United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, FRIDAY, SEPTEMBER 27, 2013 *No. 130*

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine.

PRAYER

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

Let us pray.

Holy God, You created us for freedom, so keep us from shackling ourselves with the chains of dysfunction. Use our Senators today to serve Your purposes for this generation, making them ever mindful of their accountability to You. Lord, deliver us from governing by crisis, empowering us to be responsible stewards of Your bounty, using judicious compromise for the mutual progress of all.

Provide this land we love with Your gracious protection, and may we never cease to be grateful for the numberless blessings we receive each day from Your hands.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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, September 27, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KING 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 any leader remarks, the Senate will resume consideration of H.J. Res. 59, which is the continuing resolution. The time until 12:10 p.m. will be equally divided and controlled between the proponents and opponents of the motion to invoke cloture on H.J. Res. 59. The time from 12:10 p.m. until 12:30 p.m. is reserved for me and Senator MCCONNELL. I will control the last 10 minutes; he will control the first 10 minutes of that block of time.

The filing deadline for all second-degree amendments to H.J. Res. 59 is 10:30 a.m. today.

At 12:30 p.m. there will be up to four rollcall votes in relation to the following, in the following order: cloture on H.J. Res. 59, motion to waive budget points of order, the Reid-Mikulski amendment—we will vote on that—and passage of the resolution, as amended, if amended.

Mr. President, as I indicated, I am not going to give any remarks this morning. I want to leave as much time as possible to those who have not had an opportunity to speak or wish to speak again. I am told the Republican leader will not be here either. So I will return at approximately 12:20 p.m.

I suggest the absence of a quorum and I ask unanimous consent that the time be divided equally.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. 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.

RESERVATION OF LEADER TIME

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

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 59, which the clerk will report by title.

The bill clerk read as follows:

A joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes.

Pending:

Reid/Mikulski amendment No. 1974, to perfect the joint resolution.

Reid amendment No. 1975 (to amendment No. 1974), to change the enactment date.

Reid motion to commit the joint resolution to the Committee on Appropriations with instructions, Reid amendment No. 1976, to change the enactment date.

Reid amendment No. 1977 (to (the instructions) amendment No. 1976), of a perfecting nature.

Reid amendment No. 1978 (to amendment No. 1977), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:10 p.m. will be equally divided between the proponents and opponents of the motion to invoke cloture.

The Senator from Iowa.

Mr. HARKIN. Well, here we are Mr. President. I guess this is like the movie

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

Printed on recycled paper.

''High Noon.'' The two sides are walking down the street. I just hope, like in the movie ''High Noon,'' the good guys win. In other words, I hope reason and judiciousness and a sense of responsibility to the people of this country prevails, and not some knee-jerk reaction to what a few people in the House of Representatives want to do to our government.

There seems to be a sense among some Members across the aisle here, and certainly among a block of Republicans in the House, that shutting down the Federal Government is no big deal. Well, I suppose if you are of an anarchist mind—which I think some of them may be—then you do not want government, you want to create chaos, you want to create confusion.

Someone might ask: Why would someone want to create chaos and confusion? I think if you read your history, you will find that most authoritarian governments and most authoritarian movements that are based upon a minority view or a minority support gain their power through confusion and chaos, by disrupting—disrupting—the public body. I do not care whether it is authoritarian movements of the left or the right, that is what they do. They know they cannot gain power through the normal channels, especially in a democratic government, so, therefore, they do everything they can to skew the way government operates.

First, you manipulate the district lines for how you elect Members of the House of Representatives so that you have a lot of safe districts for one party. I have to hand it to the Republicans, they were very keen on this for the last 10 years or so, and they focused on redrawing the district boundaries so they would have what we might call sinecures, a safe seat.

But if you look at the election results of the last election, more Americans voted for Democratic Members of the House than they voted for Republican Members of the House, but the Republicans are in charge of the House. That is because of the way the district lines were drawn after the last census was taken.

So that is one way you do it, you skew it that way. And then what happens is you bring in a minority block of tea party-type people to the House of Representatives, and they want to sow more confusion and more chaos because they know that is the only way their views are ever going to prevail. They will never prevail in the open marketplace of ideas and debate and discourse among the American people.

On what do I base that statement? Look at the last election. A lot of what the tea party is proposing and what they are now doing in terms of focusing on shutting down the government, much of that was proposed by their candidate for President—not all of it but a lot—and I think the American people soundly rejected that. So the tea party, being frustrated because they cannot get their way electorally or in the open marketplace of ideas and discourse and public debates, now sees their only way to do it is to create confusion and chaos.

One might say if they are doing that, certainly the public will turn against them. Well, I think to a certain degree that is happening. But for the vast majority of Americans out there—who go to work every day and work hard, who are raising their families, thinking about where the next paycheck is coming from or whether they are even going to have a job; young people getting out of school with mountains of debt, trying to get a job, to start a family, perhaps—they are not focusing on the everyday activities of what we do around here in Washington. They read the headlines and may see the news or see something on their laptops or on their iPads or whatever, and what they see is a Congress that is muddled and mixed up and cannot get anything done.

You read the polls, and the people blame all of us for this. I think the people in the tea party have seen that, and I think they believe that if they can create more confusion and chaos and disruption of government, both sides will be blamed, and out of that they believe somehow they can rise to the top of the heap and infuse the government with their minority views.

That is what is happening. It is a small group of willful men and women, who have a certain ideology about how our country should run and what we should do, who cannot get their way in the normal, as I say, discourse and debate and votes either here in the Congress or in the body politic at large. And since they cannot get their way, they are going to create this confusion and discourse and hope the public will be so mixed up on who is to blame for this that they will blame both sides, and perhaps they feel their minority—which is so imbued with this passion of theirs, this ideology, this rigidness of ideology of theirs—that they are the ones who will come out en masse and vote in the next election, other people will be so discouraged they will say: Oh, a pox on both your houses, I won't vote, and, therefore, that is the path they see to taking over government.

It is dangerous. It is very dangerous. I believe we are at one of the most dangerous points in our history right now—every bit as dangerous as the breakup of the Union before the Civil War. We are at a point where: Will this Congress allow a small group dedicated—I give them credit for working hard—but a small group of dedicated, ideologically driven individuals to dictate to the Senate and the House what our course of action is going to be? We cannot give in to that.

So I call upon my friends in the Republican Party who are moderates—and there a lot of them in my own State, around the country. They are conservative, but they are responsible conservatives. They may look at Democrats and say: You want to go too fast one way. We might want to go a little bit slower that way or maybe we want to go in a slightly different direction, so let's get together and work it out and see which way we go. That is being a responsible conservative or a responsible liberal too, I would say. I call upon them to disabuse themselves of this idea that somehow they have to march in lockstep with this small band of tea party—call them what you will—rightwing ideologs—you can use whatever adjectives you want—but they must disabuse themselves of the idea that they have to somehow march in lockstep with them.

I keep reading the papers that somehow the Speaker of the House is trying to find a way out of this. Well, I do not know JOHN BOEHNER real personally, but he was on the Education and Labor Committee all the time I was on the committee here. We always went to conference. We worked things out in a reasonable manner.

There is a way forward—there is a way forward—and that is for the Speaker basically to take what we do here. What we are about to pass today is a stripped-down version of a continuing resolution that will keep the government running until November 15. But it knocks out all that other junk the House put in about defunding ObamaCare and all this other stuff they put in there. It is just a straightforward: Let's keep the government running until November 15.

The compromise we made on our part was to give up on our budget line. We had a certain level that we wanted to fund the government. The Republicans had a lower level. So we accepted the lower level. We accepted that lower level. In turn, we asked, rather than going until December 15, go to November 15 on this continuing resolution funding the government.

So we accepted the lower level—hard for some of us to swallow. I didn't believe in that lower level. I thought it should be higher so we could adequately fund things such as education, health care, the National Institutes of Health, the Centers for Disease Control and Prevention, all of the things—transportation infrastructure. But it was a compromise. We took the lower level.

We said: Do it until November 15 so we can bring our appropriations bills out on the floor, hopefully between now and then, and we can work on an overall spending package for next year, one that is not just a continuing resolution that just keeps things going, but maybe we want to make some changes—and we do. I know in my committee we want to change some things, hopefully make them work better. So by doing that by November 15, then that gives us a month from November 15 until Christmas to get it all worked out and hopefully have this package passed by Christmas. If we go to December 15, we will not have time to do that. So that is what is before us today.

Here is the Speaker's avenue to act responsibly and to let the American people know there are responsible Republicans. All he has to do is take the bill we pass here and bring it up in the House and encourage some of his more moderate Republicans to support it and get the Democrats to support it and pass it in a bipartisan fashion. However, if the Speaker wants to just cater to this small band of ideologs, well then he will take what we pass here, change it around, add this, add that—I hear they have a laundry list—and then send it back to us. That is totally irresponsible.

There is a path forward. It is the path of responsibility, of being responsible, being judicious, not giving in to a small band of ideologs who want to seed confusion and discord, a small band of ideologs who want to use the power of the minority to do what they can to disrupt government in order to get their way.

When we were kids, there was always some kid who was playing marbles with you—or whatever it was, playing games—who did not get his way. So they picked up and went home, threw a temper tantrum. Well, for kids who were out playing, as we did, in the fields in small communities, temper tantrums were something they lived with. They did not really do much harm. But that is not true here in the Congress. We cannot afford the temper tantrums of a few ideologs.

There is more I could say about what they want to do and how they want to nullify laws by doing this. We have the Affordable Care Act that we passed here. It is being implemented. There has been a lot written about the exchanges starting next week. It is the law of the land and has been upheld by the Supreme Court. Yet a small band, a small group, a few on this side—not everyone on the Republican side—and some in the House want to nullify that law not through votes, they want to nullify it by shutting down the government or by not paying our bills when the debt ceiling comes and defaulting on our debt. Nullification of a law through that type of action—that is sort of like picking up your marbles and going home. But when you are a kid, no one really gets hurt. But who gets hurt from this? The American people.

I think there are a lot of people who say that shutting down the government is no big deal. It is a big deal. OMB recently estimated that in 1996 when the government shut down, it cost in today's dollars $2.1 billion just because of a few days of a shutdown of government. So those who say they are fiscal conservatives have to think about that, what the cost would be to the American people of shutting it down.

I happen to be privileged to chair the appropriations committee that funds Head Start Programs, early childhood development programs, elementary education, Pell grants, student loans, and medical research. I can tell you that if the government shuts down, a lot of people are going to get hurt.

Twenty-two Head Start providers will be delayed. About 18,000 kids will be denied Head Start Programs. The National Institutes of Health will not be able to fund new biomedical research projects. Social Security offices will close. Every day in this country, 445,000 people will call their Social Security office. They have a missing check. They have something wrong. They need some help. With the government shut down, no one will be able to call the Social Security office and get that kind of help.

I could go on and on. This is not a game. This is not a game. Hopefully we are not children. Hopefully we are responsible adults. I believe what we are doing today is responsible, in passing a stripped-down continuing resolution to keep the government going until November 15. I understand we will have the votes to do that. I just hope the House of Representatives will be responsible and forget about kid's games like picking up your marbles and going home or throwing a temper tantrum or shutting down the government because you cannot get your way. This is a dangerous time. I just hope the Members of this body, the Senate, and the House of Representatives, in which I was privileged to serve for 10 years, will rise to the occasion and let the American people know we are going to act responsibly.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I yield 10 minutes of proponent time to Senator CORNYN.

Mr. CORNYN. Mr. President, parliamentary inquiry: I understand there has been time allocated to proponents and opponents, but there is no breakdown for individual speakers in terms of how much time is allocated?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. CORNYN. Mr. President, ObamaCare is more unpopular today than when it was passed in 2010. I know the proponents of ObamaCare—my Democratic friends who voted for it in a party-line vote—had hoped it would meet their expectations and the promises the President and other people made about how it would be implemented and what its impact would be on our health care system.

I am amazed, though, that our colleagues say: You know, it is the law of the land. We cannot change it.

Well, that is completely contrary to our constitutional system where the very legitimacy of our laws depends on the consent of the governed. Of course it is within the power of Congress to change the law. That is what we do when it turns out the law does not work as those who hoped it would or it, unfortunately, meets the expectations of those skeptics who thought it would never work. So it is within our power to change this law.

We will be voting today on a very important provision that will give us an opportunity to start over and to address the failures of ObamaCare that even some of its most ardent advocates had hoped it would meet. So today we will vote on a number of matters, including a cloture vote on the underlying bill. I will be voting yes on cloture because I do not understand how I can otherwise vote on a matter I want to see passed. In other words, we will vote to proceed to a bill that defunds ObamaCare. I believe we should defund ObamaCare. Indeed, just as we did on the motion to proceed—we had 100 Senators vote for cloture on the motion to proceed—I do not know why we would not vote to proceed on the cloture vote on the underlying bill—especially those of us who believe we ought to go ahead and defund ObamaCare today in light of experience between 2010 and 2013 which shows it has not lived up to expectations and promises.

There are some people across America who are so upset with ObamaCare—and I understand their frustration—that they say we ought to shut down the Federal Government. Our colleague Senator COBURN asked the Congressional Research Service to look at what would happen to ObamaCare if the government shut down for some reason. Their conclusion is that ObamaCare would continue to be funded even though the government was shut down because there are alternate sources of revenue that could be used to keep it going.

So I say to my friends who say we ought to shut the government down to get rid of ObamaCare that it will not work. Even if they hoped it would work, it will not work. Of course, we can imagine the disruptions to our seniors, military, and to our economy, which is bouncing along the bottom with slow growth and high unemployment, and what that disruption might mean there.

So I think the real vote today is going to be on the vote the majority leader will offer to strip out the defunding language. I hope we have five Democrats—perhaps those who hoped in 2010 that ObamaCare would actually work but will, in light of subsequent experience, reconsider and say: Maybe we ought to start over again because ObamaCare has not worked. Maybe it is not the best way to make health care policy, to have a bill that was passed strictly on a party-line vote.

No one is invested in trying to actually make sure it will work, such as when Tip O'Neill and Ronald Reagan fixed Social Security and secured it for subsequent generations. Unfortunately, we have seen the President of the United States govern by waiver, exception, and exemption when it comes to implementing ObamaCare. We have learned that ObamaCare is not ready for prime time even though the exchanges are supposed to go into effect next Tuesday.

Why are the American people so upset with ObamaCare? Why are there

some people who are so upset that they are willing to see the government shut down in order to get rid of it and change it? Well, it is simple. When the President was promoting his health care overhaul in 2009 and 2010, he repeatedly assured the American people: If you like what you have, you can keep it. If you like your doctor, you do not have to worry, nothing will change.

He made that promise time and time again. He was always 100 percent unequivocal. Here is a direct quote from the President's speech in January of 2009 before the American Medical Association. He said:

If you like your doctor, you will be able to keep your doctor. Period. If you like your health-care plan, you will be able to keep your health-care plan. Period. No one will take it away. No matter what.

That is the President of the United States. When the President made those remarks 4 years ago, many Americans believed him or at least gave him the benefit of the doubt. Unfortunately, we now know ObamaCare was sold to the American people under false pretenses. The Congressional Budget Office has projected that ObamaCare will cause millions of Americans to lose their existing health care coverage.

Employers large and small have already announced that because of ObamaCare they are ending their employer-provided coverage for their employees and some of their retirees. In a front-page story, even the New York Times admits that because of ObamaCare, ''many insurers are significantly limiting the number of doctors and hospitals available to consumers.'' So if you like your doctor, if you like your hospital, you will not necessarily be able to keep them. For that matter, earlier this year one of my constituents sent me a letter she got from her insurance company informing her that because of ObamaCare the coverage she had would be terminated by the end of 2013.

That letter said:

Never have we experienced the uncertainty and immense challenges that confront the insurance industry during this time of health-care reform.

It is now painfully clear that many people who do wish to keep their existing coverage and wish to keep their current doctors will not be able to do so if this law is implemented.

