

bit with the clock. It was good to see the movement within the administration. When Hillary Clinton was Secretary of State, she was the first Secretary of State to participate in an Arctic Council ministerial meeting. I think that was probably prompted by some visits she had made to view the Arctic, including the U.S. Arctic in Barrow, when she was a Member of this body. But as Secretary of State she traveled to Nuuk, Greenland in 2011. I accompanied her. Then in 2013 Secretary Kerry went to the ministerial meeting in Kiruna, Sweden. In 2015 Secretary Kerry will again participate in this year's meeting in Canada, where the Arctic Council chairmanship will be handed over to the United States.

I started off my comments by talking about what is going on with the weather and people feeling like we are under an Arctic siege here right now in Washington. But I think it is safe to say that Arctic awareness is at an alltime high. But unfortunately, the investment has not matched the interest. One barometer of your interest when you are talking about the Arctic is: How do you move in the Arctic if there is ice up there? You have to be able to plow through some ice. This is where an icebreaker comes into play.

But icebreakers are expensive. The Coast Guard estimates that it is going to be about \$1 billion. It takes about 10 years to build. If I were to ask anybody in this body how many icebreakers the United States has, I think you would say: Well, of course we have an icebreaker up there.

We have one medium-strength icebreaker, the Healy, which does a good job for us. But our only Polar Class vessel, the Polar Star is on assignment to Antarctica for the next 5 years. We will not see her in the Arctic for 5 full years. The life expectancy, the useful life of the Polar Star is only 6 to 8 years. It takes 10 years to build a new one.

We are sitting here as a nation woefully behind when it comes to Arctic infrastructure, if you define it by icebreaking capacity. Russia is cleaning our clock in terms of the number of icebreakers they have. They have 27. Our own Coast Guard's High Latitude Study says it is going to require six major icebreakers—three heavy and three medium-sized icebreakers—to fulfill its statutory requirements.

Even China has one icebreaker. They are building six more. India—do you think of India as an Arctic Nation? They are considering building an icebreaker. Why? Because they see the Arctic opportunity. They want to be part of an area on the globe that is piquing their interest for a host of different reasons.

So as others in the Arctic region, whether it is Russia or whether it is Canada, as they continue some pretty aggressive national plans, combined with state investment to develop their Arctic resources and advance commerce in the north, the United States

needs to be a participant. But we need to be more than a participant. We need to be a leader. We lead everywhere else. We led to the moon. We know more about the mapping of Mars than we know about mapping in the Arctic.

We need to step it up. It is exciting to think that we can step it up. I am hoping that we will be able to focus our attention on these issues. It is not just the resources and infrastructure that will make the Arctic a national priority. It is not just preparing for a 2-year chairmanship. It is about what the vision is—the long-term vision for the United States' role in an emerging part of the globe. It is as dynamic as anyplace out there.

But we have to be ready. We lack certain basic infrastructure needs. I mentioned the need for an icebreaker. I am going to be introducing legislation, hopefully very soon, to develop a solid foundation and put some building blocks in place for that investment, including a focus on obtaining more accurate data for charting the Arctic. We simply are so far behind in our hydrographic charting. We need to do better with our ice forecasting, with our weather observation stations, with our weather buoys, with our monitoring out in our oceans, with just having a level of communications and understanding of what we have. So, as we look to the area, we have at least to be able to assess the accuracy of Arctic weather and water forecasting. We have to be able to understand whether we have gaps in Arctic weather and sea-ice observing networks and the status of our sea-ice analysis and forecasting services.

So we are going to be having a hearing tomorrow in the energy committee. We may be the only committee that is open for business. We may be the only Senators that are here in the building. But we are going to be having the first-ever hearing on the Arctic. I think it is fair to say that it is not only the first hearing in the energy committee but the first-ever hearing on the Arctic as a whole, instead of just bits and pieces of it.

So I am encouraging all of my colleagues who may be locked out because they could not jump on a flight quickly enough or they could not get on the road soon enough. But we will be having, I think, a very informative hearing tomorrow in the energy committee to focus on what, again, I am calling Arctic opportunities. I do not know if the timing of the hearing was just prescient on my part and that we knew that this was going to happen. If so, I should also do part-time work as a weather forecaster. But I do think it is certainly timely. In fact, it is long past time that we focus again on an area that hosts amazing promise and opportunity for leadership as a nation. I would encourage all of my colleagues to join us in this new Senate Arctic Caucus. Embrace your inner Arctic self. It really is a good place to be.

