

from Democrats and from Republicans, many of whom were mentioned earlier today by the distinguished Congressman from the Badger State (Mr. POCAN), and we could get beyond this shutdown, this Shakespearean tragedy, which is very painful for hardworking Americans, and go off and do the business of the American people. That's what needs to happen.

I hope reasonable minds can come together. You can stop following the marching orders of outside agitators—who've got no interest in governing and are only concerned about 2016 and other ambitions that these individuals may harbor—and do the responsible thing so we can move this country forward.

Mr. POCAN. Thank you so much, Representative JEFFRIES, for very clearly explaining to the country the situation and what's unfolded in these final days and final hours before the government shut down.

You know, there is no question that people on this side of the aisle are willing to compromise. We're compromising to a number that is nearly identical to what the Republicans have proposed so that we can, for the next 6 weeks, figure out our finances.

You and I both serve on the Budget Committee. You know we've been trying for—how long was it, Representative, again? How long were we fighting for this?

Mr. JEFFRIES. Since March or April of this year.

And, Congressman, you raise an interesting point. I think this is important to clarify for the American people. Our friends on the other side of the aisle have said, Well, we want a changed set of law. We want to defund, destroy, or delay the Affordable Care Act. Inherently outrageous. Well, let's just put that aside for the moment.

The Senate majority and those on our side of the aisle in the House of Representatives as well as the President, have already compromised, as you pointed out. The number that we feel is appropriate to fund the government and do what's right for the American people is \$1.058 trillion. That's the number that we feel is appropriate. The number that our friends on the other side of the aisle would like to see the government funded at is \$986 billion. That's a significant difference.

However, in order to move the country forward, the Senate majority, the Democrats in the House of Representatives, and the President of the United States have all agreed to move forward with a continuing resolution, not at our number, \$1.058 trillion, but at the House majority number, which is substantially less, \$986 billion. Our good friends on the other side of the aisle don't know when to take "yes" for an answer.

As the Democratic whip pointed out earlier this week, we've already compromised and accepted the sequestration cuts for the purpose of keeping the government open and negotiating over

the next 6 weeks as to what the appropriate number is. So that is political spin that you hear, those who sent over the ransom notes, accusing others of an unwillingness to compromise when we've already compromised on the number in the continuing resolution.

Mr. POCAN. Well, again, thank you, Representative JEFFRIES, so much for explaining to the American people exactly what has happened and transpired in the last few days and why it's so important that we demand a vote and get a vote on a clean continuing resolution.

I would like to close with a letter that I received from a constituent in my district, and I just want to read the parts of the letter I think that are especially relevant. This is from a woman who has a business in the Baraboo, Wisconsin, area. This is a quote from what she wrote:

I'm the owner of a small business environmental laboratory which provides jobs to 29 people in the Baraboo area. Approximately 60 percent of our work is under direct contract or is a subcontract on EPA—Environmental Protection Agency—Department of Defense, and USGS, Forest Service, and NOAA projects.

This shutdown means that, one, many of our upcoming projects may be canceled or delayed in a month that was going to finally make a financial success of my business, and two, we don't know when we will receive payment on approximately \$300,000 of outstanding invoices, meaning, I don't know how we'll make our payroll or pay our vendors.

We may be small, but my company brings in close to \$2 million a year into Wisconsin from across the country and have just added three new employees. If an agreement on the budget isn't reached right away, my little contribution to the economic recovery will be reversed, or even worse. Please help find a way out of this mess.

Mr. Speaker, please, for the sake of this small business owner in Baraboo, Wisconsin, for the sake of the pregnant low-income woman in Madison, Wisconsin, for the sake of the Federal employees and the civilian employees on our military bases, for the sake of all the people who are affected by this government shutdown that the Republicans have forced upon this country, listen to your own Members. You don't have to listen to the Democrats. Listen to the 18 Members and growing on your side who have said this strategy is a failure. It's time to pass a clean continuing resolution.

If you listen to your Members, a majority of this House—you are not the speaker of the Tea Party. You are not the speaker from the Office of Senator TED CRUZ. You are the Speaker of the entire House of Representatives. And now a majority of this House is demanding a vote, that we pass a clean continuing resolution at your numbers. You won. Let's get this country opened, and let's help the economy bounce back to where it needs to be.

Mr. Speaker, with that, from the Progressive Caucus of Congress, I yield back the balance of my time.

REGULAR ORDER

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it's a privilege and honor to be recognized to address you here on the floor of the United States House of Representatives.

I have been listening to the debate first on television in my office and then here from the floor. I would like to first, Mr. Speaker, address this idea of "regular order." I heard a description of regular order that doesn't fit the regular order that I understand from my time here in this Congress. Parts of it, yes, I agree with, but it's not an objective description of what regular order is.