This is why we are seeing some leading Democrats who are saying maybe we ought to reconsider in the light of experience since the time we voted to pass ObamaCare in 2009 and 2010.

It is also clear that ObamaCare is destroying our economy. Recently, a group of labor leaders went to the White House to ask for a special carveout because they said ObamaCare, as implemented, was killing the 40-hour work week. These are some of the folks who were the biggest cheerleaders for ObamaCare at the time it passed, but they have realized, based on subsequent experience, that it is turning full-time work into part-time work so employers can avoid some of the penalties and costs.

We know it is having a particular impact on some specific types of employment such as restaurants, retailers, hotels, the people who develop medical devices which save lives and increase lifespan, and it is having a negative impact on hospitals as well.

For example, the Franciscan Alliance health system recently announced that because of ObamaCare it was eliminating about 125 jobs at two hospitals in President Obama's hometown of Chicago.

Meanwhile, in a letter to a DC city councilman, the owner of a popular area restaurant chain described ObamaCare as: ''the biggest mandated cost ever inflicted on restaurateurs . . . in the HISTORY OF RESTAURANTS.'' The restaurant owner added: ''We still haven't figured out how we are going to pay for that.''

Also, as I mentioned a moment ago, because of the tax on medical devices to pay for medical care, medical device manufacturers are leaving the United States or they are not hiring new people. Some constituents from Texas came in to see me and said they had an operation in Costa Rica. Instead of hiring more people in Texas, they are going to be moving that operation to Costa Rica for one reason and one reason only; that is, to avoid the medical device tax in ObamaCare.

We know that because of ObamaCare's impact on the economy, many college graduates—who advocates celebrate are now able to stay on their parents' health insurance until 26—those same young men and women are unable to find jobs because of ObamaCare. We know that its impact on the medical profession is having a dramatic outcome on people's access to health care.

It is very important to make a distinction between coverage and access. Just because the government provides Medicare coverage doesn't mean you are going to find a doctor to see you. Increasingly, in my State and around the country, doctors are saying: We can't afford to see new Medicare and Medicaid patients because of how much the government compensates for that service.

As a matter of fact in Texas, only about one out of every three doctors who currently see Medicaid patients will accept a new Medicaid patient because of the low reimbursement rate. Medicaid is already failing to meet the important needs of the most vulnerable people in our country. Because of ObamaCare, States are preparing for a massive spike in individual health care premiums and because of ObamaCare insurance carriers are already limiting consumer choice.

As many of us warned years ago, ObamaCare affects everyone. It affects working families who are happy with their employer-provided coverage. It affects Medicare recipients living on a fixed income. It affects Medicaid patients who are already having trouble finding doctors and dentists who will take their insurance. It affects young people who are struggling to pay off their student loan debt, and, yes, as I said, it affects small business owners who wish to expand their workforce.

The ACTING PRESIDENT pro tempore. The Senator has consumed 10 minutes.

Mr. CORNYN. I thank the Chair.

It affects medical device companies that produce technology that has helped millions of Americans with disabilities. The false promises of ObamaCare have been shattered by the harsh realities of ObamaCare. A law that was supposed to solve some of our biggest health care problems in the country has, instead, made those problems even worse.

Now we have a second chance. Congress has a second chance as the elected representatives of the American people under our constitutional system of learning from the experience we have had since 2010 when Congress passed ObamaCare on a party-line vote, we have a second chance today to do the right thing, a chance to stop ObamaCare in its tracks, a chance to reverse the mistakes of 2009 and to allow Congress, instead, to pass real health care reforms that will lower costs, improve access, expand quality insurance coverage to more people.

Republicans have said we have an alternative to ObamaCare. Some of our colleagues who support ObamaCare said: The only way you can cover people with preexisting conditions is with ObamaCare, a $2.7 trillion expenditure. That is baloney. We all know many States have health risk pools. If we provided additional funding to those State health risk pools, people with preexisting conditions could get coverage without having to embrace the whole behemoth of ObamaCare at a much more affordable cost.

We are eager to adopt reforms such as equalizing the tax treatment of health insurance and making health care price and quality information more transparent and accessible so people can actually shop based on quality and price—what a concept—also, by letting people buy insurance coverage across State lines, allowing both individuals and businesses to form risk pools for individual markets, by curbing frivolous medical malpractice lawsuits, using State-based health insurance pools to cover people with preexisting conditions, and to give States more flexibility to improve Medicaid and to bring more competition to Medicare.

Republicans have spent years advocating these policies. Now that we know ObamaCare has failed in its intended purpose, it is time to look to these alternatives. We are prepared to defund ObamaCare and to move ahead with real reform as I described.

The only question is how many Democrats are going to learn from the evidence since 2010. How many of them

are going to listen to their constituents and say we can do better than this failed attempt from the Federal Government to take over our health care system and deny people access to the doctors of their choice and to keep the insurance coverage they have.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I yield 10 minutes of proponent time to Senator SANDERS.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Let me begin by saying I think a debate over ObamaCare, a debate over health care, is good for the Nation. As I think many Americans understand, the United States is the only country in the industrialized world that does not guarantee health care as a right to all of our people.

Today, before the initiation of ObamaCare, we have 48 million people who have no health insurance. I would tell my good friend from Texas that the State of Texas, I think, ranked first in the country in the percentage of their people under 65 who have no health insurance, one out of four.

George W. Bush was President for 8 years. Where were the ideas about how we provide health care to all of our people. It is not only 48 million people today who have no health insurance; there are many more who have huge deductibles which prevent them from going to the doctor. They have high copayments. At the end of the day, in this dysfunctional health care system we have, we are spending almost twice as much per capita on health care as do the people of any other nation, many of which have better health care outcomes than we do in terms of life expectancy, infant mortality, and the treatment of a number of diseases.

In my view, ObamaCare is a step forward, but we have to make significant improvements. That is a good discussion and debate to have.

One thing that is absolutely certain is you do not hold the American people hostage by threatening to shut down the government or, for the first time in the history of our country, not pay our bills, bringing this country and perhaps the entire world into a major financial crisis. That is what you don't do.

ObamaCare was passed with 60 votes in the Senate, it was passed in the House, and it was signed by the President. ObamaCare was challenged in the Supreme Court. The Supreme Court ruled it constitutional.

There was an election 1 year ago on this very issue, one of the major issues in the campaign. The Republican candidate said: Let's defund ObamaCare. He lost the election. Republicans lost seats in the Senate. They lost seats in the House.

This is what democracy is all about. What democracy is not about is a handful of the Members of the House of Representatives, extreme rightwing Republicans, saying if we do not get our way, we are prepared to punish tens of millions of Americans. Yes, we lost the election; yes, we lost seats in the House and the Senate, but we are prepared to bring this government down; we are prepared to cause, perhaps, a major global financial crisis unless we get our way.

That is not what the American system is about. That is not what democracy is about. If we want to debate about how we improve ObamaCare, that is a good debate. Let's have it. Let's not tell men and women in the U.S. Armed Forces, who today are putting their lives on the line to defend us, that they are not going to get paid. Let us not tell police officers here in Washington and elsewhere they may not get paid. Let's not tell working families who take their little kids to Head Start so they can then go out to work that program may be killed. Let's not tell senior citizens, who are on the Meals on Wheels Program who can't leave their homes and depend upon a meal, let's not punish them because we have a small number of extreme rightwingers who want to get their way at the expense of millions and millions of people.

Let's have a debate, continue the debate. ObamaCare will provide health insurance to 20 million more Americans, a good step forward, but 28 million more remain uninsured.

Many of the trade unions are concerned about some provisions, and I share those views. Let's change that, let's improve it. Let us not shut down the U.S. Government and make us look like fools throughout the entire world because a handful of rightwing extremists are so determined to try to destroy this President.

Senator CRUZ was on the floor the other day. I appreciate anyone—I was on the floor a couple of years ago for 8½ hours, and he was on the floor for 21 hours. That is tough. I respect anyone who can do that. I disagreed with most of what he did say, but he did say one thing which I think was right; that is, we need a serious debate about fundamental issues.

What I believe very strongly is that this debate about ObamaCare is kind of small change, nickel and dime, compared to where many of our rightwing Republicans wish to go. It is important we have that debate because I think the American people are not understanding the role of multibillionaires, such as the Koch brothers, worth some $70 billion, pouring hundreds of millions of dollars into the tea party. This is what this debate is about; it is not about ObamaCare. I will give some of the issues we should be debating. Senator CRUZ was right.

The Texas Republican Party platform calls for an immediate and orderly transition away from Social Security; in other words, they want to kill Social Security. That is a good debate. Let's have it.

How many of the American people think we should end Social Security and go back to the days of the 1920s, when the elderly people were the poorest people in America. That is what rightwing Republicans want to do. Let us have that debate.

The Republicans in Texas—again, their view represents a whole lot of folks here in the Senate and in the House—want to privatize veterans' health care. I am the chairman of the Committee on Veterans' Affairs, and I will tell you very strongly the veterans of America want to improve and expand the VA health care system, not privatize it. But let us have that debate.

Quoting from the Texas platform, the Republican Party in Texas believes—and, again, reflecting the views, I believe, of a strong majority of Republicans here in Washington—''We believe the minimum wage should be repealed.''

The minimum wage today is $7.25 an hour. We have millions and millions of workers who are trying to get by on $8 an hour, $9 an hour. I think the minimum wage should be significantly expanded—raised. Many Republicans say let's abolish the minimum wage. Do you know what that means? It means in Maine, in high unemployment areas; in Detroit, in high unemployment areas; and in Vermont, in high unemployment areas, what the employer will say is: Look, there ain't no jobs around here. You want to work, here is 3 bucks an hour. But we have the government out of your lives. There is no longer a minimum wage.

They consider that freedom. I consider that wage slavery. Let us have the debate about whether we should abolish the minimum wage, abolish Social Security.

The Ryan Republican budget in the House a couple of years ago wanted to end Medicare as we know it and create a voucher system. Here is a check, 8,000 bucks. You got cancer, good luck. Here is your $8,000 check. Go to the doctor, to the hospital, you will get good care—for about 2 days—and then we don't know what happens to you.

We are going to end Medicare as we know it. We are going to make devastating cuts in Medicaid. We are going to give tax breaks to the rich at a time when the rich are doing phenomenally and the middle class is collapsing. Let us have that debate. That is a good debate to have.

It is very interesting; there was a CBS/New York Times poll that came out the other day absolutely consistent with every other poll I have seen. What these polls do is they say to the American people: What do you think are the most important issues facing America? What should Congress be focusing on? You know what. They are not talking about health care. They are not talking about ObamaCare. They are not talking about taxes. What the American people are saying is: We need jobs.

Real unemployment today is close to 14 percent. Youth unemployment is higher. We need to create millions of

jobs. Where is the debate? We bring forward ideas about rebuilding our crumbling infrastructure, creating jobs, moving to a more energy efficient society, and creating jobs. Where are their ideas on jobs? They do not have any. All they can say is: Let's give more tax breaks to billionaires. One out of four corporations doesn't pay any taxes. Let's give more tax breaks to the rich and to the corporations. Trickle-down economics has not worked.

What the American people also understand is that most of the new jobs that are being created are low-wage jobs. Often they are part-time jobs—a trend, by the way, that has been going on for many, many years, well before ObamaCare. Major employers didn't need to think too hard to figure out if you hire people for 25 or 28 hours a week you don't have to provide them with benefits. Let us discuss about how we create decent wages in this country.

The ACTING PRESIDENT pro tempore. The Senator's yielded time has expired.

Mr. SANDERS. The last point I will make.

Maybe the most important discussion we should have is ending and overturning this disastrous Citizens United Supreme Court decision which gives the billionaires in this country the ability to control what goes on here in the Congress, forcing Members of the House and Senate to raise unbelievable sums of money.

So there is a lot to be debated. But one thing we should not be debating is shutting down the United States Government in order to achieve a narrow political goal.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I would like to use 15 minutes of the appointed time and be notified after 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. SESSIONS. I thank the Chair.

Look, what we are here today about is the Democratic majority in the Senate has built a fortress around ObamaCare—the Affordable Care Act. They have refused steadfastly any serious reevaluation of the law. They have blocked every attempt to do that. The House, Senator CRUZ, Republicans, and others are trying to force this Congress to confront the obvious flaws in that law, and they have refused to do so.

That is why it has all come down to a debate at the end of the year over what we are going to do. Do we just give up? Do we allow the majority in the Senate to not even allow votes in the weeks to come? They are not. They will not do it unless they are forced to do so. They made a strategic decision to reject and fight off any attempt to bring up a vote on the floor of the Senate.

People in America, I am sure, cannot believe if a Member of the Senate desires to try and fix and improve the Affordable Care Act that they cannot go to the floor and get a vote on it. That is exactly what has been happening ever since it passed. Polling data show the American people want substantial changes to it. Members, even Democrats, have said they want some change. But nothing gets voted on that will actually make a real change in the law.

It is the plan of President Obama and Senator REID to accept no change. Indeed, Senator REID has made clear his plan is to move to a single-payer system. He said openly and publicly just a few weeks ago he wants a single payer system for all health care in America—the United States Government. And that can only be described as socialized medicine.

That is what the goal is, and we have got to confront this. So I wanted to say that first of all. But as ranking member of the Budget Committee, I want to share a few thoughts about where we are financially and what is going to happen with this legislation. First and foremost we have to know that the Affordable Care Act is deeply unsound financially. The President's promise—repeatedly made—was that it would not add one dime to the debt. He said it would not add one dime to the deficit ''now or ever, period.''

Is that true? No, sir, it is not true. This is a hugely unsound new entitlement program that will endanger the financial future of America at a time when we need to quit digging ourselves deeper in debt and begin to work ourselves out of debt.

The Acting President pro tempore is on the Budget Committee. We both know these numbers.

We are dealing with Social Security, desperately trying to figure out a way to make Social Security sound so our seniors can go to bed at night and not have any worries about the future of Social Security. Medicare is even more stressed. Now we are adding this law—ObamaCare.

What does it do? The Government Accountability Office, headed by an independent person, actually appointed by President Obama, has issued a report stating that under the likely financial scenario over the next 75 years—that is how they figure Social Security and Medicare's liabilities—this bill will add $6.2 trillion to the Federal deficit. Social Security's unfunded liabilities are only $7.7. We are talking about adding almost as much debt to the future of the United States and to our children and grandchildren as Social Security has in liabilities. We need to be fixing Social Security, not creating a new entitlement. We need to be fixing Medicare, not adding another one. We need to be fixing some of our pension plans that are unsound, not adding more debt. We were promised it wouldn't happen.

We are going to have a budget point of order later, and we will hear arguments that ObamaCare is good for the budget. But this is how a country goes broke. This is how a country goes broke. We are going to have a score from the Congressional Budget Office that says over 10 years this law will bring in more money than goes out.

In one sense that is correct. But where did they get the money? The money—$500 billion or so—is coming out of Medicare. But it is Medicare's money. They are cutting doctors and hospitals—providers—$500 billion, and they are saying, therefore, the U.S. Treasury—the conventions of unified budget accounting, as CBO says—will show it as increased money. Therefore, it can be spent by an entirely new program. But it is not money for a new program or the U.S. Treasury. It is not Congress' money. This is Medicare's money, and it will be loaned by the Medicare trustees to the U.S. Treasury so it can be spent on this program.

The ObamaCare money that comes out of the Medicare savings is borrowed money. It is not free money. It is not new money. It is borrowed—borrowed from the trustees of Medicare—and it is headed in a downward spiral, and they will call those loans in very soon. There is just no money there, and that is how it all comes out.

The Government Accountability Office says under a realistic set of assumptions this law will add $6 trillion—$6.2 trillion—to this country's deficit. Mr. Holtz-Eakin said in the first 10 years there will be $500 billion added to the debt of America.

Supporters of the new law will contend otherwise, but it is indisputable that this is so. We are adding to the debt and it is going to threaten the future of America.

