

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

difference. I am ready to negotiate, but we can't capitulate. Let's find a middle ground.

There was a great American general and a great statesman and a real American icon—Colin Powell. Over and over during the Reagan administration he would say: Let's find that sensible center. Let's find that sensible center.

Let's avoid a shutdown. Let's stop playing slam-down politics. Let's come together and find a way to solve the problem of keeping the government open as well as a long-term fiscal solution for paying down our government's debt. I understand that. But also let's make sure we have a progrowth budget that lowers the unemployment rate, raises educational achievement, finds those cures for diseases affecting the American people. Let's have an FDA that can get them approved, ensuring safety and efficacy in the hands of our doctors here and doctors all over the world. Let's make sure that when we talk about American exceptionalism, we know where it comes from.

Mr. President, I know there are other colleagues who wish to speak. I now yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I find the position we are in right now beyond frustrating, and I can imagine what the American people must be thinking right now. It is very hard from a distance to figure out who has really lost their minds—one party, the other party, all of us, the President. But I really want to boil down what has occurred because it is stunning when you boil it down.

The House sent us a piece of legislation where they wanted to defund the health care reforms—ObamaCare—and that was the price they were demanding in order for the government to stay open. The ticket to admission for an open government was our getting rid of the health care bill. Well, we took that up and we defeated that bill. By a 10-vote margin, 54 to 44, we defeated that bill, and we sent it back to them with just the ticket to keep the government open—without an extra price of admission.

This is where it gets interesting. What happened after we sent that back? Did they take it up and defeat it? No. No. They didn't vote. I want to make sure the American people understand this. All of the Members of Congress who were elected to serve the people of this country didn't get a chance to vote because the Speaker decided there wouldn't be a vote in the House of Representatives on the Senate-passed measure.

Somebody said: Well, it is the Hastert rule.

I have searched the Constitution, and I can't find the Hastert rule. It is not there. So the question we have to ask right now is, Why won't they let the House vote? Maybe they will defeat a clean attempt just to keep the government open.

By the way, nobody here is against negotiating or compromise. We have compromised on the number in this continuing resolution, and we are perfectly willing and, in fact, we have been desperately trying to negotiate and compromise on the budget for months. Senator CRUZ has blocked our attempts to go to conference on the budget.

So it is not that none of us are willing to compromise. Maybe some of us aren't, but there is a good healthy bipartisan margin of Senators who want to compromise on issues surrounding Federal spending but not on keeping the government open and not on paying our bills. Let's get those done. Let's get those done. That is basic. Let's get it done.

So my plea today to Speaker BOEHNER is this: Quit making decisions on behalf of all your Members—a small group of you huddled in a back room—because that is what is happening. There are two or three men in a back room down the hall, and they are deciding whether they are going to allow the elected representatives of this country to vote. I say let the House vote. I think the American people may be surprised that there would be a healthy bipartisan margin to, in fact, keep the government open when the clock strikes midnight tonight.

Elections matter, and elections are what dictate what happens around here. We had an election last November. I remember it very well. I stood for election last November. There were two candidates for President of the United States, and every American citizen had a chance to decide who they wanted to lead this country. The contrast was very clear. One candidate said he was going to repeal ObamaCare on the very first day he was President. He was going to, by Executive order, wipe out ObamaCare on day one. The other candidate said: I am going to implement ObamaCare. That candidate won, and it wasn't even close.

Every single Democratic Senator who ran for reelection and voted for ObamaCare was reelected. Red State, purple State, blue State—all of us were reelected who voted for ObamaCare. In fact, a couple more were elected in States where Republicans had represented those States. We didn't lose seats, we picked up seats. Even in the House of Representatives, the raw votes, there were more Democratic votes cast in the House of Representatives than Republican votes. They have the majority because of the way the districts are drawn. And I understand they control that House, but should they control whether people get to vote? Let the House vote.

They say: ObamaCare is so unpopular; the American people don't want it.

