

HUTCHISON, who has been a leader on this issue, does not have to come to the floor again. I can assure her, before anything happens to disadvantage our troops, we will stand together in a bipartisan way, maybe on her bill, maybe on another bill, but we will stand in a bipartisan way to protect these troops. I thank her again for her leadership. There is evidence between her and Senator CASEY that there is a strong bipartisan feeling that we need to get this job done before the Senate shuts down. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. HUTCHISON. Mr. President, I appreciate very much what the leader has said. I know this has been arduous, and I know the negotiations have been arduous. That is why I believe that in the next 3 hours, we will do the right thing on this issue. I hope we do the right thing for all of our country.

We have not talked about the other Federal employees who are essential and those who are going to be furloughed. There are so many people in this country who are going to be affected in so many ways if there is a government shutdown. I am focusing on the ones who cannot help themselves right now because they are overseas protecting our freedom, but there are many people who are going to have hardships that are unnecessary.

I do appreciate what Senator DURBIN has said.

There is one other person I want to mention; that is, Congressman LOUIE GOHMERT. He started on the House side with the same bill I have introduced on the Senate side. He has gained large support on the House side for this legislation. I commend Congressman GOHMERT for assuring, as we were watching this week the very spirited debate that has gone on about the possibility of having a government shutdown—LOUIE GOHMERT stepped up first. I give him credit for saying there is one group we cannot leave behind no matter what happens. Our bills are virtually the same. Whichever House can pass it first is fine with me because whatever we do, we have to do it together and we have to do it before midnight.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I just wandered onto the floor hoping we were coming close to some type of an agreement. I very much regret that we have to careen from week to week, from period to period funding our government on a temporary basis. I think all of us were hoping we could get this resolved. I still hold out some hope. There is 2 hours and 50 minutes or so of negotiations still to go.

I commend the Senator from Texas, Mrs. HUTCHISON, for her efforts. She has been relentless in reminding us for several days, if not more, that we cannot leave our troops in the field and those who are wearing the uniform serving our country in a situation where they are not paid. This, of course, affects drug enforcement agents and many others across the Federal spectrum. But these troops overseas are bearing hardship enough to not be caught up in a debate here which is necessary, a debate that needs to be resolved.

As I said earlier when I spoke this morning or early afternoon, this is just a small little brushfire, as dramatic as the press has made it, and it does have consequences—serious consequences. But compared to the size of the problem our Nation faces from a fiscal standpoint relative to what we need to do and what we need to be debating, this is a small part, just talking about funding for the next 6 months to fill a gap that was left when no budget was passed and no action was taken on it in the last Congress, the last fiscal year, to put us in a position where we can move into and debate the real issue that is before us; that is, how do we make decisions that will affect the long-term spending of this country, affect our budget and our deficit, and bring us back to a fiscally responsible place?

I hope as negotiations continue to go forward that we can resolve this today so that we can begin that important debate. But if we cannot, at the very least, I believe it is important that we extend this for a small amount of time—I regret we have to do it—so we can bring it to its final conclusion. But the most important point is that before midnight, we have to make sure we pass legislation which will ensure that our people in uniform are paid their rightful due for the service they are providing. Again, I commend the Senator from Texas for reminding us of that and being vigilant in making sure we absolutely address that issue before this time runs out.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to add Senator LANDRIEU as a cosponsor of Senate bill 724.

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

Mrs. HUTCHISON. Mr. President, that makes 78 Members of the Senate who are now sponsoring this bill for our military.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the period for morning business for debate only be extended until 11:15 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority leader to be recognized at 11:15 p.m.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

Mr. REID. Mr. President, I will read a statement that was issued by Speaker BOEHNER and myself a few minutes ago. This is the statement:

We have agreed to an historic amount of cuts for the remainder of this fiscal year, as well as a short-term bridge that will give us time to avoid a shutdown while we get that agreement through both houses and to the President. We will cut \$78.5 billion below the President's 2011 budget proposal, and we have reached an agreement on the policy riders. In the meantime, we will pass a short-term resolution to keep the government running through Thursday. That short-term bridge will cut the first \$2 billion of the total savings.