I would also point out, as we work our way through the entire effort to focus on our debt and what we will do for America, we need to understand how this accounting works. The Congressional Budget Office, on December 23, the night before the bill passed in 2009, in response to my request, sent a letter saying you cannot simultaneously use the money for Medicare and to fund a new program, though the conventions of accounting might indicate that. You cannot use it for both purposes. They used the phrase it was ''double counting.''

That is our own Congressional Budget Office. The night before this bill was rammed through the Senate, they told us that. Yet we still have the President—we still have Members of this body insisting this law is fully paid for and will not add to the deficit ever, period. Nothing could be more false. Nothing could be more false.

I know there are good people who feel like we have to keep this process moving, we have to send something to the House, and they will want to move this bill to the House. I understand that. But I just want everybody to know that we all need to fully understand that this health care law is unsound financially. This health care law will never work.

Second, I am disappointed that our colleagues in the House have sent a bill

over that spends at a rate that would add $20 billion more to our debt than the Budget Control Act would allow.

Colleagues, we have got to be so careful about this. I know they have an excuse for it. I know they say that by the end of the year the sequester will cut those spending levels down and it will not add to the debt at the end of the year. Don't worry about it, they say. But right now we couldn't agree, so we just spent more money on the discretionary side than we should have otherwise. We are going to spend $988 billion instead of $968 billion, $20 billion more at that rate.

But they say after 3 months or 2 months, when this CR ends, it will all be fixed. I am worried about that. It is going to be harder, I think. I think the pressure is going to be more intense 2 months from now to keep spending at that level.

I don't think they should have sent a bill to this floor, even though they can correctly argue that if sequester laws stay in effect, it will be reduced. I recognize that they can continue to argue that.

The ACTING PRESIDENT pro tempore. The Senator has consumed 10 minutes.

Mr. SESSIONS. I thank the Chair.

But fundamentally it is going to be harder for us to confront this problem as we go forward in the future because we will have more cuts over 9 or 10 months than would otherwise have been the case if we don't make any of them in the first 2 months in this Congress.

I would say to our colleagues who are thinking, ''We may need to waive the budget points of order. Let's just go forward, and somehow we will work all this out in the future. We are going to be watching''—I can't support it. But those who feel they have to do so to keep the ball moving when the House sends another bill back over here, it ought to be on the budget level, not above it. I hope they will do that. That will relieve one more problem.

But the truly big issue is how to understand the cost of this health care law. My colleagues, using a score from the Congressional Budget Office, are going to contend that if you eliminate ObamaCare, it will cost the Treasury money. That is what they are going to tell you, and that is the score CBO would issue. But the CBO Director told us it is double-counting the money. You can't score this money twice.

But according to the conventions of accounting and the 10-year window over which this occurs, by reducing the cost of Medicare, you can therefore spend more money to fund a new program. You can do that, and it will appear not to add to the debt. But you can't count the amount of money coming in because it is Medicare's money. It is simply borrowing money from Medicare. It is going to add to the debt.

Our own independent Government Accountability Office has said, according to the likely analysis of events over the next 75 years, as they do for Social Security and Medicare, this plan is going to add $6.2 trillion to the Federal deficit. In other words, what they are saying is that you would have to deposit $6 trillion into an account today to have enough money to honor the commitments that are being made with the Affordable Care Act. So that much money, in addition to the other revenues and taxes that are in the legislation and the payments that are made by Americans, is not going to be enough, and we need that much more money. But we are committing this benefit to American citizens. It becomes an entitlement. We are committing these benefits to them, and we don't have the money to honor the commitment. That cannot continue. We cannot as a nation continue down this path.

Wall Street and others are telling us we have to get our house in order. We cannot continue to add to our debt in this fashion.

I understand the difficulties Members will be facing when they cast a vote as they come up here today. I am not going to criticize any Member on their vote—although I am not going to vote to waive the budget. I think we ought to stay within our budget, and I think we cannot get by with this idea that the Affordable Care Act is going to improve the financial condition of America when it absolutely is not.

Ms. MIKULSKI. Will the Senator yield for a question?

Mr. SESSIONS. I would be delighted. The Senator is such a fine leader of the Appropriations Committee and one of the most knowledgeable people here, a person I respect greatly.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. And I feel the same way.

I understand the Senator from Alabama is the ranking member of the Budget Committee. Could the Senator tell me why six Senators have objected on his side of the aisle to having the conference on the budget? The Senate passed a budget bill 5 months ago, and we could have been in negotiations to resolve that. Could the Senator tell me why those six Senators object? And because of that objection, we do not have a budget. Senator MURRAY passed a budget working here in a marathon. The Senator will remember that.

Mr. SESSIONS. I certainly do. And I think I may have had a little role in the fact that a budget was passed since I had been complaining that the Democratic majority went 4 years without passing a budget and several years without even bringing it to the floor. While the House was passing a budget every year, the Senate failed and refused a fundamental legal requirement to even produce one.

But this year our new chairman, Senator MURRAY, did bring a budget forward and did move it through the body. There was a concern—I didn't raise it, but a number of colleagues on this side of the aisle said: We are glad to have the budget move forward, but we want you to commit not to raise the debt ceiling on a budget reconciliation because you could raise the debt ceiling with 51 votes instead of 60 votes.

I know the Senator may not like that, but that is exactly what was said. And Senator DURBIN on this floor said he did not think it could be done under the rules of the Senate and that we could raise the debt ceiling on the budget. But then why wouldn't the Senator agree to that?

So the request from the people who objected to sending a budget forward to conference was based solely—and they expressed it repeatedly—on the concerns that budget reconciliation would be used to raise the debt and therefore not be subject to a 60-vote majority.

Ms. MIKULSKI. I thank the Senator for his answer. I dispute the logic and the reasoning, but I thank the Senator, and I thank him for working with Senator MURRAY to move the budget. I will comment on that.

Mr. SESSIONS. Mr. President, I yield the floor. If I have not used all my time, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I now yield 3 minutes of the proponents' time to Senator MURRAY, the chairperson of the Budget Committee, who actually did pass a budget 5 months ago but has been precluded because of sheer, rigid, ideological posturing from being able to go to a conference, sit in a room with PAUL RYAN, and work out what the budget of the United States of America should be. This is why we have gone from the greatest deliberative body to the greatest delay body.

So I yield 3 minutes and any other time she wishes to consume to Senator MURRAY, who has done an outstanding job, and I wish people would follow her lead and let her go to the conference so we could have a budget.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Maryland for her tremendous leadership. She is absolutely correct—we are here in a manufactured crisis. This Senate and the House passed a budget last spring. For 6 months we have been trying to get those two budgets together to conference a deal to set our budget priorities for the next several years. We have been precluded from doing that by the same Republicans who now want to kill a continuing resolution that will simply keep our government open for a few short weeks so we can do the work we should have been doing for the last 6 months.

The answer to this is easy. Let's pass a clean resolution, keep the government open for a few short weeks, do the responsible thing, say to the Nation and to the world that we will pay our bills and raise the debt ceiling, and then do what we need to do, what every

one of us knows we need to do, which is to work out the differences between the House and the Senate budgets.

But we are here in a manufactured crisis because the same Republicans who are now leading us to a shutdown are saying they don't want us to talk. I agree with the Senator from Maryland. Keep the clean resolution, send it to the House, keep government open, and do what we should do as leaders and adults and come to a budget agreement.

I also wish to speak today on and urge my colleagues to support the majority leader's motion that he will bring to us to waive the budget point of order against the continuing resolution we will vote on in a few hours.

My Republican colleagues who announced their intent to raise this point of order are concerned that the funding levels in both the House and Senate continuing resolutions violate the Budget Control Act. But, as we all remember, sequestration was never supposed to be in there. It was supposed to be so unthinkable that it would force a compromise, which is what we are going to have to do anyway. But since those automatic cuts took effect, we have now heard from families and communities across the country that sequestration is costing us jobs, it is slowing our growth, and it is harming our national security. That is exactly why the Senate and House budgets both require changes to the Budget Control Act.

It is true that we took very different approaches to altering the automatic cuts. The Senate budget on our side fully replaced the sequestration. We did it with an equal mix of spending cuts and new revenues that we raised by closing loopholes skewed toward the wealthiest Americans and biggest corporations. The House budget on the other side replaced sequestration fully also, but they did it by fully funding defense programs and paying for that with very deep cuts to investments in families and jobs, all the while protecting the wealthiest Americans from participating in this at all and helping to pay for it.

We do have a lot of work to bridge that divide, but that alone shows how important it is that we pass a clean, temporary continuing resolution to keep the government operating while we have that space to negotiate a longer term budget agreement that works for our families and economy.

The ACTING PRESIDENT pro tempore. The Senator has consumed 3 minutes.

Mrs. MURRAY. Mr. President, I ask for 1 additional minute.

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

Mrs. MURRAY. To do that, we have to be able to finish this bill, send it back to the House, and get our country back on the right course again.

So voting to sustain this point of order isn't voting against a funding level or a policy vote. Voting to sustain this point of order is voting for a government shutdown because if this bill that is in front of us today dies, it is very likely the government will not be open for business on Tuesday, and then our American families will have to deal with the disruption and all the uncertainty that will cause.

There is no reason to let the gridlock and dysfunction in Washington, DC, cause more harm to our families and businesses. A vote for this point of order is a vote to kill this bill and shut down the government, and we do not want that to happen. So I oppose it. I urge my colleagues to join me in waiving the point of order when we have that vote later today. Let's pass a clean continuing resolution, have the House pass a clean continuing resolution, and then do the job we were sent to do. Every one of us knows what needs to be done, which is to bridge the divide between the House and Senate budgets and get our country back on track again.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the Senator from Washington State for her comments because, as usual, they were clear, cogent, and compelling.

We need to get a job done today. Our job today—am I correct—is passing a continuing resolution, which means we keep the funding at fiscal 2013 in place until we resolve other budgetary issues with the House. Is that correct?

Mrs. MURRAY. I would say to the chairwoman of the Appropriations Committee, that is absolutely correct.

Ms. MIKULSKI. Mr. President, we will be voting at 12:30 on four questions. Those four votes are cloture on the continuing resolution, waiver of a Budget Act on the point of order, the amendment that I offered on the continuing resolution, and final passage. But essentially it is all pretty much the same thing—it is four separate votes that get there.

Our goal today is to send to the House of Representatives a continuing resolution, stripped of ideological riders, that keeps the government funded until November 15 while we work out other budgetary issues. The continuing resolution historically was always meant to be short-term to get us over problems, to keep the government functioning while we solve problems we have been working on, and it has always been historically not to have ideological riders attached to them.

We the Democrats, hopefully with others who will join with us to find the sensible center—America always governs best when it finds the center, a sensible center—we want to find that and send it to the House where, No. 1, our continuing resolution will be until November 15. This gives us a couple of weeks to work these issues out.

No. 2, to take out the ideological riders. The first rider is to defund President Obama's Affordable Care Act. We want to strip that out because it is now the law of the land. There is no need to keep fighting the same battle.

Next, there is an ideological rider on how we structure paying our debt. That rider is a rigged game, that we pay China first before we pay other obligations to people here, debtors in our own country. We want to strip that out and then send them the continuing resolution, which is not new money. It keeps the Government operating until November 15 at fiscal 2013 levels. That is where we are. I want to explain, if we do not do this we could head to a government shutdown that is harmful to our country, it is harmful to our economy, and it is harmful to our standing in the world.

In plain English, after debating the continuing resolution last Thursday, we now have these four votes. A vote to waive a point of order against the continuing resolution where we could end up with more sand in the gears. Where we are now is that the vote on the Senate amendment to the House CR, as I said, strips out partisan ideology, shortens the date and moves on so the House can look at it.

A government shutdown is a serious matter. If we do not come together across the aisle, across the dome, across town, we will be facing a damaging government shutdown. Here are a few things that will happen. If we cannot enact a clean continuing resolution by October 1, our troops, including troops deployed overseas, will not be paid on time; 800,000 civil servants who serve the American people will be sent home and told they are nonessential. Shutting down the government will have an immediate and harmful effect on our economy. Small Business Administration approval of loans will be put on hold; important rural development housing and farm loan grants will be stopped.

Our economy is struggling to pick up steam. The uncertainty that we will create in the marketplace, in our own country and in the world, will put on the brakes to our economy. It is irresponsible and unacceptable for this to happen.

Every day, thousands of Federal workers keep Americans safe. We don't hear about them every day but they do make a difference. Every time a defective product is removed from the market, every time an inspector recommends a change to keep people safe in terms of approving the safety of our food supply or drug supply, every time a scammer or a schemer is arrested for fraud, the Federal Government and the people who work for them play an important role.

In my own State, I represent the National Institutes of Health. Last spring, Director Dr. Francis Collins announced we had reduced cancer rates in this country by 15 percent. Instead of pinning a medal on the men and women who did the basic research that could then lead to the private sector inventing new pharmaceutical and biological

products that would put that into clinical practice—instead of that, they had to announce a furlough. How would you like to be working at NIH right this minute and be told you are nonessential? You are working on a cure for cancer, you are trying to find out the causes of autism, you are trying to come up with a cure or at least cognitive stretchout for Alzheimer's—just talking about the A words—then you are told you are nonessential. They did not know that. The American people do not believe it.

We have to avoid a government shutdown and a government showdown. What we need to be able to do today is to be sure we work on our amendments and make sure we have cloture on the continuing resolution. We have had substantial debate. It is now time to bring that together, waive the Budget Act and the point of order, pass my amendment to change the time to November 15, and then have final passage.

The time to act is now. You hear in my voice great frustration. I am frustrated, not because of solutions I do not like—that is give and take in a legislative process. What I am frustrated about is the continual process of delay, where we not only throw sand in the gears of our ability to function, we are now throwing cement into those gears.

I hope we can move. There are cool heads on both sides of the aisle. There are people on both sides of the aisle who have worked together and can come together. Let's pass this continuing resolution, have the House act so we can avoid a shutdown so that our focus is on solving the important issues facing our country. Yes, there are those who call for reducing the public debt. I support that. We can do that through a balanced approach: additional strategic cuts, a review of mandatory spending, and a look at closing tax loopholes.

But there are other debts we have. We have the issue of chronic unemployment, of growing education unattainment, where our standing in the world is slipping. I worry that we will not fund the necessary research and development so, working with the private sector, we will come up with those new ideas that lead to new products, that lead to new jobs.

DARPA, a government agency, helped create the Internet. Then the genius of our private sector unleashed a power that the world has never seen. This is what America is known for—discovery, entrepreneurship, moving our own country ahead. This is what I hope we will get back to.

Let's get through this process. Let's get through this quagmire and let's keep America being what America can be.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I do have time right now that is scheduled. However, my friend from Alabama had one other point to make. I would like to yield 2 minutes of my time to the Senator from Alabama.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, as I explained the unfunded liabilities of the Affordable Care Act, I now want to make something clear. It is a lot more than that. It is unlike Social Security and Medicare, where there is a dedicated tax that supports those programs that are on our payroll withholding every week, that FICA withholding, dedicated to Social Security and Medicare. There is no dedicated tax support for ObamaCare.

If you assume all the new taxes they raise are actually used to fund ObamaCare, then there would be a $6.2 trillion shortfall, a liability. But if you do it like it should be accounted and assume that none of this money raised in taxes is actually dedicated to the Affordable Care Act, then it runs about $17 trillion according to estimates by my Budget Committee staff.

Congress is well-known for this. Unless your tax money is absolutely legally dedicated to something, it gets spent on other things. So we have no confidence we will come in with just $6.2 trillion. It is likely to be far higher than that, the way we know this body operates.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. I agree with my good friend from Alabama. He has done a great job on this subject.

I would like to say, one of the things I enjoyed about the presentation that was made by my good friend from Texas Senator CRUZ was that we were in a position that is very rare in this body, where we could talk as long as we wanted to. In fact, we actually tried to talk longer. We were looking for different things to fill in. We may have forgotten some.

That is not where we are today. We are confined. But I have to share with my good friend in the chair that something I am going to say now is going to be very offensive to a lot of people, but I really don't care. At my age and being here, I think I know what this country is all about and I think I know that we have the obligation to express our true feelings.

