it is good for business.

Jamie Richardson of White Castle explained how ObamaCare is impacting her business: In the 5 years prior to the health care law, we were opening an average of eight new White Castle restaurants each year. In 2013 we plan to just open two new locations. While other factors have slowed our growth, it is the mounting uncertainty surrounding the health care law that brought us to a standstill.

I want the Presiding Officer to think about that for a second. They were opening eight White Castle restaurants a year—I like their little burgers—and that dropped to two. So six a year over the last 4 years amounts to 24 White Castle restaurants. No. 1, just as a consumer—and I am a big fan of eating White Castle burgers—that is 24 places we can't go to get a White Castle burger. But that is not the real hardship. The real hardship is all the jobs that are lost from those 24 restaurants that didn't open. Every one of those stores would have multiple shifts with managers, cashiers, or kids just mopping the floor. All those jobs would have been on the economic ladder toward the American dream.

Even within a fast food restaurant there has been tremendous opportunity for investment. Maybe you get hired mopping a floor because you don't have any other skills or, like my dad, washing dishes because you don't have any other skills. If you work a little while, maybe you can move over to the fries and then to the griddle. You can move to the cashier desk and learn how to count change. A lot of kids don't know how to count change. Sadly, because of the educational challenges we have, a lot of kids don't have the skill to count change yet. They can learn that. Then, if you demonstrate hard work, perseverance, and customer service, maybe you will get promoted to assistant manager, then manager, and then who knows.

Just a few weeks ago I had dinner with a number of franchisees who own fast food restaurants for one particular very well-known hamburger chain. I listened to their stories. I start most meetings, if they are small enough that this is feasible—like the Kerrville small business gathering—by asking them to go around and share an issue that is of a concern to them. I remember one gentleman, an African-American gentleman, who described exactly that path. He described how he got hired in an entry-level position at a fast food restaurant, developed skills, advanced, and then he was hired as an assistant manager and then as a manager. After that, he saved up and bought his own restaurant.

It was interesting. There were people—and some of the franchise owners had pretty extensive backgrounds. I think there was one fellow who had 27 fast food restaurants. So there were some people who were very successful businesspeople.

I remember this African-American gentleman who had relatively recently saved up to buy his first restaurant that he owned and the pride he justifiably felt—and the pride I felt. I mean, what an incredible country. What was interesting is that he described the exact same challenges as the fellow who owned 27 restaurants and was far wealthier and had a far bigger business.

What all of them said as we were going around the table was that ObamaCare is devastating. They didn't say it was sort of a little problem. They didn't say it was making life more difficult. They said: It is devastating. It is going to put us out of business. We don't know what to do. This is a disaster for our business.

A March 2013 Federal Reserve report on current Federal economic conditions explains that employers in several Federal Reserve districts cited the effects of the ObamaCare act as reasons for planned layoffs and reluctance to hire more staff.

In May 2013 Moody's economist Mark Zandi noted a slowdown in small business hiring due to ObamaCare.

The U.S. Chamber of Commerce, in the second quarter of 2013 small business survey, found that Washington policies continue to hamper hiring and growth, with over a quarter of small businesses saying they had lost employees in the last year. They cited health care as the very top concern.

Concern about ObamaCare has increased by 10 points since June of 2011 and by 4 points just last quarter. Seventy-one percent of small businesses say the health care law makes it harder to hire. Only 30 percent say they are prepared for the requirements of the law—including participation in the marketplaces.

Among small businesses that will be impacted by the employer mandate, one-half of small businesses say they will either cut hours to reduce full-time employees or replace full-time employees with part-time workers to avoid the mandate. Twenty-four percent say they will reduce hiring to stay under 50 employees.

I want to repeat those numbers because those numbers are deeply troubling. Among small businesses that will be impacted by the employer mandate, one-half—50 percent—say they will either cut hours to reduce full-time employees or replace full-time employees with part-time workers to avoid the mandate. We are not talking about a few small businesses, we are talking about half of them. Twenty-four percent say they will reduce hiring to stay under 50 employees. That is a disaster for small business, it is a disaster for jobs, and it is a disaster for American families who are struggling.

The outlook for hiring remains grim. The majority—61 percent—of small businesses do not have plans to hire next year.

A Grand Rapids, MI, company reported that they had to lay off over 1,000 people due to the ObamaCare medical device tax. Let's think about that. In Grand Rapids, MI, there are 1,000 people out of a job directly because of ObamaCare. Now let's think of their spouses and their kids. One of the major breadwinners in their family lost his or her job because of ObamaCare.

On September 18, 2013, the world-renowned Cleveland Clinic announced that it would cut jobs and slash 5 to 6 percent of its $6 billion annual budget to prepare for ObamaCare. This is not just impacting fast food restaurants, this is impacting everyone. The Cleveland Clinic has a $6 billion annual budget, and yet they are forced to fire employees. The Cleveland Clinic is Cleveland's largest employer.

Every 4 years during the Presidential election, both parties purport to care passionately about what happens in the great State of Ohio. Both parties focus and descend on Ohio—and a handful of other swing States—as the center of the universe. Yet, as we sit here now in 2013—not a Presidential election—somehow the concern about what is happening to the Cleveland Clinic in Ohio has diminished. The Cleveland Clinic is Cleveland's largest employer, and it is the second largest employer in the State of Ohio after Walmart.

I would suggest that if all of the folks from this body and the political parties who descend on Ohio every 4 years are genuinely concerned about what is occurring in Ohio in a non-Presidential year we should see the floor of this Senate filled with Senators concerned about the impact ObamaCare is having directly on Cleveland and the State of Ohio.

Cleveland Clinic is responsible for 80 percent of the economic output of northeast Ohio, according to a 2009 study. It is the largest provider in Ohio of Medicaid health coverage for the poor, the program that will expand to cover uninsured Americans under ObamaCare.

The Cleveland Clinic has close to 100 locations around the State. They employ 3,000 doctors. Its main campus is recognized worldwide for its cancer and cardiovascular treatments.

(Ms. WARREN assumed the Chair.)

Madam President, some Members of this body might say: Well, these are hard times. Everyone is struggling, so maybe the Cleveland Clinic is responding to economic challenges. Who is to say what the Cleveland Clinic is doing has anything to do with ObamaCare? Well, the answer to that is, who is to say? The Cleveland Clinic is to say. A spokeswoman for the Cleveland Clinic said:

> To prepare for health care reform, Cleveland Clinic is transforming the way care is delivered to patients.

She added that $330 million would be cut from the clinic's annual budget.

You want to talk about direct job losses from ObamaCare, go to Cleveland, OH, go to those working at the Cleveland Clinic, go to those depending on the Cleveland Clinic for health care, and that is one very real manifestation of the train wreck that is ObamaCare. According to the Star-Ledger, in a story printed on September 12, 2013, Barnabas Health, which employs over 19,000 people, is laying off employees. Why? Well, according to Barnabas Health, the reason is ObamaCare. According to a spokeswoman for Barnabas Health:

Healthcare reform, in combination with Medicare cuts, more patients seeking outpatient care and decreasing patient volumes—as a result, we have made the difficult decision to reduce our workforce. Decisions like this are never easy and we are working with these employees to help them look for other opportunities within the Barnabas Health system.

This is not us putting words in their mouth. This is people on the ground in the States dealing with the very real struggles and the disaster that is ObamaCare.

The problem we face in Washington is that our elected officials are not listening to us. We need to make DC listen. We need to make elected officials in both parties listen to the very real hardship that is coming from ObamaCare.

I would like to share a number of real constituent letters concerning ObamaCare. So this is not me speaking. As I said at the outset, the reason Congress is held in such disrepute, so little approval, is because for many years now elected officials in both parties have refused to listen to the people, and there is a sense of despair that no matter what the American people say, our elected officials will not listen because they are more interested in themselves, they are more interested in getting an exemption for Members of Congress from ObamaCare than they are on fixing the problem for the American people. And that level of disillusion is not irrational. It is based on a very real problem. Yet I am inspired that if and when the American people stand and make their voices heard, our politicians will have no choice but to listen.

I remember early on—Madam President, you and I are relatively new in this body. We have been here 9 months. I remember early on standing at this very desk along with my friend Senator RAND PAUL in his historic 13-hour filibuster on drones. I remember when Senator PAUL began that filibuster, many Members of this body viewed what he was doing as curious, if not quixotic, as a strange issue that most Members of this body, frankly, were not concerned about. We saw something incredible happen during that time, which is the American people got engaged, got involved, began speaking out, and it transformed the debate. As a result of the American people's involvement, it transformed the debate.

If you want Washington to listen, the only way that will happen is if it comes from the American people. So let me read some letters from American people who do not have the opportunity to come to the Senate floor. I hope in a very small way to provide a voice for them.

A small business from Alice, TX, wrote, on August 9, 2013:

We, the undersigned employees . . . are growing increasingly concerned with the apparent disregard for small businesses and the middle class that is on display by the United States government. We are trying to figure out how we are going to cope with the 14% increase in health insurance premiums we are facing, despite the fact that we have a lower average employee age and loss ratio than we have had at any point in our 21-year history. The increase is because of insurance companies preparing for new taxes and unreasonable requirements within ObamaCare.

On top of struggling to find the means to cover our own group of employees, our government now makes it clear that part of the massive amount of taxes we pay a year will be used to cover 75% of health insurance costs for Members of Congress AND their staffers. As waivers are granted daily, shielding . . . big business, unions, government agencies, and various other Affordable Care Act supporters, it is clear the burden will rest firmly on middle class small businesses like us. . . .

We strongly encourage our elected officials to place a higher importance on public service than self-service.

Let me read that sentence again: ''We strongly encourage our elected officials to place a higher importance on public service than self service.''

We are hurting badly because of this, as are many disillusioned businesses with whom we communicate in our industry. Headlines nationwide report hiring freezes and layoffs due to increased costs on businesses large and small. The weight is too heavy at the worst time, and in result the economy will soon break. We urge Congress to defund or repeal the Affordable Care Act with no further delay. . . .

That is not me speaking. That is from a small business in Alice, TX. I would note, that is not even the CEO speaking. That is a letter signed by the employees of that small business because they are hurting.

But let me note, it is not limited to the State of Texas. I guarantee you, there are people hurting in every one of the 50 States, every one of the States we represent. A commercial real estate broker from Chesapeake City, VA, wrote, on September 20, 2013:

I also wanted to share with you how ObamaCare is affecting my business. I am a commercial real estate broker in Virginia and am already feeling the effects of this disastrous bill. I am currently in the process of analyzing an apartment portfolio for sale for a client and recently the occupancy has dropped dramatically in this class C low-income community. The community is not subsidized as these tenants are paying out of pocket for the rent. Most of the tenants work in fast food, janitorial, and low paying service related jobs. A great deal of them has had their hours cut to 29.5 hours per week and cannot pay the rent. Our occupancy has dropped as well as the income. Our management company has reached into the City of Richmond for rent assistance for these tenants but to no avail. Not only are these people going to be forced into government housing but my client will realize a smaller equity harvest. This is a disaster, and it affects everyone.

As you can see by this scenario, many are affected by this bill. Also, a class A franchisee with a national restaurant chain whom I represent is experiencing the pain from this bill. They are being forced to sell off to a larger franchisee because they cannot afford to comply with the requirements. I wish the American people understood how severely the economy will be impacted. Thank you for fighting the good fight. We are behind you.

Let me read again two sentences from that letter from a commercial real estate broker in Chesapeake City, VA: ''Most of the tenants work in fast food, janitorial, and low paying service related jobs. A great deal of them had their hours cut to 29.5 hours per week and cannot pay the rent.''

So they are losing their housing. I want you to think for a second about the spiral that comes from this. If you have someone who is working as a janitor, if you have someone who is working flipping burgers, if you have someone washing dishes, as my dad did, and they have their hours forcibly reduced to 29 hours a week, as so many people across this country are having happen because of ObamaCare, they cannot provide for their family on that, so they cannot pay the rent, as these people cannot. But not being able to pay the rent means some of them may move to government housing. And what is the answer? Look, they are losing their hours because of ObamaCare. The answer is not: Well, let's give them a rent subsidy. Let's tax people even more. First let's pass rules and laws and regulations that prevent people from getting decent jobs. Then let's jack up the taxes even more so we can pay them to subsidize their rent and subsidize their housing because they cannot afford to pay their rent, they cannot afford to pay their housing because of a law we passed that forcibly reduced their hours. That is the path to destruction in this country.

Far better that we get back to our founding principles, far better that we get back to what has made America great, which is our free enterprise system—a robust, free enterprise system that encourages small businesses to grow and to prosper, that encourages people working a job as a janitor to work hard and get a promotion and climb that ladder, to pay their own rent, to pay for their own food for their kids, to work and to advance.

These cries are coming from all across the country. Yet Washington is not listening. We need to make DC listen.

A small business owner from Port Clinton, OH, wrote, on September 19, 2013:

I strongly urge you to stand up for the middle class and small business and vote to DEFUND ObamaCare. As a small business owner, we have always offered health insurance. After meeting with our health insurance representative, we learned that the lowest coverage level of ObamaCare offered is estimated to be about $400 a person, twice what we pay now for excellent coverage. . . .

With big business and government being exempted from this policy, again the SMALL BUSINESS OWNER and individual are left with all the costs for everyone else. This could well end up closing our business and then there will be 15 more individuals collecting from the government.

A constituent from Nacogdoches, TX, wrote, on May 29, 2013:

I need a little help here! Can you explain something to me? My health insurance premiums for my wife, three children and myself were $850 or so back in 2010. After ObamaCare was passed my premiums are now $1400 or so. This January, when ObamaCare is implemented it is estimated by Blue Cross Blue Shield I could see a 25% increase in premiums. That will be almost $1,800 a month for premiums plus on my HSA plan my deductible is $10,000. If my calculator is correct, that is $21,600 per year out of my pocket before the insurance company pays a penny.

I also own a small business and have four others on our group plan. If this cost increase is across the board with the others as well, my business will stop the benefit of insurance and each will be on their own to get coverage. I understood this health care overhaul would be a benefit. From where I am sitting it is only a burden. If you can, please repeal this before it gets worse.

We are hearing these voices from Americans all over the country, both Republicans and Democrats in this body. All we need to do is listen to the people. A veterinarian from Montgomery, TX, wrote on February 20, 2013:

I would like to bring to your attention a troubling development. I am a veterinarian, and in the past had to use a group health care policy offered by the American Veterinary Medical Association. I am currently under my husband's insurance. However, a number of my colleagues use one of the various plans AVMA offers. The AVMA insurance is being canceled at the end of the year. This decision is due directly to ObamaCare. Here is the text of that notification. Group Health and Life Insurance Trust Programs and New York Life attributes the program's demise to regulatory requirements put in place as a result of the Patient Protection and Affordable Care Act signed by President Obama in 2010.

Company officials told trustees that the challenges of complying with provisions of the law that take effect in 2014 are the primary reason New York Life opted to quit the association health insurance market entirely. New York Life has underwritten the American Veterinarian Medical Association Trust medical coverage for the past 20 years.

A number of veterinarians are contract labor, called relief veterinarians. These vets contract out on a daily or weekly basis to fill in for doctors at various clinics when someone takes a vacation or during seasonal business increases. Many of those vets do not have access to health care in any other way. This is a travesty. Perfectly good plans are being discontinued due to a perfectly awful law. This health care law is directly contributing to people losing their health care.

My husband and I made long-term plans to potentially retire early and use an AVMA plan until eligible for Medicare. We also had the safety net of the AVMA insurance if something happened with this job. For me, AVMA's decision is currently an inconvenience. However, it removes an option for me in the future. My colleagues on the other hand will likely be forced into inferior health care or pay penalties through no fault of their own.

We all remember President Obama told the American people: If you like your health insurance plan, you can keep it. Even in these cynical days of politics, promises should mean something. For this woman and her husband, that promise is a hollow failure. She is losing her health insurance because of ObamaCare. That is not me saying that, not some politician saying that. That is from her own words.

The rules of the Senate will not allow her or any other small business owner to walk onto the Senate floor and speak out, to say: Why am I losing my health insurance? Why am I struggling? Why is my business going under? So I am doing my very best to in some small way help provide a voice for those people who are struggling, those people who are hurting.

But if this body were operating the way it should, there should be 100 voices; 100 of us, Democrats and Republicans, should be standing side by side reading letter after letter like this. You know what. These are our bosses. These are the people we work for. They are struggling.

These letters I am reading are not ideological letters. They are not coming from a partisan perspective. They are people who are seeing on the ground this law is not working.

Yet DC does not listen to them. The Democrats in this body tell America: ObamaCare is great. ObamaCare is terrific. I am sorry you lost your health care, but ObamaCare is terrific. The Republicans in this body, sadly more than a few of them, say: We will take lots and lots of symbolic votes against ObamaCare, but there is nothing we can do. If every Republican Senator stands together and votes no on cloture this Friday or Saturday, there is something we can do. We can stand and say: We are listening to the American people. This law is not working and people are suffering.

They are not interested in political games. They are not interested in show votes. They are not interested in the fact that if the majority leader succeeds in cutting off debate on this bill and there is a 51-vote threshold on an amendment to fund ObamaCare, at that point every Republican will happily vote no. That may be solicited from the personal political perspectives of the Republicans in this body, but it does not benefit the American people one iota. It does not benefit the American people. It does not stop ObamaCare. It does not fix the problem. That is what we should be doing.

A constituent from Euless, TX, wrote on July 3, 2013:

I have been disabled since 1997 and on a fixed income. My wife lost her job of 16 years in 2008 and was not able to find a good job so she was forced to take her Social Security last year at age 62. She is 41-year type I diabetic and her medical costs are expensive. Luckily, I was paying for medical and long-term disability insurance when I was working, which allowed me to continue the medical insurance with a company even after I became disabled.

I got a letter in May of this year informing me that I was going to lose that medical coverage come 2014. Since we are both on a fixed income, it will be impossible for us to maintain our mortgage and to start paying for all of our health costs. Repeal ObamaCare.

These are voices from the people. This is a disabled man, a senior couple who is suffering, who is losing their health insurance because of ObamaCare. Every one of us has an obligation to listen to people.

Look, I understand in Washington, in a football game we all cheer for our respective team. I cheer when the Houston Texans win a game. I am not generally thrilled, having grown up in Houston in the 1970s, when the Pittsburgh Steelers win a game, because I remember as a kid year after year seeing the Steelers sadly trounce the Oilers and the great Earl Campbell when the Steelers had one of the greatest football teams ever to play the game. I understand that. It is a good thing to cheer for your team.

In politics sometimes we cheer for our team too. So I understand the great many Democrats who take the view: Well, a Democratic President signed the law, Democrats passed the law on a straight party vote so we have got to cheer for our team. You know, I will note that more than a few Democratic Members of this body privately, when they are behind closed doors, are worried about what is happening to ObamaCare. They are seeing the problems. But yet publicly they are still cheering for their team.

This is not a team sport. This is life and death. There is a fundamental divide between the people and Washington. We need to make DC listen, listen to the people.

Mr. PAUL. Would the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. PAUL. You know, Senators do not always ask for advice from other Senators. I thought I would come down and make sure the Senator had comfortable shoes on, make sure he is getting enough to eat—try not to eat on television. That is a little free advice that sometimes shows up.

But my question relates to ObamaCare. I think the Senator has done a good job of bringing attention to something I think is going to be a real tragedy for the country. As we get involved with this, there is so much talk about tactics and this or that, whether now is the right time, when is the right time to do this, but I think the question is, do we need to talk about something that is going to affect 16 percent of our economy, one-sixth of our economy? Do we need to bring up an issue? Do we need to draw attention and try to stop something that could be damaging to the people precisely it is intended to help?

I think it is personally not a good idea to shut down government. I think it is also, though, not a good idea to fund ObamaCare. Can they both go together? Can you do one without the

other? Some, like the President, have said: Oh, Republicans, they just want 100 percent of what they want or they are going to shut down government.

Well, can you say something so patently false and get away with it, is my question. The President wants 100 percent of what he wants. He wants ObamaCare as he passed it with only Democrats. He wants it never to be changed. He wants no compromise. He wants what he wants or he is willing to shut down the government. That is what this debate is about.

ObamaCare was passed with only Democrats, no Republican input, no Republican votes. When people are saying there are problems, his own people are saying there are problems. The Teamsters have said there is a problem. Authors of the bill are saying it is a train wreck. The former President came out this week and said: It is going to hurt the people it was intended to help.

So we have got all of these people saying: For goodness sakes, slow this train down. Stop this train. Stop this train wreck of ObamaCare. All everybody cries about is: Oh, somebody wants to shut down the government. The President does not want to compromise.

What we are talking about is, we do not want to spend money on something that is not going to work and hurt the people—precisely the people it was intended to help. But the thing is, how do we fix it? What do we do? Can we scrap the whole thing? Well, the Democrats control one body, we control the other body, they control the Presidency.

Historically what would happen, and what I think the American people would like to see is, we stand up, as the Senator from Texas is, and say what we are for. We are for a different solution. We are for competition. We are for the free markets. We are for bringing health care to everyone with a lower price. We went through this whole debacle of giving people ObamaCare and it is going to be expensive. Everybody is going to pay more.

Many people still will not have insurance. The ones who do have insurance are going to pay more. So what would we like? Why are we here today? Why is the Senator from Texas here today? To say to the President: We need to talk. What does the President say? He says: My way or the highway.

When the American people said they want dialog between Republicans and Democrats, how do we get there? We have to stand for what we believe in so they will come and talk. Does it mean we are going to get 100 percent of what we want? No. But if we do not stand for what we believe, how will we have any dialog? How will we get to compromise? How do we get them to talk to us? We are not asking for 100 percent of what we want, but we are asking for a dialog. How do we get the dialog unless someone is willing to stand and say: Enough is enough. When we look at this, if we want to ever get to the point of getting to compromise, the only way we get there is by standing and saying we believe in this.

It isn't about us demanding 100 percent of what we want. But right now, if you look at this objectively, the President is getting 100 percent of what he wants—ObamaCare passed only by Democrats, not one Republican vote. Really, how do we get to what the American people want, which is dialog and compromise? We have to look at a deadline. We have a deadline.

My question to the Senator from Texas is whether he wants to shut down the government. Is that his intention or is it the President's intention to shut down the government or is it that perhaps when deadlines come forward, that is a good time for dialog because no one ever seems to talk at any other time?

I would ask the Senator from Texas, what are his intentions? Does he want to shut down the government or would he like to find something to make ObamaCare less bad? I know we would both like to repeal it, but would the Senator accept anything in between?

Mr. CRUZ. I thank the Senator from Kentucky for his very fine question. Let me say at the outset before I respond directly to the question that I remember not too many months ago standing on this same Senate floor in the midst of the Senator's historic filibuster. I will say it was one of the proudest moments of my life. Indeed, during that filibuster on drones, that was the first time I had ever spoken on the Senate floor.

I have observed multiple times that I will go to my grave in debt to RAND PAUL, to have the opportunity for the first time—and there will only be one first time that anyone gets to speak on this floor—to have that first time be in support of that tremendous filibuster that mobilized and unified the American people.

I will note that one of the things I remember the Senator shared with me afterward was the advice he just gave a minute ago. I remember asking: What do you think? The Senator was pretty weary at the end. His comment at the time was, well, I wish I had worn more comfortable shoes. I will confess I thought about that. That struck me as pretty good advice.

I am going to make an embarrassing admission right now. I will get to the question in a second, but I wanted to make an embarrassing admission first. For many years, when I was in private practice and when I was solicitor general, I wore a particular pair of boots, my argument boots. They were black ostrich boots. Litigators are kind of superstitious, so anytime I went into court to argue a case I wore my argument boots. I had them resoled four or five times.

When I had the great honor of serving in this body, of being sworn into the Senate, when I was sworn in standing on the steps just in front of us, I wore my argument boots. I have worn them every day since. I don't believe there has been a day on this Senate floor that I haven't worn my argument boots.

I had a choice with which I was confronted, which was do I follow through and wear my argument boots or do I listen to the very sage counsel from my friend from Kentucky and go with more comfortable shoes. I will embarrassingly admit that I took the coward's way out. I went and purchased some black tennis shoes. Actually, I think they are the same model the senior Senator from Utah ORRIN HATCH wears on a regular basis. I am not in my argument boots, and I will confess I do feel pretty embarrassed by that. I am pretty sure, since we are on the Senate floor and C–SPAN is covering it, that this may not be covered by the priest-penitent privilege, but I do feel it is a question of sorts.

The question Senator RAND PAUL asked was an excellent question. His question was whether I or anyone here wishes to shut down the government. The answer is absolutely not. We should not shut down the government. We should fund every bit of the government, every aspect of the government, 100 percent of the government except for ObamaCare. That is what the House of Representatives did. The House of Representatives—232 Members of the House, including 2 Democrats—voted to fund every bit of the Federal Government, 100 percent of it, except for ObamaCare.

I would note that last night on the floor of the Senate, I asked the majority leader to consent to passing the continuing resolution the House passed, passing it into law. Had the majority leader not stood there and said: I object, the continuing resolution would be passed into law and the government would not be shutting down. The majority leader had every opportunity to not shut down the government.

Let me be absolutely clear. We should not shut down the government. I sincerely hope Senator REID and President Obama do not choose to force a government shutdown simply to force ObamaCare on the American people. That would be a mistake. Instead, what we should do is listen to the American people. Make DC listen.

Mr. PAUL. Would the Senator yield for one quick question?

Mr. CRUZ. I am happy to yield for a quick question without yielding the floor.

Mr. PAUL. Since we are making it clear, the Republican message and alternative here is not to shut down the government; our desire is to have no ObamaCare. We desire not to have it. We think he went in the wrong direction. But we don't control the government. We don't control the government. We don't control the Senate. It is controlled by the opposition party. We don't control the Presidency.

My question to the Senator is, If he can't get everything he wants, if he

can't defund ObamaCare, which is exactly what he and I both agree on, and millions of people across America want us to get rid of ObamaCare, if the Senator can't, if he stands today and argues and cannot get rid of it, will he accept a compromise? Will he work with the President and will he work with the majority leader if they are willing to come and say: You know, you are right. We messed up on a bunch of this. There are a lot of people who are going to be hurt by ObamaCare. A lot of part-time workers are going to lose their jobs or are going to lose hours. There are going to be real workers who are full time who are going to lose their insurance or lose their jobs. Is the Senator willing to work with us? Is he willing to work with the leader, Senator REID, and with the President to find a compromise?

Mr. CRUZ. I thank the Senator from Kentucky for that question. I think it is a very good question.

This afternoon the Senator and I and all the Republican Members of the conference spent some 2 hours in a closed-door strategy session. I am not going to reveal what anyone else said there, but I certainly feel comfortable revealing what I said there, which is that if we are going to make real progress in solving the problem that is ObamaCare, in listening to the American people and mitigating the job losses, with people losing their health insurance, all of the harms that are coming from ObamaCare, we have to stand and fight right now.

The battle before this body is the cloture vote that will occur on Friday or Saturday of this week. If all 46 Republicans vote together in unity to support the House Republicans and to deny Majority Leader REID the ability to fund ObamaCare on a straight party-line vote, that puts us in a position to address the problem.

The Senator's question was would I vote for something less than defunding ObamaCare. Personally, no. Why? Because I have committed publicly over and over to the American people that I will not vote for a continuing resolution that funds one penny of ObamaCare.

I am reminded of when I first arrived in the Senate. I spent 2 years campaigning for the Senator from Kentucky. Senator PAUL campaigned with me in Texas over and over.

If you want to talk about a rock star, you should see, when RAND PAUL shows up in Texas, the huge number of fans who come out for Senator PAUL and for his dad.

I spent 2 years campaigning in Texas saying: The first bill I will introduce in Congress will be a bill to repeal ObamaCare.

When I showed up, there were lots of reporters. I introduced the bill to repeal ObamaCare.

They immediately said: Well, why did you do that?

My response: Well, I spent 2 years campaigning telling the American people that would be first bill I would introduce.

They were utterly befuddled why anyone would actually do what they said.

In answer to the Senator's question of whether I will vote for something that is a middle ground that funds ObamaCare partially, no. Why? Because, as I have repeatedly told the American people, as I have told Texas, I will not vote for a continuing resolution that funds ObamaCare. But that being said, are there Members of our conference who would like to see a compromise, who would like to see a middle ground that is perhaps not what I very much want and will fight for with every ounce of strength I have but that mitigates some of the damage of ObamaCare, that responds to the people who are suffering from ObamaCare, I think there are quite a few Senators who would like to see that happen.

If Republicans roll over on the cloture vote on Friday or Saturday, if we allow the majority leader to fund ObamaCare with 51 votes, we will get no compromise. There will be no middle ground because there will be no reason to compromise. It is much like a poker game. I know the Senator from Kentucky—many of his libertarian supporters enjoy a good game of poker. As a Texan, I will admit to not being entirely adverse to it myself. In a game of poker, if somebody makes a bet and then says to you ''if you raise me, I am going to fold,'' you will lose 100 percent of your poker games. That is a path to losing.

For those Members of the Republican caucus who were perhaps not as adamant that we should insist on a complete and total defund now, I don't intend to waiver from that position, but there may be others who disagree.

If you want to get to any middle ground that is not a symbolic vote to tell our constituents but that actually changes the law to make things better for the men and women at home, to mitigate the harms of ObamaCare, the only way to do so is for Republicans to stand united and to deny the majority leader the ability to fund ObamaCare on a 51-vote partisan vote.

Mr. ROBERTS. Would the courageous Senator from Texas yield for a question?

Mr. CRUZ. I yield for a question without yielding the floor.

Mr. ROBERTS. Let me ask the Senator a question to cut to the chase. Let's get to the bottom line. Former Speaker of the House NANCY PELOSI, our respected leader of the Senate, HARRY REID, because of his position, Secretary of Health and Human Services Kathleen Sebelius, and President Barack Obama have all said publicly that the Affordable Care Act is the first step to a single-payer system. Listen to the folks on the other side of the aisle, and many of them say the same thing.

We can call it a single-payer system, we can call it national health insurance, but is this not the first step toward socialized health care—socialized health care—and is stopping socialized health care worth pulling out all of the stops and fighting the fight?

Mr. CRUZ. I thank my friend from Kansas for that very fine question. He is exactly right. Socialized medicine is—and has been everywhere it has been implemented in the world—a disaster. ObamaCare—its intended purpose is to lead us unavoidably down that path.

