

Nelson (NE)	Sanders	Warner
Nelson (FL)	Schumer	Webb
Portman	Shaheen	Whitehouse
Pryor	Stabenow	Wicker
Reed	Tester	Wyden
Reid	Udall (CO)	
Rockefeller	Udall (NM)	

NAYS—31

Ayotte	Enzi	Risch
Barrasso	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Hatch	Sessions
Chambliss	Isakson	Shelby
Coburn	Johnson (WI)	Snowe
Collins	Lee	Thune
Corker	Manchin	Toomey
Cornyn	McCain	Vitter
Crapo	Moran	
DeMint	Paul	

NOT VOTING—2

Inhofe	Kirk
--------	------

The motion was agreed to.

The PRESIDING OFFICER (Mr. CARDIN). The majority leader.

Mr. REID. Mr. President, for the last several days I have been telling everyone that we needed to do a couple of things before we leave. We have to do the CR, and we have to do the sportsmen's package.

Mr. President, just a second on the sportsmen's package. If we flip through the dictionary and find the word "bipartisan," part of that definition would be TESTER's sportsmen's package because it is a Republican and Democratic bill. It involves hunters, fishermen, and other sportsmen, including offroad vehicles. It is a very good piece of legislation for a group of people who are totally unrecognized most of the time. We are going to do those two things before we leave.

In order to bring us to that result, I will fill the tree and file cloture on the CR. Unless we get consent, the cloture vote on the CR will occur sometime after midnight on Saturday, at 1 a.m. or thereabouts. Once we invoke cloture on the CR, the 30 hours postcloture will run until 7:30 a.m. on Sunday, give or take an hour. We would vote at that time to pass the CR. Immediately thereafter we will vote to invoke cloture on the motion to proceed to the sportsmen's package.

So here is where that leaves us: We file cloture on the CR and the motion to proceed to the sportsmen's package. That sets up two votes for very early Sunday morning in addition to tomorrow night, Saturday morning at 1 a.m. or thereabouts. We can do those votes now and finish everything today or we can wait. The choice is clear. We end up in the same place Sunday morning or we can get there today.

I have had some Senators come to me and say, well, we are not going to vote on the sportsmen's package. Well, yes, they are. We have that set up. There is a clear path. The problem with the rest of the stuff is not our problem; it is the Republicans' problem.

I worked something out in good faith with RAND PAUL. He in good faith worked something out with me. I am not here to be a cheerleader for RAND PAUL; I am here to tell everyone what happened. Now, if the Republicans don't want to vote on that, I think it

would be too bad because RAND PAUL, after all of this time—whether anyone agrees with what he wants to do or not—he and I in good faith worked something out.

We had a number of Senators come here, including the senior Senator from Arizona to name one, who said we need more time on that. I have no problem with that. Yesterday when he said he wanted more time, I said just take the hour because Senator PAUL has been here talking about this for weeks and weeks. We have heard a lot from him, and he said: I have talked a lot on this—and I am paraphrasing—and 15 minutes would be enough for me. I thought I was being generous by setting up an hour rather than 15 minutes. If the senior Senator from Arizona wants more time, I don't care. I really don't care.

Also, I had some conversations with LINDSEY GRAHAM. He and Senator LIEBERMAN have been pushing very hard on a containment resolution that deals with Iran. It is another bipartisan piece of legislation. Eighty Senators are cosponsors of it. The other 20, I bet, like it also. If not, the majority of the 20 do. It is something we overwhelmingly need to do. I think it would be good in that we are trying to work things out in Iraq, which is not stable at this time—at least not the way we want it to be. It would be nice if America had an ambassador to go to Iraq. That has been held up.

With all the problems we see with Pakistan, I think it would be a good idea if we had an American ambassador to Pakistan. That has been held up for a long time.

Again, to his credit, Senator PAUL said have a vote on the containment resolution and have a vote on the two ambassadors. He is not standing in the way of that.

Momentarily, I am going to file cloture and procedurally block any other amendments on the continuing resolution. We will vote on that whenever the Republicans want, but no later than Saturday morning at a time we will decide. When I say "we decide," it is a statutory clock, and that is when it runs out. Following that, we will have a vote on final passage of the CR and a motion to proceed to TESTER's sportsmen's package. That is what we have to complete. For people to try to get out their stuff is just unfair.

I have seen newspaper accounts of Republican Senators who love the TESTER legislation. I didn't ask them; I read it in the paper. They think it is good because it is good. It is bipartisan. It does something we have been trying to do for a long time; that is, a lot of these little bills have been held up—hundreds of them. TESTER and the people who support this legislation have joined together 20 of these little bills into this one piece of legislation. It really is the right thing to do. I hope we can get this done.

Remember the choice—I repeat for the third time—is very clear. We can

quickly complete everything tonight or we can come back here Saturday morning in the middle of the night sometime and early Sunday morning. We will be at the same place. Those votes are going to take place. It is up to the Republicans and what they want to do with Senator PAUL and the unanimous consent request they objected to yesterday.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

Mr. REID. Mr. President, I have an amendment at the desk as it relates to H.J. Res. 117.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant bill clerk read as follows:

A resolution (H.J. Res. 117) making continuing appropriations for fiscal year 2013, and for other purposes.

AMENDMENT NO. 2844

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2844.

The amendment is as follows:

At the end, add the following new section: SEC. _____.

This joint resolution shall become effective 5 days after enactment.

Mr. REID. 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 yeas and nays were ordered.

AMENDMENT NO. 2845 TO AMENDMENT NO. 2844

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2845 to amendment No. 2844.