I have written a speech and have put it off. I am not going to give it today. But I was rereading it this morning. I had no intention of coming down and talking because I talked long enough during the course of the Cruz talk. But I went back and reread the speech I was going to give. What it is is to answer the question one of my sons asked me, and everyone has been saying this over a period of time in Oklahoma. I don't think Oklahoma is that different from other States. But they ask me over and over again, they say: What happened? Why is it that we have an administration—people in government, not just the Obama administration but others—who are praising Islam and trashing Christianity, trashing the Judeo-Christian values and other things that are happening today?

We all know it is true. How do you answer that? It is a tough answer. So I am preparing and later on I will give you a little warning, I am going to make a little talk.

There is a guy named Paul Johnson who wrote a history of the American people. He talks about how we got to where we are today. This is going to tie into ObamaCare. He says that the Puritans were devoted and single-minded to their ambition of creating a colony that was built on the foundation and teachings of Jesus Christ. The Mayflower compact is evidence of that. Paul Johnson, the guy who wrote the book I told you about, is right to observe the document was not just a ''contract . . . between a servant and a master, or a people and a king, but between a group of like-minded individuals, with God as a witness and symbolic co-signatory.''

Why is this important? It is important because William Bradford and the other Puritans understood that while forming a civil government was fully within their rights, there were limitations to what they could and could not do. Not talking about government here. Those limitations were established by God and enumerated in the Bible.

I go on. When I make my talk on this, I quote the Apostle Paul in Romans, but there is not time for that. I go on to say it is within the foundation of Biblical authority that the Puritans crafted the Mayflower compact and their system of government at Plymouth Colony. Paul Johnson rightly observes that this line and model of thinking was critical to laying the foundation for a successful United States of America. Ultimately, it is a morality derived from God that had its strongest enduring influence over the Nation, and this is what has crafted our history as a strong nation.

I say all this as a predicate to the answer to the question people ask me: Why is it that we are trashing our Judeo-Christian values in favor of something that was not American to start with? Sadly, our Nation does not have the same belief today that we had during that time in our history. We have become arrogant, inward-focused individuals. Rather than submit to God's authority and definitions of truth, justice, and goodness, as we conduct our government's business, we have replaced them with our own ideals defined on what feels right at the time. As Americans, we now look inward to ourselves to define with fluidity the foundation of truth. We have allowed ourselves to become ultimate arbiters of what is right and wrong instead of the higher moral authority of God.

Lastly, what was going to be in this talk, this time getting back to the subject at hand, today, instead of having leaders who are protecting the church from government, we have leaders who

believe it is government's job to impose on churches what should be universally upheld as truth. Instead of leaders who are protecting an American's freedom to practice his or her religion of their choice—here I am not talking about the choice you may be thinking about—they may instead be using government institutions and law to force them to do or buy things that are in very violation to their religious beliefs and conscience. That is the issue we are talking about now.

Government has become so strong and influential in our lives that we are losing our powers, and these are our ordained powers that we know are a part of this country. There is not a person in here who didn't study the Pilgrims coming over on the Mayflower and having that meeting in the captain's chamber and making these decisions and now we are where we are today.

I have an example. I have a friend in Oklahoma whose name is David Green. David Green started a company called Hobby Lobby. David Green and his wife started this company by making picture frames in their garage. They were able to open their first store, which was 300 square feet, with the profits they made in their little garage operation making picture frames.

Over the years their business has grown to 550 stores. It has an annual revenue of $2.5 billion, and David Green has had success despite running his business in a very countercultural way. For instance, all of the retail stores close at 8 p.m. each night and all day on Sunday so employees can spend time with their families. This is appreciated by the company's 16,000 employees—remember, it all started in a garage—who are paid at a minimum $12 an hour, even though they could be paying a much lower legal rate.

At one point, the company was challenged by a competitor who said they would bury Hobby Lobby with their money, so their firm opened their doors on Sunday, ultimately earning the company $150 million in revenue each week. Eventually, David Green said he was challenged by God to trust in him with his business, to go back to his policy of closing on Sundays and he did and his business has prospered. It is one of the largest businesses in America today.

David's Christian faith runs deeper than his desire to have a profitable, successful company. When he was faced with a decision to make more money or obey God, he chose to obey God, whatever the consequences.

Keep all of that in mind and listen to this. This is what I am getting at. Recently, he was faced with a new test. It didn't come from a competitor. It came from the U.S. Government. Part of the ObamaCare law requires employers not only to provide health care insurance to their employees but also to provide free access to the pills that terminate pregnancies.

David, as I do, and many others believe—and some don't believe that we believe—that life begins at conception, and offering an option to end that life would be in violation, in his case, of his moral compass as defined by his faith in Jesus Christ.

As a result, he said he would rather pay the $1.3 million a day in daily fines from the Obama administration than comply with the law. Here is a guy who feels so strongly in his beliefs—that I think are consistent with the beliefs that made this country great, but that is just my belief—that he would pay $1.3 million a day in fines from the Obama administration rather than comply with this law.

Today the Obama administration is vigorously opposing Hobby Lobby's legal challenge to the mandate, claiming that this privately owned business is waging a war on women for not agreeing to provide these treatments for its employees free of charge. That is just one example of what is happening. By the way, I don't think my State of Oklahoma is that different from most other States.

Last week, four universities in my great State of Oklahoma filed a lawsuit against the Federal Government over the ObamaCare mandate to provide certain types of contraception to their employees. These are four universities which are joining with this one great American named David Green. So we have the faith of an individual and what he is willing to do for his faith. He is willing to stand up to this abusive government that we have today and to this ObamaCare law and is willing to pay $1.3 million a day. My feelings are just as strong as his on this issue, but that is a subject for another day.

My wife and I have 20 kids and grandkids. Back in the old days, when we were having our kids, there was kind of a rule where you couldn't go into the hospital, I say to my good friend who is occupying the chair. Back then we couldn't see this and we had to wait outside and we didn't have notice of what the baby was going to be and all that.

But in the case of my first grandchild, my daughter called me up and said: All right, Daddy. Come on over. It is time. I went over to the hospital delivery room. What a great experience that was. I never dreamed that would ever happen. We are talking about a number of years ago—17 years ago. So I watched this take place, and I honestly—a tear did come out from my eye.

At that time we were talking about partial birth abortions and the fact that they could have taken little baby Jase and jammed scissors into his skull and sucked his brains out. That could have happened, but it didn't happen.

I feel just as strongly as David Green does. I can make all the arguments I want about this, and I made arguments on the floor during the Cruz debate.

I remember Hillary health care, which was about 19 years ago and it was the same thing. It was government taking over the health care system, and I had my friends in Parliament and Great Britain who would call and say: What is wrong with you guys over there? Don't you realize we are just getting away from this thing that hasn't worked? Don't kid yourself and think this is not a road to socialized medicine if we end up not doing something about ObamaCare. It is.

I have a great deal of respect for the leader of the Senate, HARRY REID. Senator REID himself said: Yes, I believe this is leading to—and I endorse it—the single-payer system. So we are talking about socialized medicine.

They called and said: What is wrong with you guys? It hasn't worked in Great Britain, it hasn't worked in Denmark, and it hasn't worked in Canada. Yet you think it is somehow going to work there.

That is the big issue. We have an abusive government, and this is probably the greatest single step we have witnessed in the last 4½ years as to the abuse that has taken place. We need to look at the big picture and do something about this. They say it can't be done now. It is too late. They are probably right, but they said the same thing about Hillary health care 19 years ago, and I will never forget it because I was on a plane going back to my State of Oklahoma and had a stop in Chicago.

I thought we finally drove the final nail in the coffin and killed Hillary health care. Yet I picked up the Wall Street Journal, and there was a full-page ad by the AMA endorsing Hillary health care. They had given up, and that was the day before they gave them that story.

Anyway, it is never too late. This is something that needs to be stopped. I have faith in the American people that somehow we are going to win this thing.

I thank the Chair. I know my time has expired.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I yield 8 minutes to the Senator from New Hampshire, Mrs. SHAHEEN.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. I am pleased to join my colleagues on the floor, the members of the Appropriations Committee and others who have been down to speak in support of passing this continuing resolution.

I am a new member of the Appropriations Committee, and I have been very impressed with the work our chair, Senator MIKULSKI, and Ranking Member SHELBY have done. They have crafted the appropriations bills that would address the budget for the coming year. Those appropriations bills would replace the harmful cuts from sequestration. Those are cuts that people on both sides of the aisle have said they oppose. Unfortunately, because of the obstructionism we have seen so clearly

this week, those bills have not yet come to the floor and so we need a short-term CR to keep the government open.

We all know that the continuing resolution before us is not ideal. It is short term and it doesn't replace sequestration. So it doesn't either deal with the cuts or give businesses and our economy the certainty they need. But this suggestion that we should refuse to keep the government open is irresponsible. There is too much at stake for our economy, for our small businesses, and for our families across this country. Unfortunately, what we have seen this week is that there are some who are pushing this country to the brink of another manufactured crisis as a tactic to prevent health care reform from going into effect.

I am not going to review what Senator MCCAIN said so well about how the democratic process works in this country and the fact that once a law goes into effect, it is important to implement it. I think democracy works, but it doesn't always work the way I want it to either. When a law is passed, we have a responsibility to go ahead and make it work. We have a seen a small minority of this body and of the House who are willing to shut down government to defund the new health care law.

The people I talk to in New Hampshire don't think that shutting down government is a good approach because they understand the serious consequences it would have for them, for their businesses, and for the country. It would especially hurt small businesses, which are the foundation of the economy in New Hampshire and the Presiding Officer's home State of Maine and Rhode Island, Senator REED's home State. Those small businesses create two out of every three new jobs. Many of those small businesses in New Hampshire and across the country rely on Federal contracts as they figure out how they are going to grow and create new jobs.

We talked to one CEO of an innovative small company in New Hampshire who told me if its contracts were shut down:

> Our income would drop to essentially zero and we would burn our very thin cash reserves . . . when that money is burned it is not able to be replaced so our basic financial viability can be irrevocably damaged even after the crisis passes. There will be no way to recover those dollars.

We had a chance to hear from the former Secretary of the Treasury, Bob Rubin, this week. He said: Unlike 1995, when there was a short-term consequence to shutting down the government, if we do that this time, it will be felt not just for years but for decades to come.

A shutdown would close the Small Business Administration's lending programs, and those SBA lending programs are critical to small business in New Hampshire and across this country. On average, SBA supports loans to over 1,000 small businesses per week.

Then there is the housing market. In New Hampshire and across this country, the housing market has been one of the slowest sectors to recover, but in the last year we have begun to see some signs of improvement. The Federal Housing Administration has been a big part of that recovery because they have helped families afford homes and kept our housing economy afloat.

Under the shutdown, it is estimated that assistance to 34,000 homeowners would be delayed. With all of the problems that have been caused by the housing crisis, we should not be stalling one of the most effective programs we have for assisting homeowners, and that is what we would do with a government shutdown.

Then, of course, this would be terrible timing for the tourist industry in New Hampshire and across New England because fall foliage is one of our biggest seasons and tourists come from all over the world. They spend money in our local restaurants and hotels. Many small businesses rely on this time of year to increase their revenues. But if the government shuts down, we will be turning away those customers. Applications for visas will come to a halt. According to the Congressional Research Service, during the 1995–1996 shutdowns, approximately 20,000 to 30,000 applications by foreigners for visas to come and visit in America went unprocessed. That will not just affect the tourism industries in New Hampshire, it will affect airlines and people across the country.

Then, of course, there are Federal workers. In New Hampshire there are 7,400 of them. It is one of the State's largest employers, the Federal Government, and their salaries are not just important to them and their families but to the grocery stores and gas stations and all of the other businesses they support.

The Presiding Officer certainly knows, as I do, about the impact on the Portsmouth Naval Shipyard of a potential government shutdown.

These are just some of the effects on the economy. Considering the many industries that would be affected, it is no surprise that economists have forecast that failure to pass a continuing resolution, as Bob Rubin said, would do significant damage to our economy. Even a 3- or 4-day shutdown would slow growth by 0.2 percent, according to economist Mark Zandi.

It doesn't have to be this way. I was a Governor for three terms. The Presiding Officer was a Governor for two terms. We understand what it is like to work across the aisle. We always passed a budget because we had to put in place a budget.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Mrs. SHAHEEN. I thank the Chair.

There were a lot of differences on both sides of the aisle, but we understood the importance of compromising, because it would have been impossible to get something through the New Hampshire legislature and get a budget to my desk if people hadn't been willing to compromise, if they had been continuing to play the kinds of political games we are seeing here in Washington.

It is unacceptable. Congress can do better. We need to work together to pass this continuing resolution, and then to raise the debt ceiling later this year so we avoid the negative effect to families, to businesses, and to our economy.

Thank you very much.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I yield 3 minutes of proponent time to Senator COATS, as well as, by agreement of the other side, 3 minutes of opponent time.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, there has been a great deal of confusion over what has been happening in the Senate this week. I know Hoosiers want a clear explanation, so I wish to take a moment to explain exactly where I stand on the issue before us.

Let me start by laying out a few facts. This is the reality we face. No. 1: Every single Republican opposes ObamaCare and wants to see it repealed and defunded. That is unassailable. We are all together on that.

No. 2: The House has sent us a bill that would defund ObamaCare while keeping the rest of the government running. I support that bill, and I think all Republicans support that bill.

No. 3: Senate Democrats are united in their opposition to repealing ObamaCare and, unfortunately, the fact is they control the Senate and they control the White House, and we don't have the votes to prevail.

So the confusion sets in because, let's face it, we have a lot of confusing procedures here in the U.S. Senate, but I have always been guided by the principle that to the extent possible, a yes should be yes and a no should be no.

We have all of these procedural motions and Members like to attach caveats, such as: This is what it means if you vote to go forward or this is what it means if you don't vote to go forward. It is so easy to run home and say: Oh, well, that was an issue politically. That was procedural, so don't pay any attention to that.

Sometimes we have no other option because the majority leader won't allow any votes on the issue itself. In this case, the majority leader has allowed that vote. That is not the case here. We don't need a procedural vote to determine whether one is for or against ObamaCare. We will be able to have a vote if we invoke cloture and move forward and keep this alive to continue debate not just this week but next year and however long it takes to deal with this issue. We need to move forward or everything else comes to a standstill.

That is why I will be voting to move forward. I will be voting to keep the

process alive. Otherwise, everything stops. The House of Representatives, controlled by our party, is waiting for us to send this bill back. If we deny cloture, it doesn't go back to the House. They don't have an opportunity to go to the next step.

There is bipartisan support for a bill I have introduced in the Senate, and TODD YOUNG, a Congressman from southern Indiana, has not only introduced but passed in the House of Representatives a measure to delay this process for a year so we can continue to address and hopefully repeal ObamaCare. The President has delayed implementation for business, and again today for small business. He can delay it for individuals, and that will give us time to continue this effort.

Voting for cloture today so we can send something back to the House is not a vote for ObamaCare. It is exactly the opposite. It is a vote against ObamaCare. It keeps the process alive. Saying otherwise is misleading. Also, if that were the case, then the procedural vote we had on Wednesday would not have been 100 to zero. So those who try to define this as a procedural vote are essentially stopping the process from going forward and stopping the government from running. It affects military families, it affects veterans, and it affects thousands and thousands of people in critical jobs. It affects people all across my State.

The problem with this approach is that it doesn't achieve the goal. We all know a major portion of ObamaCare is funded through mandatory spending, and that is not what we are addressing here. It can only affect the appropriations, the discretionary funding, which is less than 50 percent.

If it achieves the goal, then it may be worth considering. But since it doesn't achieve the goal, let's keep this process alive and let's all be on the record with a yes or a no. Let's get this bill back to the House so we can continue the fight and let's be straight up on where we stand on this issue, not through a procedural vote but through a clear yes or no. The American people deserve no less.