I thank the Senator from Kansas for his good question on that front and for his leadership.

I would note that there are some Republicans, some commentators who have said: Don't fight this fight. Don't fight to defund. Why? Because ObamaCare is going to collapse on its own weight. If we just stay quiet, we don't take any risks. Give it time; it is getting worse and worse. Stay out of the way; it is going to collapse on its own weight. And there is both truth and falsity in that prediction. There is no doubt that ObamaCare is going to collapse. But the problem is that the way it will collapse, if it is implemented, is likely to permanently damage the private health insurance system, which will result in millions of people losing their health insurance and having no ability to go back. That is what enables Majority Leader REID to go on television and say: Fear not, this will lead us to single-payer government health care. Because when ObamaCare collapses in shambles—he doesn't say this, but this is the necessary reasoning that leads him to this—it will take down the private health insurance business with it, so there will be nothing left.

Listen, I commend the majority leader for his candor. I mean, there is a degree of courage in embracing socialized medicine. There are a number of Members of the Democratic caucus who embrace socialized medicine. I think every one of them shows courage and candor. I am very happy to debate in great detail whether socialized medicine would be good or bad for this Nation.

I don't think the American people are conflicted. If you look at the nations that have socialized medicine, everyplace it has been implemented you see low quality, you see scarcity, you see waiting periods, and you see government bureaucrats getting between you and your doctor. If you go in for government treatment, you may be told that you are going to have to wait 6 months, you are going to have to wait a year or, you know what. A bureaucrat in the ministry of whatchamacallit has determined you don't get that treatment. That is what has happened in every socialized medicine country in the world. And so to those on the Republican side, those commentators who say this is a risky fight, I have never once suggested this is an easy fight. But in my 42 years on Earth, I have yet to see any fight that

is worthwhile that is easy. In his years as a marine, I would venture to guess that Senator ROBERTS never saw a fight that mattered that was easy. None of us were elected to this body to do easy things.

If the majority leader is right, that leaving ObamaCare alone will necessarily lead us to socialized medicine because private health insurance will collapse—ObamaCare will collapse—and there will be nothing left, what a call to urgency. Indeed, I would say the majority leader, in making that argument, should be one of the most effective spokespersons for saying we ought to have 46 Republicans uniting and voting against cloture on this bill to say: No, we are not going to let a partisan Democrat vote fund ObamaCare because we are not going to be complicit in any way, shape or form with destroying private health insurance and forcing Americans into socialized medicine.

Let me note that in the meantime, even for those who somewhat serenely say: Fear not; this is going to collapse on its own. The process will inevitably be painful. Just a few minutes ago I read a letter from a constituent from Euless, TX, who is disabled and on a fixed income, whose wife has retired and who has lost his insurance because of ObamaCare. There are millions of Americans in Kansas, in Kentucky, in Alabama, in Texas, and in States all over this country who are worried right now because their health insurance is in jeopardy. In my view the decision of some Members of the Senate to say: Well, let ObamaCare collapse—either on the Republican side because when it collapses it will all just magically go away, or on the Democratic side because when it collapses it will lead us all to the perfect utopia of socialized medicine—is easy. It is easy for Members of this body to say such things from the cheap seats, particularly when the President has granted an exemption to Members of Congress from ObamaCare, where they feel that if the system collapses, if millions of Americans are suffering, it is not going to be us. It is not going to be our staff. The President has carved us out for special rules. It is just going to be the American people.

The most fundamental divide that is happening here is this body has stopped listening to the American people. We ought to have the urgency for this man and woman in Euless, TX, who is disabled and on a fixed income and retired and who wants to keep his health insurance, that we have for ourselves and our staffs. We ought to have that kind of urgency. And you know what. If it were our wife or our husband's health insurance, we wouldn't say: Let the system collapse because, in time, there will be a political victory. I guarantee if it were our spouse's, if it were our daughter's or son's health insurance, particularly if they had significant health issues, not one of us would be serene in saying: Let it collapse, because we want to immunize ourselves from the criticism or because we want to ultimately move to socialized medicine.

I think the stakes have never been higher. In my view, the cloture vote we will take on either Friday or Saturday of this week is the most important vote that I will have taken—I think that any Member of the Senate will have taken—in the 9 months I have served in this body because it goes fundamentally to: Will we respond to the suffering ObamaCare is causing? Will we respond to the millions of people who are jobless? Will we respond to the people getting forced into part-time work? Will we respond to the people who are losing their health care or will we continue to say: For me but not for thee. Different rules apply to Washington that apply to the ruling class. The President can grant exemptions to the big corporations and to Members of Congress, but hardworking American families, you guys are left in the cold. I would suggest that is a fundamental abdication of our responsibility. We are here—or we should be here—fighting for the people.

Mr. SESSIONS. Madam President, will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. By chance, or maybe because of the significance of it, my first question is very similar to what Senator ROBERTS had asked, because I have given a lot of thought to this. I haven't signed letters. I haven't said how I was going to vote on this issue. But it was called to my attention that Senator REID, the majority leader, flatly stated a month ago he believed in a single-payer system.

They asked him: Is it the Senator's goal to move toward a single-payer system? And his answer is: yes, yes, absolutely yes.

I just left the Budget Committee hearing. We have a great team there, on the Republican and Democrat side, and my friend SHELDON WHITEHOUSE and I had a little exchange about the new health care law, and I thought he was suggesting it wasn't much of a change. So I asked him this, I said: The majority leader said he favors a single-payer system. He said: I do too.

It wasn't long ago in the Budget Committee that Senator BERNIE SANDERS also said he favored a single-payer system. And Senator ROBERTS mentioned others. And of course the President did. I checked the President's quote from 2003. He has denied it since, when he was trying to get the votes to pass the new law, but in 2003 he said he was a proponent of a ''single-payer universal health system.''

I think this is a huge national issue. This new health care law is clearly driven by an agenda: to have a single payer. So I ask Senator CRUZ: If there is a single payer, who will the payer be?

Mr. CRUZ. The payer is always the government, which ultimately means the taxpayer, hardworking American families.

Mr. SESSIONS. In other words, the Federal Government?

Mr. CRUZ. I will continue to yield for a question without yielding the floor.

Mr. SESSIONS. Let me ask this. In other words, the government is going to be the one that pays for everything. In health care in America there will be only one payer, the government, and it would then, since it is a predominant power, be able to dictate health policy, such as in the socialized medical systems that have failed around the world; would it not?

Mr. CRUZ. The Senator is absolutely correct. Once the government is paying for health care, it controls health care. That has proven to be the case in every country in the world.

I agree with the Senator from Alabama that it is commendable that there are some Members of this body who openly embrace socialized medicine. That is commendable for candor. I don't agree with it as a policy matter, but I actually think there is virtue to speaking honestly about what it is you support and not occupying the middle ground, as those—to take a quote from Teddy Roosevelt slightly out of context—cold, timid souls who know neither victory nor defeat.

One of the problems in this debate over ObamaCare is the relatively few who are candid about what ObamaCare is designed to do. It is worth noting, as Senator SESSIONS has, that Majority Leader REID is not a passive observer from the sidelines. He is the man responsible, in his role as majority leader, for passing ObamaCare through this body with only Democratic votes—without a single Republican vote. So when he says it is designed to lead to a single-payer system, when he says it is designed to lead to socialized medicine, we should trust that he knows what he is talking about.

Mr. SESSIONS. Madam President, if the Senator will yield again for a question.

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. And is it not true—since Senator REID has made his position crystal clear ideologically, and based on the actions the Senator from Texas and I have observed—that he has steadfastly resisted any change whatsoever in the legislation as passed, certainly any change that would constrict its power and reach?

Mr. CRUZ. I think Senator SESSIONS is exactly correct.

If we look at the way this vote is set up, Republicans are being asked to vote with majority leader HARRY REID to shut off debate on this bill. Any Republican who votes yes on Friday or Saturday to invoke cloture will be voting alongside majority leader HARRY REID to give Leader REID the authority to fund ObamaCare using just 51 votes on a straight party-line vote, which is exactly how ObamaCare passed in the first place.

At the same time the majority leader has made clear he is not going to allow other amendments. He is not going to allow amendments that would improve ObamaCare or fix ObamaCare. He is not going to allow the amendment of Senator VITTER, as we talked about earlier, that would correct or get rid of the congressional exemption and treat Members of Congress the same as the American people, get rid of President Obama's lawless exemption, and stop treating Members of Congress like a privileged ruling class who are different from the American people. Leader REID has said he is not going to allow a vote on that, not going to allow a vote on repealing the medical devices tax that has been crippling the medical devices industry, and that is killing innovation and killing jobs.

If Republicans are complicit in shutting off debate and allowing just a single vote on funding ObamaCare, then we have only ourselves to blame. If we give the majority leader the power to do that, we should not be surprised when he exercises it. It is within the power of the 46 Republicans in this body to say no, to say: No, we will not shut off debate that allows the majority leader to use 51 votes to fund ObamaCare on a straight party-line partisan Democratic vote. We will not be complicit in a process that treats Members of Congress like a privileged ruling class and that ignores the cries for help from the American people. All we have to do to accomplish that is for Republicans to stand together and stand united.

It is my hope, my fervent hope, that the voices of dissension within the Republican conference will stop firing at each other and start firing at the target. And let me be clear who the target is. The target is not Democrats. I don't want us to start firing at Democrats or at the President or at anyone else. It is not about us. The target is ObamaCare. It is fixing this train wreck that is hurting the American people.

If Members of the Republican conference in the Senate could devote one-tenth of the ferocity they have devoted to fighting within the caucus on this issue, to actually stopping ObamaCare—not a symbolic vote, not a press release, not a speech, but actually fixing the problem—I could think of nothing better this Senate could do.

And you know what. If, instead of 100 Senators, this Chamber had 100 citizens picked from our States at random, I guarantee not a one of them would say in discussing this: You know what we need is a bunch of symbolic votes. They wouldn't say that. Regular people who live on planet Earth would know a symbolic vote is not a good thing or bad thing. They would say, if we grabbed any hundred—and I wouldn't even have a partisan screen on it. I would grab 100 people at random, and I guarantee you they would say: We have to fix ObamaCare. This thing is hurting people.

The problem is too many Members of this body are not listening, and we need to make DC listen.

Mr. SESSIONS. Madam President, without yielding the floor, will the Senator yield for a further question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I notice a real low number of jobs being created this year. And the reports were that 77 percent of those jobs created this year were part-time, not full-time jobs.

Allan Meltzer, one of the great economists in the last 50 years, a knowledgeable observer of our economy, just testified in a Budget Committee maybe 3 hours ago that ObamaCare was a factor in that occurring.

Would the Senator agree that we have had this extraordinary increase in part-time jobs rather than full-time jobs, and that is hammering working Americans who need full-time work?

Mr. CRUZ. Senator SESSIONS is absolutely right. One of the most devastating consequences of ObamaCare is that it is forcing so many Americans into part-time work. The U.S. Chamber of Commerce 2013 second quarter small business survey found that among small businesses that will be impacted by the employer mandate, 50 percent of small businesses say they will either cut out to reduce full-time employees or replace full-time employees with part-time employees to avoid the mandate, and 24 percent say they will reduce hiring to stay under 50 employees.

As Senator SESSIONS knows, this is not one isolated anecdote here or there. According to the U.S. Chamber of Commerce, this is 50 percent of small businesses reducing employees' hours forcibly or just hiring part-time employees instead. This is an enormous problem. Who gets hurt? When someone gets their hours reduced to 29 hours a week, it is never the CEO. It is usually not the lawyers. It is usually not the professionals. It is absolutely never Senators and Members of Congress.

The people whose hours get forcibly reduced are almost always, without exception, the vulnerable among us. They are the young, they are the Hispanics, the African Americans, the single mom working in a diner, struggling to feed her kids, to be a good example to her kids, who suddenly finds instead of having one job where she works her fingers to the bones to take care of her kids, she has to get two because 29 hours a week is not enough to provide for her kids. Suddenly she has two jobs, both at 29 hours a week. She has to commute from one to the other. She has to deal with two bosses. Boss No. 1 says: I want you at work Tuesday morning. Boss No. 2 says: I want you at work Tuesday morning. What is a single mom supposed to do?

Earlier this afternoon I read from a constituent's letter talking about low-income housing in Virginia, where a significant percentage of the residents were janitorial or service industry workers and were paying their rent out of their own pocket. Because of ObamaCare, because of having their hours reduced, they weren't able to pay the rent. I will read two sentences from a constituent letter from a commercial real estate broker in Chesapeake City, VA.

> Most of the tenants work in fast food, janitorial, and low-paying service-related jobs. A great deal of them had their hours cut to 29.5 hours per week and cannot pay the rent.

So they are losing their apartments and being forced to live elsewhere. This is a tragedy playing out across this country, and it is incumbent on this body to listen to the people. We need to make DC listen.

Mr. SESSIONS. Madam President, will the Senator yield for a question without yielding the floor?

Mr. CRUZ. I will yield for a question without yielding the floor.

Mr. SESSIONS. I know the Senator is aware that the number of people employed in the workforce today has fallen to the lowest level since 1975 and wages have declined. We learned today in our Budget Committee hearing we have had a surge from around 300,000 people working part-time to 1 million.

These are bad trends, but one place has avoided that; that is, the Washington, DC, area. It has had more job growth, higher income job growth than any place in America.

If this bill becomes entrenched into law, will it not create a huge additional increase of government workers and bureaucrats in and around this city, all riding on the backs of American workers?

Mr. CRUZ. The Senator from Alabama is absolutely correct. One of the disturbing trends we have seen in recent years is the boom business in our economy is government. There are lots of consequences to that; one is that the best and the brightest learn, hey, you want to have success, go into government. The private sector? That is apparently not what America is about.

Look right now at government employees who are paid substantially more than their counterparts in the private sector. It is one of the reasons Senator VITTER's amendment would say that Members of Congress shall be subject to the same rules as the American people and not have the special exemption President Obama has put in place is so important and why I support an even broader amendment that would include all Federal employees on the ObamaCare exchanges.

Our friends on the Democratic side of the aisle routinely say ObamaCare is terrific, it is great. If that is the case, then Members of Congress should be excited about being on those exchanges, which are apparently so great for our constituents, and so should Federal workers. But they are not, indeed, as the Senator from Alabama knows well.

This issue has caused more consternation among Members and congressional staff than probably any

other issue because people are quite rightly afraid of losing their health insurance and losing their coverage.

That concern is not irrational. There are many good public servants, congressional staffers who are Federal employees, even who are Members of the Senate. It is not irrational at all for them to be concerned about losing their health insurance and forced onto poor-quality health insurance. But that desire shouldn't push us to say let's exempt them. We don't want to be subject to it. That desire should push us to fight for hard-working American families. That desire should say: If we don't want to be on the exchanges, let's not make anyone else be on them. That divide between Washington—the ruling class—and the American people is the most significant reason for the disillusion we see.

The view from Americans all over this country—and this is true of conservatives and liberals—is that Washington doesn't listen. Politicians don't listen. We just had an August recess. A significant number of Members of this body held no townhalls, didn't go back and listen to their constituents. You can't fault Americans for saying politicians don't listen to us when, in fact, politicians don't listen to us. That is what this fight is about.

If it is just up to Washington, we are not going to have to do anything to stop ObamaCare. For one thing, Members of Congress and their staff are exempted so there is no urgency. But if we listen to the American people, there is urgency. That is why it is so critical that we make DC listen.

Mr. SESSIONS. Madam President, if the Senator would yield for another question.

Mr. CRUZ. I would be happy to yield for a question without yielding the floor.

Mr. SESSIONS. I know the Senator is aware that Senator BAUCUS, the chairman of the Finance Committee, a long-time Senator who I believe has announced he is not going to run again but shepherded this legislation through the Senate and worked in many ways to try to make it better—lost some battles in that time—has referred to this as a ''train wreck'' because there are so many things going wrong right now. Did the Senator hear that from him?

It seems to me we are at a point where we have to push hard. That is the conclusion I have come to, and I will ask the Senator's opinion. It seems to me we are at a position where we need to push hard to force discussion of this legislation because the majority leader wants to make it even bigger government, to take it even further. He is blocking and going to resist any attempt to have real debate, real amendments being offered. He will not allow votes, and he is going to fill the tree and otherwise dominate the Senate so we can't even have the classic debate and amendments and votes to improve this train wreck of a law.

Is that the way the Senator sees the situation we are in today?

Mr. CRUZ. Senator SESSIONS is absolutely correct. I would note, first of all, the Senate Democrat who is the lead author of ObamaCare has referred to ObamaCare's implementation as ''a major train wreck.'' That is not I speaking. That is not Senator SESSIONS speaking. That is the lead author of ObamaCare, a Democratic Senator.

I commend his candor. It is indeed a major train wreck. I have no doubt that more than a few of his colleagues on that side of the aisle were unhappy with him for speaking the truth on that.

There should be a lot more truth-speaking in this body, not engaging in partisan team politics but speaking the truth for the American people. That was commendable for Senator BAUCUS to speak for the American people and say this is a major train wreck. We need to all acknowledge it is a major train wreck and then step forward to avert the train wreck.

Senator SESSIONS' second point is a very important one. I note Senator SESSIONS is an elder statesman in this body, has served admirably a great many years, fighting for the citizens of Alabama, and is well experienced when a day a time existed when the Senate operated like a deliberative body, where Senators would speak and offer amendments and amendments could be considered. That doesn't occur now.

The practice Senator SESSIONS referred to, and I suspect some folks may not be familiar with, is called filling the tree. Filling the tree has become commonplace. Filling the tree is a procedural and parliamentary tree that only the majority leader can do. The majority leader has a privileged role under the Senate rules in that he has priority of recognition, the ability to insist he is the first Senator on the floor to be recognized.

Filling the tree enables him to do what he has said he is going to do on this bill, which is file an amendment to fund ObamaCare in its entirety and then fill the tree so no other Senator can offer any amendments, so the other 99 Senators are muzzled, we can't offer amendments to improve ObamaCare, we can't offer amendments to fix ObamaCare, and we can't offer amendments to do anything. Indeed, the more liberal Members of the Democratic caucus can't offer amendments to adopt a single-payer socialized medicine system, which some of them openly embrace. That is a sign of a Senate that is not working.

There should be open debate and there should be open amendments. One of the great strengths of this body is that all 100 Senators for most of the history of the Republic could offer any amendment at virtually any time. That has all but disappeared. Why has it disappeared?

For folks who are at home watching this debate, it is easy to let the procedure make your eyes glaze over. When you hear someone talk about invoking cloture on the motion to proceed, it is utterly incomprehensible to virtually anyone in the country. Indeed, I suspect more than a few people on the floor of the Senate right now don't quite understand what it means.

But what is all the procedure about? Why should you care about filling the tree? You should care about it because it is a tool of power, of silencing the people, and using the positions of power to enforce Washington's ideological view on the rest of this country.

If we got out of Washington, DC, if we went to the American people and said what are your top priorities—we actually have. We don't have to hypothesize about that. The American people over and over again say jobs and the economy are their top priorities. The American people want ObamaCare stopped because it is not working, it is killing jobs, it is pushing people into part-time work. Yet this Senate has not been listening to the American people.

We need to make DC listen.

Mr. SESSIONS. Madam President, will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I would also observe, and the Senator probably is aware, it does appear there is a budget point of order against this whole continuing resolution. I want to mention a couple of things.

I want to thank the Senator for having the courage to stand here and raise the concerns I am hearing all over my State. I had three separate meetings in August, as I traveled the State, with small business groups. It is difficult to overstate the concerns they have with this law. They tell me without a doubt it is impacting their willingness to hire and the uncertainty in the workplace is damaging business in America, and they are passionate about it.

They are struggling to get by. They are laying off people and they are not happy about it. They say this law alone is the primary thing that is hammering them in this country. I have given a lot of thought to it. I am beginning to see that we have to use the opportunities we have to confront this issue and talk about it and try to force some changes and improvements.

I appreciate the effort, and I am going to support the Senator. I am going to oppose any advancing of the final bill that does not provide some change in ObamaCare.

I did not sign the letter, and have some great friends who see it differently than I do who likewise are totally opposed to the health care law. I want to be sure people who are listening need to know good people, I think, can disagree on this. But the Senator stood up and raised the question and forced us to confront it and talk about it and I think it is good. I intend to support him. I am not going to vote to move a bill where we are sure we are going to be blocked from having any

meaningful discussion on one of the most historic, damaging laws in maybe the last hundred years that would basically move us to single-payer, government-run socialized medicine. I think that is where we are heading.

I thank the Senator for his leadership. Hopefully we can begin to force this Senate to act. The House has already acted. They have repeatedly acted to fix this legislation, because it is so damaging. But the Senate, the Democratic Senate, refuses to act. It refuses to listen. That is the problem I have. One way I have to express that is to support the position the Senator has taken.

I thank him very much and wish him good luck.

Mr. CRUZ. I thank the Senator from Alabama for his question and fundamentally for his support. His support is very needed. Senator SESSIONS is a man who is respected in this body. He commands the respect of his peers.

If you read the newspapers, the votes have already been decided. If you watch the TV commentators, I read one newspaper article—it was actually styled a news article—that talked about the ''effort to defund ObamaCare, which is doomed to fail.''

That was the lead, the opening line of what purported to be an objective news article. A lot of folks in official Washington and the Washington establishment have said there is no way this can happen.

Three weeks ago they said there is no way the House is going to vote to defund ObamaCare. Three weeks ago you read it was impossible, cannot happen, will not happen. Yet on Friday the House voted overwhelmingly to defund ObamaCare.

This week it is all the same pundits. A funny thing: Everyone who said it is impossible in the House—apparently there are no consequences for their being proved laughingly, totally, completely wrong. And they all come out with the same certainty, the same deep baritone voices, to say it is impossible that the votes will be there in the Senate. Republicans will not stand together.

Let me point to just a minute ago. Senator JEFF SESSIONS who, as he knows, was not on the letter Senator MIKE LEE circulated, was not initially part of the group—according to all of the press, anyone who was not on the letter was necessarily going to oppose us, and Senator SESSIONS is here, courageously standing, and I appreciate his leadership, his principle, and his courage. I am going to suggest this debate is having exactly the function it is supposed to.

Back when this body was in fact the world's greatest deliberative body, as it was reputed to be, debates were about moving hearts and minds and making the case. How can we best serve the American people? Now, sadly, debates usually occur in an empty Chamber and the Washington establishment tells us this is the result of the vote before it happens.

Let me note for those of you keeping score at home, the momentum has consistently been in favor of defunding ObamaCare. Two months ago everyone said it was impossible, the American people were not behind it, the House was not behind it, the Senate was not behind it, it could not happen. We saw the American people unite. We saw over 1.6 million Americans sign a national petition, we saw the House unite, and now the Senate must unite, and I am grateful to Senator SESSIONS for his leadership and his support.

Mr. RUBIO. I thank the Senator for his efforts here today and in the weeks that led us here. I ask the Senator from Texas—let me preface this by saying so much of the focus—if you read the coverage, all the focus is on what is going to happen, the process, the votes, who is going to vote what. I think that is important and I think we will have a conversation about that in the moments to come.

What I am most enthusiastic about in the last few hours is there is an increasing focus on why. Why are people so passionate about ObamaCare, particularly those who are opposed to it? Why is there a growing number of Americans coming out and saying ObamaCare is a bad idea? Why are Republicans united against ObamaCare?

Let's be clear. We do have a tactical debate going on in the Republican Party about the right way to stop ObamaCare. What there is no debate about among Republicans is this is a bad idea for the country. Why are we so passionate about that? I only speak for myself in what I am about to say, and I think it speaks for others. I will ask the Senator from Texas to comment in a moment about that. I think sometimes when you are born and raised, as I have been, your whole life in this country, speaking for myself, sometimes it is easy to take for granted how special America is because this is all you have known, this is all we have ever been around so we take that for granted a little bit.

I had a blessing, similar to the same one the Senator from Texas had. I actually grew up around people who knew what life was like somewhere else. They knew what America had is special because they lived somewhere else and they knew what the world was like outside of America. It is a reminder that what makes America different and special from the rest of the world is that it is one of the few places in human history where no matter where you start out in life, no matter how poor you were, no matter how poor your parents were, no matter how disconnected they may be from power, if you are willing to work hard and you are willing to sacrifice, you can have a better life.

For us Americans, that seems, of course, right. That is the way it has always been. It is not. In fact, for almost all of human history that has not been the case. In much of the world that is still not the case. For almost all of human history almost everyone who has ever lived is basically trapped by whatever they were born into. If your parents were poor, you were poor. If your parents were farmers, you were a farmer. I want you to think about what that means for a moment. Imagine for a second—because all of us have dreams and hopes, when you are young, especially. Imagine for a second if you are someone with talent and dreams and aspirations and ambitions but knowing that in the society you live in, none of that matters because you are not from the right people. You don't come from the right family. Imagine how frustrating that must be.

That is the story of humanity up until about 200 years ago when the American experiment began, based on something very powerful the Senator from Texas talked about a moment ago, the idea that every single one of us has a God-given right to go as far as our talent and our work will take us.

The result is the most extraordinary story in all of human history. I point that out today because I remember growing up knowing my parents wanted me to clearly understand that I would have a chance to do things they never had a chance to do because I lived in an extraordinary place unlike any that had ever existed before.

Fast forward to today and the challenges we face as a country. The one thing that most worries me as I analyze American politics and the state of our country is there is a growing number of people who are starting to doubt whether that dream is still true; a growing number of people who are starting to wonder is it still true that if you work hard and you sacrifice, you can get ahead. Do you know why they are doubting that? Because they are working hard, they are working harder than they ever have, they are sacrificing, and not only are they not getting ahead, they are struggling to keep from falling behind.

There are a lot of reasons why this is happening. Globalization has changed the nature of our economy. So have advances in information technology. We have an emerging skills gap in this country where unfortunately many Americans have not acquired the skills needed for these new jobs in the 21st century. We have to address these things. Societal breakdown is real. It is having an impact. In fact, it is one of the leading causes of poverty in the United States, and that is troubling too.

But for those of us who are in the Federal Government and in the policymaking branch of government, I think it is time we realize that one of the leading threats to the American dream is the policies that are being pursued at the Federal level, policies that are undermining the free enterprise system. Here is why that is important—because the only economy, the only economic system in human history that rewards hard work, sacrifice, and merit is the American free enterprise

system. The evidence is all over the world. Look all over the world at people whose families have lived in poverty for generations, who now have joined the middle class. They live in countries that are trying to copy the American economic example. They don't live in countries that embrace socialism, they don't live in countries that embrace big government. They live in places that are trying to move toward free enterprise. Free enterprise has eradicated more poverty than all the government programs in the world combined. That is the story of free enterprise. That is why it is startling that over the last few decades, Federal policies have contributed steadily to undermining the free enterprise system.

We talk about all those policies, but ObamaCare is an example of that. You ask yourself how does ObamaCare undermine the free enterprise system? There are a few examples. First, because of the disruptive costs and rules created by ObamaCare, there are thousands of middle-class jobs that will not be created. These are jobs that were going to be created that someone wanted to create. I met a restaurant owner. I think he was from Louisiana. He testified before the Small Business Committee. He wants to open new restaurants. He has specific sites in mind. He knows he can make it work. He is not going to do it and he cites ObamaCare as the reason why. Those are jobs that were going to be created that do not now exist because of ObamaCare. That undermines the free enterprise system.

ObamaCare has a mandate. It has already been discussed here on the floor. It says if you have more than 50 full-time workers, you have to live by a bunch of mandates that it creates. Do you know what the result of that has been? Businesses close to that number are deciding I don't want to have 50 employees, I want to have 48 or 49 so that doesn't apply to me because I can't afford for it to apply to me. Do you know what that means? That means those were jobs that were going to be created or those are jobs that were there but now they are part time. That means you lost money out of your paycheck.

It also has redefined, ObamaCare has redefined what part-time work is. An American economic reality is that part-time work is anything less than 40 hours, except for ObamaCare, anything less than 30 hours. So what is happening? People working part time are losing their hours.

Real world example. Sea World in Florida just announced it is moving over 2,000 of its part-time employees from 32 hours a week to 28 hours a week. That is not just a statistic. These are people who are losing 4 hours' worth of pay a week.

The very people that this bill is supposed to be helping, the working class and middle class—the people who are trying to get ahead—are the people it is directly hurting. That is just one example. There are multiple examples. Senator CRUZ and I could cite examples all night of real people who will be hurt in this way.

I have one more point that has not been talked about enough. Medicare Advantage is a program that gives seniors choices. It has competition. There are different companies that provide Medicare Advantage benefits, and they compete for the business of seniors by offering additional benefits.

My mom is a Medicare Advantage recipient. She is heavily marketed every year because—like all seniors are in that area—they want her business. How do they compete? They offer transportation, free pharmaceuticals, or whatever it may be. Well, guess what. ObamaCare takes money out of Medicare Advantage, not to save Medicare but to fund ObamaCare. Later this year—in early January—these seniors are going to get a letter in the mail saying that their Medicare Advantage plan no longer offers X, Y, or whatever some of these benefits are. That is just another example of who is hurt by this.

Why are we passionate? Why are we here about this? Look, we have an ideological objection to the government being involved in such a widespread way in health care, but now it is beyond that. We are passionate about this opportunity that we have to stop ObamaCare because of the impact this is having on real people. At the end of the day, that is what we are fighting for. We are not fighting against ObamaCare, and we are fighting for these people.

By the way, the people we are fighting for includes people who voted for the President. This includes, by the way, people who didn't vote for me or the Senator from Texas or the Senator from Utah. We are fighting for them because they are going to be hurt by this.

If your dream is to open your own business one day and to grow it, ObamaCare will hurt you. It is going to make it harder for you to be able to do that. If your dream is to do what my parents did, which is to work a job so your kids could one day have a career, ObamaCare is hurting you too. It could cost you the insurance you have now that you are happy with. It could cost you hours out of your paycheck. It could cost you your very job.

What about if you are working part time while you go to school at night? If you are paying your way through school as a part-time worker, ObamaCare is going to hurt you. You are going to lose hours at work potentially because of ObamaCare. What if you graduated from college? You finished college and have done everything that has been asked of you.

