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Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD J. DURBIN, a Senator from the State of Illinois.

PRAYER

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

Let us pray.

Eternal God, our ever-present help in trouble, as our Nation stumbles toward a seemingly unavoidable government shutdown, keep our lawmakers from sowing to the wind, thereby risking reaping the whirlwind. May they remember that all that is necessary for unintended catastrophic consequences is for good people to do nothing. Lord, lead them away from the unfortunate dialectic of us versus them, as they strive to unite for the common good of this land we love. Let them not be content to wait and see what will happen but give them the determination to make the right things happen. Bless them with the courage to stand for something, lest they fall for anything.

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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 30, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RICHARD J. DURBIN, a Senator from the State of Illinois, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. DURBIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014, AND FOR OTHER PURPOSES

Mr. REID. Mr. President, I ask the Chair lay before the Senate a message from the House with respect to H. J. Res 59.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the following message from the House, which the clerk will report.

The assistant legislative clerk read as follows:

Resolved, That the House agree to the amendment of the Senate to the resolution (H.J. Res. 59) entitled "Joint Resolution Making Continuing Appropriations for Fiscal Year 2014, and for other purposes," with amendments.

Mr. REID. Mr. President, I move to table the House amendments and ask for the yeas and nays on my motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table.

The clerk will call the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 210 Leg.]

YEAS—54

Baldwin
Baucus
Begich
Bennet

Blumenthal
Boxer
Brown
Cantwell

Cardin
Carper
Casey
Coons

Donnelly
Durbin
Feinstein
Franken
Gillibrand
Hagan
Harkin
Heinrich
Heitkamp
Hirono
Johnson (SD)
Kaine
King
Klobuchar

Landrieu
Leahy
Levin
Manchin
Markey
McCaskill
Menendez
Merkley
Mikulski
Murphy
Murray
Nelson
Pryor
Reed

Reid
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wyden

NAYS—46

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Chiesa
Coats
Coburn
Cochran
Collins
Corker
Cornyn
Crapo
Cruz

Enzi
Fischer
Flake
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Kirk
Lee
McCain
McConnell

Moran
Murkowski
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

The ACTING PRESIDENT pro tempore. The motion to table the House amendments to the Senate amendment to the House resolution prevails.

The majority leader.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

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



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to a period of morning business for debate only until 4 p.m., with Senators permitted to speak for up to 10 minutes each; further, that the time until 4 p.m. be equally divided between the two leaders or their designees, with the majority leader to be recognized at 4 p.m.

I ask unanimous consent that the first speaker to be recognized be the chairman of the Appropriations Committee, Senator MIKULSKI.

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

The Senator from Maryland.

CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Mr. President, we are at the brink. We are only hours away from a possible government shutdown. All over my State and all over the Nation there are very devoted Federal employees who are waiting to hear: Are we going to be called non-essential to performing important government services?

Should they come in tomorrow? People have applied for small business loans. Are those loans going to be processed? People have applied for student loans. Are they going to be processed?

What is going to happen to the National Weather Service? What is going to happen at NIH? What is going to happen at the Food and Drug Administration, where people stand sentry over the safety of our food supply and our drug supply.

We don't know because we have just tabled the radical bill that the House sent over to us. It was deliberately designed to be politically provocative. Continuing resolutions were always about disputes over money. They were not about political, ideological viewpoints over past legislation.

I am pleased that what we did was to table it and send it back to the House. The Senate acted very responsibly last week on a short-term continuing funding resolution that got rid of politically motivated riders and kept the government working for the American people until November 15 to work out our differences on funding bills.

The House sent this back—yet one more bill that says if you don't delay the Affordable Care Act for 1 year, we will shut down the government. If you don't eliminate the benefits affecting prevention and particularly women's health, we will shut down the government. If the government shuts down tomorrow, it will be because of the House's viewpoint: My way or the highway.

A government shutdown is a serious matter. These are a few things that will happen if we don't come together across the aisle, across the dome, and across town to pass a clean short-term continuing resolution. I wish to take a minute to highlight how damaging a government shutdown is on the day-to-day lives of our American people and our economy.