I, first of all, express my appreciation to the Speaker and his office. It has been a grueling process. We did not do it at this late hour for drama. We did it because it has been very hard to arrive at this point.

I also express my appreciation to my counterpart, Senator MCCONNELL. We have talked during this process on a number of occasions. We have, as we say here, on many occasions it has turned out to be we have a terrific relationship. We do our best to protect each caucus. We have our battles here. But he is a pleasure to work with. I admire and appreciate his work for the people of Kentucky and the country.

This has been a long process. It has not been an easy process. Both sides have had to make tough choices, but tough choices are what this job is all

about. I think it is important to note, as we said in this statement, that this is historic, what we have done—\$78.5 billion below the 2011 budget we have been working off of. We worked on many riders. What we have done has been difficult but important for the country. We all agree there are many cuts that have to take place in the future. We understand that. We must get this country's fiscal house in order. But if the American people have to make tough choices—and they are doing it every day—so should their leaders. That is our responsibility—all 100 of us and 435 Members of the House.

The Speaker and I reached an agreement that I have read that will cut spending and keep the country running. We have agreed to a historic level of cuts for the remainder of this fiscal year, as well as a short-term bridge that will give us time to avoid a shutdown while we get this agreement through both Houses and to the President.

I repeat, we will cut \$78.5 billion, and we have reached an agreement—I repeat for the second time—on the policy riders. I do that because that has not been easy. In the meantime, we will pass a short-term resolution to keep the government running through this coming Friday. That short-term bridge will cut the first \$2 billion of the total savings we have already talked to, the \$78.5 billion.

Mr. President, with the permission of the Republican leader, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 28, H.R. 1363; that a Reid-McConnell substitute amendment, a 7-day continuing resolution, which is at the desk, be agreed to, the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended; that the motions to reconsider be considered made and laid upon the table, with all the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. McCONNELL. Mr. President, I thank my friend, the majority leader, and Speaker BOEHNER for their outstanding work during this difficult negotiation. We had an opportunity tonight to decide whether we wanted to repeat history or make history. Had we chosen to repeat history, we would have allowed a government shutdown. Instead, we decided to make history by implementing in the middle of this fiscal year, as the majority leader indicated, substantial reductions in spending. These reductions are in the billions. Once we get through this process, by the end of next week we will move on to a much larger discussion about how we save trillions by enacting, hopefully, on a bipartisan basis, a budget that genuinely begins to get on top of this problem. The problem, as we all know, is \$14 trillion in debt and over \$53 trillion in unfunded liabilities.

The President has asked us to raise the debt ceiling, and Senate Repub-

licans and House Republicans—and I hope many Democrats as well—are going to say: Mr. President, in order to raise the debt ceiling, we need to do something significant about the debt. My definition of significant is that the markets view it as significant, the American people view it as significant, and foreign countries view it as significant.

So for tonight, again, I congratulate the majority leader and the Speaker. This is an important first step but just the beginning of what we need to do to get our fiscal house in order.

Mr. REID. The Republican leader is right. We have a lot of work to do.

The one thing I want to mention is how much I appreciate the support of the American people. Of course, they knew we needed to get this done, but also the business community of our country.

I had a conversation earlier today with Tom Donohue, the President of the Chamber of Commerce. It was so important to his organization that we complete this. The Business Roundtable and organizations all over America understand how important this is.

I want to mention one more person—I know the night is late—who is always an unsung hero, but really a hero among heroes, and that is the chairman of the Appropriations Committee, DAN INOUE, who is here behind me tonight. He has been, with his tireless staff, working so hard. I applaud his person, Charlie Houy, who has a fantastic knowledge of what goes on in this country as it relates to money. He came to the Senate in 1983. He has been here all these years working in the Appropriations Committee.