With that, I see that my colleague from Wyoming is here. He has been

very patient. As I mentioned to the Senator from Colorado, our Presiding Officer right now, Colorado enjoys good benefits from the State of Alaska. For the fine folks in Wyoming, 28 percent of their total exports from the State of Wyoming do go to Arctic nations. So there is a connection. I look forward to working with both of my colleagues as members of the energy committee on these issues of great importance to our Nation.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, let me congratulate our colleague from Alaska, who is the chairman of the Energy and Natural Resources Committee. That committee is in capable hands under her direction, whether the Arctic—all energy. She is committed to affordable energy, available energy, reliable energy, secure energy, and American energy.

So we are in good stead with the new chairman who has taken over in January. As members of that committee, it is a great opportunity for us to work with her for affordable energy for all in America. We have opportunities for exports, and it is good to see her continued leadership on this and other topics.

I appreciate her hard work.

#### KING V. BURWELL

Mr. BARRASSO. Mr. President, earlier today the United States Supreme Court heard arguments in an important case, a consequential case. It is called King v. Burwell. This case was brought on behalf of millions of Americans who have been harmed by the President's unlawful expansion of his unworkable and unaffordable health care law.

Sometime before the end of June, the Court will decide if the law passed by Congress means what it says or if it means what the President wishes it said.

It looks at one very specific and very important part of the President's health care law. The law says that Washington could help subsidize the premiums of people buying health insurance coverage through exchanges established by the States. President Obama decided that wasn't enough. He wanted to use taxpayer dollars on behalf of people buying insurance in the Federal exchange as well. That is it. That is the legal question.

The law, written by Democrats in Congress—written behind closed doors—only authorized subsidies for one group, but the President paid them out for another group. The case is not about the Constitution, it is about the rule of law.

I was at the Court this morning listening to the arguments, and I expect that the Justices will strike down the way the President expanded the law.

Time after time this administration has claimed power it did not have and taken actions it cannot defend. The

way the administration expanded the health care law is one of the most blatant of these power grabs, because when Democrats passed the law, they got exactly what they wanted. They rejected Republican idea after Republican idea that could have made this law better. They forced it through Congress with absolutely no Republican support.

It still wasn't good enough for the Obama administration, so it expanded the law some more. ObamaCare is a minefield, and the administration refused to give people the information they need to help them navigate it.

The Obama administration knew this court case was coming well before the enrollment period to buy insurance for this year even started. So did the American President tell the American people these subsidies might not be legal? Did he warn people? What did the President actually say? Did he warn anyone signing up in the exchanges that they might not be seeing the real price of any insurance they picked? No, the President refused to do so.

He knew he might lose the case. He knew it. He knew the risk he was making people take, but the President didn't say a word—people who were just trying to make the best choices for their families. The White House did not tell people the truth about their options.

Several Republican Senators wrote to the Secretary of Health and Human Services and the Secretary of the Treasury asking them to warn people. We said people need this information. There are thousands of dollars at stake for families, and the Obama administration should at least tell them what might happen.

The Secretary has refused to level with the American people.

Just the other day, the Secretary of Health and Human Services admitted she had no plan B. Her letter is clear and it is consequential. She admits that if the Supreme Court rules against the Obama administration, the President does not have the authority—does not have the authority—to use administrative actions to undo the Supreme Court decision. The administration purposefully waited to admit that until after the open enrollment period ended. It didn't want to take the chance that warning people might hurt its enrollment numbers.

Today at the Supreme Court, several Justices were skeptical of the administration's legal defense. I expect the Supreme Court to say the President must enforce the law Congress has passed, rather than the law the President wishes Congress had passed. If it does, it will help rein in this out-of-control White House. It will tell the Obama administration it must obey the law and that the President cannot keep making up the rules as he goes along.

The health care law is clear. The President was wrong to expand his health insurance exchanges beyond

what the law allowed. The President was wrong to use the IRS to make up rules and penalties. The Obama administration was irresponsible for not warning people.

Republicans will have a plan to protect the people harmed by the President's action and to create a path away from ObamaCare. First, our plan will help the millions of people who have been hurt by the White House's decision to illegally implement its health care law. It would be unfair for families to lose their coverage in the middle of the year just because they believed the false promises made by Barack Obama. So Republicans will help Americans keep their coverage for a transitional period.

Second, it will give States the freedom and flexibility to create better, more competitive health insurance markets, offering more options and different choices at home where people live, not decisions made in Washington.

We want to allow States to come up with health care systems that work for them, not the bureaucrats in the Nation's Capital. We would give every State the ability to create a better market, better opportunities suited to the needs of that State's citizens. It is time for President Obama to stop putting people through all of the pain this law has created.