Shutting down the Federal Government will have immediate and harmful consequences on our economy. Small Business Administration approval loans will be put on hold, and 28 million small businesses will no longer have access to federally assisted loans or technical assistance.

In the rural areas, the USDA Rural Development housing, farm loan and grant program will stop.

Let's go to the safety of our waterways. The Army Corps of Engineers will stop work on all flood control and navigation projects. This is what helps ensure that our ships can travel through America's waterways, whether they are coming up the Chesapeake Bay into the Port of Baltimore or they are traveling down the Mississippi River or the Missouri River or coming into the gulf.

The Department of Commerce will stop economic development, minority business, and international trade assistance programs.

I know that the House passed a separate amendment funding active duty military. I would hope so. These are men and women who put themselves in the line of duty.

I also wish to remind people that there are other people every day who are doing a job to protect the health, safety, and laws of the American people. I represent all of the men and women who work at the Food and Drug Administration. It is headquartered in my State, and 2,000 people—or 55 percent—will be furloughed at midnight.

FDA will stop monitoring imports at our borders. What does that mean? Those men and women whose job it is to stand sentry over the food supply of the United States of America, we are going to tell them they are non-essential. If they stand sentry over the safety of our drugs and our medical devices, we are telling them they are nonessential. I don't think the American people support that. They might be a little bit cranky about the Federal Government here or there, but I think they want their food to be safe, their drugs to be safe, and they want us to move ahead with these devices to make sure they are in clinical practice.

Over at the National Institutes of Health, which is located in Bethesda, MD—the National Institutes of Health and their subsidiaries that receive extramural funding throughout the United States of America—70 percent of the staff at NIH will be furloughed. Seventy percent of the 10,000 men and women who work at NIH will be furloughed at midnight. These are the people who are working on the cure for Alzheimer's, they are working on the cure for autism, and they are working on the cure for arthritis, and I am just going through the "a" words. We could go on to the "b" words. How about breast cancer? How about cancer itself? Last year, when the NIH announced that cancer rates in America had been reduced by 15 percent, instead of pinning medals on the people at NIH and

the private sector who worked with us on important drugs and biological products, we announced sequester. What kind of government would destroy the very agency that is set up to come up with cures in the case of Alzheimer's cognitive stretch-out? Seventy percent. And who are they? They are the lab technician people. They are the people who help run the administrative end of things, which enables those talented researchers to be able to do this.

The NIH Clinical Center won't be able to admit new patients or start new clinical trials. The NIH Clinical Center is a hospital at NIH. You don't go there unless you are really sick and unless you are really desperate and unless you really have no place to go. You go in with no hope. But that is what they have nicknamed NIH around America—not the National Institutes of Health but the National Institutes of Hope, that what they are doing today is going to lead to solving the problems of tomorrow. Why? Why are we furloughing 70 percent? And not only are we furloughing, we are saying: Bye-bye for now. You are nonessential.

Well, I think they are crucial. I think they are not only essential, but I think they are crucial. So I worry about what are our priorities.

Then we go to the weather forecasters. Oh, they will be on the job. They are located in my State too.

You might say: Well, do you have any people who work in the private sector?

People in Maryland work in the private sector because of the public sector.

Our law enforcement, our FBI, will be on the job. They are in the line of fire too, but they will be getting an IOU. Instead of an IOU, we should say to the FBI and to our border patrol and to our marshals, who are chasing sexual predators and human traffickers, not an IOU, we owe you a debt of gratitude. We owe you getting your pay on time. We shouldn't hide the fact you haven't received a cost of living for 3 years. And we shouldn't be dancing around with ideologically motivated shutdowns.

Social Security checks will go out, but the 18,000 people who will visit Social Security offices will find they are understaffed. On the average, half a million people call Social Security every day. They are going to get either no answer or a busy signal.

I could go on and on about what the consequences of a shutdown will be. We really cannot do that. So I say to my colleagues on the other side of the dome, please, let's pass a clean CR. Let's pass it to November 15. Let's negotiate on a middle-ground number. They have a budget number of \$988 billion, and they accept sequester as the new norm. Let's find a way to cancel sequester at least for 2 years.

I marked up the appropriations bills at \$1.058 trillion. That is the number the Senate passed in its Budget Committee in April. There is a \$70 billion