I am not going to go through all the staff, but it is important to mention my chief of staff, David Krone, who has worked so very hard. I want to mention one other American. I never met him until we started this—and what we have been through—and I hope I don't get him in trouble—and that is JOHN BOEHNER's chief of staff, Barry Jackson. He is a real professional. It has been very difficult to work through all this stuff, but I admire his professionalism. Of course, the White House staff has been indispensable.

Mr. President, I would hope we could have the consent agreement approved at this time.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Without objection, it is so ordered.

The amendment (No. 291) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111-242) is further amended—

(1) by striking the date specified in section 106(3) and inserting “April 15, 2011”;

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112-6), the following new sections:

“SEC. 295. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development’ at a rate for operations of \$9,800,000.

“SEC. 296. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Facilities and Equipment’ at a rate for operations of \$2,927,500,000.

“SEC. 297. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development’ at a rate for operations of \$187,000,000.

“SEC. 298. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service’ at a rate for operations of \$1,000,000,000.

“SEC. 299. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Railroad Administration—Railroad Research and Development’ at a rate for operations of \$35,100,000.

“SEC. 300. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Capital Investment Grants’ at a rate for operations of \$1,720,000,000.

“SEC. 301. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Research and University Research Centers’ at a rate for operations of \$64,200,000.

“SEC. 302. Notwithstanding section 101, amounts are provided for ‘Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund’ at a rate for operations of \$4,626,000,000.

“SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for ‘Department of Housing and Urban Development—Community Planning and Development—Community Development Fund’ at a rate for operations of \$4,230,068,480, of which \$0 shall be for grants for the Economic Development Initiative (EDI), \$0 shall be for neighborhood initiatives, and \$0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111-117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111-117 shall not apply to funds appropriated by this Act.”

This Act may be cited as the “Further Additional Continuing Appropriations Amendments, 2011”.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill, as amended, was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 1363), as amended, was passed.

Mr. PAUL. Mr. President, I voted against this short-term continuing resolution for the same reason I voted against the last one and the one before that—because it does not set us on a

path to fixing the spending and debt problems our country is facing. As I have said before, there is not much of a difference between a \$1.5 trillion deficit and a \$1.6 trillion deficit—both will lead us to a debt crisis from which we may not recover.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

RECOGNIZING LAUREL COUNTY, KENTUCKY

Mr. MCCONNELL. Mr. President, I rise today to give recognition to one of the Commonwealth's most unique and historic areas, Laurel County, KY, which celebrated its 185th birthday on March 5, 2011. Located in Kentucky's eastern coal country, Laurel County was named after the trees that grow along the banks of the Laurel River. A county full of rich history and tradition dating back before the Civil War years, Laurel County first established their government and began business in 1826. Organized through a general assembly, it was the 18th county created in the Commonwealth.

London, the largest town in Laurel County, also celebrated its 185th birthday this year on March 6. Although named after London, England, the town's festive characteristics gave it a name in its own light. In proximity to beautiful landscapes which were explored by the likes of Daniel Boone and Levi Jackson, the two parks that bear their names, the Daniel Boone National Park and the Levi Jackson Wilderness Road State Park, have been hailed as two of the most sought-after vacation spots in the country. Cumberland Falls State Resort Park as well as numerous hiking and bike trails also showcase some of the best scenery the Bluegrass State has to offer. Well-known names such as national best-selling author Silas House, former University of Kentucky star and NBA basketball player Jeff Sheppard, and the infamous Kentucky Fried Chicken founder Colonel Harland David Sanders have all called Laurel County home.

Whether you are sampling a taste of fried chicken at the World Chicken Festival, enjoying a country music show at the Renfro Valley Entertainment Center on a Friday night, or tak-

ing in the scenery of the challenging Redbud Ride bike trail, Laurel County has a little something for everyone. Maybe it is a combination of these one-of-a-kind attractions, the pristine beauty of its natural landscape, and its strong sense of southern Kentucky hospitality that makes Laurel County so welcoming and intriguing. Whatever it is, it keeps people coming back for more.