The President's health care law continues to be unpopular, unworkable, and unaffordable. He needs to finally negotiate with Republicans to give people the reform they wanted all along, which is what people asked for—the care they need from a doctor they choose at lower cost.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am pleased to follow my distinguished colleague and friend from the State of Wyoming, and I rise to talk about exactly the same issue and to differ with him, respectfully, that the current law is unworkable, unpopular, and unaffordable. In fact, history demonstrates that it is certainly working.

In the State of Connecticut we know well that it is working as it was intended because we have a State-run exchange, and we have cut the number of uninsured by one-half, while improving health care quality, lowering Medicaid spending, and making remarkable achievements across a whole range of metrics. That same story is true of our Nation as a whole, whether there are State-run exchanges or Federal supervised exchanges.

Today's point, whether it is in the Supreme Court or here, should be extraordinarily encouraging about the Congress's approval of the Affordable Care Act and the fact that it is working across the country. It is succeeding in delivering exactly what was intended, what the Congress promised, what its advocates saw, access for all Americans to affordable health insurance.

The ACA is working today to protect Americans from abuses, and I saw them literally day in and day out as attorney general: people who lost health insurance when they got sick, people who were denied coverage because of a pre-existing condition, people who were charged more because of their gender, people who were denied the basic care they needed and deserved for themselves, their children, and their families, giving them access not only to health care but also to work and to family stability.

I saw every day as attorney general how imperiled and critical health care is in this country and how much we need to do more and do better in this area.

The uninsured rate in this country is the lowest it has been in 7 years, and we have lowered it a remarkable 25 percent in just 1 year. Eight million people have gained health insurance through the exchanges who didn't have it before, and I know that States with federally run exchanges have made improvements, just as Connecticut has done, which is fully in accordance with the absolutely crystal-clear intent of this Congress and this law to provide affordable health insurance for all Americans, regardless of where they live, what State, what ZIP Code, whatever their occupation and background.

Let's be clear. As with any big law there are kinks that need to be ironed out, there are glitches that need to be resolved, but the Affordable Care Act is working now and working better every month, every year.

The legal issue before the Court has been debated today in depth, and I believe with the great persuasiveness—similar to the Presiding Officer, I had the honor to serve as a law clerk to the Supreme Court and watch many arguments. To say that today is historic I think is true, but in my view almost every argument before the Supreme Court is historic in its consequences—some more than others, but every one is consequential because cases don't reach the U.S. Supreme Court unless they are difficult and consequential, and issues of statutory interpretation that are said to be simple often are more complicated than they may seem.

But I know, without a doubt, having read this statute, that the text and structure of the Affordable Care Act clearly demonstrate—in fact, they unmistakably demand—that Federal tax credits be available to every eligible taxpayer in every State in this country.

I have done arguments in the U.S. Supreme Court, and I had the honor to be attorney general of the State of Connecticut as well as a U.S. attorney.

Having looked at this statute as a whole, having read the words that need to be interpreted by the Supreme Court, I have reached this conclusion: Contrary to the argument of partisan opponents, both the act itself and the plainly overwhelming evidence from its consideration and passage demonstrate its nationwide scope.

I wasn't here at the time it was passed, but from the legislative history and, most important, from the structure and language of the act itself, there seems to be irrefutably and incontrovertibly an understanding that tax credits would be available regardless of which governmental agency set up an exchange. The act simply would not have worked any other way and courts have an obligation to read statutes in a way that makes the most sense in terms of the overriding intent and purpose of the Congress.

The financial support simply, for universal coverage, would not be there without this interpretation, a common-sense interpretation that makes sense of congressional intent, purpose, and the law as a whole.

The law has given so many families across the country access to care for the first time. There has been an effort to repeal this act legislatively. There has been an effort to overturn it in the courts. Both have failed because it is working and because it is constitutional.

A ruling for the plaintiffs in this case that is now before the Court would not only be contrary to law, it would be catastrophic to millions of families who owe their health insurance to the structure the ACA has established. It would be, in fact, a human tragedy as well as a legal travesty.

There is simply no alternative that has been offered by opponents to this law. It is difficult therefore to see how this misguided lawsuit is anything other than one more cynical attempt to repeal or overturn this law—or torpedo it by any means necessary, regardless of the collateral damage to millions of innocent people who would suffer loss of health care insurance and health care. And the tragedy would be not only for them but for our entire Nation because the cost would ripple throughout our society—the cost in lost work; the cost in families suffering from the consequences of bankruptcy, which is caused most frequently by health care-related financial issues; the cost in the ability of our workforce to function at the height of efficiency that we all need; and the cost ultimately in diseases that have to be treated and ailments that have to be addressed and preventable health care consequences for our children. Prevention is one of the most cost-effective goals of the Affordable Care Act.