I commend the passion of my colleagues talking on the floor, trying to get rid of ObamaCare. We have a difference of opinion as to how tactically we can achieve this objective. I have come to the judgment and the conclusion that I think many are coming to, which is that instead of just stopping everything—which means being at a total impasse and shutting down the government—and even if we were successful, it wouldn't address the full shutdown and defunding of ObamaCare, the best course of action is to move forward. Our House Republican Members are waiting for us to send them legislation so we can keep this process going and come to, hopefully, a much better resolution than just simply using a procedural gimmick to define where we stand on this issue.

I take a back seat to no one on where I stand on ObamaCare, and I will not give up the fight until we achieve the goal of replacing the law with real health care solutions.

Mr. President, I yield any time I may have remaining.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Mr. President, I yield 5 minutes of proponent time to the Senator from Massachusetts, Mr. MARKEY.

Mr. MARKEY. Mr. President, where is America now? We have an economy in recovery. The Dow was at 7,900 when George W. Bush left office. It is over 15,000 right now. Our deficit is heading downward. Unemployment is still high, but jobs are coming back. But, as we make this progress, people continue to struggle, and they expect us to put together a business plan for America, here on the Senate floor, and work with the President—work together as Democrats and Republicans—to put that plan together for every American family.

What is the tea party Republican response? It is to shut down the government, to stamp out signs of our fragile economic recovery, to send the signal that America can't perform the most basic job of government—and that is to pass a budget.

What is driving these tea party Republicans? I know all about these tea party extremists. I served in the House of Representatives with them. I served over there for years. They live by the Republican tea party paradox: They hate the government but, paradoxically, they have to run for office in order to make sure the government doesn't work, and that is where they are today.

They sent us a bill from the House and they know it won't pass. This is a bill to nowhere, and nowhere is where the tea party Republicans want the government to go.

The tea party Republicans want to repeal ObamaCare. I say to those who want to repeal ObamaCare, to those who do not like ObamaCare, and to those who like ObamaCare: We have had that debate. We debated here in Congress. The bill passed. It was signed by the President. It was held up by the Supreme Court of the United States. It is the law. It is time to stop playing games and to let the law work. But that is exactly what the tea party Republicans are afraid of—that the law will actually work.

Shutting down the government for ObamaCare is like canceling the World Series because your team didn't make it. ObamaCare is the law. We can't cancel the government. We can't cancel the World Series. We have to accept the reality that it is the law. We had an election. But what we have here are the mad hatters of the Republican tea party in Congress who have decided that their approach to government—to the old, to the sick, to the needy, to every single principle of the United States of America that we stand for—it is off with their heads for all of those people who depend upon these programs in our country. We are living in an absurd ''Alice in Wonderland'' Republican tea party world here.

This government has to work for the American people. Instead, what they are about to do, over this weekend, is send another Maalox-moment-for-the-marketplace signal to the credit markets of the world that the United States cannot be depended upon to operate a government, to pay its bills, to respond to the needs of the families within our own country, to meet its obligations not only here but around the world.

And those families who are dependent upon a paycheck from the Defense Department? They are wondering, along with the families who are dependent upon a Federal helping hand, whether or not they are going to get that help over the next week, over the next two weeks, over the next month.

I will just give my colleagues one final example. The National Institutes of Health budget—well, it is really the national institutes of hope. That is what we give to families who have somebody with Alzheimer's, with Parkinson's, with cancer, with heart disease—is being cut and cut and cut and cut. It is being cut at the same time that last year we spent $132 billion worth of taxpayers' money on Alzheimer's patients in our country. We can't cut the money for the cure and simultaneously say we want to cut the money for taking care of those who have the disease. We can't have it both ways. That is what this nihilistic tea party approach is bringing to our people.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MARKEY. I thank the Senator from Rhode Island for yielding. I hope the tea party Republicans come to their senses.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, we are going to have the opportunity to vote today to reverse course. I think most people agree that ObamaCare is not working out as it is intended. In fact, we had a Democrat recently say that when it comes to the implementation of ObamaCare, it is a train wreck. Whether one believes it is a train wreck, which is what I happen to believe, or whether it is a slow motion derailment, it is time for us to reverse course.

We have an opportunity to go in a different direction with the vote we are going to have here in about an hour on whether or not to defund ObamaCare. I think the overwhelming opinion across this country—an overwhelming number of Americans—believe that this is not working. It is hurting middle class families. It is costing us jobs. It is driving up health insurance premiums for people across this country, and we need to do something to reverse course.

For example, when we look at how this impacts average people in my

State of South Dakota, we have young people today who, when they look at what they are paying in terms of health insurance premiums this year and what they are going to pay under the exchanges when the exchanges kick in, are seeing that a healthy 30-year-old woman in South Dakota is going to be faced with a 223-percent premium increase as a result of ObamaCare. A healthy 30-year-old man living in South Dakota is facing a 393-percent premium increase, when we compare the data being put out by the Department of Health and Human Services of what people in my State of South Dakota are paying today for similar coverage. I am using the bronze plan under the exchanges as a case in point.

For a young person in South Dakota, we are talking about $1,500 more a year to pay for health insurance for a young woman, and $2,000 more for a young man. This money is money that could be used to pay off student loans, save for a home, maybe start a family.

It is not just young adults who are going to be faced with making tough budget decisions between having health care and paying for other items. We know also that families are seeing health care premiums skyrocket, since the President took office, by about $3,000, or by about $2,500 since ObamaCare became law. That is happening at a time when average household income is going down. If we look at the average household income since the President took office, it is down by about $3,600. So families are seeing health insurance premiums go up by $3,000 while average household income is going down by $3,600. As we can see, middle class families in this country are being squeezed from both ends.

We have an opportunity to correct that. The vote today is a vote to defund ObamaCare. I have been a big advocate for delaying, defunding, replacing, repealing. When it comes to this issue, count me as one of the ''all of the above''—anything we can do to get rid of this bad law and the harmful impacts it is having on the American people.

The vote today is going to be on defunding. I would daresay that every Republican in this Chamber—all 46 Republicans—will be casting a vote to defund ObamaCare. There is not a single Republican in the Chamber today or when this law was passed back in 2009 who voted for it. Since that time, we have had numerous votes—I think 29 or 30 votes—here in the Senate on repealing all or parts of ObamaCare.

So everybody on our side is going to be on the record today in favor of defunding this bad law. All it will take is 5 Democrats—5 Democrats—to get us to the 51 votes necessary to change the direction, change the course, turn this train around, and head it in a different direction. Republicans are going to be united on that point. There is sometimes a difference of opinion on tactics, about the best way to reach the goal, but one thing that unites all Republicans is the goal, and that is doing away with this bad law and its harmful impact on the American people, on middle-class families, on jobs, and on our economy. The question before the House is, Are there going to be Democrats, a handful of Democrats—five is all it takes—to stand with Republicans today and help us defund this law?

Nearly 60 percent of Americans say they oppose ObamaCare. We can stop it. We can start over and do this the right way. We have talked about, many times, the things we would do differently if we had the opportunity to write a law that actually would address the health care challenges people face in this country, that would create greater competition in the marketplace by allowing people to buy insurance across State lines, by allowing small businesses to join larger groups in pools so they get the benefit of group purchasing power, by reducing the cost of defensive medicine, by ending a lot of the junk lawsuits that clog the system today, by allowing people to have a refundable tax credit where they can buy their own health insurance and they have more choice, more competition.

These are all approaches we think make sense and would provide a positive alternative to the American people that would not cost us the jobs, that would not be driving up health insurance premiums by 393 percent for a 30-year-old man in the State of South Dakota or 223 percent for a 30-year-old woman, and that would give American families an opportunity to save more for their future, to provide for their families, and hopefully to invest in what is a better and a more prosperous future for their children and grandchildren.

That is the vote before us today. Again, I do not have to belabor the point when it comes to the harmful impacts this has had if you look at what it is doing to jobs, if you look at what it is doing to employers. We talk to people all the time. I doubt there is a Member here in the Senate who, when they go home to their State on weekends, does not have conversations with small businesses, with employers who are talking about what this is doing to their ability to create jobs, to put people to work, to raise salaries, to make sure the people they employ have a better future for their families.

But, clearly, as long as this bad law stays in place, it is going to be more expensive and more difficult for businesses in this country to create jobs; it is going to be more difficult, more expensive for middle-class families to make ends meet; it is going to create a much bigger, more expansive government that is going to cost the American taxpayer way more than I think was originally promised; and certainly it is going to add significantly to the massive amount of debt we are passing on to future generations.

We have an opportunity to get a do-over today. There has been talk during the implementation of this that it has glitches and bumps and inaccuracies and malfunctions. This is not ready for prime time. I think we can all acknowledge that. At a minimum, we ought to figure out a way to delay this and change course, change direction, and go in a better direction for America's future.

Mr. SCOTT. Mr. President, let me start by getting something out of the way: I am opposed to funding Obamacare, plain and simple, and my votes this week reflect that. The allegedly Affordable Care Act is raising premiums, forcing millions of Americans into part-time work, and raising taxes on hard-working American families.

However, I want to bring up another problem we are facing this week, which has so far been mostly drowned out in this latest budget crisis. Short-term, month-to-month budgeting is no way to run a government. Even if we manage to avoid a government shutdown this time, we will be debating this same question in just 6 weeks. We should not continue to place bandaids on Washington's failure to pass a responsible, long-term budget.

When I ran a small business, I had a plan to meet payroll and keep the lights on and doors open with the revenue I brought in. Even small businesses need long range planning, fiscal discipline, and foresight. When families sit down to plan their budgets, they are forced to make tough choices—like how to save for college, or simply how to get food on the dinner table that week. But the Federal Government has repeatedly failed to play by these same rules, and as a result, we move from crisis to crisis with no solution on the horizon for our growing fiscal mess. Congress has not completed all 12 regular spending bills on time since 1997. This year, Congress has not yet passed any of these bills. As a result, our debt continues to rise, our government grows ever bigger, and our economic future remains uncertain. This hurts our economy and hurts our families.

A big part of the solution here is not rocket science: Pass a budget. Pass all 12 appropriations bills. Show some fiscal foresight. While Obamacare is certainly more than enough reason to oppose the current continuing resolution, I will not support this stopgap spending measure and further grind our budgeting process to a halt.

● Mr. President, I want to take a moment to reflect on the current Senate debate over the funding of our government and the future of the so-called Affordable Care Act.

At the outset, I want to make one thing perfectly clear: I oppose Obamacare and have from the beginning.

I was among the most outspoken critics of Obamacare when it was being debated in the Senate. In fact, I was the first Member of Congress to suggest that the individual mandate was unconstitutional, an argument that eventually went all the way to the Supreme Court.

Since the law's passage, I have been one of the foremost voices in Congress in favor of repeal.

I have introduced legislation to repeal some of Obamacare's most egregious provisions, including the individual mandate, the employer mandate, the health insurance tax, and the medical device tax.

I have come to the floor countless times over the years to call for either a full repeal or permanent delay of the implementation of Obamacare.

In short, Mr. President, no one can accuse me of acquiescing when it comes to opposing Obamacare. I have and will continue to do all I can to protect the American people from this monstrosity of a law.

That said, I wish to express my admiration for my colleagues who are currently fighting to defund Obamacare as part of the continuing resolution to fund the government. I admire their commitment to their principles and share their desire to see Obamacare disappear once and for all.

While I may not agree with their chosen strategy, our overall goals are the same.

It is that strategy that I want to comment on today.

Once again, no one is more committed to repealing Obamacare than I am. However, if we are going to be successful in this endeavor, we need to look at the bigger picture.

Quite simply, the strategy of forcing a government shutdown in order to defund Obamacare has no chance of success. And, in the long run, I believe it will do more harm than good.

Unlike a number of my colleagues, I was around for the government shutdown of 1995. And, while purists may have patted themselves on the back for their resolve, the shutdown did nothing to advance conservative principles and, in the end, harmed the Republican Party.

I can't help but think that the same would happen now if we end up shutting down the government over a fight about Obamacare.

In fact, given the number of setbacks he has faced recently, I have little doubt that President Obama is hoping for a government shutdown so that he can blame it on Republicans.

That is what the Wall Street Journal editorial page argued recently, saying:

> With his own popularity fading, Mr. Obama may want a shutdown so he can change the subject to his caricature of GOP zealots who want no government. He'll blame any turmoil or economic fallout on House Republicans, figuring that he can split the tea party from the GOP and that this is the one event that could reinstall Nancy Pelosi as Speaker. Mr. Obama could spend his final two years going out in a blaze of liberal glory.

Does anyone seriously believe that the mainstream media would portray a government shutdown over Obamacare in a light that was favorable to congressional Republicans?

I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, a copy of the Wall Street Journal editorial.

I also ask unanimous consent to have printed in the RECORD a copy of a recent op-ed piece authored by Karl Rove.

In that opinion piece, Mr. Rove rightly argues that:

''The desire to strike at Obamacare is praiseworthy. But, any strategy to repeal, delay, or replace the law must have a credible chance of succeeding or affecting broad public opinion positively. The defunding strategy doesn't. Going down that road would strengthen the president while alienating independents. It is an ill-conceived tactic, and Republicans should reject it.''

Karl Rove isn't the only conservative making these arguments.

Writing in the Washington Post, Charles Krauthammer said of the shutdown strategy: ''[T]here's no principle at stake here. This is about tactics. If I thought this would work, I would support it. But I don't fancy suicide.''

Mr. Krauthammer continued, saying: ''Nothing could better revive the fortunes of a failing, flailing, fading Democratic administration than a government shutdown where the president is portrayed as standing up to the GOP on honoring our debts and paying our soldiers in the field.''

Rich Lowry, editor of the National Review wrote that this strategy is ''a grass roots-pleasing slogan in search of a path to legislative fruition,'' and that it ''seems tantamount to believing that if Republican politicians clicked their wing tips together and wished it so, President Barack Obama would collapse in a heap and surrender on his party's most cherished accomplishment.''

Mr. President, these aren't critiques aimed at the Senators pursuing this strategy. Instead, these are stalwart conservative commentators recognizing the reality of our situation.

If the strategy that some of my colleagues are apparently pursuing had even a minor chance at success, I would be the first in line to support their efforts. Once again, no one wants to see Obamacare defeated more than I do.

But, facts are facts.

For this strategy to be successful, it would require at least 15 Senate Democrats to change their minds and support defunding Obamacare. That is unlikely.

It would also require President Obama to sign into law a resolution defunding what he believes is his signature domestic achievement. That is even more unlikely.

That being the case, I cannot support this strategy. I cannot support a filibuster of the continuing resolution now before the Senate.

The CR does what Republicans want it to do—it defunds Obamacare. I urge all my colleagues to vote for cloture on the continuing resolution.

At the same time, I oppose any effort to strip the language defunding Obamacare from the resolution and to raise the overall spending levels above those established under the Budget Control Act.

Indeed, if, after the Senate invokes cloture on the CR, the Majority Leader's amendment is agreed to, I urge my colleagues to vote no on final passage.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 16, 2013]

THE POWER OF 218

IF HOUSE REPUBLICANS CAN'T HOLD TOGETHER, THEY HAVE NO LEVERAGE AT ALL

Perhaps the only war strategizing more inept than President Obama's on Syria are GOP plans for the budget hostilities this autumn. Republicans are fracturing over tactics, and even over the nature of political reality, which may let Mr. Obama outwit them like a domestic Vladimir Putin.

In our view the GOP would be less confused if more House Members appreciated the power of 218. That's the number of votes that makes a majority and it is the only true ''leverage'' Republicans have while Democrats hold the Senate and a Presidential veto.

The latest GOP internal dispute is over a continuing resolution to fund the government at sequester-spending levels. The current CR runs out at the end of the month, and about 40 to 50 House Republicans (out of 233) want to attach a rider that either delays or defunds the Affordable Care Act for a year and leaves everything else running.