What do we tell young people in America who go to school, get good grades, a degree, and dream of having a career and better life? What do they want to do? They want to graduate from college, get married, buy a house, and start a family. A lot of people are having to put that off for a lot of reasons. ObamaCare will be one of the reasons. You know why? Because that job or career you wanted to start may not be created now because of ObamaCare.

What if you worked your whole life—like the 3 million seniors who live in Florida—and are living with dignity, security, and stability, and can finally sign up for the Medicare Advantage plan, but now ObamaCare is hurting you? That is the irony in all of this. The very people they said this plan—this bill, this idea—would help are the very people it is hurting the most. That, by the way, is the experience of big government.

I know that big government sounds appealing sometimes when you are hurting and struggling to make ends meet and then a politician comes along and says: I'm going to create a new program called jobs for Americans and health care for everybody. When you are struggling, this stuff sounds enticing. The problem is it never works. Anytime and anywhere it has been tried, it has failed, and it will fail again. It doesn't work.

In fact, big government hurts the people who are trying to make it. If you are a multibillion-dollar corporation or a millionaire or billionaire, you may not like big government, but you can afford to deal with it. If you are a major corporation in America, you can hire the best lawyers in America to navigate whatever complex rules the government throws at you. If you really don't like it, you can hire the best lobbyist in this city to write the laws in your favor or try to get them written in your favor.

However, if you are trying to start a business by using the free wi-fi at Starbucks or you are using the spare bedroom in your home to start a business, you can't navigate all of that big government stuff. You can't afford to hire a lobbyist to get a waiver from ObamaCare. That is the irony of this. The very people that big government promises to help are the people it hurts the most, and we are seeing it again with ObamaCare.

Who is getting waivers from ObamaCare? The people who can afford to influence it. That is the experience of big government. It is the experience of ObamaCare, and that is unfair. That is just not fair. It is not fair that in America the people who are willing to work hard and sacrifice are not able to achieve a better life. That is wrong.

The only way to assure that those opportunities are there is to embrace the free enterprise system, not to undermine it or try to replace it with an expansion of government that in the end will collapse under its own weight. But that is the direction we are headed in right now.

You want to know what the biggest issue facing America politically is? It

is not whether Republicans or Democrats win the next election, it is whether we will continue to be an exceptional country where anyone from anywhere can accomplish anything or whether we will become like the rest of the world, just another powerful, rich country with a big economy, but no longer the place where hard work and sacrifice is enough. That is the choice we are being asked to make on issue after issue that comes before this body, and especially on this one.

I will yield back to the Senator from Texas by just saying this: My parents were never rich. I told this story before, but I tell it, not so much to talk about me, but to talk about us, because this is our story, not just mine. My parents were never rich. When they came here, they didn't know anybody. They had no money or connections. They barely spoke the language. When they first came here, they struggled. They were discouraged. Sometimes they wondered if they made a mistake. Sometimes they thought that maybe they should have stayed back in Cuba. Ultimately, they persevered and hung in there.

Ten years after they had been here, my dad was working as a bartender and my mom worked as a maid and a cashier. They bought their first home in 1966. In fact, by 1971, they were so optimistic about the future, that after both of them were over 40 years of age, they had me, and then my sister a year and a half after that. Talk about optimistic about the future. America fundamentally changed their lives because of free enterprise.

My dad had a job at those hotels because someone had access to money and risked it. They took a risk and said: I am going to invest this money into opening up a hotel because I believe in my idea. Because someone took a risk, my dad and my mom had a job. They weren't rich. We never owned multiple homes. We never had a yacht. We never traveled to Europe. There is nothing wrong with any of those things.

My parents lived the American dream. Why? Because they lived a life no one in their family history had ever lived in terms of stability and security, and they were able to provide opportunities for their children they themselves never had. That is the American dream. It is about being able to fulfill your God-given potential, whatever it may be, and it is what is at play right now.

There are millions of people in this country who are trying to achieve their American dream. There are millions of people across America who are trying to do what my parents were able to do for me and what Senator CRUZ's parents were able to do for him. Our job is to make it easier for them to do it, not harder. Our job is to do everything we can to ensure that this is the one country on Earth where that is still possible.

When we pass bills such as ObamaCare, which claims to help people like this, we are not helping them. We are hurting them. If we hurt them, we hurt the country because there cannot be an America without an American dream. We can't be special and exceptional without the American dream, and that is what is being undermined by big government and by ObamaCare.

At the end of the day that is why we are so passionate about this, and that is why this is an issue worth fighting for.

The Senator from Texas was reading stories and cases earlier today that he heard from around the country, and that is what these people are telling us. That is what they are saying to us. They are saying: All we want is a chance to turn our dreams into reality. All we want is a chance to be able to work hard and sacrifice so we can achieve a better life. All we want is for you guys to give us a chance.

I ask the Senator from Texas: Isn't that what this issue is all about?

Mr. CRUZ. The junior Senator from Florida is absolutely correct. I agree entirely. Senator RUBIO is inspiring. Senator MARCO RUBIO is a critical national leader. When Senator MIKE LEE began this fight, MARCO RUBIO was there from day one. He was there from the beginning, despite the protests and despite official Washington saying that he should know better than to stand against the DC establishment and stand for the people.

I don't know if there is anyone more effective, more articulate, or a more persuasive voice for conservative principles than my friend MARCO RUBIO. His race in Florida 2 years ago was supposed to be impossible. I know that because I read it in the paper over and over.

Actually, many of the same people are saying this fight is impossible. They all said it with that same certitude and that same deep baritone voice: This young lad RUBIO has no chance of winning this race. If it were up to official Washington, they would have been right. By every measure of official Washington, the winner of that race that would have been picked was the governor of the State. All of Washington was behind him. The only thing that was standing with MARCO RUBIO was the people.

When he started, he was at 3 percent in the polls. That is a condition I know well because 2 years later I found myself in a similar position. Yet he ran a campaign where he crisscrossed the State of Florida. He listened to the Florida people and got support from the grassroots. His victory in 2010 was a transformational moment in American politics, and it is also emblematic about what this fight is about right here.

If you trust the talking heads on television, if you trust the reporters who tell us what is up and what is down, what is white and what is black, then ObamaCare is here to stay and America has to continue to suffer with it because we can never, ever do anything to change it. As long as this body, the Senate, believes the opinions of these 100 people in this room is more important than the American people, that will remain a true and accurate description. But that is not our job. Our job is to listen to the people.

MARCO RUBIO's parents were Cuban immigrants. His dad was a bartender. It was a family experience that resonates powerfully with me because I came from a similar background. But more important than that, MARCO RUBIO's story is the American story. There is not a Member of this Senate, or a person in this country, who doesn't have a story just like that somewhere in their background.

The most unique aspect of the United States of America, I believe, is that we are all the children of those who risked everything for freedom. I think it is the most fundamental aspect of our DNA and what it means to be an American. What unifies all of us is that as Americans we value liberty and opportunity above all else.

One of the things I admire about Senator RUBIO is how he views issues in this Senate. He doesn't look at it from how it impacts the titans of industry, such as the CEOs, but from how it impacts people such as his dad and my dad, the people who struggled and climbed the economic ladder, seeking the American dream.

If today you are a bartender at a Nevada hotel or if you are washing dishes at a restaurant, like his father and my father, respectively, ObamaCare is hurting you. It is hurting you in a way that all the Senators who have a special exemption from Barack Obama don't have to worry about. It is hurting you because your job is in jeopardy. You may well lose your job or you may not have a job to begin with.

Maybe you would like to be a bartender or wash dishes, but because of ObamaCare, there is no job to hire you. Maybe it is hurting you because what used to be a 40-hour a week job has become a 29-hour a week job and your boss has told you: I don't have any choice. ObamaCare kicks in at 30 hours a week, and it will bankrupt me.

Suddenly you are struggling by either working 29 hours a week and are unable to feed your kids or have to get a second job and work 29 hours a week and have to juggle your schedule, which results in making your life more difficult than it was before—not to mention your concerns about health insurance. Maybe you have a health insurance.

Maybe a person has a health insurance plan they have been struggling to pay, but it is important to them and they want to make sure their kids are covered, they want to make sure their spouse is covered. Yet every year they see their premiums going up and up and up.

We remember when President Obama was defending the ObamaCare bill. He promised the American people that as a result of ObamaCare, the average

family's health insurance premium would drop $2,500. He said: That is going to happen by the end of my first term. I would point out that the President's first term ended 9 months ago, and by the end of the President's first term, that promise was proven not just a little off the mark, not just kind of sort of a little bit not entirely accurate; it was proven 100 percent, categorically, objectively false.

Let me suggest to every American, if your health insurance premiums have dropped $2,500, as the President promised the average family—so there would be tens of millions for whom that is true—then I would encourage those Americans to enthusiastically stand and defend ObamaCare. But there is a reason it is so profoundly unpopular, and it is because it hasn't happened. Premiums have gone up, and the American people are hurting as a result. So DC should listen to the people. We should make DC listen.

Mr. LEE. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. LEE. I wish to ask the Senator from Texas whether he has received comments similar to those I have received from my constituents and from other concerned citizens from around the country in recent months. I wish to highlight a few and ask whether these are similar to comments the Senator from Texas has heard, concerns he has heard expressed.

Let me start by sharing one expressed by Shawn from Utah, who says:

> I do not like the fact that the President is picking winners and picking and choosing which parts of the law he will enforce. We need the three branches of government to keep freedom alive.

Well, Shawn from Utah, I share your concern. I would add to that, to Shawn from Utah, the fact that this is really what started this effort. In other words, during the first week of July 2013, when the President announced there were several provisions in the law he simply would not be implementing, he simply would not be enforcing, along the lines of what Congress enacted with the Affordable Care Act in 2010, it was at that point that I and several others put our heads together and realized that if the President is saying this law is not ready to implement, if the law objectively is not ready to implement; if, as we now understand it, the law is going to make health care less affordable rather than more affordable for so many Americans, perhaps Congress shouldn't be funding its implementation and enforcement. Perhaps that ought to be telling us something.

So it is important to remember, as Shawn from Utah points out to us, that we do have three branches of government. This is the legislative branch. Our job is to make the laws. The President does not have law-making authority. The President can seek changes in the law just as other citizens can seek them from Congress, but Congress does have to act.

Although the President wields the veto pen, the veto pen is not the legislation pen. He doesn't have the power to legislate on his own without the assistance of Congress. It is one of the reasons we are in this debacle today. It is one of the reasons we have, along with so many millions of Americans, expressed this position that we would like to fund government while defunding ObamaCare. This is something the American people are calling out for. It is something they are requesting. It is something the House of Representatives acted boldly and bravely in doing, in standing behind the American people. This really is what we are doing. This is the whole reason we are concerned about this, because we want to stand with the American people and with the House leadership, Speaker BOEHNER and the other leaders in the other body in Congress, who bravely put forward this legislation to keep government funded while defunding ObamaCare.

One of the things we have been concerned about today and one of the things I think we need to focus on over the next few days is the fact that with the House of Representatives acting last week, passing this legislation, this continuing resolution to keep government funded while defunding ObamaCare, in order for us to stand behind them, we have to monitor the manner in which that legislation is reviewed over here.

Now that the House-passed continuing resolution has reached the Senate, we have a few options. There are a few acceptable ways of treating this legislation now that it has been passed by the House. One very acceptable approach would be for us to say: OK, let's bring up the House-passed continuing resolution—the resolution that funds government but defunds ObamaCare—and let's have an up-or-down vote. Let's vote for it as is, the same way it was crafted in the House of Representatives. That would be an acceptable approach. I would be comfortable with that.

Another acceptable approach would be to say: Instead of just taking it up and passing it or not passing it as is, let's have an amendment process. Let's allow Democrats and Republicans as they may deem fit to offer amendments. Let's debate those amendments, discuss their relative merits, the pros and the cons. Let's put those before the American people in the few days we have left before the existing continuing resolution expires, let's vote on all of those, and then at the end of it we will get to the bill itself as it may have been amended by that point. That would be acceptable as well.

What is not acceptable is what many have suggested will occur. Many have suggested that the majority leader will bring up this bill and instead of saying ''let's vote on it as is'' or instead of saying ''let's have an amendment process,'' he apparently wants to have his cake and eat it too. He wants to have it both ways. He wants to bring it up and subject it to one and only one amendment—an amendment that would strip out a very critical part of the legislation, a part of the legislation that probably is the ''without which not'' element for many of the House Members who voted for it: the provision defunding ObamaCare. He wants that amendment and no other. That is not acceptable, and under that circumstance, in my opinion and in the opinions of several of my colleagues, some of whom we have heard from today, the appropriate way to register that concern is to vote against cloture on the bill if, in fact, that is what the majority leader chooses to do.

That is why we are fighting this particular battle today. That is much of what we are discussing today, is why it is that we should not be facilitating the effort of Senate leadership to, in effect, gut the House-passed continuing resolution of an extraordinarily critical element, an element without which it could never have passed in the House of Representatives and an element which, frankly, the American people expect us to take up and discuss and debate. So either way—an open amendment process, fine; an up-or-down vote on the bill as is, fine. What is not fine is an effort to try to have it both ways.

Let me share with the Senator from Texas another comment I received from a man named Michael who is also from Utah:

> We are getting a bigger and bigger government. They're telling us what we should have, what we are entitled to instead of protecting a free people paving our own path. Government gets bigger while the job market is getting crushed. I work for a company in the middle of layoffs and more are to follow. We can't continue like this.

This is an acknowledgment that so many people across our great country are making as they discover the impact of this bill—passed into law some 3½ years ago—that has not increased in popularity over the last 3 years.

Time might not have increased its popularity—in fact, it has had quite the opposite effect—but time has had the effect of expanding its volume. It has gone from 2,700 pages when it was passed to more than 20,000 pages now when we add the implementing regulations. That is quite stunning. The length of it is quite stunning. It reminds me of something James Madison wrote—I believe it was in Federalist No. 62. He said, if I may paraphrase him, it will be of little benefit to the American people that their laws may be written by individuals of their own choosing if those laws are so voluminous and complex that they can't reasonably be read and understood by the American people. Well, 2,700 pages is a little too long. It is a lot too long. And I certainly know that 20,000 pages is much, much, much too long.

That brings to mind a comment I received from Marcia, also from Utah, who writes this:

However well intentioned Obama care may be, I do not feel this is the best solution. I think something ''less wordy'' and more succinct would be a much better plan. If you can't say it in 5 pages or less, it may be best unsaid! The changes already enacted have made it more difficult for me to get medical care. Not a big help!

Well said, Marcia, very well said.

When we vote on legislation people haven't read, the American people tend to suffer. When we perpetuate a mistake once made embodied in a 2,700-page bill, things go from bad to worse to much, much worse.

What we have right now is an opportunity for us to debate and discuss the merits of something that perhaps was not adequately debated and discussed 3½ years ago when this law was passed, when Members of Congress were told to pass this law to find out what is in it. Well, we know a lot more about what is in it now. The American people have concerns.

It is appropriate to have the discussion now in connection with spending legislation because, after all, Congress does have the power of the purse. Congress is given this power, this responsibility of making decisions regarding taxing and spending. It was for this reason the founding generation wisely put it in the hands of the House of Representatives—the power of the purse—giving the House of Representatives the responsibility to initiate or originate bills relating to this power. It is the House of Representatives that is, after all, the branch of a government and of Congress that is most directly responsive to the needs of the people.

It is appropriate that we have this discussion regarding funding or not funding a piece of legislation that is going to require a lot of money and is going to be proven costly to the American people in many, many ways in the coming years—I say ''costly in many ways'' to reflect the fact that it is not just the cost of government money; it costs the American people a lot of things as well. It is costing them jobs. It is costing them wages. It is costing them access to health care in many circumstances.

Let me read something I received from Randy. Randy is from my neighboring State of Idaho. Randy writes:

My wife and I have a small business with about 20 employees. We struggle to stay in business. We feel that if and when Obamacare is implemented, we will not be able to continue to be in business.

Randy, I can't tell you how many people I have heard make very similar comments from one end of my State of Utah to the other and from people across America. You are not alone, Randy. A lot of people out there are concerned as well.

That is one thing people lose in addition to wages or jobs or access to health care—some of them lose the opportunity they have to stay in business. We are not talking about millionaires and billionaires; we are talking about hard-working Americans who put a lot on the line in order to make a decent living, in order to provide jobs for their few employees. This is something we need to look out for. This is something we may not, we must not lightly brush aside.

Here is something else some Americans will sometimes lose—something they were promised they would not lose—access to a doctor they like, access to a doctor they have come to trust over the years.

This one comes from Jack from the State of Texas. Jack says:

My family doctor of 25 years is talking about an early retirement because of policies Obamacare is going to require him to follow that will compromise the oath he took when he became an M.D.

This is sad, Jack. This is something we were promised would not happen, and it is something that should not happen. This is something that we are told is happening from time to time.

Ryan, also from Texas, writes:

My mother is a middle-class mortician whose health care coverage is going up by 68 percent for this poorly envisioned law with no other changes. She simply cannot afford to maintain health care coverage without significant changes to her lifestyle, and for what?

Sometimes we have to ask that question: And for what?

Sometimes we have to ask the question, the same question that physicians are required to ask themselves: Are we doing harm? It is my understanding that when a physician becomes licensed, he or she must take an oath, an oath that involves an obligation to first do no harm. We as lawmakers have to ask ourselves that question from time to time. We as lawmakers have to view ourselves as subject to a similar obligation to first do no harm.

(Mr. DONNELLY assumed the chair.)

Some have said that when you are carrying around a hammer, everything starts to look like a nail. I wonder whether that is sometimes true of Congress and the law-making power. Because of the law-making power we wield, sometimes, when we view problems, we assume we automatically, necessarily, inevitably have the right solutions. Well, in some cases that may be true. In other cases, it might be true in part. But that power might be used incorrectly. Sometimes when legislation is hastily drafted, thrown together in a hurry, rather than for purposes of making sure it is part of a cohesive whole—something that will be a coherent mechanism that can be implemented in a commonsense fashion—sometimes if it is thrown together too hastily and these cautions are ignored, we can end up doing a lot of harm, we can find ourselves first doing harm above all else, and that is not OK.

When we look at this law, and we look at the fact that the American people are funding its implementation, we discover it is much deeper than something that deals with an individual mandate or an employer mandate or a set of regulations governing the insurance industry. It is much more than that. It is much more than what people will have to do with regard to the reporting of some fairly personal details about their lives to the IRS, an agency that Americans have come to trust substantially less than they already did, as if that were possible.

It is about the fact that the American people—in addition to being made less free by this law, and in addition to being made less prosperous by this law—are also required to fund its implementation and its enforcement against them. That is where the power of the purse must come into play. That is what makes it so appropriate, so essential, so vital that we have this discussion right here and right now as we consider spending legislation, spending legislation that may well represent our last best hope of achieving a degree of delay or defunding of this legislation before its primary operative provisions take full effect. That is why it is important for us to have this discussion right now.

Let me emphasize again the importance of the cloture vote and the position we are taking on that. It is grounded fundamentally in the understanding that the House of Representatives acted in a manner consistent with what the American people have been asking. I cannot emphasize enough the fact that House Speaker JOHN BOEHNER and his leadership team in the House—the House Republicans have supported him in this effort. They did great work. They stood valiantly with the American people who were calling out overwhelmingly for them to take this step, to keep government funded but defund ObamaCare. And that is what they did.

Now that they have acted, there are two approaches we could take to this that are perfectly appropriate. We could vote on that legislation as is, up or down, or we could subject it to an amendment process, allow Democrats and Republicans alike to present amendments to make the House-passed resolution better, as they might deem fit. We can debate and discuss and vote on each of those. Sure, it can be time-consuming. Sure, it can be grueling. But that is our job. We took an oath to do that job. We do this all the time—maybe not as much as we should. But a few months ago in connection with the budget resolution, we as Senators stood and sat—a little of both—here all night long. We voted all night long, until 5 o'clock in the morning. People got a little cranky at times, but that is what we are here to do—not to be cranky, but we are here to vote, to cast votes on amendments. That is what we had to do that day because there were a lot of amendments. That is what we should be doing with this if, in fact, we decide we want amendments to the House-passed resolution.

So vote on it up or down as is; fine. Subject it to an open amendment process; fine. Trying to have it both ways, the majority leader telling us this will be subject to one amendment, one amendment only—an amendment that

would gut and render nugatory the operative provision that was so important to so many House Members—that is not OK. That is why those who agree with us on this point, those who feel that way, those who feel the American people need us to stand up for them, should vote no on cloture when we get to the cloture vote on the bill later in this week.

I would ask my colleague from Texas, as to these concerns I have expressed, these statements that have been made from people around the country—some of them my constituents in Utah, some of them from other parts of the country, including a couple from Texas—what similarities does the Senator see between these statements I have read today and comments the Senator has heard from his constituents as he has traveled through his great State, a State of great expanse and a State of close to 30 million people? What similarities does the Senator see between these statements and those he has heard around his State?

Mr. CRUZ. I thank my friend from Utah for that very insightful question. Let me note there are many reasons why I love the Senator from Utah. But very near the top of the list is the fact that when he ''paraphrases'' the Federalist Papers, it is darn near a word-for-word, verbatim quote. MIKE LEE is extraordinary and it is an honor to stand by his side and serve with him. The stories he has read are exactly consonant with the stories I have heard all across Texas and, frankly, all across the country. This thing is not working. It is not political. It is not partisan. It has nothing to do with what team you are on. The facts are clear. There is a reason why the unions are jumping ship. There is a reason why Teamsters President James Hoffa says ObamaCare is destroying the 40-hour workweek that is the backbone of the American middle class. There is a reason why the IRS employees union has asked to be exempted from ObamaCare. These are the guys who are in charge of enforcing it on the rest of us. They have asked to be exempt because it is not working. The facts are clear. It is a train wreck. As the lead author Democratic Senator put it: It is a train wreck.

In fact, let me share some of the tweets that have come in the preceding days. In the preceding days, the American people had a chance to speak out about ObamaCare and in particular there was a hashtag ''DefundObamacareBecause.'' In the last several days, Americans all over this country have tweeted their reason why ObamaCare should be defunded.

I will note to Senator LEE that some months ago, he and I stood on this same Senate floor, side by side with our dear friend Senator RAND PAUL, supporting him in his historic filibuster on drones. At that time I had the opportunity to read tweets that were supporting RAND's filibuster. To the best of my knowledge, that was the first time tweets had been read on the Senate floor, which I have joked to my wife makes me happy because 20 years from now if there is some obscure political geek trivial pursuit game, I am pretty confident I am going to be an answer as to the first person to have the chance to read tweets on the Senate floor.

I am going to do my best now to be the second person. Now I am reading tweets that concern the hashtag ''DefundObamacareBecause,'' but I will note there has been another hashtag tonight: ''MakeDCListen.'' And that hashtag has been trending higher and higher—''MakeDCListen''—and as the evening goes forward, I fully expect for those of you who have something you want to say, but you are not currently able to come to the Senate floor—maybe in a few years you will be, maybe you will be elected to the Senate and stand at your desk and make your arguments, but right now you are not—let me encourage you to tweet with the hashtag ''MakeDCListen,'' and I expect later in the evening to read a sample of those tweets so we can help provide voice to those millions of Americans who are frustrated that DC is not listening.

But these are some of the tweets in the past few days with the hashtag ''DefundObamacareBecause.''

It is just another way to gain control over people.

Defund ObamaCare because I don't want the government dictating my health care.

Because I don't trust the government to run my health care.

Because it was sold to us on lies. You can keep your insurance? No. My coverage reduced to nearly nothing, premiums the same.

Because it's too intrusive on our privacy.

Because it's killing jobs and stifling the economy.

Because it's forcing small businesses to lay off full-time workers and replace them with part-time workers to avoid bankrupting mandates.

Because Congress should be representing us, we the people. A majority of Americans don't want ObamaCare.

Because it adds layers of government, inefficiency, centralizes control to ivory-tower bureaucrats. Massive drag on the economy.

Because it will lead to SINGLE-PAYER health ''care''.

''SINGLE-PAYER'' is all caps and ''care'' is in quotes.

Bad, bad, bad, bad, bad.

Because it's not even implemented yet and it has already raised my insurance rates and reduced the quality of my medical care.

Because cancellation notices from my carrier due to ACA kind of ruined the narrative: Like it, keep it. Bombs away on ACA.

Because I don't want the government deciding my family's health care.

Because the cost of health care will increase with quality decreasing. Empower the free market.

Because it is a threat to jobs and our economy.

Because I got laid off. My chances of finding another job are slim too. None now.

Because it's time people in DC do what's best for this country instead of their political party.

Let me read that one again: ''Because it's time for people in DC to do what's best for this country instead of their political party.''

If we listened to the people, if we make DC listen, this would not be about party, this would not be about Democrats sticking to the bill they passed, this would not be about Republicans afraid of political blame and repercussions. This would be about 100 Senators listening to people and saying: This bill is not working.

Because it kills jobs and the backbone of the American middle class.

Because it's killing free clinics and reducing access to care.

Because Americans love freedom.

Because it's a job-killing machine, up to and including doctors.

Because I don't want government to control my health care.

Because the free market works and government regulation does not.

Because Americans can't live on part-time wages and pay the outrageously high cost of ObamaCare.

Because it violates Americans' first amendment right to religious liberty.

Because we the people don't want it and the government works for us.

Let me repeat that one again: ''Because we the people don't want it and the government works for us.''

Let me note something, by the way. That hashtag was a simple hashtag: ''DefundObamacareBecause.'' That is the message that is coming from the people. Washington is not listening. It is why tonight ''MakeDCListen'' is trending higher and higher as a hashtag because that is what this fight is about. Washington is not listening to the people.

Because it has already resulted in great doctors leaving medicine.

Because government is not meant to force me into something they have no business in.

Because I'm against force and coercion from government. If it was a great idea, it would be voluntary.

Now that says something.

If it was a great idea, why is the Federal Government forcing you to be a part of it? By the way, why, at the same time, is the President granting exemptions to big corporations and to Members of Congress? If it is a great idea, they would not have to force you to participate. If it was a great idea, Members of Congress would not have asked the President for an exemption so that Members of Congress get a special rule that does not apply to the American people.

Because I do not want bureaucrats involved in my physician's decisions on my health care.

Because I value my freedom.

Because it's ruining the 40-hour work week, according to unions.

Because it is crony capitalism for the health care industrial complex.

Because you don't want a bunch of bureaucrats deciding which medical treatments you can and can't receive. What do they know?

Because the government SHOULD NOT own our medical data.

Because the IRS will be enforcing it.

Now, that is a pair that gives you great comfort. The IRS in charge of it, the IRS employee unions publicly asked them to be exempted from ObamaCare. Right now they are assembling the largest database in the history of our health care records. We have seen the IRS—their willingness to abuse their power. Under ObamaCare

right now, they just have access to our health care records so it is not like anyone should be concerned about it.

Because it is a job-killing, economy-destroying, health care-ruining, debt-exploding, out of control government mess.

I like that one.

Because it is a job-killing, economy-destroying, health care ruining, debt-exploding, out of control government mess.

Because ObamaCare is all about socialistic control of we the people and nothing to do with fixing health care.

Because it was rammed through in the dark of the night, and that should matter.

Because it has already come between me and my doctors and it is not even fully implemented yet.

Next time you see your physician, do you want your friendly neighborhood Federal bureaucrat sitting down and being part of the physician's meeting? I do not. I know Texans do not either, most Americans do not either.

Because it is a Trojan horse. Once inside it will destroy us.

Because even the unions agree it's not working.

Because we need the IRS to get out of our lives, not make health care decisions for us.

Because it will cost Americans their jobs.

Because it's a red herring being used to move the credit to a single-payer system.

As we noted earlier, that is not—some people dismiss that. Oh, single payer, this is designed to go there. You know that is just crazy, tinfoil hat-wearing stuff. But there is an old saying: Just because you are paranoid doesn't mean they are not out to get you. Yes, there are people worried about single payer. They have every good reason to be, particularly when the majority leader of the Senate goes on television and says: The purpose of ObamaCare is to send people into a single-payer system, government-provided socialized health care.

That is the express purpose from those who voted for ObamaCare, to destroy the private health insurance system and to move to single-payer government socialized medicine.

Because honestly the people do not want it.

Because problems cannot be solved by a larger government than the one that created them.

Because after 3 years, they are still trying to sell it to us.

That is a good point. If it were such a great idea—don't you remember at the time, they said: Gosh, when people get it, they are going to love it. It is going to work. You know what. If it had, we would be having a very different discussion. If it had worked, the American people would support it. We would see the results. We would see the benefits, and we would not have this debate. If it were working well, we would not be having this debate because the American people would support it. The facts are clear. So even those who voted 3 years ago, unless your view of serving in office is: Hey, once I vote, I stick to it no matter what the facts say, no matter how much people are hurting, no matter how big a disaster it is. I ain't changing no matter what.

I cannot believe there are many Senators in this body who want to approach voting like that. That is not a responsible way to approach a job. The facts are clear. This thing is not working. All 100 of us ought to act to avert this train wreck.

Because it is and will continue to destroy jobs, slow hiring, and move others to part-time status.

Because if you don't, your doctor might just retire early.

How many know a doctor who is retiring early? I know quite a few who are retiring. Do you think that is good for our health care system, seeing doctors retire early? I know older doctors who are advising young students, do not go to med school. Do you think that is good for health care? Do you think that is going to expand our health care if we do not see bright young students going to medical school? That is what ObamaCare is doing.

Because you do not want an IRS agent deciding if your mom lives or dies.

Because it makes health insurance less affordable. My premiums will be higher to subsidize people who cannot afford insurance.

Because even the unions don't want it.

Because the IRS has shown they are willing to abuse power for political gain.

Because it's not about care, it is about government control.

Because I shouldn't have to pay for the murder of innocent, unborn babies through abortion.

Because if it worked, Democratic Senators would not have needed to be bribed to vote for it.

Because the death panel is an unchecked bureaucracy accountable to no one.

Because I love my current health care and doctors.

Do you like your current health care? Do you like your doctor? Do you want to keep seeing your doctor? I tell you, Americans all over this country are losing their health care because of ObamaCare. They are losing their ability to see their doctors. That is what happens if the Senate does not act to defund ObamaCare.

Because the majority of the country is against it.

Because premiums up 100 percent after dropped off spouse's plan. Elimination of meds coverage, reduction of choices and treatments.

