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Senate

The Senate met at 2:00 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, we put our trust in You, determined to accept the things we cannot change and to change the things we can. Give our lawmakers the wisdom to trust in Your power to help them navigate through the difficulties ahead. Lord, fill their thoughts with Heaven's hopes as the light of Your presence envelops them. Help them to see themselves as Your servant leaders, filled with Your power, patriotism, and purpose. May they tune their hearts to receive Your guidance and Your abundant grace, opening themselves fully to Your transforming might.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TAMMY BALDWIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY BALDWIN, a

Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. BALDWIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will resume consideration of H.R. 933, the continuing resolution. The filing deadline for second-degree amendments is 4:30 p.m. today. Unless an agreement is reached, there will be a cloture vote on the substitute amendment today at 5:30 p.m.

MEASURES PLACED ON THE CALENDAR—S. 582 AND S. 583

Mr. REID. Madam President, there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 582) to approve the Keystone XL Pipeline.

A bill (S. 583) to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

Mr. REID. Madam President, I object to any further proceedings with respect to these two pieces of legislation.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measures will be placed on the calendar.

THE CONTINUING RESOLUTION

Mr. REID. Madam President, I want to advise everyone as to what is happening with our effort to keep the government running. On Thursday we recessed for the weekend so negotiators could attempt to reach an agreement on a finite list of amendments to consider today. The bill managers, Senators SHELBY and MIKULSKI, have worked very hard, and they have made progress over the weekend. They have condensed the number of amendments that are being seriously talked about. I commend them and their staff for all their efforts. I have spoken to both of them this morning; they have not yet reached an agreement. I think they are getting close—or at least I hope that is the case. Just before coming in here, I spoke to one of the staff members, and he is reaching out to Senator SHELBY's staff before presenting it to the two Senators for their approval.

Frankly, I had trouble getting both sides to agree on a finite list of amendments. There were a lot of amendments that people wanted, but he objected to this and she objected to that. There is still hope that we can have a limited number of amendments and vote on those so we can move to final passage of the bill. One way or another, we have to move forward on this bill.

On Wednesday I filed a motion to invoke cloture on the pending substitute amendment and the underlying bill. On Thursday we postponed that cloture vote, anticipating that an agreement would be reached and that we could consider amendments today. Absent an agreement, we will vote on a cloture petition tonight. It is in the interest of all Senators that we move forward with this important legislation. The House is waiting on our action. There is a great deal of work to do on either side of the aisle before March 27 kicks in.

Also, the more time we spend on this continuing resolution, the less time we will have to vote on amendments to

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the budget resolution. As a reminder, the budget resolution cannot be filibustered, but there is 50 hours of debate allowed. We must reserve time this week to consider a number of amendments on the budget. After all 50 hours expires, there will be unlimited amendments. So this is going to be a very full week. Senators should expect to work into the night as well as some late votes.

We will stay as long as it takes to complete work on both the continuing resolution and the budget resolution even if that means working on the weekend and into the Easter and Passover recess. I understand that Passover is on Monday, so if we don't finish over the weekend, we would have to come back after Passover, which would be terribly unfortunate, but we need some cooperation from Senators on both sides of the aisle. I am hopeful and confident we can get there.

RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business for the rest of the day.

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

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Toomey amendment No. 115 (to amendment No. 26), to increase by \$60 million the amount appropriated for operation and maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset.

Durbin amendment No. 123 (to amendment No. 115), to change the enactment date.

Mr. REID. Madam President, I note 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. BLUNT. Madam 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.

Mr. BLUNT. Madam President, I ask unanimous consent to set aside the pending amendment.

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

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. The Senate is in a quorum. Without objection, we will suspend the quorum call.