Speaker John Boehner floated a CR with an arcane procedure that would force the Senate to take an up-or-down vote on the anti-ObamaCare component. But pressure groups like Heritage Action and the Club for Growth rebelled and the vote had to be postponed, like so many other unforced retreats this Congress. Here we go again.

These critics portrayed the Boehner plan as a sellout because of a campaign that captured the imagination of some conservatives this summer: Republicans must threaten to crash their Zeros into the aircraft carrier of ObamaCare. Their demand is that the House pair the ''must pass'' CR or the debt limit with defunding the health-care bill. Kamikaze missions rarely turn out well, least of all for the pilots.

The problem is that Mr. Obama is never, ever going to unwind his signature legacy project of national health care. Ideology aside, it would end his Presidency politically. And if Republicans insist that any spending bill must defund ObamaCare, then a showdown is inevitable that shuts down much of the government. Republicans will claim that Democrats are the ones shutting it down to preserve ObamaCare. Voters may see it differently given the media's liberal sympathies and because the repeal-or-bust crowd provoked the confrontation.

With his own popularity fading, Mr. Obama may want a shutdown so he can change the subject to his caricature of GOP zealots who want no government. He'll blame any turmoil or economic fallout on House Republicans, figuring that he can split the tea party from the GOP and that this is the one event that could reinstall Nancy Pelosi as Speaker. Mr. Obama could spend his final two years going out in a blaze of liberal glory.

The defunders sketch out an alternative scenario in which Mr. Obama is blamed, and they say we can't know unless Republicans try. But even they admit privately that they really won't succeed in defunding ObamaCare. The best case seems to be that if

all Republicans show resolve they'll win over the public in a shutdown, and Democrats will eventually surrender, well, something.

If this works it would be the first time. The evidence going back to the Newt Gingrich Congress is that no party can govern from the House, and the Republican Party can't abide the outcry when flights are delayed, national parks close and direct deposits for military spouses stop. Sooner or later the GOP breaks.

This all-or-nothing posture also usually results in worse policy. The most recent example was the failure of Mr. Boehner's fiscal cliff ''Plan B'' in December 2012, which was the best the GOP could do because Mr. Obama had the whip hand of automatic tax increases. The fallback deal that was sealed in the Senate raised taxes by more and is now complicating the prospects for tax reform.

The backbenchers are heading into another box canyon now. Mr. Boehner is undermined because the other side knows he lacks 218 GOP votes, which empowers House and Senate Democrats. They want to reverse the modest spending discipline of the sequester, and if the House GOP can't hold together on the CR they will succeed. The only chance of any entitlement reform worth the name is if Mr. Boehner can hold his majority and negotiate from strength.

We've often supported backbenchers who want to push GOP leaders in a better policy direction, most recently on the farm bill. But it's something else entirely to sabotage any plan with a chance of succeeding and pretend to have ''leverage'' that exists only in the world of townhall applause lines and fundraising letters.

The best option now is for the GOP to unite behind a budget strategy that can hold 218 votes, keeping the sequester pressure of discretionary spending cuts on Democrats to come to the table on entitlements. The sequester is a rare policy victory the GOP has extracted from Mr. Obama, and it is squeezing liberal constituencies that depend on federal cash.

The backbenchers might even look at the polls showing that the public is now tilting toward Republicans on issues including the economy, ensuring a strong national defense and even health care. Some Republicans think they are sure to hold the House in 2014 no matter what happens because of gerrymandering, but even those levees won't hold if there's a wave of revulsion against the GOP. Marginal seats still matter for controlling Congress. The kamikazes could end up ensuring the return of all-Democratic rule.

[From the Wall Street Journal, Sept. 18, 2013]

KARL ROVE: GOP'S SELF-DEFEATING 'DEFUNDING' STRATEGY

(By Karl Rove)

In 2010, Republicans took the House of Representatives by gaining 63 seats. They also picked up six U.S. senators and 675 state legislators, giving them control of more legislative chambers than any time since 1928. The GOP also won 25 of 40 gubernatorial races in 2009 and 2010.

These epic gains happened primarily because independents voted Republican. In 2010, 56% of independents voted for GOP congressional candidates, up from 43% in 2008 and 39% in 2006.

Today, independents look more like Republicans than Democrats, especially when it comes to health care. In a new Crossroads GPS health-care policy survey conducted in 10 states likely to have competitive Senate races and in House districts that lean Republican or are swing seats, 60% of independents oppose President Obama's Affordable Care Act. If this holds through 2014, then Republicans should receive another big boost in the midterms.

There is, however, one issue on which independents disagree with Republicans: using the threat of a government shutdown to defund ObamaCare. By 58% to 30% in the GPS poll, they oppose defunding ObamaCare if that risks even a temporary shutdown.

This may be because it is (understandably) hard to see the endgame of the defund strategy. House Republicans could pass a bill that funds the government while killing all ObamaCare spending. But the Democratic Senate could just amend the measure to restore funding and send it back to the House. What then? Even the defund strategy's authors say they don't want a government shutdown. But their approach means we'll get one.

After all, avoiding a shutdown would require, first, at least five Senate Democrats voting to defund ObamaCare. But not a single Senate Democrat says he'll do that, and there is no prospect of winning one over.

Second, assuming enough Senate Democrats materialize to defund ObamaCare, the measure faces a presidential veto. Republicans would need 54 House Democrats and 21 Senate Democrats to vote to override the president's veto. No sentient being believes that will happen.

So what would the public reaction be to a shutdown? Some observers point to the 1995 shutdown, saying the GOP didn't suffer much in the 1996 election. They are partially correct: Republicans did pick up two Senate seats in 1996. But the GOP also lost three House seats, seven of the 11 gubernatorial races that year, a net of 53 state legislative seats and the White House.

A shutdown now would have much worse fallout than the one in 1995. Back then, seven of the government's 13 appropriations bills had been signed into law, including the two that funded the military. So most of the government was untouched by the shutdown. Many of the unfunded agencies kept operating at a reduced level for the shutdown's three weeks by using funds from past fiscal years.

But this time, no appropriations bills have been signed into law, so no discretionary spending is in place for any part of the federal government. Washington won't be able to pay military families or any other federal employee. While conscientious FBI and Border Patrol agents, prison guards, air-traffic controllers and other federal employees may keep showing up for work, they won't get paychecks, just IOUs.

The only agencies allowed to operate with unsalaried employees will be those that meet one or more of the following legal tests: They must be responding to ''imminent'' emergencies involving the safety of human life or the protection of property, be funded by mandatory spending (such as Social Security), have funds from prior fiscal years that have already been obligated, or rely on the constitutional power of the president. Figuring out which agencies meet these tests will be tough, but much of the federal government will lack legal authority to function.

But won't voters be swayed by the arguments for defunding? The GPS poll tested the key arguments put forward by advocates of defunding and Mr. Obama's response. Independents went with Mr. Obama's counterpunch 57% to 35%. Voters in Senate battleground states sided with him 59% to 33%. In lean-Republican congressional districts and in swing congressional districts, Mr. Obama won by 56% to 39% and 58% to 33%, respectively. On the other hand, independents support by 51% to 42% delaying ObamaCare's mandate that individuals buy coverage or pay a fine.

The desire to strike at ObamaCare is praiseworthy. But any strategy to repeal, delay or replace the law must have a credible chance of succeeding or affecting broad public opinion positively.

The defunding strategy doesn't. Going down that road would strengthen the president while alienating independents. It is an ill-conceived tactic, and Republicans should reject it.●

Mr. COCHRAN. Mr. President, I have opposed the Patient Protection and Affordable Care Act since it was forced through a Democratic-controlled Congress without the support of a single Republican in the House or Senate. I have voted to dismantle, defund, delay and reverse this law every chance I have been given. I will continue to take every possible action that might be effective in achieving its repeal.

As the negative impacts of this law become more apparent, people in my State of Mississippi have expressed a great deal of concern about how the law is affecting their families and businesses. They have articulated a pronounced unease about the costs of the law, and the extent to which the Federal Government will be involved in their personal healthcare decisions. I share their concerns.

My constituents recognize that the law is not working as promised. The administration has delayed implementation of several of the law's key provisions. These special exceptions and exemptions are clear indications that the law is overly complex and ill-conceived.

As their representatives in Washington, we should respect the fact that the majority of Americans do not support this law, otherwise known as ''Obamacare.''

I dislike Obamacare as much as any of my colleagues. I strongly support the provisions in this appropriations bill that would bring implementation of Obamacare to a halt. However, to now vote to stop that very bill in its tracks makes little sense to me.

Shutting down the government to show how much we dislike the law would not stop Obamacare. The mandates in Obamacare do not go away if we do not fund the rest of the government. Most of the funding to implement Obamacare does not depend on us passing this appropriations bill; that funding is mandatory spending that has already been provided in law.

To stop Obamacare we have to enact a law that does just that. That requires a sufficient number of votes in the House and in the Senate, and it requires either the President's signature or a veto-proof majority in both houses. I suspect that we do not currently have the votes in the Senate to pass such legislation. But more importantly, I do not think voting to stall the very language that we opponents of Obamacare wish to see enacted—and risking a government shutdown as a result—will get us closer to the goal of stopping Obamacare.

I think a government shutdown might have the opposite effect. It will

shift public and media focus away from the costly and damaging aspects of the health care law just as it is being fully implemented, and it will detract from the ability of the American people to clearly express their discontent about the law. It is only such expressions of discontent that will either change the minds of a sufficient number of my colleagues on the other side of the aisle, or send new representation to Washington to aid in the fight against Obamacare.

It is shortsighted for those of us who oppose the Obamacare law to take actions that would not reverse the law's potentially devastating impacts, and will likely damage our prospects of achieving that goal in the future. The stakes are too high.

I will continue to fight for our shared end goal—to fully repeal the Patient Protection and Affordable Care Act.

Mrs. FEINSTEIN. Mr. President, since 2001 I have served as chairman on three different appropriations subcommittees.

I chaired subcommittees on Military Construction and Veterans Affairs, the Interior Department, and today the Subcommittee on Energy and Water Development.

Over the years I made a lot of tough choices on which programs to fund and which programs not to fund. But never have things been as bad as they are today. The cuts that we are making to our appropriations bills under sequestration are strangling programs that must be funded. Programs that are vital to our economy, vital to public safety, and programs that promise to deliver the next breakthroughs in energy research.

To compound the problem, we are now just a few days away from a government shutdown that has the potential to devastate our economic recovery and shake the confidence in our government to get anything done.

I would like to speak today about the negative effects a shutdown and continued sequester would have on my subcommittee.

The agency within my subcommittee that may have the most direct impact on the public is the Army Corps of Engineers.

The Corps safeguards our dams, our levees and our drinking water, it keeps our harbors open for cargo ships, and it maintain more than 4,000 recreation sites. Simply put, a government shutdown would mean the termination of a wide range of vital Corps activities.

Work would stop on virtually all construction projects, studies and activities related to flood control and navigation across the country. These important projects protect tens of millions of Americans.

A shutdown would mean the Corps stops work on improving dam safety projects including the dam at California's Isabella Lake, the dam most at-risk of failure in the State. Halting these projects would endanger citizens and ultimately increase the cost to complete this vital work. What's more, these projects actually reduce overall costs to the federal government. Damage prevented by Corps projects exceeds $25 billion per year. Other Corps projects interrupted by a shutdown include strengthening levees and floodwalls to reduce the risk of loss of life and economic loss from flooding and coastal storms. Work would stop on improvements to flood protection levees along the Mississippi River, levees that experienced record flood levels in 2011. Projects in Boston, Kansas City, and Seattle would be suspended. Even worse, these construction delays would come at a time when severe storms are causing damage with greater frequency.

Even dam safety projects would be affected by a shutdown. One example is California's Folsom Dam, where the Corps and the Bureau of Reclamation are working to increase dam safety. A shutdown would likely cause the Corps and Reclamation to suspend contract activities, delaying this vital project. The Folsom Dam is a major component of the Central Valley Project, which provides clean water to more than 20 million Californians, and should not be put at risk by a government shutdown.

A shutdown will also have dramatic impacts on water-borne commerce. More than 2.3 billion tons of cargo moves through our marine transportation system. Improvements to channels, harbors and waterways ensure that this vital traffic flows without pause.

Projects at Oakland Harbor in California, Savannah Harbor in Georgia, and Charleston Harbor in South Carolina would be impacted by a shutdown, meaning higher construction and transportation costs.

The country's vast system of inland waterways would also suffer from a shutdown. More than 600 million tons of cargo move through our inland waterways on commercial ships. A shutdown would mean this cargo would be dramatically slowed, and the use of locks would likely not be available at all to recreational boaters. While facilities on lakes that combine flood control and hydropower would continue to operate because of safety issues, hydropower operations would likely be curtailed. This means 353 hydropower units operated by the Corps—which provide roughly one-quarter of the country's hydropower—would operate at reduced capacity. This would cut into the $1.5 billion in payments the units generate each year.

There are also major permitting and operational impacts that would be immediately noticeable. Processing of regulatory permits under the Clean Water Act, which the Corps handles, would be immediately suspended. In a typical year, the Corps processes more than 80,000 permit actions. This means anyone from an individual building a dock to a community planning a major development would not be able to move forward because they won't be able to secure a permit. The Corps would also be unable to provide enforcement actions on existing permitted activities, which could harm sensitive environmental or aquatic resources.

Another visible effect would be the shuttering of recreation areas. The Corps of Engineers is the largest provider of outdoor recreation among all Federal agencies. They maintain more than 4,200 recreation sites at 422 projects in 43 states, with more than 370 million visits each year. Those visitors spend more than $18 billion annually and support 350,000 full-time or part-time jobs. All would be suspended by a government shutdown.

The Department of Energy would also face severe limitations under a shutdown. Research grants to national labs and universities would be suspended. These grants fund important clean energy challenges related to biofuels, supercomputing, and materials research. The output of world-class science facilities on cutting edge research and product development may be significantly reduced. With U.S. leadership in science threatened by China, Japan and Europe, now is not the time to suspend major scientific research.

Regarding the national security missions of the National Nuclear Security Administration, a government shutdown may delay important nuclear modernization activities. A government shutdown may disrupt and delay efforts to replace aging components in every single nuclear weapon in the stockpile. For example, delays in replacing aging components in the W76 submarine-launched warhead—which makes up more than 50 percent of the Nation's nuclear deterrent—would have serious impacts to the Navy's nuclear deterrence mission. Upgrades to aging infrastructure related to uranium, plutonium and high explosives capabilities would also be delayed. Delays of just days can add millions of dollars to a project's bottom line.

A government shutdown may also delay the design of a new nuclear reactor for the Ohio-class submarine. A shutdown may also delay refueling one of only three training nuclear reactors for sailors, which is critical for supplying sufficient numbers of sailors to man the U.S. submarine fleet.

Finally, a government shutdown will delay and increase costs to clean up and remediate nuclear contamination at former nuclear weapons and nuclear energy research sites. These activities should be completed as quickly as possible to protect human health.

I have laid out only a taste of the effects of a government shutdown. What I cannot begin to convey is the harm to millions of families who would be out of work or whose work would be curtailed because of canceled projects across the country.

This is only one of 12 subcommittees. A government shutdown would be folly, and we must prevent it from happening.

Before I close, I would like to touch on another threat to the agencies funded through my subcommittee, and that is the dangerous and ongoing cuts forced on us by the sequester.

With Congress focused on this immediate threat, we risk losing sight of the even more dangerous and long-term consequences of sequestration. Once again, the Energy and Water Appropriations bill provides a fine example of the choices—and dangers—that we face. The Senate bill funds the Corps of Engineers at $5.3 billion.

The House bill, based on sequester levels of funding, would slash that by $596 million. This would take money from vital flood control, ecosystem restoration and navigation projects. The House also would not approve a single new study or project, further delaying vital flood protection and navigation needs. The sequester would also jeopardize such vital projects as harbor maintenance and dredging, putting a crimp on billions of dollars in cargo that moves through our coasts. The House sequester level also slashes $136 million from the Bureau of Reclamation's budget, 12 percent lower than the Senate level.