So I will work with my colleagues to support this act and to determine what other efforts can make progress toward the ultimate goal that we all should share—an America that is free from disease or injury that will bankrupt our families, an America that is healthier and better able to afford health care, and quality and timely health treatment.

The lack of standing on the part of these plaintiffs seems clear, but putting aside all of the technical issues and the legal debate, the Affordable Care Act has allowed America to make

huge, exciting strides in the direction of better health care. So we should be proud of the act passed by this body. Even many of us perhaps who were not here at the time can look forward to how much further we can go, and America has that fundamental obligation.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am back now for the 91st consecutive week the Senate has been in session to urge my colleagues to wake up and pay attention to the threat of climate change. I am delighted and proud to be joined today by my colleague and friend Senator BALDWIN from Wisconsin to consider the effects of carbon pollution in her State.

According to scientists at the University of Wisconsin-Madison, weather stations around the State show that average temperatures in Wisconsin increased by about 1.1 degrees Fahrenheit between 1950 and 2006. During the same period Wisconsin got wetter. Annual average precipitation increased by almost 3 inches. These changes are likely to continue and intensify as carbon pollution continues to pile up in the atmosphere. Researchers at the University of Wisconsin-Madison estimate that by midcentury the State could warm by 4 to 9 degrees Fahrenheit. By the end of the century the climate in Wisconsin may look more like that of present-day Missouri or Oklahoma, raising the possibility of a dramatic shift in the Wisconsin economy and way of life.

This winter has been pretty cold in the Eastern United States and in Wisconsin. So was last year. Cold arctic air dipping down over North America drops the mercury. As we continue into a time of what has been called global weirding, scientists say that climate change may make these cold blasts more common as it alters patterns in the atmosphere. In a nutshell, on top of the long-term warming trend lies weather disorder. But the long-term warming trend is apparent. New research from UW-Madison's Professor Jonathan Martin shows that last year the so-called cold pool of frigid air that accumulates in the Northern Hemisphere each winter was the smallest since records began in the winter of 1948 to 1949. This year it is on track to be even smaller.

Sadly, some of our colleagues just can't face up to the role that human activity—such as our carbon pollution from burning fossil fuel—plays in the

changes we are seeing around us. One colleague—indeed, the senior Senator from Wisconsin—is among this group. In January he voted against amendments to the Keystone XL bill stating that climate change is real and that humans contribute to it. Well, in 2013 the Milwaukee Journal Sentinel—his State's largest paper—noted that this type of denial was at odds with both Wisconsin opinion and Wisconsin scientific evidence. The senior Senator from Wisconsin, wrote the paper's editorial board, "is just flat-out wrong." The paper went on to say, "We elect politicians to make tough decisions and find solutions, not to shut their eyes and cover their ears, as Johnson repeatedly has done on this issue." The article continued: "[S]tubbornly denying the facts on climate change may be akin to denying the facts on evolution or whether the Earth is flat."

Professor John Kutzbach of the University of Wisconsin—an elected member of the National Academy of Sciences—was among a group of climate scientists who in 2011 wrote to us in Congress imploring us to take action on climate change. Here is what the letter said:

Congress needs to understand that scientists have concluded, based on a systematic review of all of the evidence, that climate change caused by human activities raises serious risks to our national and economic security and our health both here and around the world. It is time for Congress to move on to the policy debate.

Well, I welcome that debate. Indeed, the chairman of the Committee on Energy and Natural Resources, Senator MURKOWSKI, recently said on the floor of the Senate that she hopes we can "get beyond the discussion as to whether or not climate change is real and talk about . . . what do we do." So where is that debate? Where are the other Republicans? Let's finally talk about the cost of action and the cost of inaction.

The Wisconsin Initiative on Climate Change Impacts was formed in 2007 by the Wisconsin Department of Natural Resources and the University of Wisconsin Nelson Institute for Environmental Studies. The scientists and public officials in this program are doing important work to help the State of Wisconsin understand and prepare for climate change. They are studying how it will affect wildlife, water resources, public health, and important Wisconsin industries such as forestry, agriculture, and shipping and tourism on the Great Lakes.

Climate change threatens iconic aspects of the Wisconsin environment and economy. The Wisconsin Initiative on Climate Change Impacts Agriculture Working Group reports that higher summer temperatures and increasing drought will create significant stress on livestock, even touching—dare I say it—Wisconsin's famed cheese industry. Victor Cabrera, an assistant professor in the University of Wisconsin-Madison Dairy Science Department—they have one—says heat stress