These are real people tweeting. They are sharing their stories of why they do not like ObamaCare. Do you notice these stories are not: Because I am a Republican. Because I am a Democrat. Because I believe in this ideology. It is because: This thing is hurting me and my family. If this body were listening to the people, we would have 100 Senators concerned about all of the Americans being hurt by ObamaCare and here at any hour of the night ready to act to stop it.

Because no one wants to live in their parent's basement forever.

Because Reagan once said, you can't be for big government, big bureaucracy and still be for the little guy.

Boy, ain't that the truth.

Because I don't want to pay more taxes to fund it.

Because it does nothing to reduce costs while hurting many full-time employees who are dropped to part time.

Because it makes health insurance less affordable, my premiums will be higher to subsidize people who cannot afford insurance.

Because it actually does add a dime to the deficit, and a lot of them.

Because—

Three words in all caps.

—INTERNAL REVENUE SERVICE.

Because it is killing full-time jobs and stunting the growth of businesses that want to hire.

Because government should not be in charge of something as important as health care.

Because the devil himself wouldn't put the IRS between you and your doctor.

I like that one too.

Because the more exemptions that are given out, the more ObamaCare won't work.

Because I cannot afford to get two jobs, pay outrageous prices for crappy insurance. I will lose my full time.

Because that time Congress passed the law and then excluded themselves. #healthcarehypocrisy.

Because doctors and hospitals are already becoming limited.

Because it is designed to collapse private insurance and force us all to single payer. Socialism.

Again, I would note that is not hypothetical. That is what majority leader HARRY REID has publicly said on television.

Because insurance isn't very helpful when you can't find a doctor.

Because I don't need to spend a decade of my life filling out government forms.

Because baby-boomer doctors will retire in droves, plus more who won't practice in this environment.

Because if it is not good enough for Congress, it sure as shooting is not good enough for the people.

Those are sentiments we are hearing from all across the country. Those are sentiments that reflect the views of the American people, not just in Texas, in all 50 States, and not just Republicans but Democrats, Independents, Libertarians. The American people understand that when you have a law that is killing jobs, when you have a law that is hammering small businesses, when you have a law that is forcing people into part-time work and to work 29 hours a week, when you have a law that is causing skyrocketing insurance premiums, when you have a law that is causing more and more people to lose their health insurance, you have a law that is not working.

You have a train wreck, as the Democratic Senator who is the lead author of this bill described it. Yet right now the Senate is not listening to the American people. The Democrats in the Senate understandably have circled the wagons. They passed this bill, and even if it is a sinking ship, we have yet to see Democrats come out and say: We tried it. It didn't work. Let's listen to the American people. I hope the time comes this week where we see some courageous Democrats stand—and let me say to any Democratic Senator who does so, he or she will receive withering criticisms from the partisans in your party.

Now I will know, as someone not entirely unfamiliar with receiving withering criticisms from one's own party. There are worse things in life. I promise you that it is, in the order of things to be worried about, quite low. You know I am a lot more concerned about a single mom working in a diner trying to feed her kids than I am about whether some Senator or some congressional staffer wants to run to a newspaper and say something mean about me.

So any Democratic Senator who is thinking about responding to the concerns that I know you are hearing from your citizens, because we are hearing it all over the country, let me suggest a little bit of grief for breaking party discipline is a small price to pay for doing your job, for listening to the American people.

Let me say to the Republicans: There is a lot of concern about political blame. There is a lot of concern about: If we would just get a symbolic vote so we can all say we are opposed to it, but let's not actually do anything to change ObamaCare. Let me suggest to my Republican friends that we should worry a lot less about blame and credit and politics and just worry about fixing the darn thing for the American people.

If we get back to an economy where jobs are booming, where small businesses are thriving, where people who are struggling and want the American dream can get that first job and get that second job and climb that economic ladder and advance, provide for their families, that answers a whole lot of problems.

I have heard some partisan observers say: ObamaCare is not the biggest job killer in the country. No. 1, it is ironic that is the particular debate, about whether it is the biggest job killer or the second biggest job killer. But let me tell you, I do not think there is any debate on that question.

So let me point to a list by Investors Business Daily of 300 cuts to work hours or jobs.

Well, if you don't believe ObamaCare is the biggest job killer in the country, look to the facts. This year report after report has rolled in about employers restricting work hours to less than 30 hours per week—the point where the mandate kicks in. The data also points to record-low workweeks in low-wage industries. It is low-wage industries in particular because the people who get hammered by this are not the CEOs. It is not the rich. The rich have done just fine under President Obama. It is hard-working American families, the people who are struggling. It is young people, Hispanics, African Americans, and single moms. They are the ones who are losing their jobs and being forced to work 29 hours a week.

Investor's Business Daily compiled a list of job actions that provide strong proof that ObamaCare's employer mandate is behind cuts to work or staffing cuts. As of September 18, 2013, their ObamaCare scorecard included 301 employers.

In the State of Alabama, Houston County cut the hours of part-time employees to less than 30 hours per week.

In California, Biola University cut student work hours to a maximum of 25 per week and suspended the limit due to the employer mandate delay. That is interesting. They cut it, and then when the employer mandate delay kicked in, they suspended that. If you want to understand cause and effect, look to the behavior, look to the suffering, look to the job losses that are coming as a direct result of ObamaCare.

In Florida, Bealls department stores restricted part-time hours to less than 30 hours a week.

In Florida, SeaWorld Entertainment—have any of you ever taken your kids to SeaWorld? They cut hours for part-time workers from a maximum of 32 hours to 28 hours a week. That is SeaWorld, which is a big employer.

In Illinois, Palmer Place Restaurant cut hours for some workers below 30 hours a week.

In Kansas, the Salina Family YMCA cut part-time employee schedules to a maximum of 25 hours per week.

In New Jersey, Middletown Township Public Schools cut hours for paraprofessionals to below 30 hours per week.

The great State of Texas—it actually doesn't say ''great State'' on the list, but I view that as implied—Sam Houston State University limited student work hours to 29 per week, impacting multiple job holders.

In Michigan, Auburn Hills reduced hours for part-time seasonal workers to less than 30 per week.

In Pennsylvania, Friendship Community cut part-time hours to below 30 per week. That, by the way, is a group home for adults with disabilities. Not only are the folks at Friendship Community working to help adults with disabilities, they are also getting their hours cut. That is their penalty for making a difference in their community.

In Michigan, Meridian Public Schools cut schedules of hourly workers to less than 30 hours per week.

In Arizona, Arizona State University limited course loads for nontenured associate faculty members.

In Maine, Mainesubway, the Subway franchisee, reduced worker hours to no more than 29 per week.

In New York, Finger Lakes Community College capped course loads for adjunct faculty.

In South Carolina, Tsunami Surf Shops—I like that name; that is a surf shop with an attitude—will limit workers to less than 30 hours per week.

In Illinois, Southern Illinois University limited graduate teaching assistants to 20 hours per week.

In Indiana, Vincennes cut the hours of part-timers to 29 per week.

In California, the Mexican American Opportunity Foundation cut the hours of employees working up to 39 hours a week to less than 30. I am talking about a real impact from this law.

In Georgia, Georgia Military College cut the hours of adjunct faculty to below 30 hours per week.

In Illinois, Vcm Inc., the Subway franchisee, reduced hours for hourly wage earners to below 30 per week.

In Indiana, Ball State University limited work hours for graduate assistants.

In New Jersey, Toms River will cut part-time hours to 25 hours per week, effective July 2014.

In North Carolina, Forsyth Community Technical College reduced hours for adjunct faculty to below 30 hours per week. Also in North Carolina, Wilkes Community College reduced teaching loads for adjunct faculty to below 30 hours a week.

Let me go through a few of these that are much the same:

Texas, Consolidated Restaurant Operations and Dave & Buster's; Pennsylvania, Philadelphia University; Virginia, K-VA-T Food Stores; Missouri, Three Rivers College. In Alabama, the University of Alabama capped student work hours at 20 per week. That may, in fact, be justifiable punishment for their having beaten Texas A&M, but it is still not good for the students who would like to work more than 20 hours per week. Florida, Brevard County; Florida, Buca di Beppo restaurant chain; Florida, Hillsborough Community College; Florida, St. Petersburg College; Georgia, Cherokee County School Board; Indiana, Hancock County; Indiana, Morgan County; Michigan, Central Michigan University; New Jersey, NEMF trucking company; North Carolina, Henderson; Ohio, White Castle. We read a letter from White Castle earlier today. They used to open eight new restaurants a year. They have reduced it to two. Think of all the people who won't get jobs because there is no White Castle over there, not to mention all of the hungry college kids who at 3 in the morning are just craving a White Castle and they can't find one. Oregon, Shari's restaurants; Pennsylvania, Carnegie Museum; Tennessee, Oneida Special School District; Tennessee, Scott County School System; Tennessee, Stewart County School System; Texas, Jim's Restaurant; Virginia, Christopher Savvides Restaurant & catering; Wisconsin, Minocqua-Hazelhurst-Lake Tomahawk School District; Wisconsin, Trig's Supermarkets; Alabama, University of North Alabama; California, Fatburger. Now there is truth in advertising. Iowa, Lee County; Michigan, Delta County; Texas, Bee County; Idaho, Boundary County; North Carolina, Rutherford County; Pennsylvania, Lawrence County; Michigan, Kenowa Hills Public Schools; New Jersey, City of Burlington Public Schools; Texas, the Lion & Rose British Restaurant and Pub; Texas, MTC Inc. Restaurant Management; Utah, Millard School District; Arkansas, Area Agency on Aging of

Western Arkansas; Arkansas, Walmart Stores, Inc. Has anyone heard of them? They increased temp share of workforce to ''fewer than 10 percent'' from 1 to 2 percent before this year. California, CKE Restaurants, Inc.

The list goes on and on.

Every one of those—and I read the first 50 or 75 out of 301—it is all over the country. It is every State. A lot of folks in this body may say: Well, that doesn't impact us. What is the problem? If you serve in the Senate, your salary is guaranteed no matter what. Besides, we are exempted from ObamaCare. So what is the concern?

That is official Washington for you. What is the problem? Government is a boom business. If you look at the counties surrounding Washington, DC, they are booming. Why? Because government is growing, growing, growing, and growing.

At every place I just read, there are men and women working and almost none of them are wealthy. Almost none of them are fat cats. Almost none of them are, as the President likes to invoke so often, millionaires and billionaires. They are 22-year-old kids, some who are recent college graduates and some who dropped out of high school, but they are trying to work. They would like to make a better life. They are not able to do so. They are not able to do so because of ObamaCare.

Every one of those names—and listening to those names, it would be easy to zone out: Oh, another name, another name; those are just empty names. Every one of those names—there are men, women, and their kids who are suffering because of that. If you have a job, working hard, trying to provide for your family, and you are told: Congratulations; you will be working 29 hours a week courtesy of the Senate and ObamaCare—talk about a failed law.

In the last election, young people voted overwhelmingly for the reelection of the President. Indeed, some of my friends on the Democratic side of the aisle believe that a new dawn has arrived, that young people will remain permanently Democrats and thus keep a Democratic majority in the Senate for time immemorial. I am not convinced of that.

I will say it is interesting—you could not design a law to do more damage to young people than ObamaCare if you sat down and tried. If you sat down and said: Let's really pound the living daylights out of young people, you couldn't do it.

We will talk later tonight about premiums that are going up, especially for young people, because one way to understand ObamaCare is it is a massive wealth transfer from young healthy people to everyone else. If you are young and healthy, Congress looked at you, licked their chops, and said: You are for dinner. Not only that, the people who are getting their hours forcibly reduced are overwhelmingly young people. They are people who are starting their climb on the economic ladder. If you don't get that first job, you don't get the second, and you don't get the third. It impacts you for a long, long time.

Just recently, I read an article in the Wall Street Journal that I think is relevant for every young person to read because it explains how ObamaCare is impacting you not just today but for decades to come. I think young people have a particularly acute desire to see this Senate act this week to defund ObamaCare because it is young people paying the price. Don't take my word for it, take the Wall Street Journal. On September 1, 2013, the Wall Street had a major article that was entitled ''Wanted: Jobs for the New 'Lost' Generation.'' If you are a young person, you should feel excited: there is now a title for your generation—the ''lost generation.'' I mentioned that if you were trying to design a law to hurt young people, ObamaCare—you couldn't do better than that. Well, it has produced a lost generation.

Here is what the Wall Street Journal said:

> Like so many young Americans, Derek Wetherell is stuck. At 23 years old, he has a job, but not a career, and little prospect for advancement. He has tens of thousands of dollars in student debt—

I know what student debt is like. It was only 2 years ago that I paid off my student debt. I had to take out student debt to pay my way through college and law school. There are a lot of young people right now struggling to pay off student debt. I will tell you, if you combine student debt with a dead-end job or not being able to find a job at all, that is a recipe for a lost generation.

Continuing with Derek Wetherell:

> He has tens of thousands of dollars in student debt, but no college degree.

That is becoming more and more common. People take out loans to get a college degree, but they are not finishing. They are not able to finish.

> He says he is more likely to move back in with his parents than to buy a home—

The American dream used to be that everyone wanted to buy their own home, have a white picket fence, have a swing out front on which your kids could play. That was our parents' dreams. That was their parents' dreams. That has been the American dream for generations. I ask young people, how many of you feel that dream is a realistic prospect for you? It was for your parents when they were your age. Let me tell you, the policies this Congress has put in place because we are not listening to the American people are a direct cause of that. ObamaCare is a direct cause of that.

Mr. Wetherell continues:

> He says he is more likely to move back in with his parents than to buy a home, and he doesn't know what he will do if his car—a 2001 Chrysler Sebring with well over 100,000 miles—breaks down.

Is there anyone else in America who has a car that is 12 years old with 100,000 miles and is wondering what happens if they wake up one morning and turn the key and nothing happens? If you have a good job, if you are climbing the economic ladder, if you have career prospects, you can deal with that. If you are stuck in a dead-end job and living paycheck to paycheck, that is a huge problem.

> ''I'm kind of spinning my wheels,'' Mr. Wetherell says. ''We can wishfully think that eventually it's going to get better, but we don't really know, and that doesn't really help us now.''

There are millions of Americans who feel exactly like that.

> Mr. Wetherell is a member of the lost generation, a group that is now only beginning to gain attention from many economists and employment experts.

Young people should feel particularly privileged that they have coined a new term for their generation—the lost generation—because of ObamaCare and the policies of this administration.

> From Oakland to Orlando—and across the ocean in Birmingham and Barcelona—young people have come of age amid the most prolonged period of economic distress since the Great Depression.
>
> Most, like Mr. Wetherell, have little memory of the financial crisis itself, which struck while they were still in high school. But they are all too familiar with its aftermath: the crippling recession, which made it all but impossible for many young people to get a first foothold in the job market, and the achingly slow recovery that has left the prosperity of their parents' generation out of reach—perhaps permanently.
>
> ''This has been for quite a while now a hostile environment for young people,'' said Paul Taylor, executive vice president of the Pew Research Center, which has studied the impact of the recession on young people. ''This is all they've really known.''
>
> The financial crisis that struck five years ago this month opened up a sinkhole in the U.S. economy that swallowed Americans of all ages and backgrounds. Retirees lost life savings. Families lost homes. Millions of Americans lost their jobs. Five years later, that hole is being filled in, however slowly. The unemployment rate is down to 7.3 percent amid slow, steady job growth.

Although, as we noted earlier, that 7.3 percent vastly understates it, because so many have given up looking for work altogether.

> The stock market has rallied to new highs. Home prices are rebounding. Total output has surpassed its prerecession peak.
>
> But the recovery has left many young people behind. The official unemployment rate for Americans under age 25 was 15.6 percent in August, down from a peak of nearly 20 percent in 2010 but still more than 2½ times the rate of those 25 and older—a gap that has widened during the recovery.

In other words, it has gotten worse for young people during the past few years.

> Moreover, the unemployment rate ignores the hundreds of thousands of young people who have taken shelter from the weak job market by going to college, enrolling in training programs or otherwise sitting on the sidelines.

Do any of you know anyone—do any of you, right now, know anyone doing that—going to school because, gosh, jobs are so lousy, maybe, you think,

you will try to do something at school and maybe things will get better? If ObamaCare keeps hammering small businesses so they do not hire new workers and they keep reducing hours, the prospects for things getting better are not very bright.

Even those lucky enough to be employed are often struggling. Little more than half are working full time—compared with about 80 percent of the population at large—and 12 percent earn minimum wage or less.

Let me repeat that. For young people who are working, little more than half are working full time. If you are a young person, if you are hoping to start a career, being forced into a part-time job because of ObamaCare is a big problem.

The median weekly wage for young workers has fallen more than 5 percent since 2007, after adjusting for inflation; for those 25 and older, wages have stayed roughly flat.

It is getting worse for young people. It is young people who are really getting hit by this. Let me ask young people: What urgency do you see in the Senate? Is the floor of the Senate filled with Senators saying there is a crisis with young people; let's step forward and help them get jobs? Nope. Senators have very busy calendars. There are cocktail parties to go to. Responding to the crisis that young people are facing is not high on the priority of enough Members of this Senate because Washington isn't listening to the people. That is why the hashtag is trending: ''MakeDCListen.'' Because we need to make DC listen.

This generation's struggles have few historical precedents, at least in the U.S.

You all should feel excited. You have made history, although, unfortunately, not for a good reason, because the government has put policies in place that have so hammered small businesses that they have created a job market that makes life incredibly difficult for young people.

The recession of the early 1980s was comparable but was followed by a rapid recovery.

Well, gosh, what happened in the early 1980s? President Ronald Reagan was elected. He implemented policies the exact opposite of this administration's policies. Instead of jacking up taxes by $1.7 trillion, as this Congress and this President has done, President Reagan slashed taxes and simplified the Tax Code. Instead of exploding government spending and the debt, President Reagan restrained the growth of government spending. And instead of unleashing regulators like locusts that destroy small businesses, President Reagan restrained regulation and the result was incredible growth.

For young people who have never known anything other than these abysmal economic conditions, there is another way. Every time we have implemented pro free-enterprise policies of restraining taxes, restraining regulation, reining in out-of-control government spending and debt, the result has been small businesses have prospered and thrived. They have created jobs, and the result has been young people could get jobs, full-time jobs that advance towards a career and towards the American Dream.

The economic legacy of the Great Depression was erased to a large degree by World War II and the boom that followed. No similar rebound looks likely this time around.

What a crying shame. Wouldn't it be nice if this week we forced them to change that sentence. Suppose this week Washington, DC, changed. Suppose this week Senators in this body—Republicans and Democrats—decided we are going to do something we haven't done in a long time. We are going to listen to the people. The American people say their top priority is jobs and the economy. Suppose Members of the Senate said: Hot diggity, our top priority is jobs and the economy. Suppose Members of the Senate came together, and Republicans said we are going to stand together on cloture. On the vote on Friday or Saturday, all 46 of us are going to vote against cloture because ObamaCare is killing jobs. It is the biggest job killer and it is hurting the American people. And suppose Democrats said: You know, even though we supported ObamaCare, we have seen how it is implemented, it is not working, it is a train wreck, the American people are hurting, and we are going to respond. We are going to respond to young people—the young people, by the way, on Twitter and in social media we are reaching out to all the time.

You know, lots of politics is very interesting, but nothing is better for a young person than a growing economy and an opportunity to have a job to work to achieve the American Dream. Yet the Wall Street Journal says no similar rebound looks likely this time around. I tell you what. If we act in an historic show of courage to defund ObamaCare, that will change.

What evidence does exist suggests today's young people will suffer long-term consequences.

Now, this is important. You say may: Well, the job I have now is not great, but it will be fine in a few years. Here is part of the problem. When young people are stuck in dead-end jobs, if they don't get opportunity now, it echoes throughout that generation for decades.

One recent study by Yale University economist Lisa Kahn found that after the 1980s recession, new college graduates lost 6 to 7 percent in initial wages for every one percentage point increase in the unemployment rate. The effects shrank over time, but even 15 years after graduation, those who finished college in bad economic times earned less than similar people who graduated in better times. Some never caught up at all.

So this stagnant economic growth, if you are a young person, I am sorry to tell you, it is not just a problem now. If you don't see the Senate finally listening to the American people, finally working to bring back economic growth, the stagnant economic opportunities we have right now are likely to haunt the lost generation of young people for decades to come. This is an urgency that should have this Senate floor packed.

You know what. A lot of men and women in this body have kids who are in that generation. And we should be horrified, we should be outraged that the future of our young people is jeopardized.

Mr. Wetherell, the son of an electrician, grew up in Imperial, MO, a very small town south of St. Louis, where job opportunities were limited even when the economy was strong, and it wasn't when he graduated from high school in 2008. He enrolled at the University of Missouri-St. Louis, juggled a full course load, had a full-time job at a local grocery store, and tracked his near-constant commitments on a dry-erase board in his room.

Eventually, the schedule wore him down. He withdrew from school in 2011, though he says he still plans to complete his degree. He owes $27,000 in student debt—roughly his annual pretax earnings—with three semesters still to go.

Mr. Wetherell is better off than many of his peers. He works at Schnucks, a locally owned supermarket chain where he is a union member—

And, by the way, that is one of the reasons why so many unions that have supported ObamaCare are turning on it now—

receives health benefits and is paid $12.65 an hour. That is enough to cover $400 monthly rent and $200 in student loan payments. But it leaves little left over for an emergency fund, let alone retirement savings.

How many young people right now are able to save for retirement? That is something else that will echo for decades. Savings when you are young are most important for retirement because through compounding interest they can grow over the years.

''It's kind of unsettling not being able to put anything away,'' says Mr. Wetherell, a political science major.

Even more unsettling: Wetherell has noticed that more and more of his coworkers have college degrees, some from well-regarded colleges like Washington University. What he had intended as a job to help pay his way through college has now turned into a destination for college graduates. ''I think a lot about whether I'm ahead or behind,'' he says. ''I really hope I'm not ahead.''

What does that say when what used to be a part-time job that would help people pay their way through school becomes a destination for college graduates?

You know, my dad worked his way through the University of Texas as a dishwasher and then as a cook. That job is what let him get the education. How much different would it have been if, after he had gotten his degree, he had shown up and they had said: Let's start washing dishes.

Americans aren't the only ones asking such questions.

I'm going to pause in this article because it is 8 o'clock right now, and I mentioned before that Heidi and I are blessed to have two little girls, Caroline and Catherine. Caroline is 5 and Catherine is 2. I love my daughters with all my heart. They are the joys of my life. I will tell you the hardest aspect of public service is not someone

saying something mean about you—the press. The hardest aspect of public service is being away from those little precious angels and coming up here to DC. I tell you, it breaks your heart on Monday morning when I walk out of the house and one girl grabs one leg and one girl grabs the other and they say: Don't leave, Dad.

Well, right now, Caroline and Catherine are both at home getting ready to go to bed, and they have both turned on the television. They are both watching C–SPAN. Now I'm going to confess that Caroline and Catherine don't usually watch C–SPAN since there are far too few animated features on C–SPAN. But because the girls are watching, and my wife Heidi is watching with them, I wanted to take an opportunity—an opportunity I don't usually have when I am in DC—to read them a couple of bedtime stories. They are watching right now, and if you will forgive me, I want to take the opportunity to read two bedtime stories to my girls.

But there is a point to this also. The point is very simple: The urgency we have and should feel is because of our kids. It is because of the future they are facing. It is because of the limited opportunities they have.

I wish to read first to Caroline and Catherine Bible stories from the Old and New Testaments. We often read similar stories at home. This one is entitled ''King Solomon's Wise Words.'' It is from Proverbs 10, 11, 12, 14, 16, 17, 20, and 21.

So, Caroline and Catherine:

King Solomon had good advice for how people could live a good life and be happy. Here are some of his wise sayings:

Children with good sense make their parents happy, but foolish children make them sad.

Sweetheart, you make your mommy and me very happy.

You will say the wrong thing if you talk too much, so be sensible and watch what you say.

I will have to confess to my colleagues, that is not an encouraging Proverb for someone in the midst of a filibuster.

Kindness is rewarded—but if you are cruel, you hurt yourself.

Try hard to do right, and you will win friends; go looking for trouble, and you will find it.

Good people are kind to their animals, but a mean person is cruel.

We trap ourselves by telling lies, but we stay out of trouble by living right.

It's wrong to hate others, but God blesses everyone who is kind to the poor.

Kind words are like honey—they cheer you up and make you feel strong.

Don't trust violent people. They will mislead you to do the wrong thing.

Even fools seem smart when they are quiet.

I suppose that may counteract the other one.

Good people live right, and God blesses the children who follow their example.

Hearing and seeing are gifts from the Lord.

The food you get by cheating may taste delicious, but it turns to gravel.

And,

If you try to be kind and good, you will be blessed with life and goodness and honor.

So that is the first story for Caroline and Catherine.

The second one is what they know is my favorite story. It was my favorite story when I was a kid and it is a story I love reading to them. I actually don't get to read it to them often because we have a rule at home that they get to pick the books. For whatever reason, they don't pick Dr. Seuss's ''Green Eggs and Ham'' all that often. I don't get to read it that often because I tell them, Go pick the books you want to read, and I read to them. But since tonight, girls, you aren't here, you don't get to pick the book, so I got to pick ''Green Eggs and Ham.'' I love this story, so I am going to read it to you.

Sam I Am.
That Sam-I-am!
That Sam-I-am!
I do not like that Sam-I-am!
Do you like green eggs and ham?
I do not like them, Sam-I-am.
I do not like green eggs and ham.
Would you like them here or there?
I would not like them here or there.
I would not like them anywhere.
I do not like green eggs and ham.
I do not like them, Sam-I-am.
Would you like them in a house?
Would you like them with a mouse?
I do not like them in a house.
I do not like them with a mouse.
I do not like them here or there.
I do not like them anywhere.
I do not like green eggs and ham.
I do not like them, Sam-I-am.
Would you eat them in a box?
Would you eat them with a fox?
Not in a box.
Not with a fox.
Not in a house.
Not with a mouse.
I would not eat them here or there.
I would not eat them anywhere.
I would not eat green eggs and ham.
I do not like them, Sam-I-am.
Would you? Could you?
In a car?
Eat them! Eat them!
Here they are.
I would not, could not, in a car.
You may like them.
You will see.
You may like them in a tree!
I would not, could not, in a tree.
Not in a car! You let me be.
I do not like them in a box.
I do not like them with a fox.
I do not like them in a house.
I do not like them with a mouse.
I do not like them here or there.
I do not like them anywhere.
I do not like green eggs and ham.
I do not like them, Sam-I-am.
A train! A train!
A train! A train!
Could you, would you, on a train?
Not on a train! Not in a tree!
Not in a car! Sam, let me be!
I would not, could not, in a box.
I could not, would not, with a fox.
I will not eat them with a mouse.
I will not eat them in a house.
I will not eat them here or there.
I will not eat them anywhere.
I do not like green eggs and ham.
I do not like them, Sam-I-am.
Say!
In the dark?
Here in the dark!
Would you, could you, in the dark?
I would not, could not, in the dark.
Would you, could you, in the rain?
I would not, could not, in the rain.
Not in the dark. Not on a train.
Not in a car. Not in a tree.
I do not like them, Sam, you see.
Not in a house. Not in a box.
Not with a mouse. Not with a fox.
I will not eat them here or there.
I do not like them anywhere!
You do not like green eggs and ham?
I do not like them, Sam-I-am.
Could you, would you, with a goat?
I would not, could not, with a goat!
Would you, could you, on a boat?
I could not, would not, on a boat.
I will not, will not, with a goat.
I will not eat them in the rain.
I will not eat them on a train.
Not in the dark! Not in a tree!
Not in a car! You let them be!
I do not like them in a box.
I do not like them with a fox.
I will not eat them in a house.
I do not like them with a mouse.
I do not like them here or there.
I do not like them ANYWHERE!
I do not like green eggs and ham!
I do not like them, Sam-I-am.
You do not like them.
So you say.
Try them! Try them!
And you may.
Try them and you may, I say.
Sam!
If you will let me be,
I will try them.
You will see.

And on this page he is simply holding green eggs and ham on a fork preparing to bite them.

Say!
I like green eggs and ham!
I do! I like them, Sam-I-am!
And I would eat them in a boat.
And I would eat them with a goat . . .
And I will eat them in the rain.
And in the dark. And on a train.
And in a car. And in a tree.
They are so good, so good, you see!
So I will eat them in a box.
And I will eat them with a fox.
And I will eat them in a house.
And I will eat them with a mouse.
And I will eat them here and there.
Say! I will eat them ANYWHERE!
I do so like
green eggs and ham!
Thank you!
Thank you,
Sam-I-am!

I want to say to Caroline and Catherine, my angels, I love you with all my heart. It is bedtime. Give Mommy a hug and a kiss, brush your teeth, say your prayers, and Daddy is going to be home soon to read to you in person.

Let me say more broadly to everyone, ''Green Eggs and Ham'' has some applicability, as curious as it might sound, to ObamaCare, because 3½ years ago President Obama and Senate Democrats told the American people, Just try ObamaCare. Just try it. There were an awful lot of Republicans who were very skeptical of it, I think for good reasons, but very skeptical. And we were told try it, try it, try it, try it. Unfortunately, through an exercise of brute political force, ObamaCare became the law of the land.

But the difference with ''Green Eggs and Ham'' is when Americans tried it, they discovered they did not like green

eggs and ham and they did not like ObamaCare either. They did not like ObamaCare in a box, with a fox, in a house, or with a mouse. It is not working.

One of the oldest definitions of insanity is continuing to do the same thing over and over expecting different results. I understand why many supported ObamaCare in the beginning. But if you look at the facts, if you look at the evidence, if you look at what is happening when the American people have tried it, it is not working. And if we listen to the people—if we listen to the American people, every one of us will stand together and say, We are going to stop this train wreck. Together, we need to make DC listen.

Mr. ENZI. Through the Chair, would the Senator yield for a question, retaining the floor?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. ENZI. I want to thank the Senator for the recitation of ''Green Eggs and Ham.'' That is as good as I have heard. I loved the different voices in it. One of my favorites was ''Hand, Hand, Finger, Thumb'' by Dr. Seuss. And another one was ''Hop on Pop.'' I think all of those could have related to the messages here. They might even be simple enough that we could get the message across.

