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Senate

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Lord, You are our King. The Earth celebrates Your majesty. Send peace today to Capitol Hill so that we will stay calm in life's turbulence and live worthy of Your goodness.

As Your presence is felt by our lawmakers today, unite them so that they will be a force for good in our Nation and the world. May the thoughts they think and the words they speak be acceptable to You. Lord, fill them with Your wisdom so that their lives will be like trees planted by rivers of water that bring forth abundant fruit.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ 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. Mr. President, following leader remarks the Senate will be in morning business until 11 a.m. with the Republicans controlling the first half and the majority controlling the final half.

Following morning business the Senate will proceed to executive session to consider the nomination of David Medine to be Chairman of the Privacy and Civil Liberties Oversight Board. At noon there will be a vote on confirmation of the Medine nomination.

The Senate will recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings. At 2:15 p.m. the Senate will begin consideration of S. 601, the Water Resources Development Act.

WATER RESOURCES DEVELOPMENT ACT

Mr. REID. Mr. President, this afternoon, as I have just indicated, the Senate will work on the bipartisan Water Resources Development Act, which would provide critical flood protection and other improvements to communities across the country. This legislation has two able managers in Chairman BOXER and Ranking Member VITTER.

Senator BOXER and Senator VITTER each represent their caucuses extremely well. I have given them free rein to complete this bill, and I hope that can be done. This measure that we will start this afternoon will create jobs and protect the economy by promoting investments in the Nation's

critical water infrastructure. It includes permanent reforms to the Corps of Engineers project approval process, which will accelerate job-creating projects.

I thank Senators BOXER and VITTER for their diligent work on this important issue and look forward to their moving this bill through the Senate at the earliest possible time.

THE BUDGET

Mr. REID. Mr. President, I am sure my colleagues are familiar with the old adage: Be careful what you wish for; you just might get it.

For 2 years my Republican colleagues have said they wish for a return to regular order. They asked for amendments, and they got amendments. They asked for consideration of bills out of committees, and they have gotten that. They asked and then asked again for the Senate to pass a budget resolution, even though we already had a budget law signed by President Obama. Well, they got what they wished; the dog finally caught the car. But it turns out Republicans were more interested in demagoguery by calling for regular order than actually operating under regular order.

Although the Senate passed a budget resolution under regular order after scores of amendments, scores of votes, the Republicans now refuse to allow us to go to conference with our colleagues in the House of Representatives. This is a new concept.

For centuries we have had regular order where if the House passes a bill and the Senate passes a bill, if they are different, we sit down, talk and work out the differences. Not with this tea party-driven House and Senate. No, they talk about regular order, they talk a good game, but when it comes to regular order they don't want it. They shy away from it. They say: No, we don't want regular order. We don't want something that has been done in this country for centuries.

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



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Why are they so afraid? Why are the Republicans so afraid?

We all know finding common ground isn't easy. They have a program where they are asking for \$92 billion more in cuts in discretionary programs than we are, such as the Head Start Program which allows tens of thousands of little boys and girls to get a head start; Meals on Wheels, where millions of people have been eliminated from that program; medical research—a Senator I had a conversation with this morning has a friend with a rare form of breast cancer. A program to help this woman cure this terrible disease has been eliminated where she lives.

We know finding common ground will not be easy, but it should be done. We should find common ground. We are not afraid to work a little harder to get this done. We are not afraid of transparency. Let's sit down together and find out where each stands. We have done our work over here. Let's find out what the Republicans want to do.

We need to let the American people know where we stand. That is why transparency is so important. Democrats and Republicans will never, ever find common ground if we never get to the negotiating table. So why don't my Republican colleagues want to go to conference? Last night, a junior Senator from Texas said Republicans would agree to go to conference only if Democrats first would give in to their demands.

What were those demands? Well, they want more job-killing budget cuts. They want to make sure no millionaire is ever asked to contribute to the deficit reduction. That is what he asked: Before we go to conference, we want to make sure that happens.

He also said he wanted to make sure—remember this, we have been there before. Maybe the junior Senator from Texas doesn't remember, but we remember. We remember the government being on the verge of losing its ability to be part of the world community by not paying its debts.

Rightfully or wrongfully, this country accumulates debts. Raising the debt ceiling doesn't do away with those debts; they are still there. We have an obligation to pay the debts that are incurred by this country.

My friend, the junior Senator from Texas, said he wanted a guarantee, as a bargaining pawn, we would make sure the debt ceiling would not be raised—or words to that effect. We have been through that before. The President made it very clear: He will not negotiate on this country paying its bills.