The argument we heard from the gentleman continually was: Go to conference on the budget. Go to conference on the budget. Does the gentleman forget that his party in the other Chamber had refused to even pass a budget for over 1,000 days and that, finally, we had to pass legislation here in the House of Representatives to force it on the Senate to require them to pass a budget in order for them to get their pay, and the political pressure got high enough that they went ahead and passed that? Then in order to comply, so the Senators could get paid, they passed a sham budget, and now we've got a sham argument that says: Go to conference on the budget.

This isn't about the budget, Mr. Speaker. This debate is not about the budget. This is about appropriations. Regular order first for a budget, if you have one. And this is a new experience for the Members that are here on the floor. They have never served in this Congress actually when there was a budget in the Senate before.

But if you have a budget, you do concur with the House and the Senate, and you live by that as a guideline for the authorizations and the appropriations so that we all come together and we live within the means that we've agreed to here.

□ 2045

But that doesn't happen very often in history. It generally happens when Republicans are in control of the House, the Senate and the White House. I can think of no other time that's happened.

But take this budget discussion off the table, Mr. Speaker, because it's not relevant to what's going on here. We're in a government slowdown, and we're in a partial shutdown. And resolving and conferring a budget isn't going to do a thing to solve this situation that we're in now.

It's irrelevant to any functionality of this Congress that can address this government partial shutdown. It's only a straw man, a red herring to drag out here to divert the attention that needs to be focused on this situation we have

that has to do with, not the budget, but the appropriations process.

The appropriations process, the regular order that I thought I was going to hear the gentleman describe for the benefit of you, Mr. Speaker, and anybody that might be listening in, is what really happens when a Congress functions right, and that is, our 12 appropriations subcommittees each pass their appropriation bill under the guidelines of the authorization that comes from the authorizing committees.

Those appropriation bills come to the floor, one at a time, 12 of them, and then perhaps a supplemental that add up to 13. We bring them to the floor under regular order. We allow the gentleman that was describing this doodah description of regular order to us an opportunity to bring as many amendments as he would like. Any Member can do so.

Fatigue sets in. Sometimes a unanimous consent agreement comes along. But every Member has an opportunity to weigh in on each of the components of the 12 different appropriations subcommittees, and then perhaps, as I said, a supplemental.

The wisdom of the American people has, through this republican form of government which, by the way, is guaranteed to us in the United States Constitution, a republican form of government, which means a representative form of government.

And our obligation, Mr. Speaker, to the constituents within our district, is our best effort and our best judgment. And part of that is to turn our ear and listen to our constituents and the people across this country, because, among the 316 million Americans, we have the best answers to everything.

Sometimes we get some not-so-good answers to some things, but it's our job to sort those things out, generate some ideas of our own that are stimulated by those of our constituents and others, and each other, and produce the best product possible to direct the destiny of the United States of America in a trajectory that would make our Founding Fathers proud. That's the legitimate process.

But the gentleman has forgotten, or maybe hasn't been confronted with or experienced a real regular order appropriations process, even though we've done five or six appropriations bills here on the floor of this House in this Congress.

So when we talk about regular order, the regular order would already be, if the appropriations bills were received on the Senate side and acted upon, they would all be done in this House side by now. We've done them multiple times in the past.

And here's what happens, Mr. Speaker. The appropriations bills, the 12, maybe the 13, pass the floor of this House. They get sent over to the Senate, messaged according, as envisioned by the Constitution. They arrive on the majority leader's desk in the United States Senate, HARRY REID.

This is just figuratively speaking, Mr. Speaker. Then they get put in his bottom desk drawer and they stack up in his bottom desk drawer. And this goes on from June, July, even part of August, September.

We get down into September, they're usually all over there, and then HARRY REID will have them stacked up in his desk. And when you get to the end of the fiscal year—they don't move a thing. No appropriation bill comes back here. There's no opportunity for conference on a single one.

They just simply go, they stack up in HARRY REID's desk drawer, Mr. Speaker. And a week or two, or less, between the time that the government would automatically shut down, because on September 30, at midnight, we know, most everybody in America by now, that our fiscal year runs out, and the spending authority expires on the discretionary spending.

HARRY REID pulls those bills out of his desk drawer, a stack like that, sets them up, figuratively speaking again, Mr. Speaker, gets out his black marker and draws a line through any spending he doesn't like, which isn't much, and then he adds on all the spending he does like, which is plenty, and they pass it in the Senate in a stack of—as called now, this little word, Mr. Speaker—a continuing resolution, a continuing resolution, which is the stack of all the appropriation bills the Senate refused to do all year.