I appreciate all the passion and preparation the Senator has put into explaining this and his careful way with words.

We are on a continuing resolution, and I don't know that people out there understand what continuing resolution is. It means that we failed to do our job on time—that we should have had 12 appropriations bills, one at a time, and been able to go through them with some care.

I think maybe the Senator would agree that perhaps if we had done that, when we got to Health and Human Services we might have had the issue on the individual items of defunding ObamaCare. Had we had those individual ones, I think some of those would have passed and it wouldn't have had to have been an all-or-nothing as we have now.

Would the Senator agree that doing it this way, particularly if we have no debate and no amendments, would be the wrong way, and that all we are doing is delaying some more decisions a little further down the road that again should have been covered by appropriations in a very timely manner? Isn't that the same problem we had with sequester, where we went through two-thirds of the year when there was supposed to be a 2.3-percent sequester, so we only had 4 months left and those agencies had to pack it into the 4 months, and that made it 5.3 percent and that hurt worse? Of course, the President's note to everybody to ''make it hurt'' was not particularly helpful either.

But aren't we faced again with that when we are doing a 2-month delay on a CR, so that we have to go through this exercise again probably when we would like to be home at Christmas personally reading those stories to kids? I would like to be reading to my grandkids.

We have been kind of put in a box here that the American public doesn't like, I don't like, but it wasn't our doing.

If those bills would have been brought up one at a time, we could have debated each of them and gotten into some details on them. It has been a long time since we got into details on trillions of dollars of spending. Health care is a part of that, and health care deserves some individual attention. That is what the Senator and I and a number of people are trying to give it, some individual attention. But we are being denied that right. We are not being allowed to go into it in detail so we can show exactly which parts we would defund, which parts we would dismantle and replace with something better.

I spent a lot of time on this bill because I was here when it was going through the committee process. In fact, I had a 10-step plan on my Web site that would have done more than this bill and it would have been paid for. But that isn't a part of the bill. When they say the Republicans don't have solutions, they are not willing to look at any of the solutions even if they would wind up in a better situation.

This was passed with a partisan government. It is a health care that is failing and we are not getting a chance to change it. Of course, I am one of those who would have liked to have repealed it and started over again and gotten it right.

I know of another substitute bill that Senator COBURN and Senator BURR did, and that would have been a better replacement too. It would have covered more of the things the President, in a joint session of Congress when he covered it—I was on a committee that was working on it particularly, and I sat there and took extensive notes. The next day in our meeting I said, There are 14 things that he said in that speech we did not cover and I think we should have covered them.

Instead, we wound up with the bill we have because there were 60 Democrats and that is all it took to pass the bill. They had to make a few deals in order to get the 60 to stick together, and it is surprising they did stick together.

I will end on that question. I have one other I would like to ask too. But I think our failure to do appropriations leads us to this point, and also gets us to a point where we can't go into the details of the bill. We have to take an all-or-nothing approach. That is not legislating. That is deal-making. I think we have an alternate approach and I would like the Senator to comment on it.

Mr. CRUZ. I thank my friend from Wyoming for that very good question. I thank him also for his early support of this fight to defund ObamaCare. When Senator MIKE LEE and I began this endeavor, Senator ENZI was with us from the start. I am grateful for his support and for his leadership.

I note his question is exactly right. We would not be in this mess were it not for the failure of the Senate, the failure of the Senate to do its job, the failure of the Senate to have open debate, to have open amendments, the failure of the Senate to actually pass appropriations bills.

Continuing resolutions exist because Congress has fallen down on the job. Congress has not actually passed appropriations bills into law. One of the things the continuing resolution bill does—a continuing resolution basically says let's keep everything going because we have not actually passed the appropriations bills that would properly make the funding decisions on the various agencies of government. But a continuing resolution enables those who want to keep funding ObamaCare to try to hold everything hostage to it.

For example, you hear some in the Democratic majority suggesting—they often run through a parade of horribles. If there is a government shutdown, if the continuing resolution doesn't pass, here are all of the horrible things that will happen.

Some of the parade of horribles that are suggested are contrary to law. For example, they will sometimes suggest people will not get their Social Security payment or they will not get their Medicare or they won't get their Medicaid or we won't pay interest on the debt. That is not the way the Government works. All of those are paid through mandatory spending. The continuing resolution does not impact those continuing to happen. I note in 1995 when there were two partial temporary shutdowns, Social Security checks continued to go out, the interest on the debt continued to be paid. All that continued.

Another thing those who are trying to force ObamaCare on the American people frequently want to hold hostage is the men and women in the military. My friend from Wyoming noted if we passed appropriations bills that would not be a problem. The House has passed an appropriations bill for the military. Yet the majority leader, HARRY REID, the Democratic majority, had not taken that bill up. If we had passed it into law you could quantify the chances of the men and women in the military having their pay suspended to mathematical certainty to 0.000 percent. If we passed the appropriations bill, the issue would be off the table. But the Senate did not do its job; we did not pass the appropriations bill for the military.

That leaves a tiny window for the President to threaten. If Congress listens to the American people and defunds ObamaCare, we may just stop paying the men and women of the military. Let me be absolutely clear. Under

no circumstances ever should the United States not pay the men and women of our military who risk their lives on the front lines. Current law gives the President ample authority to continue to pay the military regardless of whether there is a temporary partial shutdown.

What has happened in the past, if and when there has been a temporary partial shutdown, is nonessential government services are temporarily suspended. By any measure, the military of the United States is not nonessential. So if we had done our job, as the Senator from Wyoming puts that forward, if we had passed appropriations bills, we would have taken off the table one after the other after the other of these hostages that are being held as the price to force ObamaCare on the American people.

Part of the reason why the Democratic majority of the Senate does that is because the debate on the merits of ObamaCare is very hard to win. You notice we are, by and large, not engaging in a debate on the merits of ObamaCare, in terms of defunding ObamaCare. You don't see Democratic Senators talking about all the people who are losing their jobs, you don't see Democratic Senators talking about all those people having their hours reduced or all the people seeing skyrocketing health insurance premiums, or who are losing their health insurance. Instead, we see Democratic Senators going on television and saying: Well, if they stick to their guns on this, it is going to shut down the government.

The Senator from Wyoming points out there is no reason for that. We could have passed the appropriations bill or we could do what the House of Representatives did. The House of Representatives, in an overwhelming vote, 232 Members, including 2 Democrats, voted to fund every aspect of the Federal Government—including, I note, some parts of the Federal Government that I am certain House Republicans are not fans of—yet they voted to fund all of it except for ObamaCare.

I know my friend Congressman LOUIE GOHMERT has come over to the Senate floor in a show of solidarity. I appreciate Congressman GOHMERT joining us.

I note if the Senate wants to avoid a shutdown, it can do so. Indeed, last night I took the opportunity to ask the majority leader, Why don't we avert this whole train wreck right now? Why don't we agree by unanimous consent to pass the continuing resolution the House has passed, take the prospect of a shutdown off the table entirely, and defund ObamaCare because it is hurting the American people? Majority Leader REID objected and said no. No, he wants to keep ObamaCare, he wants to force it on the American people. Critically, he wants to use the threat of a government shutdown to try to do so. That, I suggest, is inconsistent with the obligation that every Senator has.

Mr. ENZI. Mr. President, I ask permission to ask another question through the Chair, with the Senator being allowed to keep the floor.

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. ENZI. Mr. President, would the Senator agree that there are a number of things in this bill that have been changed because we have recognized that those things would not work? We have changed—not we, the President has changed a number of these things. I am having trouble finding in the law where those changes come from. There is not a lot of waiver authority in the bill, but every time a difficulty is found with the bill, then there appears to be a waiver so that particular part of the bill no longer exists.

I have never seen that done before on legislation. How do they take a piece of the law that is in the bill, that does not have a waiver right, and go ahead and exempt us under that particular part of the law? One particular part of that I am particularly sensitive on because I worked on it very diligently. As the bill came through committee, that piece was the one where Congress should be under the law that we passed, Congress and the staff.

That got remodeled, as you will recall, a little bit so that the committee staffs did not have to come under it because the committee staffs were actually going to finish up the bill. But we had intended for all of our staffs to be under that bill.

Would the Senator agree that one of the amendments that we have not been able to vote on—it would have only taken 30 minutes to do a 15-minute vote. That is kind of standard around here; it takes us a little longer to do a 15-minute vote. Heck, it takes us 20 minutes to do a 10-minute vote and that has to follow on the heels of a 30-minute 15-minute vote.

We could have had that vote, but we were not allowed to. What that amendment is, as you will recall, what it would have done is put Congress back under the bill. It would have subjected Congress to suffering the same exact thing the American public is going to start experiencing on Tuesday as they go into the exchange or at the very latest by the 1st of January when they are required to do that.

If their company is no longer providing them with insurance, the company will pay a little penalty but they get to come under the exchange. But they do not get to bring the company's tax-free donation to their health care along with them. But that is the way we had envisioned it working for Congress too. They would not get a special dispensation. So we brought up this amendment which would require that not only would Congress come under it, but since the President is the one who exempted this and did not have the right to exempt this from it, we thought perhaps he and the Vice President and the political appointees maybe ought to come under that same bill. I mean, why wouldn't the President want to come under it? After all, it is called ObamaCare. It is named after him.

Apparently there is a tremendous desire not to do that, to explain that the Federal Government is different. That is exactly what the American people are upset about, that we are different. We should not be different. That is one of the things that could have been taken care of if we had taken this all through regular order.

I appreciate efforts of the Senator to be able to do something. I ask if the Senator believes we ought to be exempted under any parts of this law or if these exemptions would be legal for the President to do if it is not written in the law? As a lawyer, my colleague probably has better insight into that than I do—and a constitutionalist. That is why I ask the question. Does the President have the right to do that?

Mr. CRUZ. I thank my colleague for that very good question. The simple answer is no, the President does not have the authority to rewrite the law or alter the law. We operate under a principle that no one is above the law. We are a nation of laws and not of men. There are many disturbing aspects of ObamaCare, but one of the persistent ones is this law has been such a train wreck that the approach of the President has been, over and over, simply to disregard the language of the law, to pretend as if the law of the United States does not exist because as passed it was such a bad law. The way that is manifested, as my friend from Wyoming pointed out so accurately, is to grant exemptions to politically favored classes.

It started out with big business. Giant corporations were all, with the wave of a pen, told don't worry about ObamaCare. It is supposed to kick in for you January 1 of next year, but the President has decided he is going to do a favor for big businesses that he will not do for small businesses, that he will not do for hard-working American families.

The next significant waiver we saw was for Members of Congress. It occurred after a closed-door meeting here in the Capitol where majority leader HARRY REID and all the Senate Democrats, according to the public reports, came to the President and said: We want out of the ObamaCare exchanges.

As my friend from Wyoming pointed out, if the ObamaCare exchanges were a good thing, if ObamaCare was working, why would there be panic among Senate Democrats saying please exempt Members of Congress? Why would there be panic among congressional staffers, as I can assure you there is, in a bipartisan way, about being subjected to these ObamaCare exchanges? Why would there be such opposition to subjecting the political appointees of the Obama administration to the ObamaCare exchanges or, as my friend from Wyoming pointed out so correctly, the President himself?

It is, after all, called popularly ObamaCare. Even the President has embraced that name. You would think, I suspect, if there were a health care plan called EnziCare, the Senator from Wyoming would be happy to be covered by it and he would probably be very careful to draft a plan that he would be willing and excited to be covered by.

What does it say that the people in charge of enforcing ObamaCare on the American people want out? They want a special rule. The IRS employee unions, the men and women who are given the statutory responsibility of going to Americans, going to hard-working Americans and forcing Americans to comply with ObamaCare, have said in writing: Please, let us out of ObamaCare. We don't want to be a part of this thing. This is our health care you are talking about.

The most profound issue we are dealing with here today is not jobs, it is not the economy, it is not health care, it is not ObamaCare. The most profound issue we are dealing with here today is the fundamental divide between Washington and American people. There is a ruling class in Washington, DC; that they are subjected to different rules than the American people; that it is perfectly appropriate for political friends and allies of the President to get exemptions while single moms and young people and Hispanics and African Americans, people struggling, union workers struggling to pay the bills, provide for their kids—they don't get an exemption. Just those who walk the corridors of power. Just those with access to political influence.

You know what that does? It strengthens politicians even more. Look, politicians are in the business of granting dispensations, granting exceptions. That means everybody in the country who wants some exception better come to politicians and support them.

If you want to talk about something corrosive to our system of democracy, why do you think the American people hold this body in low regard? Because we pass laws that treat us better than everybody else. Tonight we are listening to the American people. We need to make DC listen.

By the way, I have been told that during the course of this filibuster, the ''#MakeDCListen'' has at times been trending No. 1 in the country.

I say to my colleagues who have come to the floor in support of this effort that it is because the American people understand and are frustrated as to why Washington doesn't listen to them, and for at least a brief moment each of us together—the Senator from Wyoming and the Senator from Oklahoma—are trying to serve as a voice for the American people who don't often have a voice in Washington. We need to make DC listen. There is nothing more important we can do than that.

Mr. INHOFE. Will the Senator yield for a question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. INHOFE. A lot of people have forgotten the cost of this. I would like to go over a couple of things if it is all right with the Senator. First, I wonder if the same thing is happening in his State—which is to the south of Oklahoma—of Texas that is happening in my State of Oklahoma. We are just a week away from when people will have to start signing up for ObamaCare. I commend Senator CRUZ for reminding the American people that this law doesn't have to be a new reality. It doesn't have to be that way. We can stop it. There are still lingering questions about exactly what this is all going to look like.

We do know this reform law, as they call it, continues to be expensive and overreaching. When it started out, it didn't sound too bad to the American people. It is estimated that the program will now cost as much as $2.4 trillion over the years.

As I have suggested to my friend from Texas, around here we know what $1 trillion is, but most people don't know what that means. It is hard to understand this as far as what is going on in America. It will cost $2.6 trillion over 10 years once this is fully implemented, assuming they are successful in doing it. The cost estimates have only continued to rise since the law was passed.

Most recently the administration asked for another $5.4 billion in discretionary funds next year for implementation. That is $5.4 billion in discretionary funds. Let's stop and think about that. One of the worst things about the Obama administration—and the Senator from Texas understands this since he is on the Senate Armed Services Committee—is how this President has been disarming America. The discretionary money that would be coming out of this is money that otherwise could be used for our systems and to support our warfighters over there. That is just the cost of the Federal Government. It doesn't include the lost hours, wages, and employees who have lost their jobs and the cost it will be to their families.

Everyone agrees the premiums will rise. In my home State of Oklahoma we have a guy named John Doak. After talking to the insurance companies, he said Oklahomans' insurance will increase by a minimum of 30 percent and up to 100 percent. He also said that one in four insurers in Oklahoma will have their rates vary from $143 a month for a 30-year-old with basic coverage to $673 a month for a 64-year-old who wants the best coverage.

Remember, the President promised to lower the premiums by $2,500. What I want to do, if I could, is share a little bit of good news. I know the Senator from Texas is aware of it, but I don't know how many other people are aware of this. We have a great attorney general in the State of Oklahoma whose name is Scott Pruitt. I suspect the Senator from Texas has met Scott Pruitt. Before we voted on this issue, we had a question on whether some of these subsidies would go any further. Scott Pruitt, through the courts, filed a lawsuit and is leading the charge to dismantle ObamaCare and put an end to it.

Last month the judge overseeing the lawsuit ruled against a motion filed by the Obama administration to dismiss the case, which means the case will proceed. That is huge. If this goes through, this whole thing will be dismantled. That is why we need to go ahead and fight this as best we can, recognizing that there are other areas where the American people are speaking. Certainly Scott Pruitt is doing great things.

I heard the Senator mention Congressman LOUIE GOHMERT. Congressman GOHMERT is a very close friend of mine. We have been together on a lot of things. I was visiting with him. He is in the Chamber right now and would like to share some of the things that are happening in his district, which is eastern Texas.

These are some of the letters that he gets from constituents. This says:

> To get setup on the software was too expensive. She also didn't want to be limited on the time she felt she needed to spend with her patients. Therefore, she stopped taking Medicare. Had to go on strictly cash basis.

This text says:

> My wife's doctor has just retired because he did not want to deal with ObamaCare.

This is a letter that came from someone whose name is Katy Smith. She goes through quite a bit, and then says:

> The explanation from IBM was that they ''projected that health care costs under the current IBM Medicare-eligible retiree plan options will nearly triple by 2020.''

This is another letter from Riverside Cottages. I guess that is someplace in eastern Texas.

> We were notified July 15, 2013 that my husband's insurance coverage, Blue Cross and Blue Shield of Montana/Montana Comprehensive Health Association will terminate December 31, 2013. When my husband contacted Blue Cross Blue Shield, they told him that this policy will no longer exist due to Obama Care. He will need to find new coverage.

And it goes on and on.

The interesting thing—and the reason I am reading Texas letters right now—is that we receive a lot of them, and they are up in my office someplace. So this hits home and hits home hard.

I ask my friend from Texas if he has received a lot of these anecdotal letters from people who are suffering serious hardships and are now anticipating what will happen when this becomes a reality?

Mr. CRUZ. I thank my friend from Oklahoma for his excellent question. Let me say from the outset that I am grateful for Senator INHOFE's leadership and his courage. From the outset Senator INHOFE has been with me on this fight, fighting to defund ObamaCare.

I want to also note that Senator INHOFE, like some of the other Senators who have come to the floor of the Senate this afternoon—including Senator ROBERTS, Senator SESSIONS, and Senator ENZI—are respected veterans of this institution. They are leaders who have earned the respect of their colleagues.

I am grateful for Senator INHOFE being willing to stand up and be a leader in this fight. That courage is contagious. I hope it will continue to be even more contagious in the Republican Congress. I hope by the time we come to the cloture vote on Saturday that we see all 46 Republicans united in voting against shutting off the debate and against allowing majority leader HARRY REID the ability to fund ObamaCare with a straight 51 party vote.

Mr. INHOFE. Before that happens, I think it is important that the people of this country have to know what this is all about. This is socialized medicine. A lot of them didn't believe that. Last week majority leader HARRY REID was on the PBS ''Nevada Week in Review.'' He was asked whether his goal was to move ObamaCare to a single-payer system. His answer was: Yes, yes. Absolutely yes. Do a lot of the people know what a single-payer system is? That is essentially socialized medicine.

I was around during the Clinton administration when there was a thing called Hillary health care. Does my friend from Texas remember Hillary health care?

Mr. CRUZ. I do indeed. I remember in particular at the time the press and all of the graybeards in Washington at the time saying that Hillary Care was unstoppable. It can't stop it. Republicans need to get together.

If the Senator from Oklahoma will recall, initially the response was described as like Hillary care lite. Back then in the midst of the Hillary care fight there were a few courageous leaders in the House who stood up against Hillary Care. What changed that battle was the American people rising. At the end of the day, it is the only thing that can win any fights.

Mr. INHOFE. That is exactly what did happen. I can remember going from Washington to my hometown of Tulsa. Normally I have to go through Chicago. Chicago is where the AMA has their headquarters, and it is probably still there. I will always remember this. I was rejoicing. I was coming back after the long fight against Hillary health care or socialized medicine. I remember saying the question on the Senate floor: Try to explain this to me: If socialized medicine doesn't work in Great Britain, Sweden, or Canada, why would it work in this country? They never said it, but what they were thinking was: If I were running it, it would work. We got that point across.

They started way ahead with Hillary health care, and then we started to catch up. Just like now people are realizing this is a failed socialized medicine effort. We had won.

That kind of relates to what is happening today. I was on that plane going through Chicago to Tulsa, and I picked up the Wall Street Journal, and there was a full-page ad by the AMA supporting Hillary health care. Of course, when I stopped in Chicago, I went and visited the AMA. This is an organization that represents a lot of real smart doctors and others who were saying that we can't win. We can't win this and therefore let's go ahead with it. We had already won when they ran that ad. I don't know how many days before that they put the ad in, but nonetheless we had won.

I don't know if my friend remembers that because my friend was not in the Senate at that time. That is exactly what happened, and it is very analogous to a lot of things that are happening today.

The other thing I wanted to mention is that anytime desperation starts to set in, there are a lot of things that go around to confuse people. Let me tell everyone what happened in Oklahoma today. This will surprise my friend from Texas. There are 14 people who started this—the Senator from Texas, myself, and 12 other people about 6 weeks ago. During this time we have been in lockstep to see what we could do to stop this from happening to my 20 kids and grandkids and the rest of America.

People realized I was there from the very beginning, as the Senator from Texas mentioned, and yet we have some of the Obama people who are doing robocalls in my State of Oklahoma posing as tea party people and saying to call INHOFE because he is for ObamaCare.

I say to my good friend, I can't believe something like that is happening. It shows a level of desperation where they are trying to get people confused as to what the issue is and want to get to these deadlines so we can get past this and have this thing as a reality. Every liberal in America is probably for it.

Mr. CRUZ. I thank my friend from Oklahoma for that question. I have to say I am not surprised. There is an old adage among courtroom lawyers: If you have the facts, pound the facts. If you have the law, pound the law. If you don't have either, pound the table.

To be honest, the approach by ObamaCare defenders is an awful lot of table pounding. It is an awful lot of ''let's discuss anything other than what, in fact, happened.'' Pick up any newspaper and it is talking about this issue. What will the reporters, the political reporters in Washington, DC, write about? I think some may be frustrated because they wanted to be Hollywood gossip reporters because they covered these issues as a battle of personalities. If you want to get a story on the front page of the paper, find some anonymous congressional staffer to say something scurrilous, ideally include profanity in it, and the political reporters eat it up, because, apparently, the only thing that matters is the personalities bickering back and forth. In many ways, that is not surprising, because if one is trying to defend a law that the lead author calls a train wreck, that the unions who supported it are desperately trying to get out from under, that you and your Democratic Senate colleagues are desperately asking for yourselves to be exempted from it, then you sure as heck don't want to talk about how the law is operating. You sure as heck don't want to talk about all of the people who are losing their jobs because of ObamaCare. You sure as heck don't want to talk about all the people who can't get jobs, all the small businesses that aren't growing because of ObamaCare. You certainly don't want to talk about all of the people forced into part-time work, 29-hours-a-week work. You don't want to talk about the insurance premiums that are going up, pricing people out of the insurance market, and you especially don't want to talk about all the people losing their health insurance.

My colleague read the stories from East Texas of citizens there losing their health insurance. That is happening all over the country.

So it doesn't surprise me that the Senator from Oklahoma is seeing robocalls in the State of Oklahoma because they don't want to debate on the merits of ObamaCare because it is indefensible. So the only strategy is smoke and mirrors. The only strategy is, if we can't talk about the law, let's convince them about something else. Let's distract them. Let's figure out anything to take people's minds off of the underlying issue.

I would note to my friend from Oklahoma, the only way that strategy works is if the American people don't believe Washington will listen to them.

Look, there are a lot of reasons for the American people to believe Washington is not going to listen to them because Washington hasn't been listening to us for a long time. Politicians on both sides of this aisle have lost touch with their constituents. They don't go home, don't go to townhall meetings, and view the desires of their constituents as simply uninformed and not relevant to doing our jobs.

Mr. INHOFE. If the Senator from Texas will yield, because he said something that is so profound.

Mr. CRUZ. I am yielding for a question but not yielding the floor.

Mr. INHOFE. Of course. The Senator from Texas said if you don't have logic on your side or the facts on your side or the public on your side, what do you do? It is not just pounding the table. It is name-calling.

I went through this, I would suggest to my friend, 12 years ago when the Kyoto treaty was up and everyone thought global warming was coming and that was going to be everyone's trip to the White House to support global warming, until we realized what the cost would be. I was the bad guy

because I stood and said: No, this isn't true. First of all, it is a hoax; and secondly, even if it is not, we couldn't do it. That is when all the name-calling started. I can remember being called—in writing and by a fairly prominent person—I should be hanged for treason at that time. That is what they get, and that is what my friend is going through right now with a lot of people who don't agree with him.

Twelve years later, what has happened? People realize I was right. I am not suggesting it is going to be 12 years before they realize the Senator from Texas is right on this, but it means the behavior of people today is something that has happened many times in the past.

So I would just ask my friend to remember that and to realize that quite often, when a person is right on a controversial issue, they are going to be the subject of a lot of criticism, a lot of cussing, a lot of name-calling, and a lot of violence. So this isn't the first time.

Mr. CRUZ. I thank my friend from Oklahoma for his very kind remarks of support and encouragement and for his friendship from day one since I arrived in the Senate. I do hope other colleagues in this body don't listen to all of the remarks of the Senator from Oklahoma and suddenly discover that hanging for treason is an option because that may not work out terribly well for me. I hope that becomes purely fictional.

I will know that at the end of the day—listen, the Senator from Oklahoma and I, and all 100 of us, are incredibly fortunate. We have lived lives in this country of relative privilege. We, everyone in the Senate, enjoys a good home, has a soft bed, I suspect, has air-conditioning, has food on the table. I feel blessed to have a wife who is my best friend in the world and whom I love with all my heart, to have two precious little girls who are the joy of my life. To be able to come to work every day, to walk on this Senate floor, there is not a day when that doesn't take my breath away. The idea that the son of a Cuban immigrant with nothing, who finds himself suddenly elected to the Senate, to have the opportunity to come in every day, it is truly awesome, in the real sense of the word. There was a time when the word ''awesome'' was a Valley girl phrase for everything, but awesome, in its real sense of inspiring awe—I will tell my colleague I find it awesome every day to walk into this Capitol and to have the amazing privilege to serve, as the Senator from Oklahoma and I do, as do all 100 of us. The slings and arrows one deals with serving in public office, to be perfectly candid, are all chickenfeed. The old phrase about sticks and stones—listen, someone saying something mean about another is nothing compared to the suffering that so many people across this country are experiencing.

I sat down with one single mom who is working her heart out to provide for her kids because she wants her kids to have a good home, she wants her kids to have an education, she wants her kids to have a future. Her hours have been reduced to 29 hours a week and she doesn't know what is coming next. That is hard work. That is suffering. This ain't nothing.

The Senator from Oklahoma speaks with disabled veterans, as I know he has done many times, and he is worried about the impact of ObamaCare on our economy, of jobs drying up. He is worried about his grandson who is just coming out of school right now but who can't get a job. That is a lot more important than the political bickering back and forth. That was my point about all of the press coverage dealing with—it is not about any personality here; it is about listening to the American people.

The American people do not give a flying flip about any Member of the Senate—none of the 100 of us. What the American people are interested in is what we have always been interested in, which is freedom, our families, providing for our kids, being a good example to our kids, working for a better world and working so our kids and their kids have an even better future and opportunity than we have had. If we go back centuries, we see that every generation of Americans has been able to give to the next generation a brighter future, greater prosperity, greater opportunity. We are on the verge of being the first generation of Americans not to do so. If we want to put our fingers on the discontent so many Americans feel, that goes right to the heart of it: What we are doing in Washington isn't working.

The economic malaise. I refer to the last 5 years as the ''great stagnation'' because for 4 consecutive years our economy has grown on average 0.9 percent a year. It is not working. Intelligent, rational people looking at a set of policies that aren't working would do the intelligent, rational thing. We would correct course. We would say, OK, this isn't working. What has worked? But that is not happening. It is not happening because even though it is not working, the failures aren't visited on Congress. The failures are visited on the American people. Congress exempts itself from ObamaCare. It doesn't even do it in the law. The law says we are covered by it, but, instead, Democratic Senators go to the President and say: We want a special exemption for us that doesn't apply to the American people. So the fundamental problem is that elected officials are not listening to the people.

Earlier, I was reading the article about the lost generation of young people from the Wall Street Journal that ran on September 19. I made it about halfway through. Let me finish that article because I think it raises some very important issues. The last thing I read was about the young man, 23 years old, working a job where he says his job at the grocery store—he doesn't have a college degree, but he is seeing more and more college degrees getting in, and he is saying: Gosh, I thought this was a job that helped me pay my way through school. If this is the end job after you get a degree, what does it say about opportunity?

The last quote I read was:

> I think a lot about whether I am ahead or behind. I really hope I'm not ahead.

The article continues:

> Americans aren't the only ones asking such questions. The financial crisis that began in the U.S. quickly rippled across the Atlantic, bursting similar credit and property bubbles in countries such as the U.K., Ireland and Spain, and crippling a European banking sector that had dense links with the U.S. financial system.
>
> Much of Europe's economy was plunged into its worst postwar slump and has struggled even more in the U.S. to regain its precrisis levels of growth and jobs. In Europe, the banking crisis also triggered a second-wave crisis—massive capital flights from Southern European countries that relied on foreign borrowing—that came close to unraveling the euro.

Let me move forward beyond the Europeans, back to where it discusses American young people again:

> But there are signs that the weak economy is leading to deep societal changes. An entire generation is putting off the rituals of early adulthood: Moving away, getting married, buying a home and having children. The marriage rate among young people, long in decline, fell even faster during the recession, and the birth rate for women in their early 20s fell to an all-time low in 2012.

Why do we think it is that young people are putting off marriage and putting off kids?

> According to a recent Pew Research Study, 56 percent of 18- to 24-year-olds lived with their parents in 2012, up from 51 percent in 2007—

Fifty-six percent of 18- to 24-year-olds lived with their parents in 2012—

> an increase that looks particularly dramatic because the share had changed little in the previous four decades.

Moreover, many young people are losing hopes of matching the prosperity of their parents' generation.

I talked a minute ago about the hope of all of us that our kids have greater opportunity. What does it say that young people are losing hope of even matching where we are, much less having greater prosperity?

> Just 11 percent of employed young people in a recent Pew survey said they had a career as opposed to ''just a job''; fewer than half said they were even on track for one.
>
> John Connelly thought he was on the right track in life. The son of a New Jersey auto mechanic, he was the first in his family to go to college when he enrolled in Rutgers in 2009.

I will note as an aside, my uncle went to Rutgers. I went to college, to Princeton in New Jersey, and my uncle was often fond of reminding me that the very first collegiate football game that ever was played in the United States was played between Rutgers and Princeton. At every Thanksgiving, my uncle would then remind me who won and it was Rutgers who won. Princeton

got whipped in that Princeton game. I am sure John Connelly is quite aware that Rutgers won the first collegiate football game in the United States.