Mr. BLUNT. I need to repeat my request, Madam President, just in case. I ask unanimous consent that we set aside the pending amendment and call up amendment No. 43.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. BLUNT. Madam President, I wish to talk about this amendment. I hope there is still a way I might be able to offer it. If I am not able to offer it as an amendment to this bill, I intend to offer it as a bill to become part of the ongoing laws that govern these kinds of activities. I would also say—and I have said to many people—I have great expectations for the chairman of our committee, Chairman MIKULSKI. I understand she is trying to work out how to make the work of the Senate happen, and I think she is going to be vigilant and determined in leading us back toward the normal appropriations process. I am proud to be a member of her committee, and I do believe she and Senator SHELBY, the ranking Republican, are going to be insisting the Senate get back to the way it should do business. I look forward to working with her to solve the problems we are solving this week and the problems we need to solve before October 1, when the new fiscal year begins.

Let me say a few words about this moment we find ourselves in, and that there is no question that government spending is out of control. We have increased spending 19 percent since 2008. The Federal debt has skyrocketed to almost \$17 trillion now. In 1981, when Ronald Reagan was sworn in as President, as part of his inaugural address we were approaching the first \$1 trillion in debt in the history of the country. The illustration he gave in that speech was: If you had a stack of thousand-dollar bills 4 inches high, you would be a millionaire, but the stack to have \$1 trillion would have to be stacked—those dollar bills—67 miles high. Now we are 67 miles high with thousand-dollar bills, not of dollar bills, and if every 4 inches of that were \$1 million, we are 67 miles high times almost 17. And that is unacceptable.

The President's own budget office has made more than 200 recommendations of ways we could find savings through making government more efficient. More importantly, the Government Accountability Office has identified 51 areas where programs are inefficient, ineffective, and overlapping, leading to billions of dollars in wasted taxpayer money. There is simply no reason the government should stop providing essential services—which is what I want to talk about—because we are cutting 2½ percent of the budget through these line-by-line cuts that, by the way,

wouldn't happen if we would budget at or below the number the law now says is the maximum dollar we can spend in any year—this year or for the next 9 years. This doesn't have to happen at all. But if it does happen, there is no reason we should have to be curtailing essential services.

The Budget Control Act didn't fail to adequately plan for how to protect these essential services. On other days, when the government is not functioning at a full level, there have been many ways found to see those employees got to work. In fact, according to several letters from the Office of Management and Budget, Federal agencies have actually been instructed not to plan for sequestration. A few days ago, I was on the floor with a letter from the Office of Management and Budget from September 28 of last year, 2 days before the new spending year starts, and the letter said: Spend your money as though the law will not be obeyed. Spend your money as though the sequestration law will never go into effect. Spend your money as though the Budget Control Act will be changed.

Of course, now we are halfway into the fiscal year and everybody has been spending as though the law isn't the law and suddenly we have these problems that are much bigger than they would have been if we had dealt with them over 12 months, but now we are trying to deal with them over a handful of months. Furlough notices are being made in a sweeping fashion. They are threatening day-to-day services that protect life and safety.

Every service the Federal Government provides doesn't affect life and safety. I am not saying every Federal job is subject to this amendment or every Federal job is critical for everything that happens every day. I recently sent the Secretary of Agriculture, Secretary Vilsack, a letter urging him to use his authority to minimize the impact of sequestration as it relates to food safety and inspection services, the so-called FSIS. The letter came out right after the USDA said they would be laying off people for as many as 15 days in the last 4 months or so of the spending year—the 4 months that would end at the end of September. It is estimated these food inspector furloughs would lead to the closure of nearly 6,300 facilities across America for the day the food inspectors don't show up.

If you happen to work somewhere for the FDA, the Food and Drug Administration, supervisor, they can show up whenever they want to, and they do that periodically. They can do that as a surprise visit. They can do lots of things. But in the facilities that are supervised by the U.S. Department of Agriculture, that inspector has to be there every day and every minute of every day for those workers in Missouri or Wisconsin or Maryland or anywhere to work.

I have been to a lot of these meat, poultry, and egg facilities, because we