The amendment is as follows:

In the amendment, strike "5 days" and insert "4 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which I ask the clerk to report with the permission of the Chair.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on H.J. Res. 117, a joint resolution making continuing appropriations for fiscal year 2013, and for other purposes.

Harry Reid, Daniel K. Inouye, Patty Murray, Bernard Sanders, Jeanne Shaheen, Richard J. Durbin, Sheldon Whitehouse, Debbie Stabenow, Max Baucus, Mark L. Pryor, Christopher A. Coons, Jon Tester, Michael F. Bennet,

Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ron Wyden, Barbara Boxer.

MOTION TO COMMIT WITH AMENDMENT NO. 2846

Mr. REID. Mr. President, I have a motion to commit the joint resolution with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the joint resolution, H.J. Res. 117, to the Committee on Appropriations with instructions to report back forthwith with the instructions, amendment numbered 2846.

The amendment is as follows:

At the end, add the following new section: SEC. ____.

This joint resolution shall become effective 3 days after enactment.

Mr. REID. 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 yeas and nays were ordered.

AMENDMENT NO. 2847

Mr. REID. Mr. President, I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2847 to the Instructions on the Motion to Commit.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2848 TO AMENDMENT NO. 2847

Mr. REID. Mr. President, I now have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2848 to amendment No. 2847.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

SPORTSMEN'S ACT OF 2012— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 504, S. 3525.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to the consideration of Calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 504, S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Joe Manchin III, Jeanne Shaheen, Sheldon Whitehouse, Debbie Stabenow, Ron Wyden, Max Baucus, Daniel K. Inouye, Kent Conrad, Mark Pryor, Christopher A. Coons, Michael F. Bennet, Kay R. Hagan, Robert P. Casey, Jr., Richard Blumenthal, Ben Nelson.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to both cloture motions.

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

Mr. REID. Mr. President, the President pro tempore of the Senate is on the floor and seeks recognition.

The PRESIDING OFFICER. The President pro tempore.

H.J. RES. 117

Mr. INOUE. Mr. President, today, as we near the end of the current fiscal year, the Senate is considering H.J. Res. 117, a continuing resolution to ensure that the Federal Government will remain functioning through March of next year in the absence of regular appropriations. Last Thursday, the House passed this measure by a vote of 329 to 91.

This bill provides total discretionary spending of \$1.047 trillion. This is the funding level the Senate Appropriations Committee recommended on an overwhelming bipartisan vote of 27 to 2 and the level agreed to last year in the Budget Control Act, but this bill is \$19 billion more than what was approved by the House in the PAUL RYAN budget. I am encouraged the House has finally repudiated its own budget. I am only sorry it has taken them this long to come to their senses. One of the primary reasons Congress now faces this CR is that the House broke this agreement on spending.

I want my colleagues to know I support this measure even though it is far from perfect. In fact, I would say it is not a good bill, but passing it is much better than allowing the government to shut down over a lack of funding.

Continuing resolutions are not new. As some of my colleagues are aware, I have served in this Senate for 49 years and 9 months. During my tenure, this Congress has completed its work and enacted all of its spending bills without needing a continuing resolution on only three occasions. In 49 years, three times. This is not a record we should be proud of, but it demonstrates how difficult it is to agree on funding for each of the thousands of Federal programs that the Appropriations Committee reviews annually. However, never before in history has the Congress passed a

stopgap resolution in September to fund the entire government for half the coming fiscal year. It is unfortunate that it has come to this.

Seven months ago, as we began this legislative session, the mood was quite different. There was broad support for acting on appropriations bills. Several Members on both sides of the aisle came to the floor to speak about restoring regular order and passing all 12 appropriations bills. Both the Republican and Democratic leaders spoke in favor of considering all of these bills. The Appropriations Committee was urged to conduct a budget review as quickly as possible and report bills to the Senate for consideration, and our subcommittees embraced this challenge. We shortened our hearing schedule, conducted thousands of meetings with executive branch officials and the public, and began to mark up bills shortly after receiving our allocation from the Budget Committee.

In most years the Senate Appropriations Committee begins its markups in June. This year the committee reported its first two bills in April and had nine bills ready for floor consideration by the end of June.

By July the committee had reported out 11 bills, 9 of which were recommended with strong bipartisan votes, and by that I mean 30 to 0 or 29 to 1. Despite the work of the committee, none of those bills have been considered by the Senate. The decision by the House to break faith with the Senate and the administration on funding levels and the inclusion of outrageous legislative policy riders in their bills drained the enthusiasm for acting on those measures. But the real culprit thwarting the efforts of the committee was a handful of my colleagues who insisted on delaying the business of the Senate.

We have heard our distinguished majority leader cite the statistics. In 382 instances in the past 6 years he has been forced to file cloture to break filibusters. It is becoming very clear filibusters are crippling the Senate. This year, this Senate has been in session for 105 days. By my count, on 31 of those days the Senate has done nothing but consider motions to proceed, as we are doing with this motion, or to invoke cloture. That means nearly 30 percent of the Senate's time this year has been completely wasted.

Moreover, the Senate has only voted on amendments and legislation on 21 of those days that we were in session. On 21 out of 105 days, we actually legislated and worked. The rest of the time was spent on a backlog of nominations or breaking filibusters.

I have never experienced anything like this in my many years in the Senate. It is true that for some time the use of filibusters has been increasing, but this year it has truly exploded. I do not oppose filibusters. I believe the filibuster is one of the most critical tools Senators have to protect the rights of our constituents. This is especially