

to meet them halfway—even more than halfway—but Republicans will not take yes for an answer. In exchange for extending this middle-class tax break, Republicans are insisting, among other things, that we pass an unrelated ideological piece of legislation that will make our water less safe to drink. This would allow mercury and other carcinogens to be put in our water supply.

That is a pretty stark compromise: We will give you a payroll tax cut for 160 million Americans if you will let us continue to put things such as arsenic and mercury in the water of the American people. That is not a very good deal.

Not only that but they are refusing to close tax loopholes, such as giveaways to oil companies making record profits. Instead, they insist on more handouts to millionaires and billionaires before they will do anything that will benefit the middle class.

The American people have spoken and spoken clearly. Working families need this money. They need this thousand dollars to put food on the table and gas in the car. And they won't tolerate Republicans holding their money hostage to extort a political payback.

They did this last December. In fact, I thought Republicans got the message in December when they took a beating for opposing this tax cut. I hope they won't pick this losing fight a second time. But time is running. If they do choose to fight, as we try to put more money back in the pockets of 160 million working Americans, the outcome will eventually be the same. Democrats will not give in when it comes to protecting the middle class. That is why we will prepare a fallback plan in case Republicans refuse to cooperate. Our legislation will prevent a tax hike on middle-class families, extend unemployment benefits, protect seniors on Medicare from losing their doctors, and extend expiring tax provisions. And it will be free of unrelated ideological legislation designed to please the radical right.

Stopping a \$1,000 tax increase on virtually every American family is too important to be bogged down with sweeteners for the tea party. Senate Democrats will be prepared to act with or without Republican cooperation. Republicans must make a choice. They can force a thousand dollar tax increase on American families to strengthen the tea party or they can compromise to strengthen the middle class. The choice is theirs.

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

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RELIGIOUS FREEDOM

Mr. JOHANNIS. Mr. President, I come to the floor today to talk about an issue of paramount importance to our country—the issue of religious freedom. Our great Nation was founded on religious freedom. This liberty is at the very core of our government. It has been a significant part of our heritage since this land was first settled, and it is a freedom that sets us apart from many countries around the globe.

The Framers of our Constitution rightfully recognized an individual's religious liberty and conscience is above any regulation, any legislation. One of the chief authors of that guiding document, James Madison, declared:

Conscience is the most sacred of all property.

Thomas Jefferson said:

No provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority.

These fundamental values are a part of the fabric of this great Nation. It is no coincidence it is the first freedom in the Bill of Rights. It is a core value. It is an inalienable right. So that means, as public servants, it is our utmost duty to protect this American freedom.

When I was sworn in as a Senator, I—as my colleagues did—took an oath to uphold the Constitution. We all believe strongly in that oath. I take seriously my commitment to uphold the values and the freedoms our forefathers fought to establish and that generations of heroes have died defending.

That is why today I am devastated to see this very freedom, the heart of our Constitution, being so completely ignored. The President has taken an unprecedented step in the wrong direction, grossly misusing authority to implement the new health care law. This administration has refused to exempt religious institutions that serve the public good from mandates of the law that go against their strong beliefs and their values, and the values of our Nation.

Last August, in an interim final rule, the Department of Health and Human Services announced what free preventive services all new health insurance plans would be required to provide under the law, and that those services must include contraceptives and con-

troversial drugs, such as the so-called morning-after pill.

With that mandate, the agency included a supposed religious exemption but, upon reading that, it was clear that was simply unacceptable. It is so narrow that the vast majority of religious hospitals and universities, businesses, social services, and charities are still, very clearly, required by law to comply with the mandate.

Many of these organizations have strong faith-based missions and deeply held convictions. Yet they don't fall under the exemption. In other words, their government is compelling Americans to act against their constitutionally protected moral and religious convictions.

Since that announcement, hundreds of religious organizations have raised their voices, and I have heard from countless Nebraskans. I held a roundtable back in Nebraska where this was the topic of discussion.

Twenty-six of my colleagues joined Senator HATCH and me in sending a letter to the administration condemning this sweeping mandate. We asked them to redraft the regulation so it is consistent with longstanding constitutional principles.

Despite these strong efforts, just recently we learned that our passionate concerns had been dismissed. Very disappointingly, the administration has announced that they will move forward with the August interim rule. Under the guise of compromise, they announced that religious organizations would have an additional year before the mandate was enforced; in other words, after election day.

The head of the Diocese of Lincoln, a man I have great admiration for, Bishop Fabian Bruskewitz, called the administration's extension an "act of mockery."

Americans are not fooled by this nonsensical extension. The issue is not that religious groups have time to comply. That is not the issue. It is that they are being forced to provide coverage that goes against their conscience, their religious beliefs, their moral beliefs.

Bishop Bruskewitz went on to warn "our American religious liberty is in grave jeopardy."

The bottom line is that by issuing this decision, this administration has ignored the most sacred of all American freedoms.

Just a week before this announcement, the Supreme Court unanimously affirmed the core constitutional principle of religious liberty in its *Hosanna-Tabor* decision. The court held that churches and other religious groups must be free to choose their leaders without government interference. Yet the administration has clearly come out on the other side of our Constitution.

During the health care debate, we heard something vastly different. The President repeatedly promised the opposite. He pledged that the new health