One example of what the sequester would cut: The Senate bill directs funds to the WaterSmart Program and the Recycled Water Program, both of which increase the efficiency of water use in the West. With record-breaking droughts, farmers are desperately in need of more water, but the sequester would dry up these programs.

The Senate would also restore funding arbitrarily cut by the House from restoration programs such as the San Joaquin River Restoration in California. This joint Federal-State-local program was the result of a settlement that ended 17 years of litigation. Defunding the program could force the project back into the courtroom.

The House funding level also further weakens U.S. scientific leadership and efforts to improve the competitiveness of U.S. manufacturers through the Department of Energy. The House would cut funds for the Office of Sciences by $500 million, the cutting edge work of ARPA-E by $329 million, and efficiency and renewable energy programs by $1.4 billion.

While Europe and Asia invest heavily in renewable energy and basic research, the House funding under sequester would cut in half our investments in renewable energy development and by 10% investments in basic research.

The government shutdown is a manufactured crisis and it is dangerous. The continuation of the sequester—while less immediate—is arguably even more dangerous.

I hope my colleagues on the other side of the aisle, particularly in the House, will join with Democrats to keep our government operating at responsible levels. We need to make those tough choices, we need to keep the government open and we must repeal sequester.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEE. Mr. President, everyone knows that the vote we are about to take—cloture on the House-passed continuing resolution—is essentially a vote to allow the Democrats to gut the House bill. That is why the Senate majority leader, the Senator from Nevada Mr. REID and every other Senate Democrat are supporting it.

Twenty-one House Members know this is a vote to gut the bill that they passed, that they worked so hard to pass out of the House of Representatives. That is why they signed a letter yesterday asking the Senate Republicans to stand united and vote against cloture on this bill.

You see, what happened was the House of Representatives, acting boldly and nobly and in response to a growing cry from the American people—a cry for help—acted to keep the government funded, to fund government while defunding ObamaCare, protecting the American people from a law they are becoming increasingly aware of; a law that was passed 3½ years ago without Members of Congress having read it and all of its 2,700 pages; a law that has since led to the promulgation of 20,000 pages of implementing regulatory text; a law that has since been rewritten not just once but twice by the Supreme Court of the United States, which, having concluded that the law as written was constitutionally deficient in two respects, became convinced that it was its duty, its prerogative, and within its power to rewrite the law in order to shoehorn it within the provisions of the U.S. Constitution; a law that has since then been rewritten three or four times by the President of the United States without any statutory or constitutional authorization to do so—a President who has acknowledged that the legislation, this law, the Patient Protection and Affordable Care Act, is not ready to be implemented.

If the President of the United States is convinced this law is not ready to be implemented, if the President of the United States, who pushed this law through Congress 3½ years ago and counts this as his signature legislative accomplishment—if this same President is unwilling to follow the law and is convinced it is not ready to be implemented, Congress should not fund it, and Congress should keep the government funded while protecting the people from ObamaCare.

Millions of Americans are concerned about what this law will do for them. We have seen millions of Americans worried about keeping their jobs, noticing that jobs are becoming harder and harder to find. Many are losing their jobs. Others are seeing their wages cut. Others still are seeing their hours cut. Many, including those 20,000 Americans who work for Home Depot who were informed last week—like many other Americans, they will be losing their health coverage.

This is why the House of Representatives acted. This is why what the House of Representatives did by passing this continuing resolution is such a good thing. It keeps the government funded, and it protects the American people from the harmful effects of ObamaCare.

Now we get over to the Senate. When it came to the Senate, we saw that the Senate really had a couple of options—a couple of very legitimate options—upon receiving this legislation from the House.

The Senate could take up this legislation and subject the legislation to an open amendment process, allowing Democrats and Republicans to submit amendments as they deemed fit, to debate those amendments, discuss their relative merits, their pros and their cons, and ultimately vote on them, making compromises and adjustments along the way, in the forum that has long been honored and revered in this institution, which heralds itself as the world's greatest deliberative body. Another option, of course, would be to bring it up for a vote as is, an up-or-down vote based on what the House passed. You can vote on it as it was passed by the House or you can subject it to an open amendment process.

Either one of those would be fine. If that is what we were looking at, I would be voting yes on this cloture vote on this resolution. That, however, is not the option majority leader HARRY REID selected. Instead, what he chose was a different procedure whereby he would select a single amendment—one that guts the House-passed bill of its most important provisions—without allowing anyone else the opportunity even to present an amendment and have that considered for a vote.

The American people are tired of the games that hide the true meaning of this kind of tactic, of this kind of vote. So it is incumbent upon us to try to explain them as best we can. The people who elect us do expect us to do what we say we are going to do—not sometimes, not just when it is convenient. In fact, they expect us to do what we say we are going to do especially when it is inconvenient. That is really what this first vote is about. Cloture on this resolution is about showing the American people that we will do what we say we are going to do even when—especially when—it is inconvenient.

We have the ability to prevent the majority leader, Senator HARRY REID, from unfairly gutting the House continuing resolution. If we all vote no, that is what we will achieve. It is what many of us have told—have promised—the American people we will do.

I, along with several of my colleagues, including Senators TED CRUZ, MARCO RUBIO, RAND PAUL, and several others, have promised to do everything in my power to bring the message that we have received—received overwhelmingly and repeatedly—from the American people, to bring that message inside this Chamber, inside these halls. That is what this effort has been all about. We promised to do everything we can to improve the procedure and improve the outcome for the American people, taking their message to Washington, incorporating their message into our legislative strategy.

Across this great country, Americans stayed up with us this week. They stayed up with us even overnight, choosing to forgo sleep, just to show they were supportive in this effort, and we greatly appreciate that.

I want you all who have participated in this effort in one way or another to reflect on how you feel at this very moment. It has been said that opportunity looks a lot like hard work, how change is hard work, especially here in Washington. This is what it feels like to take on Washington. This is what it feels like to take on the immense and intimidating inertia of big government. This is what it feels like to do what the American people ask and expect and demand. Those of you who have been involved in this effort should be proud, should feel energized and motivated to take on the next big challenge. The American people, of course, expect more and deserve better than what they frequently get from Washington.

I wish I could say that the fight that has ensued over the last few days was just about ObamaCare and nothing more. Sadly, ObamaCare is just one symptom of a much larger problem. It all stems from the syndrome of self-importance that the political ruling class in Washington tends to feel. The bigger problem in Washington is that the bigger the problem the American people face, the more people in Washington tend to think Washington has all the answers. ObamaCare, like the fiscal cliff, like our $17 trillion debt, like our almost $1 trillion annual deficit, like our $2 trillion annual regulatory compliance costs in this country, all are the natural, inevitable results of a Federal Government that is simply too big and too expensive, that delves far too deeply into the lives of the American people, delves far too deeply into everything from our communications to our health care decisions, into everything from what kind of light bulbs we use, to how much water our toilets flush.

These are deep and personal decisions that are getting deeper and more personal every single day. The American people understand that they are the sovereigns in this country. They are not subjects. We the people are citizens. The government works for us, even though it has started to feel as though it is the other way around.

All these things show what happens when the political elite, not we the people, pretend to be in control. This is not about any one person or even any one policy or even one political party. This is about this town and it is about the American people, what they deserve, what they demand, what they expect, and what they have a right to, which is the right to live free of undue interference from their national government.

This vote is not the end. It is not even the beginning of the end. This is simply the end of the beginning. Washington may appear to have the upper hand at this moment, but it is essential that we remember that the American people will always have the final word.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, 3½ years ago, perhaps reasonable minds could have differed over whether ObamaCare would work. Perhaps reasonable minds could have differed over whether it would cripple the economy. Perhaps reasonable minds could have differed over whether it would be devastating to millions of Americans. Today, that is no longer the case.

Today, we have seen the impact of ObamaCare. We have seen what it is doing. ObamaCare is a train wreck. It is a nightmare, to use the word used by the lead Democratic author in the Senate, and a union leader who previously supported ObamaCare. ObamaCare is the single largest job killer in the country. ObamaCare is forcing Americans all over our Nation into part-time work, to working 29 hours a week or less.

ObamaCare is causing health insurance premiums to skyrocket all over this country. ObamaCare is jeopardizing the health care for millions of Americans, threatening that they will lose their health insurance altogether. It, quite simply, is not working.

Perhaps saddest of all, the Senate is not listening. The Senate Democrats are not listening to the millions of Americans who are being hurt by ObamaCare. If you are a young person right now coming out of school, and finding door after door closed to you because small businesses are not growing, because jobs are not there, because we have the lower labor force participation in decades, Senate Democrats are not listening to you.

If you are a single mom right now, perhaps waiting tables at a diner, and you are seeing your hours forcibly reduced to 29 hours a week—29 hours a week is not enough to feed your kids. But that is what ObamaCare is doing to you. Senate Democrats are not listening to you. If you are a recent immigrant trying to raise a young family, working hard and seeing your health insurance premiums skyrocket, and you are wondering how on Earth you are going to be able to pay these rising premiums while still meeting the needs and expense of your young family, Senate Democrats are not listening to you.

If you are retired, if you are a person with disabilities, getting notice from your insurance carrier that the policy is going to be dropped because of ObamaCare or if you are concerned that you will be getting notices—so many others across this country have been—Senate Democrats are not listening to you.

If you are married and on your spouse's health insurance, and you have received a notice like 15,000 employees at UPS recently received a notice, telling them that their spousal coverage was being dropped, that their husbands and wives were losing their health insurance because of ObamaCare, Senate Democrats are not listening to you.

If you are a union worker working hard to provide for your family to seek the American dream, and you are discovering that the health insurance that you liked, that you have worked for, that you have paid for, is going to be taken away from you because of ObamaCare, Senate Democrats are not listening to you.

Perhaps some might say, how could it be that this is happening? Surely Senate Democrats would listen to the American people if that sort of suffering were happening. Well, if you do not take my word for it, let me urge you to take the words of James Hoffa, president of the Teamsters. I would like to read a portion of a letter Mr. Hoffa wrote recently to Senate majority leader HARRY REID and House minority leader NANCY PELOSI.

Dear Leader REID and Leader PELOSI: When you and the President sought our support for the Affordable Care Act, you pledged that if we liked the health plans we have now, we could keep them. Sadly, that promise is under threat. Right now, unless you and the Obama administration enact an equitable fix, ObamaCare will shatter not only our hard-earned benefits but destroy the foundation of the 40-hour work week that is the backbone of the American middle class.

That is not me speaking, that is James Hoffa, the president of the Teamsters.

Like millions of other Americans, our members are front-line workers in the American economy. We have been strong supporters of the notion that all Americans should have access to quality, affordable health care. We have also been strong supporters of you.

I would note this is addressed to Senate majority leader HARRY REID and House minority leader NANCY PELOSI.

In campaign after campaign we have put boots on the ground, gone door-to-door to get out the vote, run phone banks and raised money to secure this vision.

The vision of a Democratic majority in the Senate. So how is that Democratic majority in the Senate working out for union workers across the country? Well, the next sentence in this letter is:

Now this vision has come back to haunt us.

I would note this is the exact same sentiment I expressed a moment ago. Senate Democrats are not listening to you. The letter continues:

Time is running out. Congress wrote this law; we voted for you. We have a problem. You need to fix it. The unintended consequences of the ACA are severe. Perverse incentives are already creating nightmare scenarios:

Note that word ''nightmare'' which I started my remarks by quoting. That is not my word, that is the Teamsters describing ObamaCare. Indeed, the letter concludes by saying:

On behalf of the millions of working men and women we represent and the families they support, we can no longer stand silent in the face of the elements of the Affordable Care Act that will destroy the very health and wellbeing of our members along with millions of other hardworking Americans.

Let me note, No. 1, Mr. Hoffa says millions of working men and women. Not hundreds; not thousands; millions. What does Mr. Hoffa say is happening to those millions of working men and women? That their health care is being destroyed. Destroyed is the word he used. What answer do we get today from the Democrats in the Senate? Nothing.

President Obama has granted exemptions from this failed law to big business and to Members of Congress. So the friends of the administration do not have to bear the burden of the law's collapse, but hard-working Americans, those without lobbyists, without friends in the corridors of power, are getting no exemptions from Senate Democrats. That is wrong.

In roughly an hour, if Senators vote as they have announced publicly they intend to vote, this body will vote to put back, to restore the funding for ObamaCare and to gut the House continuing resolution. But the good news is, the process is not over. It is going to go back to the House of Representatives. I salute the House for having the courage to stand and fight and defund ObamaCare. I remain confident, hopeful, and optimistic that the House will stand their ground, will continue the fight, which means this issue is coming back to the Senate.

That is good news. That is good news, No. 1, for Republicans. It is unfortunate that there has been Republican division on this issue. When it comes back to the Senate after the House stands their ground yet again, we will have an opportunity for Republicans to come home, for Republicans to stand together. I very much hope the next time this issue is before this body in a few days, all 46 Republicans are united against ObamaCare and standing with the American people, that we listened to the American people the way Senate Democrats are not.

Let me tell you I hope also that it is not just 46 Republicans. Our friends on the Democratic side of the aisle go home to their States, they listen to their constituents. They are hearing the suffering from the men and women who elected them. It is not easy to disagree with your political party. But at the end of the day, what we are doing here is bigger than partisan politics. What we are doing here is fitting for 300 million Americans across this great country.

So I hope when this issue comes back, when the House stands their ground and sends it back to us, instead of just exercising brute political power, as this body is getting ready to do, I hope the Senate Democrats begin listening, that they begin listening to young people, that they begin listening to single moms, that they begin listening to immigrants, that they begin listening to people who are retired, people with disabilities, that they begin listening to married people, that they begin listening to union workers, all of whom are suffering under ObamaCare.

This is an opportunity for the Senate to return to the finest traditions of this body, where we listen to and fight for the American people. That has not happened in a long time. But I am very hopeful that we are in the process of seeing it begin to happen now.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. I am not sure if you have a fax machine at home. Many Americans don't anymore and neither do a lot of small businesses. It seems a bit odd to tell small businesses they need to fax in—fax in—enrollment forms for ObamaCare, but this is what the Obama administration is now doing.

If I might paraphrase the President: The 1980s called, and they want their health policy back.

To be fair, snail mail is also an option and it looks as though the President's people will try to have the issue fixed soon, despite passing a law more than 3 years ago. Again this is the same President who told us that ObamaCare is ''working the way it's supposed to,'' and that those who already have health care won't see many changes under this law. This is the same guy who promised us his health care ideas would make American premiums lower and that they would be able to keep the plans they like.

Forgive me for being a little bit skeptical, given how these other rosy scenarios have played out. I am not the only skeptic out there. Just ask the folks who have already been laid off or seen their hours cut. Ask the graduate who can't find anything but part-time work. Ask the twenty-something who is going to lose her employer health plan and pay more over in the exchanges.

The reality simply does not match up with the rhetoric. That includes the President's remarks yesterday in Maryland. He said there is no ''widespread evidence'' that ObamaCare is hurting jobs. That is actually what he said, no ''widespread evidence.''

We all know the President was hanging around with Bill Clinton the other day. What we didn't know was he was getting pointers on syntax. It makes you wonder what would constitute widespread evidence of job loss in this President's mind. I mean, only yesterday his press secretary dismissed reports of a company dropping health insurance for 55,000 employees as only an ''anecdote.''

Maybe that is how things look from the south lawn. It looks a lot different if you just lost the health care plan you liked and wanted to keep. As Senator Moynihan used to tell us: Data is the plural of anecdote. There are just too many stories about the impact of ObamaCare, far too many to be dismissed with the wave of a hand.

Ironically, the same day the President was painting more rosy scenarios in Maryland, the administration announced yet another delay in this law's implementation. That is about the time we found out about the fax machines and all that follows the revelation of yet more exchange problems, this time with an exchange in the District of Columbia. You might be able to take away any one of these ObamaCare problems in isolation and explain it away, say it doesn't matter and call it an anecdote, but what we are getting here is a constant drip, drip, paired with the effect of seeing what is happening to our jobs, our health care, and the economy.