Republicans refuse to go to conference unless Democrats give in to positions that were soundly rejected by the American people last November, soundly rejected on the Senate floor with the budget resolution we passed. In other words, Republicans refuse to play the game unless we let them win.

The rules are set. We know what the rules are, so let's get down and go forward with the rules. But they are not

willing to do that. Like schoolyard bullies, if Republicans can't win, they will take the ball and go home. That is what we were told last night. This is a stunt, but it is a nonstarter.

What is the real reason Republicans are shying away from their conference? Speaker BOEHNER has said he would rather not subject his Members to politically tough votes. Now, that is probably very truthful. House Republicans are afraid of a backlash from a radical tea party that controls what they do over there and has such significant sway in what happens over here. They are afraid of the backlash from the radical tea party if they even discuss a compromise with us. Even if they agree to go to conference with us, they are afraid that will hurt them.

Partisan politics is no reason to shy away from bipartisan negotiations. Republicans got what they asked for. They wanted regular order, and they have regular order.

Now it is time to embrace the regular order they said they wanted. It has been going on here for centuries. That is what they want. They should complete what they asked for. It is time to get away from a last-minute fix and short-term solutions. It is time to engage in meaningful negotiations and a responsible budget process.

RECOGNITION OF THE MINORITY LEADER

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

THE ECONOMY

Mr. MCCONNELL. According to data just released by the Labor Department, retailers are going to be cutting hours at a rate unseen in more than 30 years. Investor's Business Daily had this to say of the decline:

[It] doesn't appear related to the economy, which has been consistently mediocre. Instead, all evidence points to the coming launch of ObamaCare, which the retail industry has warned could cause just such a result.

So this is just the latest in a string of bad news related to the rollout of ObamaCare, just the latest reason the law needs to be repealed. What is more, businesses are being forced to cut workers' hours at a time when so many Americans, nearly 8 million last month according to Labor, have already been squeezed into part-time positions in which they would prefer not to be in the first place. Many of these are Americans who would probably much rather be working full time. Yet thanks to ObamaCare, many of them may be forced to work even less.

Actually, it gets worse. Labor also reported that total benefits for employees in service operations actually declined last quarter. That is the first such deterioration in more than a decade. Some speculate this piece of bad news could be attributed to ObamaCare as well.

All of this, bear in mind, is for a law, the full brunt of which hasn't even begun to come online yet. We are still many months away. Yet stories like this seem to be piling up.

When it comes to the implementation of ObamaCare, I fear some of the worst hit are likely to be the small businesses and the Americans who work for them. These are the hometown companies that struggled so mightily just to keep their doors open throughout the Obama economy, whose owners sacrificed so much in order to keep their families fed and their employees on the payroll. These businesses struggled against fierce economic headwinds, and they actually survived.

Will they be able to survive the next assault headed their way, to absorb the blows of ObamaCare, blows thrown at them by their own government at a time when they are already so vulnerable? Well, if things keep going as they are, it is hard to see how they will.

Just listen to this: Last week, a small business owner in the barbecue restaurant business testified at a field hearing of the House Education and the Workforce Committee. The owner of that company said it will cost his business up to \$200,000 to implement the ObamaCare mandate, a \$200,000 hit. What is that company's projected profit for 2013? It is \$240,000. Incredible, absolutely incredible.

It is not hard to see why the Democratic chairman of the Finance Committee called this law a "train wreck." It is not hard to see why so many Democrats are now airing their concerns about the law in public. Frankly, I wish they had considered these consequences before, not after passing a law. It is not like Republicans weren't warning about all of this. It is not like independent experts across the country weren't saying almost the same thing we were saying, and it is not like common sense wouldn't simply dictate much of these outcomes either.

I see that the President has decided to pivot once again to jobs. I can't even count how many times he has done one of these pivots at this point, so I will not try. But I presume he will jet off throughout the country to campaign-style rallies in order to bash Congress and claim that none of this is his fault. In the same vein, we hear he is going to have an ObamaCare event this Friday. I would be willing to bet he is not going to take responsibility there for ObamaCare's negative effects on our economy either or on so many families and small businesses.

It is about time he did. He should use that event to do so because he needs to be straight with the American people. He needs to prepare them for everything that is coming their way—the wage cuts, the lost jobs, the higher premiums, everything our country can expect as a result of ObamaCare.

That small business owner I mentioned earlier also had this to say:

Major companies I am sure have legal advisors that will . . . guide them through this