They send it back over here to the House of Representatives, and they say, take it or leave it. Take it or leave it. We're not going to talk. We're not going to debate. We're not going to go into conference with you. We are not going to negotiate on the future and the destiny of America. It's take it or leave it, my way or the highway. That's what's been happening.

But in a real process, each appropriations bill would either come back to us with the Senate's objections and amendments, we would have an opportunity to accept it as it is or reject it, and go to conference. We've found ways to solve that in a legitimate way many times in the past.

But under this configuration where we have no—what built the leverage that got us to this point with this continuing resolution that we passed out of this House multiple times, by the way. Republicans in the majority in the House of Representatives have, multiple times, passed all of the appropriations in the form even of a continuing resolution that's necessary to fund the legitimate functions of government, at sequestration levels, minus the money to implement or enforce ObamaCare, which reflects the will of the people of the United States of America.

That is our constitutional responsibility to do that, Mr. Speaker.

I carry this Constitution around in my pocket, and I pull it out and I read it, sometimes several times a day. But this document is, when you read it

carefully and you understand and put your mind in the thought process of our Founding Fathers and the folks that put this constitution together and ratified it, you'll understand that these negotiations between the two branches of government, article I, the legislative, and article II, the executive branch of government, these negotiations are expected to take place.

There is an expectation that—first of all, it says here in article I that we shall, that Congress, and the House of Representatives, shall move legislation through the House, through the Senate, concur on that legislation, message it to the President.

If he should disagree, he has an obligation then to veto that legislation and return it to the Congress—this is important, Mr. Speaker—with his objections.

The President is constitutionally obligated to return any legislation that he vetoes to the Congress with his objections. Our Founding Fathers decided you can't have a President making you play pin the tail on the donkey. He's going to have to write down the reasons he objects to legislation, so if the Congress is considering concurring with the President, we can accept his recommendations. And if we disagree, we'll be able to identify our disagreements. That is the very constitutional definition of negotiations themselves, Mr. Speaker.

When there is an offer made, and then the other side of the equation produces a counteroffer, those who made the first offer can either accept the counteroffer, or they can produce another offer and move a little closer to the middle. This can happen one time, two, three, four, an infinite number of times if you had the time. That's between the House and the Senate, but also the Congress and the President of the United States.

And what do we have with the President of the United States, Mr. Speaker?

A President who, as far as I know, the first time in history, a President who's refused to negotiate with the United States Congress. This Constitution directs him to do so, at least when confronted with legislation that he has to choose whether he's going to veto it or whether he's going to sign it or he's going to allow it to be pocket-vetoed after 10 legislative days.

The Constitution directs the President to do so. And the President has said, I'm not negotiating with Congress. Unbelievable to me, Mr. Speaker, that he could take such a position that he'd refuse to negotiate with Congress.

He's negotiating with the Syrians through the Russians. The President has opened up negotiations with the Iranians, whom we've not had dealings with since 1979. I don't know who on the planet the President will not negotiate with except the American people serving here in the United States Congress.

Now, think how difficult it is to do business with somebody that won't talk to you. And I know they had a meeting today, Mr. Speaker. And the report that came out of that was they sat down, they talked, but they didn't negotiate. That's kind of what I expected, to tell you the truth, Mr. Speaker.

So we have a dysfunction. We have a lot of demagoguery. We have a lot of hypocrisy. And I'm hearing it on the other side, and I heard a lot of it here tonight as they rolled out some of their practice buzz phrases.

They said a series of ransom notes, Mr. Speaker. Ransom notes?

Pull your Constitutions out and read it, guys. Excuse me, Mr. Speaker. That's my advice to them, should they be listening, that they should pull their Constitution out and read it. And they should understand that it's not a ransom note when you're working within your constitutional authority, in fact, constitutional directive.

When you stepped down on the floor of this Congress at the beginning of the 113th Congress and you took an oath to uphold this Constitution, it wasn't to vacate your constitutional responsibilities or hand over your vote card to somebody else, or accept some kind of an idea that, because you disagree with the President, you should capitulate to his demands.

How do you capitulate to a man's demands who won't talk to you?

He talks to you through the press and sends out a message that says I'm not going to negotiate with Republicans. I'm not going to negotiate with people in Congress. I refuse to negotiate, and I'm not going to negotiate on the debt ceiling either.

Well, we have this bill called ObamaCare, and ObamaCare is a piece of legislation that was pushed through here by hook, crook and legislative shenanigan. And there are those who say it's the law of the land; you must accept it, and you're obligated to fund it.