Four years later, the 22-year-old found himself $21,000 in debt, without a permanent job and sleeping on friends' couches in New Jersey and Brooklyn. ''I hear a lot of stuff that people in my generation aren't buying cars or houses, and I'm a step beyond that—I can't even pay rent on time,'' Mr. Connelly says. ''I have a hard time planning 10 years in the future when I can hardly plan three months in the future.''

At Rutgers, Mr. Connelly was an honors student and president of the student assembly. But wary of taking on more debt, he ended up withdrawing from school with three credits to go until graduation. After a summer spent living with friends while working a temporary job at a Brooklyn nonprofit, he found a grant that allowed him to reenroll in school this fall, but he still doesn't know what he will do when he graduates at the end of the semester. ''I kind of did everything I was quote-unquote ''supposed'' to be doing,'' he says.

I am still reading from the Wall Street Journal:

The costs of a ''lost generation'' go beyond the impact on young people themselves. A 2012 analysis commissioned by the Corporation for National and Community Service, a federal agency, estimated that the 6.7 million American youth who are disconnected from both school and work could ultimately cost taxpayers $1.6 trillion in lost tax receipts, increased reliance on government benefits and other expenses. Look at broader economic and social effects such as lost earnings and increased criminal activity and the impact tops $4.7 trillion, the researchers estimated.

Mr. DURBIN. Will the Senator yield for a question?

The PRESIDING OFFICER (Mr. KAINE). Will the Senator yield?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. My understanding is that the Senator's position is, if we do not defund ObamaCare, as he has characterized it—the health care reform act—that he believes we should shut down the government on October 1. Is that the Senator's position?

Mr. CRUZ. I thank the Senator from Illinois for that question. That most assuredly is not my position, so I thank the Senator for the opportunity to clarify it.

Let me be very clear. I do not believe we should shut down the Federal Government. The only reason we might shut down the Federal Government is if President Obama and Majority Leader REID decide they want to force a government shutdown.

What I believe we should do is the same thing the House of Representatives did, the same thing the House courageously did, which was last Friday the House of Representatives voted to fund every aspect of the Federal Government—every bit of it, including parts they disagree with—except for ObamaCare. I would note to my friend from Illinois, they did so in response to the American people because the American people are hurting under ObamaCare.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. The Senator has spoken at length many times, including today, about his education. I respect him. He has gone to some very famous schools. Certainly, the Senator understands it takes 60 votes to achieve the goal he is trying to achieve, which means the Senator believes he has at least all the votes on his side of the aisle and another 14 votes on the Democratic side of the aisle to repeal ObamaCare. Does the Senator have that belief?

Mr. CRUZ. I thank the Senator for that question, and I thank the Senator for the comment he has made in public, noting that having attended the schools I have that perhaps I had not learned to count to 60. I will note that I am quite familiar with what is necessary to defund ObamaCare. What I have said for months is this is a long process. I am not remotely Pollyannaish. I am not remotely under the illusion that this is going to be a short, quick process, that suddenly ObamaCare will be defunded.

I am getting to the answer to the Senator's question, but it is a detailed answer, so if he will forgive me, I will take a few moments to lay it out.

In my view, the first step to this process was unifying and motivating the American people. This process was never going to work unless the American people became engaged in historic numbers. So I spent much of the month of August and September during our recess traveling the State of Texas, traveling the country, doing everything I could to go directly to the American people, to go around the lobbyists, to go around the entrenched interests in Washington, and go straight to the American people.

I will tell the Senator, the response was incredible. Everywhere I would go, I would see 1,000, 2,000 people show up. We have seen over 1.6 million Americans sign a national petition to defund ObamaCare.

That was the first step. That was not going to be enough, but it was a critical first step.

The second step was what happened last week. It was the House of Representatives voting to defund ObamaCare.

I would note, as the Senator from Illinois is well aware, that as recently as a couple weeks ago, every learned observer, every pundit, everyone in Washington said: It is impossible that the House is going to pass a continuing resolution that defunds ObamaCare. It is not going to happen. Yet on Friday it did. Why did it pass it? Because the House of Representatives listened to the American people, because the Speaker of the House and House conservatives stood and did the right thing and made a courageous vote. I will note, two Democrats joined the House Republicans in that vote.

Mr. DURBIN. Will the Senator yield further for a question?

Mr. CRUZ. I would like to finish answering the Senator's last question, and I am happy to yield for another. But let me finish answering the Senator's question.

The third step is where we are now as the Senate. In the Senate, we are going to have to do two things. The first thing we are going to have to do in order to successfully defund ObamaCare is to unify Republicans, to bring together all 46 Republicans, opposing cloture, opposing HARRY REID being able to fund ObamaCare on a straight 51-vote partisan vote. I believe every Republican should be unified in that. Right now we are not. Right now there are divisions in the Republican caucus. I am hopeful Republicans will listen to our constituents. I cannot convince my colleagues. The only people who can convince my colleagues on this side of the aisle or that side of the aisle are the people all of us work for, the American people.

If we are able to unify Republicans, the next step—the Senator asked me: How do we ultimately get to 60? I assume the predicate of that question is that the first thing we would have to do is to get to 51—so if we got 46 Republicans and we initially got five Democrats. How would we get five Democrats? As the Senator from Illinois is well aware, there are quite a few Democrats who are up for election in red States, States where their citizens understand ObamaCare is a train wreck. It is not working. I believe if those Democratic Senators, particularly in red States, begin hearing from their constituents in overwhelming numbers, that will change their calculus.

Let me readily admit, as long as Republicans are divided, as long as we are shooting at each other, there is not a lot of incentive for Democrats to come join us. But if we can unify Republicans, then I believe we will start with red State Democrats who will potentially lose their jobs if they continue not listening to their people.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. CRUZ. Sure.

Mr. DURBIN. I might question the Senator's premise as to whether the House was going to vote the way it did. Since it has voted 42 times to abolish ObamaCare, it came as no surprise.

But let me ask a specific question. One of the reasons I voted for health care reform—and I am proud that I did—was illustrated by a woman whom I met in southern Illinois. The Senator has spoken today about hard-working people, including members of his own family, and I do not doubt that.

This woman's name is Judy. Judy is a housekeeper at a motel that I often go to, and we have become friends. Judy has worked her whole life in manual labor. She has been everything you

can imagine—a cook, a waitress, a housekeeper, all of these things. She is 62 years old. Judy told me that she had never had health insurance one day in her life, ever. She worked every single day she could, but she never had health insurance. It turns out Judy was diabetic, and we found some doctors and hospitals locally in her area to give her some care.

We have just had an announcement in Illinois that is going to be officially released tomorrow about what this new health insurance marketplace in Illinois means for people such as Judy. It means we are going to offer 165 different health insurance plans in Illinois by eight different insurers. The premiums at the lowest level of health insurance, for those who are not under Medicaid, will be in the range of $84 a month. But the good news for Judy is that her income is so low she now qualifies for Medicaid for the first time in her life. For the first time in her life, Judy who would be turned down because of the preexisting condition of diabetes, is going to have the peace of mind of health insurance.

The Senator and I are blessed to have the best health insurance in America as Members of the Senate. So when the Senator says he wants to disband and stop ObamaCare, does he want to deny the opportunity for Judy and millions more just like her for the first time in their lives to have the protection of health insurance they can afford?

Mr. CRUZ. I thank the Senator from Illinois for that question. I will say, I respect his sincerity and passion in believing that government solutions from Washington can fix this problem. I do not know if the Senator from Illinois shares the views that Majority Leader REID expressed on television. I do not know if his objective is as Majority Leader REID said his was: to move to single-payer, government-provided, socialized health care. But it may be. I do not want to put words in the Senator's mouth. Certainly, I do not know one way or the other what his view would be.

Mr. DURBIN. Thank you.

Mr. CRUZ. But I will say this. The Senator tells the story of Judy. The best way for Judy or anyone to have health insurance is to have an economy that is booming where people can get jobs and have opportunities. Indeed, let me respond with two things.

No. 1, before the Senator from Illinois came to the floor of the Senate, I read a number of letters that have come from people all over the country. Let me just read the next one in my stack because it happens to actually be a counterpart to his story about Judy. This is a constituent from Brackettville, TX, who wrote earlier this year:

> Since the passage of what is known as Obama Care, my insurance premiums have gone up three times. That doesn't count the increases in my Medicare Part A and B that have also risen. I was also informed prior to passage that certain retirees from one group would see their company support terminated after 2013 and my support will terminate after 2018. In the meantime, I've lost two family doctors who have left the practice . . . and must settle for nurse practitioners and physician assistants. I am fortunate to have good coverage, for which I pay dearly, that is accepted everywhere; but I fear the day I can no longer afford it. I am paying for Obama's train wreck ever since the bill was passed. Surely, there must be some way to defund or repeal the bill. . . . Please help.

I would note for the Senator from Illinois, these pleas for help are coming from all across the country.

Mr. DURBIN. Will the Senator yield for another question?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. I think the Senator's answer to Judy is: You need a better job. After working a lifetime—62 years, hard work, the best she can do; she has never had health insurance—and I think the Senator's answer was: Judy, get a better job.

So let me ask another question.

When I voted for ObamaCare, health care reform, one of the things that motivated me was the fact that health insurance companies would no longer be able to discriminate against Americans with preexisting conditions.

I have had a situation in my family, a child who had a serious physical problem, who could not have qualified but for group health insurance that was available to me as a Member of Congress. If I had gone in the open market to buy a policy, I am not sure I would have bought one for my family to cover my child.

So when the Senator says he wants to abolish ObamaCare, does he want to abolish that part of ObamaCare which says you cannot discriminate against people with preexisting conditions when it comes to health insurance? If those people are victims of asthma, diabetes, cancer treatment, mental illness, does the Senator want to abolish ObamaCare and that protection?

Mr. CRUZ. I thank the Senator from Illinois for that question.

Let me answer it in two different ways. Let me talk generally about what the Senator talked about, about his health insurance and my health insurance as a Member of the Senate and let me talk about preexisting conditions separately.

The first point I will make is that the Senator from Illinois is passionate and has been quite eloquent describing what he perceives to be the benefits from ObamaCare. Yet I think it speaks volumes that the Senator from Illinois and I and every other Member of Congress have been exempted by President Obama from the plain text of the statute.

The statute provided—and it was inserted quite deliberately—if we are going to impose rules on the American people, we should be subject to the same rules, we should be put in the exchanges similar to millions of other Americans. The Senator just talked about the wonderful exchange. The text of ObamaCare provides that he and I should be in those exchanges. It also provides that, just like the other people in the exchange, our employers cannot subsidize it once we get in that exchange.

Once it passed into law, the Democratic caucus met with President Obama. Obviously, I was not in that meeting. But I read the public reports of what occurred there. I read the press accounts. The press accounts all indicated that the majority leader and the Democratic Members of the Senate asked President Obama: Please get us out from under this. We do not want to be in the exchanges.

I see my friend from Illinois is shaking his head. I was not in the room. The press reports all say that is what occurred. But regardless, that is what happened.

So that message was heard by the President because shortly thereafter the administration issued a ruling that exempted Members of Congress and exempted our staff.

I am curious, if the Senator from Illinois is such a fan of the exchanges, is such a fan of the health care that has been provided to Judy, would the Senator from Illinois then support Senator VITTER's amendment to provide that every Member of Congress, every one of our staffs, every political appointee in the Obama administration—and, frankly, I would like to see every Federal employee all put under the exchanges—so if we are going to make the rules for the American people, that we be subject to those same rules, those same plans, so that when we go on television and say the exchanges are very good, we are not talking about something someone else is experiencing, we are talking about our own health care.

Mr. DURBIN. If the Senator would yield, I would like to respond and ask a question.

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. DURBIN. The point I would like to make is that the Senator is just plain wrong. What he has stated is just plain wrong. Here is the state of the situation: The health insurance that you enjoy and the Senator from Alabama and I enjoy, as well as the Senator from Virginia, is the Federal Employees Health Benefits Program. It covers 8 million Federal employees and their families, including Members of Congress and our staff. The premiums we pay for the health insurance we choose—the Federal Government as our employer pays 72 percent of the premiums. This is not an unusual situation—150 million Americans, which is half of our population, have exactly the same arrangement. These are employer-sponsored employer contributions to the health care of their employees.

What the President did was to say, No. 1, that you, Senator CRUZ, I, and others will now have to buy our health insurance through the insurance exchanges that we created in ObamaCare.

With it, we will get the employer contribution, as we do now—as you enjoy now personally and I enjoy—for that purchase of health insurance.

My wife and I will be choosing a policy from the health insurance marketplace in the State of Illinois. We will have 8 different insurance companies and 165 choices. That is our insurance.

What you quarrel with is the employer contribution to health insurance. If that is now your position and the position of Senator VITTER and the Republican Party, that it is a Federal subsidy which should be stopped, you are affecting the health insurance not just of Members of Congress and their staff but 150 million Americans. You better think twice about this. If you want to stop employer contributions to health insurance, that will be the headline for tomorrow morning. I do not support that. My question is, Do you?

Mr. CRUZ. I thank the Senator from Illinois for his certainly genuine political advice and counsel. I would note that the experience Democratic Senators found under ObamaCare of suddenly facing the prospect of losing their health insurance, of being forced into the exchanges, health insurance that had been employer provided—being forced into the exchanges with no employer subsidy, is a disconcerting experience. It is an experience nobody liked. It is an experience that is lousy. There is a reason why Democratic Senators were so upset. There is a reason why congressional staff were so upset.

What my friend from Illinois is not focusing on is that right now there are Americans all over this country who are experiencing that same exact sentiment because of ObamaCare. Just a few weeks ago UPS sent a letter to some 15,000 employees saying: We are dropping spousal health insurance because of ObamaCare. That is 15,000 UPS employees who had insurance for their husbands and wives, and suddenly those husbands and wives are left without health insurance and being told: Go on an exchange with no employer subsidy. Senator DURBIN just made a passionate case for why that is a terrible thing to tell people. I agree.

Listen, my preferred outcome is not to subject Members of Congress, congressional staff, political appointees of the administration, and Federal employees to the exchanges and ObamaCare. My preference is to subject nobody to that. But the reason Senator GRASSLEY inserted that amendment is because we have a problem of a ruling class in Washington—in both parties; this is a bipartisan affliction—that believes the rules that govern working Americans do not govern us.

So if we are going to set up a system, if ObamaCare is going to force Americans all over this country to lose their employer-provided health insurance, to be forced into the exchanges with no subsidies, then the men and women who serve in this body should feel that pain exactly the same. So when we go on television and say ''this is great,'' we should know of which we speak because we got skin in the game and we are not being treated better. I think under no circumstance should Members of Congress be treated better than hard-working Americans. That is what President Obama did. He did so, by all reports, at the request of Democratic Senators in this body.

Mr. DURBIN. Would the Senator yield for one last question?

Mr. SESSIONS. Would the Senator yield?

Mr. DURBIN. I would like to ask one last question.

Mr. CRUZ. I am going to yield to the Senator from Alabama. I am happy to return to the Senator from Illinois if he would like to remain, but I want to be fair because the Senator from Alabama has been waiting for some time. So I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. I thank the Senator.

An econometric firm and others have studied what is likely to happen in our economy. As I understand it, they predict that far more people will be dumped from coverage into the exchanges than they have today. So people who are under health care coverage today—it is being paid for by their employer. The employer discovers it would be less expensive to quit providing health care coverage and let those individuals go into the exchange, and they may or may not provide any subsidy to them.

So I do think the extent to which we as Senators go into the exchange and are guaranteed the full subsidy we have been getting—that is different from what is going to happen to millions of Americans. I guess the Senator maybe has heard that argument and how it is possible that if businesses decide to drop health care, individuals can then be forced to go into the exchange without any subsidy at all. I would ask Senator CRUZ if he understands that is possibly what could happen to large numbers of Americans.

Mr. CRUZ. I think the Senator from Alabama is exactly right. We are seeing Americans all over this country hurt by ObamaCare.

I want to suggest that the problem we are debating today is bigger than this continuing resolution, it is bigger than ObamaCare, and it is bigger even than the Federal budget. The problem is that the men and women of DC are not listening. They are not listening to the millions of Americans who are asking for more accountability, more responsibility, and more truth from their elected officials. It is time to make DC listen.

I would observe that during the course of this afternoon, the hashtag ''MakeDCListen'' has been trending No. 1 because the American people are frustrated. They are frustrated that the Democratic Senate is not listening to them. They are frustrated that the Republican Senators are not listening to them. The whole debate we are having right now is not about strategy, it is not about process, it is not about procedures, and it is not about all of the pundits and pollsters and consultants. The problem is that DC is not listening.

Everyone in America knows that ObamaCare is destroying jobs. What the Senator from Alabama so eloquently talked about, the econometric predictions—you have to get outside the beltway to any of the 50 States and actually talk to people who are trying to find jobs and talk to small business owners who are struggling under the 20,000 pages of regulations. Everyone in America knows ObamaCare is destroying jobs and driving up health care costs.

Let me encourage right now everyone in America—President Obama 3½ years ago promised the average American that by the end of his first term, by the end of last year, the average American family's premiums would drop $2,500. Let me encourage everyone in America whose premiums dropped $2,500 to go online and tweet ''ObamaCare cut my premium.'' You know what. I am willing to venture that in every one of these States, if all of the Democratic Senators who support ObamaCare are willing to say ''I will take only the votes of those of you whose premiums have gone down,'' I can tell you right now on the Republican side that I will happily take the votes of everybody else because I am going to predict that is not going to be a 50/50 election, it is not even going to be a 60/40 election. Everyone knows this thing is not working, and Washington is pretending it does not know. This process is rigged. That is why we have to make DC listen.

In traveling across Texas, just like the Senator traveling across Alabama, I hear the stories everywhere I go. It does not matter what town I am in, it does not matter whom I am talking about, I hear the stories. I see people with disabilities saying: Please stop ObamaCare before I lose my health insurance. I see young people who would like to be working toward a career saying: Please, I would like a job.

I met with a whole bunch of service men and women who had just come back from Afghanistan at a military base in Texas. I asked them, as I try do in any gathering that is a small enough group that I can do this: Go around, share an issue that is weighing on your heart, that you pray about, that you are concerned about.

I remember one young soldier said: I am most worried about jobs. When I come out of the military, am I going to have a job? All of my buddies, when they come out, they cannot find jobs.

Everyone nodded and said: That is exactly right.

The American people want to stop this madness. So do I.

Here in Washington we pass million-dollar bills and billion-dollar bills no one has ever read, without even voting on them. We call it unanimous consent.

It is only unanimous because we do not let the American people know. It would be very interesting to bring 100 of our constituents in on any unanimous consent that is spending $1 billion here, $1 billion there, and see what our constituents think about that. The system is designed deliberately to hide what we are doing.

In this debate right now there are many Members of this body who are happy that the debate is covered with obscurity over pressure, obscurity over a motion for cloture on a motion to proceed. Nobody knows what that is. You know what. That benefits Members of this body because it lets all 100 go back to their citizens and say: What were you for? Yeah, yeah, I was for that because I was for the motion to whatchamacallit.

No one understands what that is.

You know, one of the things we see is our leaders demand approval for bills before they are amended. So we are being asked this Friday or Saturday to vote to shut off debate on this bill before we know what the bill will be. We do not know what amendment HARRY REID is going to file, but we are asked to cut off debate nonetheless. It is like former Speaker of the House NANCY PELOSI when she said: Pass it to find out what is in it. You wonder why the American people are disgusted with what happens in Washington. That is business as usual in this town.

Listen, the way this is planning to unfold is very simple. Majority Leader REID has said that if he succeeds in cloture, if he succeeds in shutting off debate on Friday or Saturday, that he is going to introduce one amendment—and by all appearances only one amendment—to fund ObamaCare in its entirety. That will be subject to a straight 51-vote threshold.

There are a couple of dynamics going on. No. 1, Republicans are actively debating among ourselves: Should Republicans vote with HARRY REID and Senate Democrats to allow HARRY REID and Senate Democrats to fund ObamaCare with a straight 51-vote partisan majority? I do not find that a difficult question. I think that should unify all 46 Republicans to say no. We should not enable ObamaCare to be funded, and a vote for cloture on Friday or Saturday is a vote to fund ObamaCare. They are one in the same. They are identical.

If you vote to give that power to HARRY REID to fund ObamaCare, then you are responsible for it being funded—and, by the way, for it being funded in the same broken process where there are no amendments, there is no opportunity to change it, there is no opportunity to offer anything. The Presiding Officer will not have an opportunity to offer an amendment, and I will not have an opportunity to offer an amendment. Instead, it is brute political force.

But I will tell of an upside—an upside, frankly, from some Members of the Republican caucus. If debate is cut off, they can tell their constituents: I voted for the House bill. That is not true, but they can tell them that. But even better, a 51-vote threshold—here is the dirty little secret people do not want to admit: There are more than a few Republicans on this side who affirmatively want a 51-vote threshold on funding ObamaCare. Why? Because they want two outcomes. No. 1, if we have a 51-vote threshold on funding ObamaCare, I promise you all 46 Republicans will vote against it. It will be a straight party-line vote, which means every Republican can go back to their district and say: Mr. and Mrs. America, when I had the opportunity to vote against ObamaCare, I did it. I did what you wanted.

I did what you want. The rest of it is kind of hidden in the procedural mumbo jumbo. But the beautiful outcome—and the reason why some Republicans want a 51-vote threshold—is if it is 51 votes we will lose. The President is well aware there are more than 51 Democrats in this body. It will be a partisan party-line Democratic vote, exactly how ObamaCare got passed into law.

I am going to suggest that Republicans going along and saying we want a symbolic vote is not listening to the people. Look, the dysfunction is on both sides. The Democratic Members of this Chamber—I understand, look, ObamaCare is a Democratic law passed and signed into law by a Democratic President, passed into law with only Democratic votes.

It is hard, if you are a political party, to admit, gosh, this thing that we put a lot of political capital in, it ain't working. That is a difficult, risky thing for anyone to say.

I am going to encourage—and my hope is that by the end of this process we will see some Democrats, Senate Democrats, listen to their voters and say: Listen, I thought this thing would work, I hoped it would work, but it hasn't. That is what the unions have said. The labor unions that publicly, vocally supported ObamaCare—and many of them were active proponents of getting it passed—have looked at it and said: Do you know what, we thought it would work and it hasn't.

There is no shame in admitting you tried something and it didn't work. I very much hope over the course of this debate we will see some Democratic Senators doing so. I would note that the fact that Senate Democrats are not participating, are not here, makes it less likely. But on the Republican side, the game is the same.

Washington, DC, is a strange place in many regards, one of which is symbolic votes are treated as tremendously important. I am told of a conversation that Senator LEE had with a Member of the House when early on the House had not yet voted to defund ObamaCare, but there was discussion about casting a symbolic vote to do so. The American people were quite unhappy with that and expressed that view.

Both Senator LEE and I expressed the view that we shouldn't be engaging in procedural games; we should actually be defunding ObamaCare. One particular House Member who will remain unnamed called Senator LEE and made a comment that I thought was particularly revealing. He said: You guys should be grateful. We gave you your vote.

I remember thinking what a curious turn of phrase, ''grateful.'' What an odd, Washington view of things. Why should we feel gratitude for getting a vote that is 100 percent destined to lose because it is offered in such a way that HARRY REID, on a party-line vote, can fund ObamaCare, and yet we can all have a symbolic vote. The reason, frankly, is that this is a town where for a long time neither side has listened to the team. This is the town where for a long time there have been elected politicians who want symbolic votes.

Let me be very clear. I don't want any symbolic votes on anything. I think everyone—our constituents should know what we believe. Whether or not we get a vote on it to demonstrate it shouldn't matter, because if we are standing and fighting, and if we are walking the walk, our beliefs should be self-evident.

DC responds, the DC establishment responds, if anybody tries to tell the truth—look, I promise you, my observations right now that there are some Republicans that would like a symbolic vote and then would like to lose so that they don't have any risk of it actually being defunded, I promise you those comments are not getting me invited to any cocktail parties in Washington anytime soon. That is perfectly fine. I don't particularly enjoy cocktail parties anyway.

This town needs a lot more truth telling. It is absolutely true. Everyone here knows it, but we are not supposed to say it out loud. There is a custom where we kind of wink at each other and say, listen, you are telling your constituents one thing, I am telling my constituents one thing. Let's not bother to give them the opportunity to know the truth.

If we got 100 of your constituents or mine, if we got 100 citizens from any of the 50 States and we put them in this room instead of 100 Senators, I promise you, No. 1, our constituents would not care about a symbolic vote. If you got 100 people, why would you want a symbolic vote? What is the point of that?

It is only the politicians who make a living staying in office that want symbolic votes. Symbolic votes are useful for getting reelected. They don't actually change the country. They don't make the lives of people better. But they do help politicians who want to get reelected and want to run a campaign ad saying, here is what I voted to do.

If you have 100 citizens in the Commonwealth of Virginia, the great State of Texas, the great State of Alabama, what they would say on ObamaCare is,

we have to fix this. We have to get people back to work. We have to deal with all the young people that are stuck in dead-end jobs because they can't get a job coming out of school. We have to deal with all the people, all single moms working in diners who are finding themselves working 29 hours a week because of ObamaCare. We have to deal with all of the people who are struggling because their health insurance premiums are skyrocketing under ObamaCare. We have to deal with all of the people who are losing their health insurance under ObamaCare.

This is why I am speaking out today and why so many others have come here speaking out because we have to make DC listen. That is what this fight is about, to make DC listen to the American people. I very much hope that the debate over the course of this week has a real effect changing the culture. That is why this body has held 10, 12, 14 percent approval ratings.

I remember a few months ago when all of us were in the Old Senate Chamber, all 100 Senators. It was a bipartisan meeting, and it was actually a very interesting, productive conversation. I remember a number of Senators commenting about the low approval ratings that Congress has and saying something to the effect that it is because we are not more efficient, that we don't pass more laws.

I have to say I think that gets it exactly backwards. I have never once found any constituent in the State of Texas—and I suspect there are not many in your State, in my State, or in anyone else's State—who says the problem is you guys aren't passing enough laws. That is not what I hear from people.

It is what you hear from politicians in Washington who would like to pass as many laws as possible so they can take credit for them. But it is not what you hear from people. The people at home say: You guys have done enough damage already. I will tell you why I think we are held in such low esteem. It is because we don't listen to the American people.

In every poll that has been done for years of the American people, in any State, whether your State, my State, any State, even bright blue States, Democratic States, if you ask the American people what is their top priority, jobs and the economy is the overwhelming answer. This is true if you ask Republicans, even if you ask only Democrats. If you ask only Democrats in bright blue States, jobs and the economy are still the top priority—or independents, Libertarians, anyone in the United States.

Yet the Presiding Officer and I have both served in this body 9 months. I would note the 9 months we have been here the Senate has spent virtually zero time talking about jobs and the economy. It is not on the agenda. We don't talk about it. We spent 6 weeks talking about guns, talking about taking away people's Second Amendment right, and no time talking about fundamental tax reform, fundamental regulatory reform. Today we are talking about defunding ObamaCare, the biggest job killer in the country. If you want to get jobs and the economy going, there is nothing we could do that is more important than defunding ObamaCare.

What is the case? There are right now three Members of the Senate on the floor of the Senate and two Members of the House of Representatives. Ask the American people, how many Senators should be here in the debate over defunding ObamaCare, the biggest job killer in this country? Because the American people's top priority is jobs and the economy, the people would say to all 100 Senators, what possibly do you have that is more important to do?

I expect some of my colleagues are at a fundraising dinner. Some of our colleagues are at home with their families.

Do you want to know why Congress is held in such low esteem? It is not that we don't pass enough laws; it is that the priorities of the men and women in this body are not the priorities of the men and women in America. We are not listening to America.

The most important objective, what I hope will come of this week, more important than the continuing resolution and the budget, more important than ObamaCare, is that we make some real progress to changing the culture of this place so that both Democrats and Republicans start listening to the people. That is the way our democratic republic is supposed to work. Right now, unfortunately, it is not how it is working.

Mr. SESSIONS. Will the Senator yield for a question?

Mr. CRUZ. I yield for a question without yielding the floor.

Mr. SESSIONS. The Senator made an important point about too often what goes on around here is that we have to obscure the reality of what is happening. I think that is important. I wish to ask about it. The Senator asked Senator DURBIN—I didn't see exactly how he answered. I think the Senator asked him whether or not he believed in a single payer. I don't think he answered. We know for a fact, though, that Senator REID in August said, when squarely asked: Do you believe in a single payer, he said: Yes, yes, absolutely yes.

What we have learned since then is that others are making the same statement. This spring, Senator SANDERS of Vermont, a nice and able Senator in the Budget Committee, said this bill is not going to work; really, in my view, it is not going to work; It needs to be a single payer.

Senator SANDERS is one of our more liberal Members—and I think it was how he identified himself, as a socialist, but he is an honest, able advocate. He said the truth: this bill, as written, will not work. It has to be a single payer.

Only this afternoon in the Budget Committee, one of our esteemed Members of the Democratic Party, when asked—when I made a comment about Senator REID, that the majority leader of the Senate said he wanted a single payer—he said, this ought to be a single payer system.

I don't know how many others have. The President said, in 2003, when he was running, he flat out said he wanted to have a single payer. Then he backed off and began to obscure that position, it seems to me. It seems to me that they realize that the American people were nowhere ready to have their government take over health care. So what did they do? It seemed to me that they obscured what the reality of this legislation was. They began to move away from it, and they began to say that it was something that it wasn't.

In the last few days it is almost like they have come out here in the open and begun to say that is what should happen. I understand the Democratic leader in the House, NANCY PELOSI, has said that she favors a single-payer system.

I think I will say to Senator CRUZ that I feel you are doing important work because the American people may not yet fully know how huge an issue it is before this Congress. This is huge.

Let me ask again, when we say there is a single payer—hair begins to stand up on my neck—I think I know who the payer is. Who would be the single payer for all health care in America if that kind of agenda took place?

Mr. CRUZ. I thank Senator SESSIONS for that very important question. The payer would be the U.S. Government, which means the payer would be the U.S. taxpayer, which means the payer would be hard-working Americans, once the Federal Government starts paying for all health care in all of America, which has been the stated position of the far left for a long, long time.