Now, I get that the polling is not good for this reform, and I am perfectly willing, as we implement it, if we need to, to make tweaks and changes to make it better.

I hope my friends across the aisle will quit using this as a political 2 by

4 and help us make it as good as we can possibly make it because this isn't about any plot, this is about accessible and affordable health care for all Americans with a free market solution. These are all private insurance companies. There is not a government program in this. People are going to be able to choose between various private policies and various options, and they are never going to have to pay more than 9½ percent of their income for their insurance. The insurance companies aren't going to be able to swallow fat profits for golden parachutes for big CEOs anymore. They are going to have to spend 80 cents of every dollar for your health care. But it is all free market.

This was a Republican solution in the beginning. The candidate for President forgot that—former Governor Romney—this was his solution for Massachusetts when he was Governor.

Now, I will give the Republicans this: It is unpopular in the polls right now. But let's take this proposition: Guess what background checks for guns polls right now? I know the Presiding Officer knows painfully well what those numbers are because of the tragedy in his State. It is much higher, frankly, than those who say they think ObamaCare should be repealed—the Americans who support background checks on weapons purchases. So what would everyone on the other side of the aisle think if we decided, well, you know, we are going to shut down the government if you won't pass background checks on guns. It is what the American people want. We will just shut down the government if you won't pass it. That is not the way we legislate. That is not the constitutional framework our Founding Fathers put together. There would be outrage that we would try to shut down the government over background checks on guns. Yet the very same premise would apply to what they are doing.

The President won. The majority of the Senate are in fact individuals who support this valiant attempt to try to do something with a health care system that was headed off the rails, becoming more and more unaffordable every day. By the way, everything that is bad now is ObamaCare. I laughingly made a joke in my State that our university's team didn't do very well in offense during the first half. I said, it must be ObamaCare. Because no matter what is out there that people are upset about, somehow they manage to paint it with the ObamaCare brush.

I think people are going to be pleasantly surprised. It is not going to be as intrusive as some of the talking heads warned. It is going to provide a marketplace where people can pool risk and get a better deal. It is going to provide a lot more nights where parents can rest easy because they are not rolling the dice every day and depending on the emergency room for their day-to-day health needs.

My message today is very simple. All of this is premised on the notion that

one should be able to shut down our government because they don't get their way in an election. I don't think that is the role model we want to serve to the other governments in the world, much less to our kids. I think we can compromise on a lot. We can even work on making this bill better. But let's keep the government open, let's pay our bills, and then let's sit down and have some meaningful negotiation and compromise about Federal spending. I am somebody in my caucus who is always open to other ways we can cut spending. Some in my caucus don't feel as strongly as I do about that, but I am willing to listen to all sides and negotiate around the budget.

Let's not hold our economy hostage in the process. Real people are going to be hurt. This isn't just about who is on the Sunday morning shows, who is your primary opponent, what are they saying on cable news. This is about real folks, and we need to be focused on them.

I implore Speaker BOEHNER, let the Members vote. Just let them vote. Put it on the floor. He can do it in an hour. Put it on the floor and let them vote. If it is defeated, then let's talk. I will bet it won't be.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### DEFICIT-NEUTRAL DISASTER RELIEF ACT

Mr. UDALL of Colorado. Mr. President, I believe the Deficit-Neutral Disaster Relief Act Senator BENNET and I have drafted is at the desk. It is my understanding both sides have cleared the bill, I would add, after a lot of pushing from Senator BENNET and me and other Coloradans, along with the Governor and Department of Transportation.

I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1560, introduced earlier by Senators BENNET and UDALL of Colorado, that the bill be read three times and passed, and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 1560) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1560

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Deficit Neutral Disaster Relief Act".