Show me where in this Constitution you're obligated to fund something because a previous Congress, on a very partisan, narrow margin, passed the largest piece of socialized legislation in the history of the United States, a Federal takeover of our skin and everything inside it, the government and Federal takeover of our ability to make our decisions, as American people, on our future, on our health decisions, to dictate insurance policies, to dictate that people shall buy a product that the Federal Government either approves or produces. Never before in history has that happened.

It was a manufacture of new taxes that President Obama said were not taxes. And John Roberts and the Supreme Court said, well, you know, they weren't taxes for the purposes of hearing this case, but they are taxes for the purposes of deciding the case.

Then people will say, it's been found constitutional by the Supreme Court. Now you're obligated to fund it.

And I say, no previous Congress can obligate a subsequent Congress. And this Congress cannot obligate the 114th Congress. We're in the 113th, Mr. Speaker. This Congress cannot obligate the 114th Congress or any subsequent Congress.

All we can do is put statutory language in place that is our best judgment at the time, that likely will influence the people that come behind us and cause them to stop and think it over. But it doesn't mean they can't come in and repeal anything that's been passed in the past. And it certainly doesn't mean we're obligated to fund it.

And the House is here with a majority that was elected to repeal ObamaCare and a majority that was elected, I believe, to defund ObamaCare.

I brought the amendment to defund ObamaCare for the first time on February 15 of 2011. My amendment passed. It was detached in the Senate. I'd like to have had it be part of the bill as it came through. I didn't get that done in the Rules Committee this time.

But it happened here over the last week or two, the same thing I asked for then was approved by Rules this time and stuck with the bill when it went over to the Senate.

And so now where we sit is this: the House has said we don't want a government shutdown. We don't want a government slowdown. What we want is a government that's funded in every aspect legitimately, with the exception of the funding to implement or enforce ObamaCare.

That's our stand. If the American people reject that position, let them come to the polls and say so.

So where we sit today, Mr. Speaker, is we have Members of Congress and their staff that are receiving phone calls that are ginnyed up by the other side, by the stacked language that we're seeing come here. And people are calling in and they're saying, you can't shut something down as big as the government. It would be a disaster.

Well, it's HARRY REID and the President that have brought about this partial shutdown, a certain slowdown. It's HARRY REID and the President.

But it doesn't look to me like it's a disaster. If it was a disaster, they wouldn't have to manufacture a crisis and borrow money from the Chinese to rent barricades to haul them down with a forklift and bring people back who have been furloughed already because of this government partial shutdown and ask them to take the barricades and build barricades around our memorials to our veterans, in particular, the World War II Memorial.

They are borrowing money from China to rent barricades and bringing people off of furlough to put barricades up. And now, today, they're reinforcing barricades around the World War II Memorial and others, not just with yellow tape, caution tape and rented barricades, but now wiring them together,

and they're bringing sandbags in and stacking sandbags up around the bases to better stabilize this, and bringing in welded wire mesh, wire that is another barrier for people.

Why?

These memorials have never been blockaded before. They're open 24/7, year-round. They're designed for people to come in, and they're designed for people to be able to go to the memorial at any time. They don't require guards. They don't require staffing. There's no money required to keep the memorials open.

Most of them were built with private money from donations from the American people who want to honor our veterans, especially the World War II Memorial.

To see those buses from Mississippi roll up, see those red-shirted veterans, between the age of 84 and 99, arrive and be able to look at that memorial from a distance but not be able to go into their memorial—

A manufactured crisis. It would save money if the President does nothing but, instead, what we have is a President who has decided to commit, I believe, the most spiteful act in the history of the Commander in Chief in the United States of America.

□ 2100

To manufacture something in order to try to extract the maximum amount of pain by borrowing money to rent barricades to put up barriers, to put more people on to guard—especially our World War II Memorial—and to deny access to the memorial that's built to honor the World War II veterans, many of whom who have never been to Washington, D.C., before and have not seen their memorial before, and to say to them this one chance in your lifetime, your 90-plus years into this lifetime and your chance to come back again is pretty slim, to say you're never going to get to go in and experience this memorial because I want to send a message that I disagree with the decisions of the United States Congress, that is a huge political tantrum and a spiteful act, Mr. Speaker.

I think the right thing is this: honor our veterans—those who fought in all wars, those who put uniforms on at all times. We must be there to open the gates for them every time that a bus pulls up.

I thank and congratulate my colleagues who have stepped up to do so, Mr. Speaker, and I yield back the balance of my time.

TIMES THAT TRY MEN'S SOULS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, these can be the times that try men's souls.

I heard my colleagues across the aisle talking earlier this hour about a