Mr. President, 185 years later, these vacation crossroads still tell a story. Atop the peaks overlooking the Cumberland Gap where the small, yet crucial Battle of Wildcat Mountain was fought in the Civil War to the crystal clear waters of Laurel Lake, I am sure there will be many more stories to tell in the future.

I ask that my colleagues join me in celebrating Laurel County, Kentucky's 185th birthday. This is an exciting time for the people of Laurel County and the Commonwealth, and I send them my congratulations and best wishes for the future.

SBIR/STTR

Mrs. HUTCHISON. Mr. President, today, I rise to speak to an amendment I believe addresses three underlying issues in S. 493, the Small Business Innovation Research Program, SBIR, and the Small Business Technology Transfer Program, STTR, Reauthorization Act.

First, this amendment reduces the reauthorization of these programs from 8 years down to 3 years. This reauthorization bill, S. 493, makes substantial changes to the SBIR and STTR programs, and it is important for the reauthorization timeline to reflect that. The changes could dramatically improve the program, but in case there are additional changes that need to be to ensure they remain successful and effective, it is in the best interest of the participating agencies and the participants in the programs that there is an opportunity to make adjustments after a few years.

Second, my amendment strikes the mandatory increase agencies must set aside from their budgets to fund both the SBIR and STTR programs. Currently, these programs are funded through the participating agencies setting aside 2.5 percent of their total research budgets for the SBIR program and 0.3 percent for the STTR program. S. 493 would require this set aside be increased to 3.5 percent and 0.6 percent over a period of time for the SBIR and STTR programs, respectively.

In this current budget environment, when all agency budgets are feeling the pinch, increasing this mandatory set aside will mean fewer dollars are available for other research. These programs focus on commercialization of cutting edge innovation, which is critical to our country's global competitiveness. However, this mandatory increase would mean funding cuts to other life saving research. For the Na-

tional Institutes of Health this 1 percent increase to fund the SBIR program would mean there would be about \$300 million less for other NIH research, research focused on finding new cures. For example, NIH spends about \$300 million per year on prostate cancer, a little less than that on lymphoma research and spends only half of that on autism research every year.

There is no evidence that agencies must turn away high-quality applicants or underfund them because there is a lack of funding. In fact, agencies that participate in these programs currently have the discretion to spend more on the SBIR or STTR programs if they deem it appropriate. The current set aside is a floor, not a ceiling. This amendment does nothing to change that. However, I believe mandating the increase, especially in this current budget environment, especially for 8 years, could greatly disrupt Federal funding for other critical research.

The third provision of my amendment addresses the reality that bringing an idea to market is a complex process that often requires several rounds of financing. This amendment ensures that all small businesses are given an opportunity to compete for these grants regardless of their financial makeup, as long as they are a small business. Years ago there was an administrative change made to the eligibility criteria for these programs that has severely restricted the ability of quality applicants to compete for funding. That change has unilaterally excluded companies solely due to their financial structure and not due to the size of their company. Small businesses are small businesses because of the number of people they employ, not because they have received their start up money through a venture capitalist, or an angel investor or from winning the lottery. This sentiment was echoed by the Director of the Office of Science and Technology Policy, John Holdren, in a letter sent to Chairman LANDRIEU in 2009. Mr. Holdren stated that "it is critical for the U.S. economy and global competitiveness that the very best companies are sustained and the most promising small companies are not arbitrarily restricted or excluded because of their capital structure."

Arbitrary exclusion from these programs has affected small businesses all over the country. Too many times it has become a defining part of the story of too many promising small businesses. One such story is that of ActaCell, Inc. It is a company started with leading research in the lithium ion materials field from the University of Texas in 2007. When ActaCell applied for an SBIR grant through the Department of Defense, it met the new eligibility standards required by the program; both in its size and its financial structure. However, as the application was pending, ActaCell needed to secure additional financing in order to continue its operations and therefore fell