#### SEC. 2. EMERGENCY RELIEF PROJECTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Transportation may obligate not more than \$450,000,000 of the amounts made available to carry out section 125 of title 23, United States Code, under chapter 9 of title X of division A of the Disaster Relief Appropriations Act, 2013 (Public Law 113-2; 127 Stat. 34) under the heading "EMERGENCY RELIEF PRO-

GRAM" under the heading "FEDERAL-AID HIGHWAYS" under the heading "FEDERAL HIGHWAY ADMINISTRATION" for emergency relief projects in the State of Colorado arising from damage caused by flooding events in that State in calendar year 2013.

(b) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—This Act is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

Mr. UDALL of Colorado. Mr. President, I wish to thank my colleagues and once again outline what this important act we passed will do. It is critically important.

I was on the floor Friday, and the Presiding Officer was here on Friday and was patient and listened to the case Senator BENNET and I made at that time. This is critically important because it will allow Colorado to begin rebuilding our battered roads and bridges and highways without having to wait years for relief. We are close now to getting this legislation to the President's desk, and I look forward to working with my colleagues in the House, with Senator BENNET, to get this bill signed into law as soon as possible.

Senator BENNET and I have been on the floor on a number of occasions in recent days to highlight how devastated certain parts of our beautiful State are as a result of these biblical floods we suffered a few weeks ago. Many communities are just now beginning to comprehend how serious the damage is and to see firsthand how many hundreds of miles of highways, roads, bridges, and other parts of our infrastructure are ruined or in some cases even washed away entirely.

I have had many occasions to see this damage firsthand in the last few weeks, starting in my own neighborhood, which was evacuated, but all over the northern front range. I was in Jamestown on Saturday. Senator BENNET was there a few days earlier. It is one of the worst-hit communities in Boulder Canyon. It is almost beyond description. The homes are literally washed off their foundations, cars were embedded in the ground, completely buried. Families were left in some cases with 2 to 3 feet of mud and silt, river cobbles literally inside their homes. I was in one home in Jamestown standing on the mud and silt, and my head was touching the ceiling because of the 3 feet of debris that was inside that house. We have seen entire roads and highways completely decimated. Without this help, it is a fact that communities will not be able to rebuild.

By passing the Deficit-Neutral Disaster Relief Act, we have lifted the statutory cap of \$100 million to a limit of \$450 million. The money applies to highway relief, so it will be enough to help us rebuild swiftly.

As I have done here before, I want to again make it clear that this isn't new

money. It doesn't increase budget authority or increase net outlays. It simply allows us to access an already existing appropriated fund of money.

Historically, this \$100 million cap on relief has routinely been recognized by Congress as an unwise impediment to helping States recover and it has been raised for nearly every natural disaster in recent years. Examples would be familiar to anybody listening. We raised the cap on transportation disaster relief for Hurricanes Gustav, Ike, Irene, Sandy, as well as during the Missouri River basin flooding in 2011.

I am truly appreciative and truly grateful that all of our colleagues have come together to recognize that the floods in Colorado are no exception. We are all in this together when it comes to responding to national disasters. I am glad that today we can say to Coloradans Members of Congress from all across the United States of America have stood with us in our recovery efforts, and we will stand with them in their recovery efforts as we have in the past as we experience natural disasters.

I thank the Senate for clearing this crucial legislation.

Mr. President, I yield the floor and look forward to the remarks of my colleague Senator BENNET.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I will be brief because I think Senator UDALL has covered it very well. But I also want to rise today on this floor to thank all 100 of our colleges who were necessary for getting this done and for getting it passed. We have to move it along to the President's desk.

There are a lot of times when people at home wonder whether anybody in this place is listening to them and whether we are doing something other than playing politics with each other. This is a clear case where people here have listened to the people in Colorado, who have generously from time to time helped people in other States that were confronting disasters. Now it is our turn to ask for help, and that help has been granted.

I wish to thank Senator UDALL for his leadership in particular, but also all the Members in the Senate who made this possible.

Mr. President, I yield the floor.

#### ORDER OF PROCEDURE

Mr. BENNET. Mr. President, I ask unanimous consent that all quorum calls during the period of morning business be charged equally to both sides.

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

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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