The Senator from Alabama made reference to Senator BERNIE SANDERS. I agree. I respect Senator SANDERS's commitment to his principles. As you know, he previously ran as a socialist. That is correct. I respect that degree of candor. Quite frankly, I would be very happy if this body had 10 more BERNIE SANDERS and 10 more MIKE LEES, because I think there would be far more truth in advertising and then we could have real debate about what the role of government should be in our lives.

Should we have socialized medicine? That is a very good debate to have, especially because—and I know the Senator from Alabama agrees with me on this—the facts are on our side. In every country on Earth where socialized medicine has been implemented it hasn't worked. We know what the results are. If you implement socialized medicine, you inevitably see poor quality. You see rationing, you see scarcity. You see the government getting between you and your doctor, the government deciding you want a health treatment, your mother wants a health treatment, your child needs a health

treatment. And you have a government bureaucrat deciding whether you get one. Maybe the bureaucrat tells you: Well, you can get that hip replacement you want in 6 months, in 1 year. But they may turn to Senator LEE and say: You know what. Your mom can't get that treatment. We have determined in our tables it doesn't make sense to give her that treatment. I guess she is at the end of her road.

That is what happens. It is the government that decides who gets health care and who doesn't. And you know what. Americans overwhelmingly don't want that. This is another point that is critical. It is not just that Majority Leader REID said he likes single-payer socialized health care; it is that he says, and a number of others have, that ObamaCare is designed to lead to that. I think it is very important to ask the question: Why? How does it lead to that? Because that goes to both sides of the aisle.

There are many Republicans who have said: We shouldn't fight this fight. It is risky. We will get political blame. All of the DC pundits say we shouldn't do this. Let's sit quietly and let ObamaCare collapse. It is collapsing of its own weight, it is not working. If we sit quietly, it will collapse and the Democrats will take the blame. I am suggesting there is far too much worry about blame and credit. Who cares? I don't care if Democrats take the blame. I would prefer to avoid the collapse and spare the Democrats the blame. Who cares?

But if it collapses, why is it that Majority Leader REID says ObamaCare will lead to single payer? Because in the process of the collapse, it will take our private health insurance system with it. Yes, it will collapse, but it will leave a wreckage. It will leave millions of people losing their health insurance, being pushed more and more into the exchanges, with one insurer after the other pushed out of the market. So when it collapses, there is no private health insurance market to go back to. That is why Majority Leader REID can tell the American people: Hey, I want the single-payer socialized medicine. And relax, ObamaCare will take us to that.

But that is also a real message to all the Republicans who right now have not yet announced they are going to oppose cloture on this bill. Because if we wait for ObamaCare to collapse—yes, it will collapse—with it will go the private health insurance system, and we may find ourselves in single payer. I think instead of worrying about blame, instead of trying to play the politics and think through it—and, listen, I am not nearly smart enough to play through all the political angles and everything else—it is a lot simpler to stand and do the right thing. One of the easiest ways to do the right thing is to listen to the American people.

You want to know what the American people are worried about. Go home and listen to your constituents. Their concerns are: I am trying to get a job and I can't get a job. I am trying to grow my small business and ObamaCare is driving us out of business. I am afraid of losing my health insurance and ObamaCare is taking away health insurance.

Look, we have read, and I have stack after stack that I am going to keep reading, from individual constituents—constituents in Texas and Virginia and Utah and Alabama and all over the country—who are losing their health insurance because of ObamaCare, who are losing their jobs and being forced into part-time work. We need to listen to the people.

I told the men and women who are watching tonight if they were to tweet the hashtag ''MakeDCListen,'' which has been, over the course of this, trending No. 1, that I would share some of the tweets they sent. So with your indulgence, I would like to do so to help give them a voice.

Many of these folks right now presumably cannot walk on to the Senate Floor and give a speech. Maybe in a few years some of them might. Maybe in a few years, if enough politicians in this body don't listen to the American people we may get quite a few of these tweeters who show up as new Senators committed to listening to the American people. But in the meantime—

Mr. SESSIONS. Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER. Will the Senator from Texas yield?

Mr. CRUZ. I am happy to yield for a question without yielding the floor.

Mr. SESSIONS. When the Senator thinks about those people who have tweeted and e-mailed and called and have written, most know something about the American system. If you were in Illinois or Alabama or Texas or Utah and you talked about this and said: This law has got real problems and it can't work the way it is, wouldn't the Senator think they would think the Senate would be able to take up this legislation and actually discuss it in a grownup way; that amendments could be offered that could fix it and be voted on up or down?

Doesn't the Senator think the fact we are in this situation—the Senator called it a steamroller—where the majority leader is blocking all amendments, all ability to attempt to fix this legislation and make something that would actually work, even though the House has passed repeatedly changing this law and ending this law, that the average American would be shocked to think we are incapable in this Senate of bringing up legislation and having it voted on in order to fix this bill?

Mr. CRUZ. I think Senator SESSIONS is absolutely right. The Senate isn't trying to fix this bill. The Senate isn't trying to respond to the needs of the American people. It isn't trying to respond to the jobs that have been lost, to the people who have been forced into part-time work, to the people who have lost their health insurance. Instead, it is responding to political power.

I will note that any Republican—on Friday or Saturday when we have the cloture vote—who votes to cut off debate is voting to give majority leader HARRY REID the ability to force funding for ObamaCare with no changes—no amendments, shutting off amendments. The Senator from Alabama can't offer amendments, I can't offer amendments, and we can't do anything. It is a pure exercise of political power on a straight party-line vote. That will make many Republicans happy because they will get to symbolically vote against it, and then we will be certain to lose if it is a 51-vote threshold.

Part of the reason, I would suggest—and one can understand why the majority leader wants to do that. Listen, if you are defending a law such as ObamaCare, that is a train wreck, in the words of the Democrat who wrote the bill, you don't want to debate the substance of it. When the esteemed Senator from Illinois was down on the floor—and I appreciate his coming—he sure didn't want to debate why there is a congressional exemption, why Members of Congress are treated better than average Americans, why President Obama has said Members of Congress are going to be exempted from ObamaCare but hard-working American families are not.

Look, I understand. If I were the Democratic majority leader and I were defending that position, I wouldn't want to defend it either. Because I have to tell you there is not a State in the Union where our constituents wouldn't just about tar and feather us if we stood in front of them and defended that, yes, there should be a special exemption for Members of Congress but not for you. And for big business. President Obama granted a special exemption for big business, but not for you, not for hard-working Americans.

Look, what a perfect example of the broken system, of the disconnect between DC and the American people. It is indefensible on the merits, and so this whole process is designed not to debate on the merits. It is designed never to have that debate because, as I observed earlier, the old adage in the courtroom—and my friend Senator LEE will recognize this from his days as a litigator, as will the Chair—if you have the facts, pound the facts; if you have the law, pound the law; and if you don't have either, pound the table.

So if you are defending ObamaCare, if you are defending exemptions for giant corporations and Members of Congress that don't go to the average American family, you don't want to talk about the facts and you don't want to talk about the law, so you want to pound the table. You want to talk about shutting down the government. You want to scare people. You want to threaten cutting off the funding of the men and women in the military, which is grossly irresponsible. I think Congress should never ever imperil the salaries

of the men and women who risk their lives to protect us.

This body should immediately take up the Defense authorization bill the House passed so that we can make sure the men and women in the military are always paid. And, by the way, even without that—if there were a partial shutdown—the President has all the authority he needs in existing law to pay the men and women in the military.

But if you don't want to debate the merits, you have to distract people. So it is a game. If you talk to a professional magician, magicians are good at banter and they are good at smoke and mirrors and distraction. Sometimes when they raise their hand and they have a shiny object over here and they want everyone to look over here, it is because they are pulling a card out of the deck with this hand. There are a lot of professional magicians in this Senate. There is a purpose to all of the discussion about shutdown and, for that matter, all of the personal politics—all of the attacks, more than a few of which have occurred within the Republican conference, more than a few of which have been directed at Senator LEE, more than a few of which have been directed at myself, and more than a few have been directed at the courageous House conservatives who led the fight in the House to get the House of Representatives to do the right thing and defund ObamaCare. It is not even the purpose that appears on the face of it. One would think the purpose is as it appears on the face. One would think the purpose for leaking nasty quotes, trying to beat up people, sending congressional staffers to get anonymous quotes—a little bit of profanity, a sort of mean, wicked sense of humor is because they are trying to pound somebody. It is not that, although that is an added side benefit. It is all about distraction. Make it about the personalities, make it about the people, make it about anything, anything, anything other than ObamaCare.

If we were actually talking about ObamaCare, if we were listening to the people—listen, if we were listening to the people, the people don't give a flip about any of the hundred of us. They don't care about politicians. And for good reason. There are very few people in America who say, when asked what do you want to do on the Fourth of July, they want to pal around with a bunch of elected politicians. Most people want to be in their backyard grilling burgers with their kids. God bless them. That is why America is the greatest country on Earth, because we have families and it is not about government. You know, in a totalitarian regime, everyone thinks about government almost all the time. Because when you have a jackboot on the back of your neck, it is hard to think about anything else.

The game in Washington is smoke and mirrors. The game in Washington is distract from anything, anything, anything, except the thing the American people care about—fixing the jobs and the American economy. That is not what is happening.

All right, let me read some tweets.

Mr. SESSIONS. Mr. President, will the Senator yield one more time for a question?

The PRESIDING OFFICER. Will the Senator yield?

Mr. CRUZ. I am happy to yield for a question. I would note my friend from Alabama seems bound and determined to stop the tweets. God bless him.

Mr. SESSIONS. I am interested in those tweets. I just wanted to thank the Senator for what he has done, because I think he is alerting all of us to the critical importance of the health care issue.

This is a plan, it seems to me, and the Senator has expressed it, I believe, to take over health care by the U.S. Government. We can all disagree. I was here when everybody on the Republican side fought this legislation until Christmas Eve, when it was finally rammed through shortly before Scott Brown from Massachusetts could take office and kill it. That is how close it was. I know people disagree about how to deal with it, and I understand and respect people with differing visions, but I wanted to say the Senator's leadership has served a valuable purpose tonight, and I am pleased to be able to support his effort. I wish him every success in those efforts, and I hope, as the Senator continues tonight, he will drive home the critical importance of this issue as we go forward. It is a matter this entire Nation cannot look away from. It is a matter we need to consider fixing because the legislation, as presently written, will not work.

We have two choices, it seems to me. We move forward to a single payer, as Senator SANDERS said we must do because this legislation won't work as written or will we move back to the classical American view of insurance and private health care and our own personal physicians.

I thank the Senator from Texas and would be pleased to hear some of those great tweets I know he has.

Mr. CRUZ. I thank the Senator from Alabama, and I thank him for his perseverance, his leadership, and his courage. I will say there have been more than a few legislative fights, and even a few while I have served in this body, on which JEFF SESSIONS and I have been fighting side by side, and I appreciate his friendship and wisdom, and it matters in this body.

Let's hear from the American people some of the tweets that were sent this afternoon during this discussion:

Already got a second job again because taxes are squeezing me dry. Make D.C. listen.

Congress passes laws that they don't follow, lives large off our money, and has contempt for those they represent. Make D.C. listen.

2700 pages when it was passed, over 20,000 pages now to implement. Make D.C. listen.

Vote no on cloture. A vote for cloture is a vote to fund ObamaCare. Defund ObamaCare. Make D.C. listen.

We will not go quietly into this disaster called ObamaCare. Make it cover everyone or no one. Make D.C. listen.

What a great point. If ObamaCare is such a terrific thing, as its defenders say, then all of us should be subject to it—big businesses, Members of Congress, our staffs, President Obama, every political appointee in the government, every Federal employee.

If that is a burden—and I believe it would be a huge burden—I would not be eager about that personally, but if that is a burden, then it shouldn't cover anyone. If there is some reason why that would be unacceptable—I actually think, of all of those, our friends on the Democratic side of the aisle would probably get the most pushback from having it apply to all Federal employees because Federal employees would push back mightily for good reason. But the right thing to take from that is not, well, all these guys should be exempt. It is, why would they push back?

If Members of Congress and their staff, Federal employees, the President, and the executive branch employees all found themselves subject to the same exchanges, the same rules that hard-working Americans find themselves subject to and they would be really, really dismayed, that should motivate every one of us to say: Hey, I am a lot more worried about the single mom working in a diner than I am about the IRS tax agent making $125,000 a year who is dismayed about being subject to the same rules as that single mom. And if we wouldn't be willing to make it apply to everyone, then it shouldn't apply to anyone.

Make D.C. listen. Do the right thing and defund this abomination of an unfair tax.

Listen up, America. This is your wake-up call. Make D.C. listen.

Defund ObamaCare now. We do not need this injurious legislation to be enacted. Make D.C. listen.

Stay strong. Vote no on cloture. ObamaCare must be stopped. The will of the majority of Americans is to defund ObamaCare. Make D.C. listen.

Sick of our employees deluding themselves into believing they are our bosses. Make D.C. listen.

For those who didn't follow it, we are the employees, the elected representatives who work for the American people, and yet an awful lot of people in this body think we are the bosses. That is exactly backward.

We don't want ObamaCare. We never did. Defund it. Make D.C. listen.

Just finished college. Can't get a full-time job. Thanks, ObamaCare. Make D.C. listen.

There should be no law that exempts a few and burdens the citizens. We, the people, do NOT want ObamaCare. Make D.C. listen.

D.C. a leader out of touch. IRS has no business being involved with health care. Make D.C. listen.

Make D.C. listen, because ObamaCare and its tax will damage the opportunity of Americans to choose the course of their own lives.

My insurance premiums went from $450 in 2010 to $880 in 2013 with $1500 deductible. Make D.C. listen. ObamaCare is a job killer, will ruin health care.

Let's look at those numbers again. Two thousand ten was just a few years

ago, and $450 was that individual's health insurance premium. Now it is $880 in 2013. That is the impact ObamaCare is having.

Here is a nice one:

Thank you for reading tweets so the American people can be heard. Make D.C. listen.

You are welcome. It is a privilege to have a chance to in some small way help provide a voice for the American people.

IRS bureaucrats don't want ObamaCare, either, but they are happy to force everyone else to conform to it. Make D.C. listen.

ObamaCare has turned America into a part-time nation. People are losing their homes. They can't feed their children properly. Make D.C. listen.

I wish to think about that last tweet for a second. ObamaCare has turned America into a part-time nation, and people are losing their homes. They can't feed their children properly. If any Member of this body was forced to work part-time, was losing his or her home, couldn't feed his or her children properly, it would be a crisis. Talk about getting our attention—it would be a crisis. If it was a family member, if it was our parents, if our kids were facing that, we would move Heaven and Earth to address it. Yet here it is our boss, the American people who are experiencing that, and most Members of this Senate are doing something else other than being here.

I will note that we have Congressman LOUIE GOHMERT, Congressman PAUL BROUN, and Congressman RICHARD HUDSON was here earlier. But where is the Senate?

We don't feel the pain of the American people like it is ours, like it is us. It is not surprising because President Obama has exempted Congress from ObamaCare, so we are not feeling the pain. That is the problem.

ObamaCare has turned America into a part-time nation and people are losing their homes. They can't feed their children properly. Make D.C. listen.

Three years and they still can't get it going. Make D.C. listen.

Make D.C. listen, because D.C. is not listening to the American people. HELP US.

Defund ACA. It is job killing and not affordable and we won't get care, and our politicians act like it is good for us.

Well, that is true. A lot of politicians do act as though this is really good for you. Mind you, we don't want to be subject to it, but trust us, it is good for you. Different rules apply to the Washington, DC, ruling class than apply to the American people. That is the problem.

Help revive the economy. Make D.C. listen and defund ObamaCare. Fight for real reform.

ObamaCare is a disaster. Make D.C. listen.

Letters saying your plan is cancelled due to the ACA ruins the ''like it, keep it'' narrative. Make D.C. listen.

By the way, that is from an individual who is @demcalal. Makes me wonder if that is a Democrat in California named Al. I don't know if it is, but it would be interesting if it were.

What is interesting about this is that if you get outside of Washington, it is not just Republicans who understand ObamaCare isn't working; it is Democrats, Independents, libertarians.

I feel quite confident that James Hoffa, the president of the Teamsters, is not a Republican. I really have no doubts on that. Yet Mr. Hoffa in a public letter has said that ObamaCare is destroying the 40 hour workweek that is the backbone of the American middle class.

Those are just the facts. That is what is happening. If we were listening to the American people, every one of us would be here doing everything we could to turn it around now. We wouldn't be happy to wait until the end of the week. We would say: Now, let's stop this job killer.

Defund ObamaCare, because I know what is best for my health care, not some bureaucrat. Make D.C. listen.

Defund ObamaCare. The majority of America is against this intrusion into our private relationship with our doctor. Make D.C. listen.

Make D.C. listen because ObamaCare is killing full-time jobs.

Make D.C. listen. Defund ObamaCare because it takes our freedom away.

If you love your country, value freedom and choice, oppose tyranny-style government laws, then make D.C. listen to you.

Tired of Senators who won't listen. Make D.C. listen.

Make D.C. listen. Please stop ObamaCare. It is killing this country.

We need the government to listen to the people and do what is best for the country. I support defunding ObamaCare 100 percent. Make D.C. listen.

Make D.C. listen. We don't want government intrusion into our health care.

D.C. isn't listening. Everyone in America understands that ObamaCare isn't working. Make D.C. listen.

The health care reform that the President sold America isn't the health care reform that America is getting. Make D.C. listen.

ObamaCare. AIN'T NOBODY GOT TIME FOR THAT!!! Make D.C. listen.

Way to go. Make D.C. listen to our voices calling for individual liberty.

Make D.C. listen. We don't get an exception, so you shouldn't either.

I agree. I think all of us should get an exception. Every American should get an exception. And there is no world in which Congress should be treated better than hard-working American families.

I don't want more government. Make D.C. listen.

I wish the Senate would listen to us. Please listen to the people. We don't want this bill. We want freedom. Make D.C. listen.

Make D.C. listen. ObamaCare is turning us into a part-time economy.

Government is designed to go by the will of the people, not the other way around. Make D.C. listen.

We don't want it, don't need it, can't afford it. Please tell them to listen to its citizens. Make D.C. listen.

Ronald Reagan warned us about government-run health care. Bad. Bad. Bad. Make D.C. listen.

Make D.C. listen. Analysts, experts, and business people agree that the ACA will hurt our economy.

Americans are fed up with our elected officials not listening. WE don't want ObamaCare. Make D.C. listen.

Let the free market make health care more affordable by allowing sales across state lines. Make D.C. listen.

Let me say, by the way, that is a terrific proposal. Once we defund ObamaCare, there will be a lot we will need to do on health insurance. There is a lot we need to do on health care reform to make it more affordable, to make policies personal and portable so they go with you regardless of what job you are in.

One of the best things we can do is allow interstate competition. Right now it is illegal to purchase health insurance across State lines. Why does that matter? Well, the biggest barrier to access for people who don't have health insurance is the cost. You get government regulators who drive the cost up and up because they mandate this bell and this whistle, and you have to cover everything they want. It is a great thing for politicians because if you mandate that every health insurance policy has to cover this procedure, it lets politicians come to the people and say: I am giving you free what-have-yous. But one of the simplest principles of government is that there ain't no such thing as a free lunch. Every time you mandate that a health insurance plan must include whatever benefit it is that politicians want to give away to the people, it drives the cost up. Every time the cost goes up, there are more and more people who can't afford it. So you can have a lot of politicians giving away free stuff, and when you do that, it will mean there will be a whole bunch of people who get no coverage at all because they can't afford it.

If we were to allow purchases across State lines, we would see a true 50–State national marketplace, true competition. There would be real choice.

By the way, the people who may be the biggest losers of all under ObamaCare are the young. It is difficult to design a bill to do more damage to young people. The ''lost generation'' is what economists are now dubbing young people, in significant part because of the consequences of ObamaCare. If you are a young healthy person, it may well make sense to purchase catastrophic health insurance—health insurance that if, God forbid, you get hit by a truck tomorrow or you get diagnosed with some horrible life-threatening disease.

The odds are relatively small that is going to happen to any of us, but if it does, it is very bad, and that is when we want health insurance. If you could purchase insurance across State lines, there would be a 50–State market and you could get low-cost, inexpensive catastrophic health insurance.

If you think about health insurance right now, it doesn't work like insurance. I wish to compare it to an insurance market that works. Most of us are familiar with car insurance. Most of us who have cars have car insurance. With car insurance, if you need to change the oil in your car, you do not call Allstate and say: Change the oil in my car. If you get a flat tire, you typically do not call Allstate and say: Hey, I

have a flat tire, change the tire on my car. God forbid, if you get hit by an 18-wheeler and your car gets totaled, then you call your insurance company and say this catastrophic event happened; that is why I have insurance. A lot of people when it comes to health insurance though, right now the system is treated as just a third-party payer instead of dealing with catastrophic, unlikely events. That is a reform that would make a real difference.

If you want access to low-cost health insurance, allowing people to purchase it across State lines after we defund ObamaCare would make a real difference, and if we added to that reforms that expanded health savings accounts so you could save in a tax-advantaged way to meet routine prevention and maintenance, to take care of the equivalent, in the auto context, of changing the tire, that would go even further; and if we changed the tax law right now—most people do not know that employer-provided health care is an historical anomaly. It actually arose during World War II. Shortly thereafter, when wage and price controls were in effect, employers had a challenge. They wanted to recruit employees, but they could not raise wages. It was against the law. So they began offering health insurance as a way to attract people, to say come work for my company, we will give you health insurance.

Right now the Federal tax laws heavily favor employer health insurance. The problem is, we don't live in 1950s America now. There was a time when people would get a job in a big company and work 30, 40, 50 years, retire, get a gold watch, and that would be it. We don't live in that kind of world anymore.

Most people will work for one company, then another company, then another company—relatively unlikely that American workers are going to stay with one company their entire life. They are going to switch jobs, possibly a lot, sometimes voluntarily and sometimes not voluntarily.

When you and I were in the private sector, Mr. President, if we lost our jobs and got fired, you didn't lose your life insurance. You didn't lose your car insurance. You didn't lose your house insurance. The only insurance you would lose if you lost your job was your health insurance. That doesn't make any sense. Of all of them it is the worst one to lose.

The Senator from Illinois asked about preexisting conditions. If we could change the law so health insurance plans were personal and portable, just like your car insurance, regardless of where you happen to work it goes with you, it travels with you, that goes a long way to solving the problem of preexisting conditions, because where preexisting conditions have such a big impact is when somebody loses one job and is trying to get coverage for the next job. If you could take your personal portable plan with you, that goes a long way to mitigating it. Let me point out all of those reforms have a fundamentally different philosophy than ObamaCare. ObamaCare has a philosophy empower government over your life, put a government bureaucrat between you and your doctor. The reforms I laid out are all about empowering you, the American people, empowering you, the patient, to make a choice, empowering you to make decisions about your health care with your doctor, with no government bureaucrat anywhere near you. I am going to suggest the difference is those plans come from listening to the people. ObamaCare is the opposite of listening to the people.

Mr. LEE. Will the Senator from Texas yield for a question?

Mr. CRUZ. I am happy to yield to my friend from Utah for a question, and I will return with yet more tweets at a later point.

Mr. LEE. I say to Senator CRUZ I have come with some updates from the outside world, updates based on what I am hearing from my constituents at home. You may be interested in learning, I say to Senator CRUZ, that just today in the last 12 hours or so my office has received nearly 1,100 e-mails, 1,093 to be precise. Almost every single one of those is asking us to do whatever we can, do whatever it takes, to defund ObamaCare. People are asking us to fund government, keep government functioning, but to defund ObamaCare.

I also have some news from a local paper in the State of Utah. This is from the Box Elder News Journal in the northern part of my State. In an article written by Mike Nelson, an associated editor with the Box Elder News Journal, we read about Brigham City moving to adjust its pay, to cut its payroll, in order to avoid certain ObamaCare provisions. I am going to quote just from part of it here. It says:

> Changes are coming for paid on-call employees at Brigham City Emergency Services Department in an effort by the department and the city to avoid employee eligibility for health care under the Affordable Care Act. ''Back in February it became apparent the ACA—

Or for those of you who see the newspapers, ObamaCare—

> was going to dramatically impact the way we manage our fire and ambulance crews,'' said emergency services director Jim Buchanan, while addressing the issue at an August 1 city council meeting.

This is one of many examples of not just businesses but also local governments that are having to make cuts in their payroll in order to adjust for this law. This is having a real impact on real people.

It is having an impact also on students. I received a message from a student in Utah named Sarah. Sarah, today, a college student, writes:

> I am a student facing a shrinking job market with fewer options. Now it seems ObamaCare is going to force me as a healthy young person to pay more to keep the President's health plan functioning. How is that fair?

She asks rhetorically. Sarah, it is not fair. Sarah, I would add to that, we have this health care law called the Patient Protection and Affordable Care Act. The idea of it is it is supposed to make health care more affordable. What we have found in recent months is that it is going to make health care less affordable, with premium hikes expected around the country. What we are seeing is that this law will make health care not only less affordable, it is also fundamentally unfair. It is unfair in that it is forcing a lot of people to have cuts made to their wages, cuts made to their hours. In many cases, people are losing access to health care plans that they have enjoyed for years. In some cases, they are even seeing that they will no longer have access to the same physician or other health care provider that they have enjoyed for years.

This is a law that while touted as making health care somehow more affordable is actually making it less affordable. It is also being implemented in a manner that will make our health care system fundamentally unfair. Within my State, the State of Utah, we have no fewer than five school districts and three universities that have been announcing cuts in their hours, cuts in their number of employees, all in response to this law. It is interesting that what we are discussing, much of what we have been discussing, has been on the upcoming cloture vote. There have been those who have argued that if you want to support the continuing resolution passed by the House of Representatives—remember, this is the continuing resolution that will keep our Federal Government funded while defunding ObamaCare—that if you want to support that, that you must vote yes on the cloture vote on the bill.

That is an interesting take on it because not withstanding the fact that some in my party have been making that suggestion, it is anticipated that Mr. HARRY REID—the Senator from Nevada who is currently serving as the Senate majority leader—that HARRY REID and 53 Democratic allies will, as I understand it, all be voting for cloture on that bill. That begs the question, are those same people who are suggesting that if you support the House-passed continuing resolution, the one that funds government, keeps government funded while defunding ObamaCare, that you have to vote yes on cloture on the bill, does that mean that HARRY REID and the 53 Democrats who are likely to follow him are also supporting the House-passed continuing resolution, the one that keeps government funded while defunding ObamaCare?

I find that a little strange. I find that a little counterintuitive. I think it is important that we remember, and we continually remind ourselves, what this is about. When this continuing resolution passed by the House last week—heroically in my opinion. It showed a real strong sense of leadership by Speaker JOHN BOEHNER and by

the other Republican leaders in the House of Representatives and by the rank-and-file Members of the House who voted for this legislation. When they voted for this legislation to keep government funded while defunding ObamaCare they stood with the American people who asked them for relief from this bill.

American people had been telling them: Look, we need help. They have been asking: How many of us will have to see our hours cut? How many of us will have to experience wage cuts? How many of us will have to lose access to the health care we have enjoyed for many years before Congress acts?

The House of Representatives did act. The body within our government, the branch within Congress that is most responsive to the American people, acted to protect the American people from this harmful law while simultaneously keeping the Federal Government operating.

Now that that has happened and that bill is moving over to the Senate, the ball is in our court, we have a couple of possible responses to that. The first would be we could take it up and we could vote on it as is. We could vote on it just as it was passed by the House. We could vote on it, up or down, as is without any amendment. That would be fine. I would be fine with that. If that is what we were doing, I would be voting yes on the cloture vote. Of course I would. I suspect my friend, the junior Senator from Texas, would as well.

There is another option. We could say rather than vote on it as is, let's make adjustments to it. Let's invite amendments. Let's have an open amendment process whereby Senators, whether Democrats or Republicans or the couple of Independents we have, could submit amendments as they deem fit, have those amendments not just proposed but debated, discussed, and ultimately voted upon. That would be an acceptable alternative.

People around here often call this, the Senate, the world's greatest deliberative body. They call it that because this is a place where, in theory, we are supposed to have access to an open amendment process; theoretically unlimited debate. Is it time consuming? Yes. Is it cumbersome? Absolutely. Can it be frustrating? Without question. But it is one of the things that distinguishes this body. It is one of the things that makes this the Senate.

So if we were to have an open amendment process, it would take a lot of time and it might even require another all-night session just like we had a few months ago in connection with the budget resolution, but it would be worth it. It would be entirely acceptable, and I would be voting yes on cloture on the bill if that is what we were faced with. But what we are faced with, what we are told is going to happen, what we are told is being prepared to accept is neither of those options; not being given the opportunity to vote yes or no, up or down on the resolution passed by the House of Representatives nor would we be given the opportunity to have an open amendment process, one that allows individual Senators to propose amendments and have those amendment considered, voted on in this body.

What we are being told instead is that what we will have is a single amendment brought forward by the Senate majority leader, one amendment and one amendment only, and that amendment, by the way, would strip out the defunding language, it would gut the House-passed continuing resolution of a provision that many would consider the ''without which not'' part of the House-passed bill, meaning the part without which the House of Representatives could not and would not have gotten the necessary 218 votes to pass a continuing resolution. That is a problem. That is a problem indeed because that suggests that by voting for cloture in that posture, where Senator REID is contemplating allowing neither an open amendment process nor an up-or-down vote on the House-passed resolution in as-is condition—in either of those circumstances, we would be fine. But we are not getting that. We are getting stuck with something else. He wants to gut the House-passed continuing resolution with the defunding language without any open amendment process and without the opportunity for an up-or-down vote.

So in that circumstance, I don't understand why it would be the case that Republicans would feel that voting yes would be supporting the House of Representatives and voting no would be voting against the House of Representatives. In fact, it seems to me, I say to Senator CRUZ, that would be quite the opposite of that. It seems to me that if, in fact, one wanted to stand behind the House of Representatives and stand behind their willingness to defend the American people and protect them from this harmful law, at the end of the day that would entail that anyone who wanted to stand with the House of Representatives on that point would necessarily need to vote no if, in fact, Senator REID does what we expect him to do later this week.

Would the Senator agree that is what one could expect in that circumstance? And would the Senator also agree that Senator REID is likely to have 53 Democrats going along with him, and if Senator REID has 53 Democrats going along with him, doesn't that rather undercut the argument that in order to support the House-passed bill one must vote yes on the cloture vote on cloture on the bill?