It all adds up to just one thing: a law in trouble, a law that needs to be repealed. This is the goal of every Republican Member here in the Republican Conference in the Senate. We are united on the need to repeal ObamaCare. We want to replace it with sensible, bipartisan forms that actually will work, and in a few minutes each and every one of us will vote against funding ObamaCare.

The American people want this repealed. Republicans want it repealed. I wouldn't be surprised if a number of our Democratic colleagues secretly want it repealed as well. The problem is we can't get this done unless my friends on the other side are prepared to step up with us and work on the issue, because there are 54 of them and 46 of us. This doesn't mean we will give up the fight if they don't. We won't. There are a lot of other things we can do in the meantime.

For instance, we can follow the administration's lead in offering ObamaCare a delay for the American people. After all, the administration seems to think businesses deserve a break from ObamaCare. Doesn't the middle class deserve the same treatment, the very same treatment? Republicans think so. I think we might be able to convince enough Democrats to join us on that to help us provide fairness—fairness to the middle class.

Yesterday, one Democratic Senator already signaled his willingness to delay some of the worst aspects of the law as well. He called a delay for the

American people ''very reasonable and sensible.'' He posed a question: ''Don't you think it'd be fair?''

The answer is: Yes, that would be fair. That is a question for my Democratic colleagues to respond to. Many of them know how badly this law is hurting their constituents. Isn't that the fair thing to do? Of course it is.

I am calling on Democratic Senators to put the middle class ahead of the President's pride, calling for them to pass a delay for everyone. We have already filed legislation that would do just that. A bipartisan majority of the House already supports it. Let's work together to actually do it. Once we get that done, let's keep working to get rid of this law and replace it with real reforms, not with ideas from the 1980s, but with commonsense, step-by-step reforms that will actually lower the cost for the American people and spare them from this terrible law.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 is reserved for the two leaders, with the final 10 minutes reserved for the majority leader.

The majority leader.

Mr. REID. During my time in Washington I have had the opportunity to work with many reasonable, thoughtful Republicans, including those serving in this body today. Those reasonable Republicans value this institution, the Senate, and they respect the government of which it is a part.

Today, the Republican Party has been infected by a small but destructive faction that would rather tear down the House our Founders built than govern from it. These extremists are more interested in putting on a show, as one Republican colleague put it, than in legislating. That is why they prevented the Senate from taking action to avert a government shutdown last night to put on a show today.

Despite pleas from the House of Representatives for a quick Senate action, that same vocal minority was determined to waste the dwindling hours before a government shutdown—1 day, basically, they wasted. Although every minute that passes puts this country 1 minute closer to a shutdown, a shutdown that would shatter our economy, they continue to obstruct and to delay.

A bad day for government is a good day for the anarchists among us, those who believe in no—I repeat, no—government. That is their belief. Modern-day anarchists known as the tea party believe in no government. They are backed by a very wealthy group of people who finance this effort to destroy our government.

It is important to note these tea party obstructionists don't represent mainstream Republicans either in this body or mainstream Republicans in our country. But unfortunately their grip on the rudder of the Republican Party is very firm.

For the last few years these radicals in the House and Senate have driven America from crisis to crisis—we lurch from crisis to crisis—leaving a trail of economic destruction behind them. Now they have taken the U.S. Government hostage and demanded an impossible ransom—that Democrats repeal the law of this land known as ObamaCare.

The Affordable Care Act has been the law of the land for 4 years. The U.S. Supreme Court has declared it constitutional and soon it will help 25 to 35 million people in America who are currently living without health insurance. It will allow them to get access to the lifesaving care they need and deserve.

I don't know if people truly know what it means not to have health insurance, not to have the ability to go to the doctor or hospital when they are sick or hurting. Some of us do. Some of us understand how tens of millions of people in America can't go to the hospital when they are sick or when they are hurt.

When I was a boy—I don't know how old I was, 10 or 11 years old—I was so sick. I can still remember how sick I was. I had been sick for quite a long time in the house we lived in. But, you see, we didn't have doctors in Searchlight. There wasn't a doctor for 50 miles and we had no car. I was very sick. We didn't go to doctors. But it was obvious I was very ill and so one of my older brothers came to visit and he was with a friend. That friend of my brother Don agreed to take me to the hospital. So I went to the hospital. I still have the scar. I had a growth on my large intestine. I would have died had I not gone to the hospital. So I know what it is like not to be able to go to the hospital or doctor when you are sick.

My wonderful mother took in wash. Searchlight had nothing much there, but once, I remember, a TB wagon came through. That was a truck where they would do x-rays of somebody's chest to find out if they had tuberculosis because it was still around. People in Searchlight—I remember Conn Hudgens and others—had tuberculosis. My dad wouldn't go, but my mother went and had her chest x-rayed. The results came back on a little card in the mail, and she had tuberculosis. She was positive for tuberculosis.

What did we do? What did she do? Nothing. Nothing. As a boy, caring about my mother, I worried so much about that. I can't imagine even to this day how she must have felt. In hindsight, it looks like it was a false positive, but that didn't take away the concern I had for a long time. So I can't imagine, I repeat, how my mother must have felt.

So I have had some view of what it is like not to be able to go to the doctor or hospital when you are sick or hurt.

Again, I don't know how old I was, but my little brother, 22 months younger than I am, was coming up on a bicycle and he slid and he was hurt. He was crying. I guess he was 10 years old or something like that, and no one was home. So I helped him get up to the house and lie down. I went and found my mother. My brother never, ever went to the doctor, and he had a broken leg. He still has a bent leg to show today. He laid on that bed. He couldn't touch the bed it hurt so much. He laid there until he could get up and walk a week or 10 days later.

So these people who just nonchalantly don't focus on the fact that millions of Americans have no health insurance—we can't just walk away from this. The health care law we have is important.

Republicans fought long and hard in opposition to ObamaCare, and they lost. It was a fair fight. They made their case against Obama directly to the American people in November last year, and they lost again. Obama won not by a small margin. He won by 5 million votes. What was the main issue in that campaign? It was health care. The American people overwhelmingly reelected the President, and one reason they did is because of health care.

Yesterday, on this floor, from over there, a colleague of ours, the senior Senator from Arizona, JOHN MCCAIN, spoke with great eloquence about this law, a law he opposes. This is what he said:

> The people spoke. They spoke, much to my dismay, but they spoke and reelected the President of the United States. That doesn't mean we give up our efforts to try to replace and repair ObamaCare. But elections have consequences. The majority of the American people supported the President of the United States and renewed his stewardship of this country. I don't like it. But I think all of us should respect the outcome of elections, which reflect the will of the people.

Who said this again? Who said this? Who is this JOHN MCCAIN? He is a proven fighter, in war and in public service. This is a man who held the mantle of the Republican Party's nomination to be President of the United States. He is not some gadfly but an American patriot, and history books will talk about that in generations to come. The Republicans heard his message, for which the Senate and the country should be grateful.

So there is challenge this fall, closing in on the end of the fiscal year, for those of us who respect the system of government devised by America's Founders, those of us who believe in the rule of law and that elections reflect the will of the American people will face a test. Can we prevent an economically disastrous government shutdown, and can we protect the full faith and credit of the United States?

From one newspaper—not lots of newspapers, one newspaper—look at the headlines ''GOP hard-liners block strategy to avoid shutdown''; ''Government shutdown would entail cost''; ''Shutdown could carry pay risk even for employees kept on the job.''

One newspaper.

''Agencies prepare to furlough workers in the face of partial government shutdown.''

''Shutdown grows more likely as House digs in.''

This is from Governor Christy: ''Shutdown would be a failure.'' He says it would be irresponsible.

''As government shutdown looms, Americans brace for possible disruption, disappointment.''

Another headline: ''Surrounding jurisdictions develop shutdown game plans.''

''Threat of shutdown delays some Colorado flood relief.''

Is it any wonder the stock market is going down? Is it any wonder that people are concerned? Is it any wonder that someone such as the woman who works for the Park Service, who came to see me yesterday, said to me: I have been through this before. I am not going to get paid for my work.

So the question is, Can we overcome modern-day anarchists? In just a few minutes the Senate will take the first step toward wresting control from these extremists. Democrats will vote to avert a government shutdown, and I am confident many of my Republican colleagues will vote with us to allow the government to perform its basic duties. Together, we will send a message to radical Republicans that we will not allow the law of the land to be used as a hostage, a law that has been in place for 4 years.

I am pleased so many of my Senate Republican colleagues seem to understand the stakes of this debate—the economic health of a still struggling Nation and the economic well-being of still struggling families. I urge sensible Republicans in the House of Representatives to follow our lead, to follow the lead of Republicans in the Senate, and let the House Democrats vote. Don't just make it a majority-minority; let the 435 Members who serve in the House of Representatives vote and pass a clean bill to avert a shutdown. Defy the anarchists. Respect the rule of the law and help the Senate govern.

I ask unanimous consent that the time remaining for Senator MCCONNELL and myself be yielded back and that we begin the vote.

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

All time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, and pursuant to rule XXII, the Chair lays before the Senate the following cloture motion which the clerk will report.

The legislative 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. 195, H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

Harry Reid, Barbara A. Mikulski, Carl Levin, Patrick J. Leahy, Elizabeth Warren, Charles E. Schumer, Richard J. Durbin, Christopher A. Coons, Christopher Murphy, Edward J. Markey, Patty Murray, Tim Kaine, John D. Rockefeller IV, Bill Nelson, Angus S. King, Jr., Benjamin L. Cardin, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. FLAKE).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''yea'' and the Senator from Arizona (Mr. FLAKE) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 79, nays 19, as follows:

[Rollcall Vote No. 206 Leg.]

YEAS—79

Alexander	Durbin	Menendez
Ayotte	Feinstein	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Boozman	Hirono	Reid
Boxer	Hoeven	Rockefeller
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Shaheen
Carper	Kaine	Stabenow
Casey	King	Tester
Chambliss	Kirk	Thune
Chiesa	Klobuchar	Udall (CO)
Coats	Landrieu	Udall (NM)
Coburn	Leahy	Warner
Cochran	Levin	Warren
Collins	Manchin	Whitehouse
Coons	Markey	Wicker
Corker	McCain	Wyden
Cornyn	McCaskill	
Donnelly	McConnell	

NAYS—19

Crapo	Lee	Scott
Cruz	Moran	Sessions
Enzi	Paul	Shelby
Fischer	Portman	Toomey
Grassley	Risch	Vitter
Heller	Roberts	
Inhofe	Rubio	

NOT VOTING—2

Flake	Hatch

The PRESIDING OFFICER. Is there any other Senator wishing to vote?

If not, a reminder that expressions of approval or disapproval are not permitted in the Senate.

On this vote, the yeas are 79, the nays are 19. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, cloture having been invoked, all time is yielded back. Amendment No. 1975 is withdrawn.

The majority leader is recognized.

Mr. REID. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of the Act and any other applicable budget points of order for purposes of the pending joint resolution and the amendments.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Mr. REID. I yield back all time on the motion to waive.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. FLAKE).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''nay'' and the Senator from Arizona (Mr. FLAKE) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 30, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—68

Baldwin	Graham	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Portman
Blunt	Hirono	Pryor
Boxer	Isakson	Reed
Brown	Johnson (SD)	Reid
Cantwell	Kaine	Rockefeller
Cardin	King	Sanders
Carper	Kirk	Schatz
Casey	Klobuchar	Schumer
Chambliss	Landrieu	Shaheen
Chiesa	Leahy	Stabenow
Cochran	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Cornyn	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—30

Alexander	Enzi	Paul
Ayotte	Fischer	Risch
Barrasso	Grassley	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Johanns	Shelby
Corker	Johnson (WI)	Thune
Crapo	Lee	Toomey
Cruz	Moran	Vitter

NOT VOTING—2

Flake	Hatch

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

For the information of the Senate, upon the invoking of cloture, the motion to commit falls.

There will now be 2 minutes of debate equally divided.

The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I rise in support of the Reid-Mikulski amendment to the continuing resolution. Our amendment makes two important changes in the House CR. First the amendment clears out the toxic political item in the House CR—defunding the Affordable Care Act. It also removes the debt-limit provision that threatens the full faith and credit of the United States. It changes the date of the CR from December 15 to November 15 to see if we can't get to vote on an omnibus bill and end the sequester.

We are out of time. The fiscal year ends in 3 days. Let's pass the Reid-Mikulski amendment, let's pass the CR, and let's keep America's government working as hard as its taxpayers.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, this is the moment of truth. We need to be absolutely clear about what we are voting on here. A ''yes'' vote will be a vote to fund ObamaCare because it will take out of the underlying continuing resolution the House position that Republicans have universally supported to defund ObamaCare.

I ask my colleagues, before they vote yes on this important amendment, Do you really want to be responsible for killing more jobs? Do you really want to be responsible for more people losing their health insurance and their own doctors? Do you really want to be responsible for making full-time work part-time work? If not, then vote no.

This is a second chance, and in life we don't get many second chances. I hope our colleagues will take advantage of the opportunity.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1974.

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Once again, a reminder that expressions of approval or disapproval are not allowed in the Senate.

Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. FLAKE).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''nay'' and the Senator from Arizona (Mr. FLAKE) would have voted ''nay''.

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—54

Baldwin	Casey	Heitkamp
Baucus	Coons	Hirono
Begich	Donnelly	Johnson (SD)
Bennet	Durbin	Kaine
Blumenthal	Feinstein	King
Boxer	Franken	Klobuchar
Brown	Gillibrand	Landrieu
Cantwell	Hagan	Leahy
Cardin	Harkin	Levin
Carper	Heinrich	Manchin
Markey	Pryor	Stabenow
McCaskill	Reed	Tester
Menendez	Reid	Udall (CO)
Merkley	Rockefeller	Udall (NM)
Mikulski	Sanders	Warner
Murphy	Schatz	Warren
Murray	Schumer	Whitehouse
Nelson	Shaheen	Wyden

NAYS—44

Alexander	Cruz	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Chiesa	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Collins	Kirk	Toomey
Corker	Lee	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	

NOT VOTING—2

Flake	Hatch

The amendment (No. 1974) was agreed to.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes equally divided.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, it is now time to vote on final passage. I urge my colleagues on both sides of the aisle to vote for this. It will prevent a government shutdown. It will lay the groundwork for us to get to a solution on the long-term fiscal needs of our country, including to replace sequester and to come up with an approach to fund essential government services where we make investments that America desperately needs.

If the Senate keeps this government open, it means continuing our critical services, it avoids a shutdown, and it lays the groundwork for solving our problems.

I urge the adoption and passage of this bill.

We yield back our remaining time.

The PRESIDING OFFICER. All time is yielded back.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. FLAKE).

Further, if present and voting, the Senator from Arizona (Mr. FLAKE) would have voted ''nay'' and the Senator from Utah (Mr. HATCH) would have voted ''nay.''

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—44

Alexander	Cruz	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Chiesa	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Collins	Kirk	Toomey
Corker	Lee	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	

NOT VOTING—2

Flake	Hatch

The joint resolution (H.J. Res. 59), as amended, was passed.

VOTE EXPLANATION

● Mr. FLAKE. Mr. President, I was necessarily absent during Friday's cloture vote on H.J. Res. 59, the continuing resolution, as well as the motion to waive the budget act points of order with respect to H.J. Res. 59, the amendment offered by Senator REID to strike language defunding Obamacare, and final passage of the resolution, due to my son's wedding in Arizona. Had I been here, I would have voted against all four measures.

I would not have supported a bill that would weaken the meaningful spending reductions required by current law. The rate of spending under this continuing resolution exceeds the budget cap set by the Budget Control Act. Additionally, I took issue with the restrictive process under which this bill was considered on the floor: There was no indication that Senators would have had the opportunity to vote on an amendment that respects the overall budget cap and funds the government at the required $967 billion level for next year.●

The PRESIDING OFFICER. The Senator from Colorado.

MORNING BUSINESS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 4 p.m. with Senators permitted to speak therein for up to 10