Mr. CRUZ. I thank Senator LEE for his very good question. I think the answer is absolutely yes. If the objective of any Senate Republican is to support the House Republicans, the bill they passed to defund ObamaCare, then one obviously would not vote to allow Majority Leader HARRY REID to strip out all of the operative language and to fund ObamaCare with a 51-vote pure-partisan Democratic majority. That is not complicated. To be honest, it is something every Senator in this body understands. All the Democrats understand it. It is why HARRY REID is voting yes on cloture. It is why, presumably, every Democrat will vote yes on cloture. Why? It is the reason some of our colleagues have used as well: A ''yes'' vote on cloture says that they support the House of Representatives' bill and support defunding ObamaCare.

I suppose that means, then, that HARRY REID suddenly supports defunding ObamaCare and that every Democrat supports defunding ObamaCare. I say to my friend Senator LEE that I would be very happy if that were the case. If that interpretation were right and suddenly HARRY REID and every Democrat supported defunding ObamaCare, that would be terrific. We know for a fact it is not the case. We know for a fact it is not the case because they publicly said it. We know for a fact it is not the case because just yesterday I asked for unanimous consent to simply pass the House bill. If every Democrat and HARRY REID supported defunding ObamaCare, he wouldn't have objected.

Everyone understands that the cloture vote on Friday or Saturday will be a vote to allow HARRY REID to fully fund ObamaCare using only a 51-vote majority that allows it to be done on a straight partisan line. There is no confusion on that. Every Democrat understands that, and every Republican understands that.

However, there is some confusion, but not in this body, and it is so Senators believe with the American people because Senators think, well, the politics and procedural mumbo-jumbo is confusing enough that I can vote yes, give HARRY REID the ability to fund ObamaCare, and at the same time I can run paid advertisements—as more than a few of our colleagues may well be doing right now—that say: I want to defund ObamaCare. They can't do both. They can't hand HARRY REID the ability to fund ObamaCare and claim they want to defund it. Pick a side. Pick a position and stand by your beliefs.

I will give an analogy. The House of Representatives passed a bill that cut taxes, and then it came over to the Senate. Majority leader HARRY REID announced that he wanted to file for cloture on that bill, and then after that happened, he would file an amendment to erase all the tax cuts and to jack up taxes by $1 trillion. Let's suppose he announced this publicly and told everyone: This is what I plan to do—and by the way, it is going to be the only amendment. I will totally gut the House bill and turn a tax cut into a tax increase. I am absolutely certain if that were the case all 46 Republicans would vote against cloture. We get the game.

Voting to cut off debate is voting to allow the majority leader to gut the

House bill. So any Senator who votes for cloture is saying: I want the majority leader to be able to gut the House bill. But it is even better than that. What was it that P.T. Barnum said? You can fool some of the people all the time, and all the people some of the time, but you can't fool all of the people all of the time. There are a lot of Members of this body who think: Some of the people all of the time will be just good enough for me. If I can vote to give HARRY REID the ability to fund ObamaCare, and then, beauty of all beauty, when we get to a 51-vote threshold on ObamaCare, I can vote against funding ObamaCare, I can go home and say: Hey, I voted twice the right way. Of course, I did it in a way that guaranteed 100 percent that we are going to lose. It guaranteed that ObamaCare would be funded.

Now, for that strategy to work, it depends upon voters being really gullible and confused.

I was reading tweets earlier. Earlier we talked about how we are not living in the 1950s. In many respects we are not living in the 1950s. One of those respects is we no longer have three big networks that control all the news and limited avenues for the American people to find out what is going on. We have seen a democratization of information. We now have cable TV and more channels, it seems, than one could possibly imagine. We have avenues such as FOX News that get out content that the mainstream media won't cover in an effort to provide fair and balanced news. We have talk radio. God bless talk radio. It is an avenue to reach out to millions of Americans, and it is able to go right around the media gatekeepers. We have the Internet. We have social media. We have Facebook and Twitter. We can disseminate information directly.

In the 1950s one could do some procedural smoke-and-mirrors. One could hide an obfuscation, and people wouldn't know. One of the fascinating things—and I suspect the Presiding Officer has done this as well as an avid student of history—is listening to the old L.B.J. tapes. L.B.J. would be talking to one group on tape and say: I am totally with you. And then he would be on tape talking to the other side saying: I am totally with you. He would tell different groups things that were 180 degrees opposite of each other. He would say one thing to one group and another thing to another group. They were so different, they would never get a chance to reconcile.

I would suggest that in 2013 that is a lot harder to do. In 2013, if they tell one group they are totally with them, you better believe the other group will find out about them.

In 2013, if a Member votes—I hope they don't, but some Republicans might—to give HARRY REID the power to fund ObamaCare on a straight partisan 51-vote threshold, then that Member is voting to fund ObamaCare and their constituents are going to know about it. It is not anything any of us are going to do because our constituents are now engaged and following this debate directly. So the ad that says ''I am for defunding ObamaCare'' while at the same time fighting to keep funding ObamaCare doesn't work in the Internet age. It doesn't work.

What is the old line? I try not to lie. I try to tell the truth because it is so hard to keep track of the lies. Instead of telling people multiple positions, just stand and fight for what you believe in.

Earlier we were talking about BERNIE SANDERS. I respect the heck out of BERNIE SANDERS. Actually—and this is a comment that often surprises our friends in the media and even some Democrats—I respect President Obama. I respect the man a great deal because I think he is deeply committed to his principles. I think he has taken political risks for his principles, I think he has fought for them, and I think he is a true believer. Everything I have seen about his entire course of life—I think he believes genuinely, earnestly, and with all of his heart in government solutions, government control of the economy and our lives, and in redistribution of wealth. I have no reason to doubt that the President sleeps like a babe at night believing that he is fighting to better America. At the same time, I believe the ideas the President believes in and the policies he has advanced are profoundly harmful—not a little bit wrong but profoundly harmful to this country.

You know what. That is a debate we can have. That is a policy debate I welcome. Has it been good or bad for Americans to implement ObamaCare? Has it been good or bad for Americans to see jobs drying up? Has it been good or bad for Americans to see small businesses not grow anymore? Has it been good or bad for Americans to see health insurance premiums skyrocketing? Has it been good or bad for Americans to see more and more people losing their health insurance? That is a debate I am happy to have on the substance. That is an honest debate. The President embraces that policy.

I will confess that what produces more of the cynicism and skepticism toward Washington are the politicians who don't have the honest debates and don't say: You know what. I am not all that fond of ObamaCare, but it doesn't matter enough to me to risk anything on it. I care more about staying in office than I do, actually, about fighting a fight. So I want to take some symbolic votes, and I don't want to risk any chance of anyone blaming me for the downside.

I get why voters are frustrated with that. I get why voters are frustrated with politicians saying one thing and doing another. It shouldn't be complicated. Do what you say. It shouldn't be complicated. Stand for your principles. If you don't believe ObamaCare should be funded and that Obamacare is hurting Americans, then stand and say: Let's defund ObamaCare.

I have made it very clear that we could end this debate right now if the majority leader would come down and say—look, the best way to end this debate would be if he would agree to pass the House continuing resolution to fund all of government except for ObamaCare. I recognize that is not likely to happen anytime soon, but it would be the best way, and it would be the way that is most responsive to the American people. But the second way to end this debate—and, by the way, to expedite this whole process—is to simply have the majority leader agree to have open amendments and have those amendments subject to a 60-vote threshold.

The Presiding Officer and I have both been here the same number of months—9 months. During the time we have been here, we have seen vote after vote after vote with a 60-vote threshold. That is very common.

The Presiding Officer will remember the guns debate we had. Guns are an emotional and passionate issue. It is an issue people on both sides care a lot about. I get that. The Presiding Officer will remember that when we voted on the floor of this Senate, every single amendment was subject to a 60-vote threshold.

In the course of that debate, I introduced, along with Senator CHUCK GRASSLEY, the Grassley-Cruz bill. It was a law enforcement alternative. Instead of restricting the Second Amendment rights of law-abiding citizens, it was targeting violent criminals. It was going after felons and fugitives who tried to illegally buy guns. It was going after those who commit violent crimes with guns. It was going after States that don't report mental health records to the background check system.

We just saw a horrific shooting in Washington, DC. All of us are mourning for the victims and the families there. The individual, it appears, had significant mental health issues. The Grassley-Cruz bill would have mandated significant incentives and penalties for States to get them to report mental health records, because our background mental health system doesn't work if we don't have the mental health records in them. As of a date relatively recently—I don't recall the date off the top of my head but relatively recently this year—I believe there were 18 States that reported 100 or fewer records.

The Presiding Officer will recall what happened with that bill, and every amendment. We got a majority. A majority of Senators voted for the Grassley-Cruz bill. Indeed, nine Democrats voted for the Grassley-Cruz bill. It was the most bipartisan of any of the comprehensive gun legislation that was considered by this body. There was no other comprehensive bill that had anywhere close to that level of bipartisan support across the aisle. Yet the Grassley-Cruz bill did not pass into law. It

didn't even get sent over to the House. Why? Because there was a 60-vote threshold because, effectively, Majority Leader REID filibustered it.

As important as guns are, I think restoring jobs and the economy, restoring economic growth, dealing with the train wreck that is ObamaCare, is at least as important to the American people. The idea that somehow a 60-vote threshold was OK there but here there has to be a partisan exercise in brute power in my view is completely inconsistent with the traditions of this great body. But I will note it serves the purposes of politicians on both sides of the aisle. It serves the purposes of Democrats because most Democrats right now still want to preserve ObamaCare.

Most Democrats, in my view, are privately getting more and more nervous about the train wreck that this is. They are seeing—we can't go home and talk to our constituents without seeing the job loss and the health insurance premiums going up and people losing their health insurance. I think most Democratic Senators are nervous about it but not yet ready to abandon ship. On the Republican side, there is not a Republican here who doesn't enjoy giving speeches about ObamaCare. We can give speeches, humdingers sometimes. But there are more than a few Republicans who are nervous about actually doing anything that has a real chance of happening, because anytime we take a stand that has risk, there is downside to risk. If we hold our ground, if the House holds their ground, it is entirely possible that majority leader HARRY REID and President Obama will force a government shutdown. I don't think they should. I think it will be a mistake. But they have said they are willing to shut the government down in order to force ObamaCare on the American people. That has a lot of people on the Republican side in the conference nervous because they think, Well, if President Obama and HARRY REID shut the government down, they will blame it on Republicans and the media will all repeat that attack. The mainstream media, every one of them, will repeat word for word the talking points. It will get to the point that the stories we read in the major newspapers will read as if they were written by the White House Press Office.

But that has been the way of the world for a long time. So there are Republicans nervous about, Well, even if the President and HARRY REID force a shutdown, Republicans will get blamed and we don't want the political blame so we don't want to fight this fight. In fact, a lot of Republicans have gone out to the press and said, We can't win, we can't win, we can't win. When we have a lot of Republicans saying we can't win, that is one way to make it less likely we are going to win.

It is true if Republicans don't stand together on this, we can't win. Some have asked, Why haven't Democrats come over to join us? Listen, the Presiding Officer and I both know no Democrat is going to come join us as long as half the Republican conference is split and throwing rocks at us. There is no incentive for anyone to do that now. The only hope of bringing Democrats over to join us is if we first unify Republicans. If we get all 46 Republicans to stand together opposing cloture and to say, No, we are not going to let HARRY REID shut down all amendments; we are not going to let HARRY REID fund ObamaCare on a straight partisan party-line vote; and then, if those Democrats elected in red States begin hearing from their constituents in incredible numbers—listen, I will tell my colleagues, the people of Arkansas, the people of Louisiana, the people of North Carolina, they understand ObamaCare is a train wreck. They would like their Senators to listen to them. The Presiding Officer and I both know, when we start to hear from 5,000, 10,000, 20,000, 50,000 of our constituents, it changes our calculus. If there is one thing the men and women of this body like, it is to get reelected. The only way this fight is going to be won is if the American people speak so loudly that the politicians in this body have no choice but to listen to the people.

Let me give an example, an example the Presiding Officer and I spoke about at the time. About a month ago, we all remember that President Obama publicly announced his intention to launch a unilateral military attack on the nation of Syria. When that happened, bipartisan leaders in both the House and the Senate fairly quickly came out in support of that plan. Just about every commentator—just about every talking head in Washington—said there was no chance of stopping it. It was going to happen. It was a done deal. It was going to happen. In fact, they were the same voices who are saying now, with regard to defunding ObamaCare, it can't be done, accept it, accept it, it can't be done, it can't be done. All of those exact voices said about Syria: He is going to attack, there is nothing we can do, it will be done.

The Presiding Officer and I both spoke out loudly, saying the President should bring the issue to Congress, and I commend the President for listening to bipartisan calls. That was not easy. I have no doubt there was significant dissension among his advisers who didn't want him to do so, and I commend the President for listening to those bipartisan calls. It was the right thing to do. Once he submitted it to Congress, what happened next the Presiding Officer and I both know because we both went home to our respective States. People in our States were not evenly divided on the question of Syria. It wasn't a close call. I can tell my colleagues in my office the calls literally went 100 to 1 against the United States launching a unilateral military attack against Syria and getting involved in that sectarian civil war in a way that didn't further our national security. We had over 5,000 calls from Texans opposing getting us in the middle of that Syrian civil war. We had roughly 50 in support of it. I think the percentage in our office at one point was 99.13 percent of the calls were against military intervention.

We saw something even more incredible. Everyone said it was a done deal and the Senate was going to vote to approve it. The more the American people spoke up, the more people in this body began listening, the more some of those who early on were fans of the military intervention suddenly began listening to their constituents and saying, I am not so sure this makes sense.

And then astonishingly, remarkably—and I give him credit for this—the President of the United States listened, and the President went before this Nation and asked this body, do not vote on this. I am glad he did, because if we had voted, I think at that point it was very clear he would have lost the vote, that Congress would not have voted to authorize military force. The House clearly would have voted against it and I think there is a good chance the Senate would have also, although the Senate is a little harder to predict. I am glad the President asked us to call off that vote, because I don't think it is good for this country, for Congress to vote against the Commander in Chief on issues of national security and defending this Nation, so I am glad we didn't have that vote. But I am glad he listened to the American people.

I want to point out, for everyone who says defunding ObamaCare is impossible, they are the same voices who said stopping the attack on Syria was impossible—the exact same voices, graybeards—all of the media.

The only thing that is going to change the dynamic in this body, the only thing that is going to unite 41 Republicans against cloture, against ObamaCare, and to defund ObamaCare, is if the voice of the people becomes so loud it can't be ignored. The only thing that is going to start moving red State Democrats is if the voice of the people in their States becomes so loud they cannot be ignored. Ultimately, that is how we win this fight. It comes down to the people.

I would also like to have a bit of a discussion on an issue that I would note the Presiding Officer and Senator LEE both care about and are quite expert in, which is constitutional law and the separation of powers. We have often seen pundits go on television and they use a phrase that I think is particularly asinine. They say, Republicans cannot expect to—fill in the blank here—defund ObamaCare, cut taxes, push tax reform, have regulatory reform—do anything—Republicans cannot expect to X because we control just one-half of one-third of the government. The only thing the Republicans have in Washington is a majority in the House, and they can't do anything from one-half of one-third of the government. There is a technical legal

term for that argument: It is poppycock. It is complete and utter nonsense. That is not the way our constitutional system works.

It is true that Democrats currently have a majority in the Senate and that a Democrat sits in the White House. That is true. But the Constitution gives different branches different responsibilities and in their respective spheres each branch has exceptional power. So when it comes to ordering our military troops into battle, to selecting targets, to making direct decisions of military conflict, the President of the United States is Commander in Chief, and it does not matter if the President is a Democrat or whether 535 Members of Congress are Republicans. When it comes to being Commander in Chief, when it comes to ordering our troops into battle, to making decisions in the midst of conducting war, the Constitution gives the President preeminent authority on that under article II.

When it comes to adjudicating the constitutionality of law—one could make arguments about whether this is right—but as a practical matter, the Constitution and modern acceptance gives the Supreme Court preeminence in adjudicating whether a law comports with the Constitution. I would note that is true even if five Justices of the Court are appointed by a different political party, the party that controls both Houses of Congress and the Presidency. We could have five Justices appointed by a Democratic President and 535 Republican Members of Congress and a Republican President. Yet on the questions of adjudicating the constitutionality of the law, the Supreme Court would still have preeminence and very significant authority.

When it comes to appropriations, when it comes to the power of the purse, when it comes to spending, article I of the Constitution gives Congress preeminence and, in particular, the House of Representatives. So I will be perfectly honest. If I were to pick one thing for Republicans to have control over, particularly when it comes to funding or defunding something, it would be the House of Representatives. Every pundit who goes on television and says, Well, we just control one-half of one-third of the government—what complete and utter nonsense. Not a single law can pass into law without the House of Representatives. It is a necessary but-for. And on questions of spending, the House of Representatives has preeminence. So this notion that it can't be done—and a related point. There are some on the Democratic side of the aisle who make the argument this is the settled law of the land. Accept it already. You guys are bitter enders. We passed it into law. We won a Presidential election again. Game over. You lose.

I understand the political virtue of making that argument. It is always good to convince those who disagree with you to give up their beliefs. Sometimes those on this side of the aisle oblige by doing so. But it is not an argument that has any basis in the Constitution. Is ObamaCare currently the law of the land? Of course. It was passed into law, it is in the statute. It is on the books.

No one on this side of the aisle has argued it is not. We are arguing it should not be. That is a very different thing than saying it is not.

Congress has the power of the purse. Congress has the power—let me finish this point, and then I am happy to yield for a question. Congress has the power to appropriate. There is no obligation for Congress to appropriate, to fund a law that is not working, that evidence and experience—that what the American people are experiencing has demonstrated it is not working.

So the House of Representatives in voting to defund ObamaCare, while funding the rest of government, is fulfilling its constitutional function. If this body took up that same gauntlet, kept government funded, never shut down government, funded every aspect of government except ObamaCare because it is not working, it is hurting the American people, we would be fulfilling our constitutional function as well.

(Mr. MURPHY assumed the Chair.)

I would note the Senator from Virginia rose for a question. I am happy to yield for a question without yielding the floor.

Mr. KAINE. I thank the Senator.

I would ask the Senator to yield for a series of questions around two issues—first, comments the Senator made earlier about helpful reforms that could be made to the health care system and, second, the Senator's comments about the need for Members of this body to listen to their constituents. Being in the chair and hearing the Senator, I could not resist but to follow up on those two items.

On the issue of reforms, I understood one of the Senator's points to be that a helpful reform might be for Congress to take up and potentially eliminate the current prohibition of purchasing insurance across State lines. Did I hear that correctly?

Mr. CRUZ. Yes, that is correct.

I am happy to yield for a second question without yielding the floor.

Mr. KAINE. In addition, I think I understood, and I agree with a comment the Senator made about potential reforms—that even the whole notion of health care provided through employers is a little bit of a historical anomaly that came up in the aftermath of World War II.

I was not sure if the Senator was suggesting that as part of a health care reform he would want to alter that norm of employers providing at least some health care provision for their employees.

Mr. CRUZ. I thank the Senator for that question.

What I was suggesting is we should do tax reform that encourages policies to be personal and affordable. Right now, Federal tax laws, Federal laws heavily favor employer-provided health insurance, and that creates some real failures in the market where when someone loses their job, they lose their health insurance. We would be better serving, I believe, our constituents if health insurance became like car insurance, something that went with you regardless of what job you were in.

Mr. KAINE. I say to the Senator, you engaged in a colloquy with the Senator from Illinois about a provision that I wanted to follow up on.

Prior to the passage of the Affordable Care Act, it was completely lawful and, in fact, common for insurance companies to turn down individuals for insurance because of preexisting health conditions. I do not think—but I want to make sure about this—I do not think the Senator was arguing that we should go back to that day and that we should go back to a status quo where children would be turned down for health insurance because of preexisting health care conditions.

Mr. CRUZ. I thank the Senator for that question.

Let me point out that preexisting conditions and the individual mandate of ObamaCare are integrally connected because the way the insurance market works—let me take an example that does not deal with health care. Let's talk about fire insurance, fire insurance on your home.

I suspect both our homes have fire insurance. Imagine if Congress were to pass a law that says fire insurance companies cannot take into account preexisting conditions, such as whether the home has already burned down in a fire.

If that were the law, what any rational person would do—we would both cancel our fire insurance policies because our house had not burned down, and if it did burn down, we could then buy a fire insurance policy and say: Please pay for my house.

Under that rule, the whole insurance regime collapses because the entire basis of insurance is you get people whose homes have not burned down to pay relatively small premiums to create a pool of capital that will be used to compensate—we do not know who, but somebody's home is going to burn down. If enough people whose homes have not burned down put in money in premiums, there will be a pool to pay for whichever unlucky soul faces their home burning down.

The health insurance market works quite similarly. If the rule is simply that for anyone, regardless of their medical condition, any insurance company has to cover them, no matter what, then the incentive is the same as with fire insurance; that if the Senator and I are healthy, it is, frankly, irrational to get health insurance, if the rule is, if I get sick, then I can get health insurance and they have to cover me. What you end up with is insurance that consists only of people

who have sicknesses, who have grave diseases, and that bankrupts every insurance plan. If you have a mandate that you cannot take into account whether someone is already sick before giving them insurance, it means the insurance companies go out of business, and what it leads to is what Majority Leader REID has argued for—it leads ultimately to single-payer government health insurance.

Mr. KAINE. Does the Affordable Care Act require that insurance be provided to folks despite preexisting conditions at the same rate across the board?

Mr. CRUZ. It restricts the terms at which the rates are given.

Mr. KAINE. So then, to make sure I understand, the Senator is opposed to the provision in the current Affordable Care Act that requires insurance companies to write insurance to individuals within those limitations, regardless of preexisting conditions.

Mr. CRUZ. Let me finish my explanation on that. I will answer the Senator's question, but I wish to finish the explanation. That is the reason ObamaCare includes the individual mandate. Because, to use the fire example again, it would be the equivalent of, if you are saying you have to issue a fire policy to anyone regardless of whether their house has already burned down, it would be the equivalent of saying we are requiring everyone who has a house to buy a policy. Because that is the only way you prevent the insurance market from being bankrupt.

So the individual mandate, the reason ObamaCare says we are forcing everyone to buy insurance—whether you want to or not—is because of the preexisting condition.

Now listen, my view on preexisting conditions is we ought to reform the market to deal with that problem. I do not think ObamaCare is the right solution. I think ObamaCare is the wrong solution. I think we ought to defund it all now. I think we ultimately ought to repeal it in its entirety.

But on preexisting conditions, I will point out, No. 1, if you have an issue—and there have been issues with insurance companies acting in bad faith, with insurance companies dropping someone when they get sick, and I think there the legal system should work to prevent that. If you have purchased insurance, if you have paid your premiums, your company should not be dropping you when you become sick. I think there is a vital role for State insurance regulators to be involved there and for our contract and tort system—the legal system—to be involved.

I think if we move toward changing the Federal tax laws to make health insurance policies portable, personal, it will go a long way to solving the problem of preexisting conditions. I am not maintaining it will solve it in every instance 100 percent of the time. It is very difficult to come up with a Federal rule that will address 100 percent of the inequitable circumstances one could come up with, and if we tried to the unintended consequences could be staggering.

ObamaCare was justified in terms of wanting to provide insurance for those without insurance. Listen, I would like to see those without insurance get health insurance. I would like to see a competitive market where low-cost catastrophic policies were attractive to people and they chose to purchase it. But one of the best ways for someone to get health insurance is for them to get a good job, for them to actually start making real money, have some disposable income, start climbing the economic ladder.

The unintended consequence of ObamaCare is it has ended up hammering economic growth, hammering small businesses. So a lot of the people the law was trying to help have been made worse off.

Mr. KAINE. If I could, let me ask: A reform in the Senator's view that might encompass a different solution for the preexisting condition or an ending of the ban on interstate purchasing of insurance, if we get through this week and we are into next week and ObamaCare has not been defunded and we have funded government operations going forward, the Senator could introduce a reform bill proposing to do just those things, could he not?

Mr. CRUZ. I thank the Senator for that question.

I could. I will confess, our policy team is working on a number of affirmative health insurance reform policies.

I will confess—and for some reason we are kind of going with the home fire analogy, so let's stick with it right now. There are some who, in the course of health care matters, argue that the heavy focus of those of us who are opposed to ObamaCare should be what is the alternative, that should be the heavy focus. Listen, I absolutely think the health care system needs reforms to change real problems in it. I am a strong believer in that.

But an analogy I have used before is, if your home is on fire, you put out the fire first before building an addition to the house. Likewise, with ObamaCare, I think ObamaCare is such a train wreck, is such a disaster that the first imperative is to stop the damage from ObamaCare. Then I think we should work, and I would like it to be in a bipartisan way. The Senator and I have talked many times about how we could work together. We have yet to find a great opportunity to do so. But I am hopeful that will change because I would like to see us listen to our constituents and work constructively to fix the problems that hard-working Americans are struggling with.

When it comes to introducing affirmative health care legislation, I fully anticipate our team will do so, and we are working on proposals now. As the Senator knows well, our having been here just 9 months, it has not been a quiet 9 months.

Mr. KAINE. I say to the Senator, if we get to that point and he introduces affirmative legislation to reform the health care system—after we get through this debate—that would be legislation that would not be connected to the question, the existential question, of whether the government would continue to operate on October 1. So it would not be integrally wrapped up with sort of a threat to the economy that would be posed by a potential government shutdown, and it could be analyzed just on its own merits: Is this a good reform or a bad reform, without being wrapped around the question of whether we would shut down the government and do we lay off or put on some kind of furlough the nurses at Fort Belvoir Hospital who are taking care of wounded warriors every day. That would be a reform bill where we could dig into the reform and talk about the reform and analyze what is good and what is bad and what should be fixed and maybe what should not be, without it being wrapped around the question of a government shutdown.

Would the Senator not agree with that?

Mr. CRUZ. I thank the Senator from Virginia.

I would certainly agree that this body should spend considerable time working, and working together, on positive, proactive health care reforms, to expand competition, to empower patients.

I also agree with something else the Senator from Virginia said, which is that we should not be threatening a government shutdown. I do not want a government shutdown. I want the government to continue.

I salute the House of Representatives for passing a continuing resolution that keeps the government funded. But it also defunds ObamaCare. In my view, that is responsive to the suffering that so many millions of Americans are experiencing—to the loss of jobs, to being forced into part-time work, to facing higher health insurance premiums, to losing their health insurance.

Mr. KAINE. I ask the Senator, would he not agree that the best way to avoid a government shutdown or threats of a government shutdown or talking about the consequences of a government shutdown would be to separate out his question of what are the right reforms of the health care system from the funding of government operations?

Mr. CRUZ. I certainly agree with the Senator from Virginia that we should stop holding hostages. So an ideal way—and I had an earlier exchange with Senator ENZI from Wyoming, who pointed out that the entire reason we are having this continuing resolution battle is because Congress failed in its job to pass appropriations bills.

For example, the House of Representatives has passed a Defense appropriations bill. It is sitting here in the Senate. Majority Leader REID has not taken it up. I think we should take it up and pass it immediately so that any discussion of government shutdowns does not in any way, shape or form

even remotely threaten the salary of the men and women of our military. I am confident the Senator and I agree, under no circumstances should anyone who is risking his or her life to defend the rest of us find their compensation, their salary threatened.

In my view, existing law allows and even requires the President to fund the military regardless of what happens on the continuing resolution, regardless of if we had a partial temporary shutdown.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3103. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Repeal of the Sunset for Certain Protests of Task or Delivery Order Contracts'' (RIN9000–AM16) received in the Office of the President of the Senate on August 1, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3104. A communication from the Director of the International Broadcasting Bureau, Broadcasting Board of Governors, transmitting, pursuant to law, the Board's fiscal year 2013 Federal Activities Inventory Reform (FAIR) Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–3105. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the Inspector General for Iraq Reconstruction's final report to Congress; to the Committee on Homeland Security and Governmental Affairs.

EC–3106. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Department of Motor Vehicles Driver Education Program Fund for Fiscal Years 2008–2010''; to the Committee on Homeland Security and Governmental Affairs.

EC–3107. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Fiscal Year 2012 Annual Report on Advisory Neighborhood Commissions''; to the Committee on Homeland Security and Governmental Affairs.

EC–3108. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Audit of the Department of Employment Services Workforce Development Monitoring and Quality Assurance Procedures''; to the Committee on Homeland Security and Governmental Affairs.

EC–3109. A communication from the Associate Attorney General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary, Office of the Secretary, Department of Homeland Security, received in the Office of the President of the Senate on September 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3110. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's Fiscal Year 2013 Commercial Activities Inventory and Inherently Governmental Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–3111. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–157, ''Fiscal Year 2014 Budget Support Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–3112. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Mangoes from Australia into the Continental United States'' ((RIN0579–AD52) (Docket No. APHIS–2011–0040)) received in the Office of the President of the Senate on September 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3113. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, received in the Office of the President of the Senate on September 23, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–3114. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct for Employees of the Department of Housing and Urban Development; Correction to Standards Governing Prohibited Financial Interests'' (RIN2501–AD61) received in the Office of the President of the Senate on September 23, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3115. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–3116. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled ''Hydrogen and Fuel Cell Activities, Progress and Plans''; to the Committee on Energy and Natural Resources.

EC–3117. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, an annual report relative to the implementation of the Formaldehyde Standards for Composite Wood Products Act; to the Committee on Environment and Public Works.

EC–3118. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Obtaining Final Medicare Secondary Payer Conditional Payment Amounts via Web Portal'' (RIN0938–AR90) received in the Office of the President of the Senate on September 19, 2013; to the Committee on Finance.

EC–3119. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–121); to the Committee on Foreign Relations.

EC–3120. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (RSAT–13–3561); to the Committee on Foreign Relations.

EC–3121. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (RSAT–13–3517); to the Committee on Foreign Relations.

EC–3122. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–127); to the Committee on Foreign Relations.

EC–3123. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–125); to the Committee on Foreign Relations.

EC–3124. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–089); to the Committee on Foreign Relations.

EC–3125. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–079); to the Committee on Foreign Relations.

EC–3126. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–122); to the Committee on Foreign Relations.