

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

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

#### CONTINUING APPROPRIATIONS

Mr. MERKLEY. Mr. President, I want to make a few comments about the crisis that is unfolding before us. Right now some colleagues in the Senate and others over on the House side are holding the entire American economy hostage to make their favorite point on policy. I must say that this blackmail against ordinary working class Americans—threatening to steal whatever momentum our economy has rather than build greater momentum and greater job growth—is deeply misguided. That is really as polite a way as I can possibly put it.

Think about what working families have been through over the last few years. The deregulation of Wall Street leading to predatory mortgages that hurt millions of families, and then the securities that those were based on, proceeded to derail our entire economy, hurting millions more. Families lost their savings. They lost their jobs. They lost the equity in their house.

All that working families are asking for is a little bit of common sense. Don't do further damage to the economy that is struggling to recover. Yet certain colleagues here in the Senate and over in the House seem to believe that the little people don't matter, the working people do not matter, the stability of the foundation for families and living-wage jobs doesn't matter because they can play whatever political games they want and the only people hurt are ones they do not see in their life. Maybe they live in a gated community. Maybe they live in a bubble. But I see those people. I see them every day. They are the salt of the Earth. They are the workshop that takes America forward. They are the small businesses across this Nation. All they are asking for is a little reasonableness and common sense.

Some of my colleagues have said this crisis comes because the majority party in the Senate has refused to negotiate. Nothing could be further from the truth. Negotiation in the budget process starts with each side passing a budget resolution and holding a conference committee. But it is Members of the minority of this Chamber who have come to this floor at least 18 times to block the start of a conference committee in order to work out the budget. I cannot imagine in my wildest dreams why they are terrified of there being a conversation between leadership in the House and leadership in the Senate, meeting with the television cameras on to work out the details of a budget compromise. But they seem terrified, petrified, scared to death that there will be a conversation between

the House and Senate that would lead to a compromise.

So, indeed, there has been obstruction on compromise, and we know exactly where it is. They are the same individuals who are trying to drive the economy over the cliff right now. Moreover, members of this party said let's go further. The Senate has a number. The House has a number. But the budget conference committee is being blocked. Let's simply accept the House number, and not split it down the middle, not insist on our number, let's take the House number. That is going far beyond the middle path, if you will. That is a major compromise. If you are looking for compromise, it is happening with the leadership of the Senate putting forward a compromise that takes the House number for the budget. It appears that certain individuals in this body just do not want to take yes for an answer.

I am going to conclude my remarks. I see my colleague, the esteemed Senator from Illinois has arrived. I want to close with this notion. This is not the first crisis that has been artificially manufactured that has damaged the American economy. Let us remember that similarly we faced this in April 2011 with the continuing resolution. We faced a manufactured crisis with the debt ceiling in July of 2011. We faced the December 2012 fiscal cliff that did substantial damage; in March of this year, the continuing resolution, which brings us up to right now.

This is not all. The same individuals who are threatening at this moment to drive our economy over a cliff are saying we will do it again in a couple of weeks over another debt ceiling issue and when this continuing resolution expires a few weeks from now, if we get one done, we will do it again a few weeks from now—three crises in a period of just a few weeks. If you want to destroy the economy for working Americans, this is how it is done, and it is unacceptable. We need a bipartisan, commonsense caucus to come together and simply say no to those who are trying to create this terrible blackmail using American working families in the process.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

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

Mr. MARKEY. Mr. President, we are just hours away from a government shutdown. I think tea party Republicans saw the "Breaking Bad" dramatic depiction of reckless behavior last night and thought they could put on an even better finale, create even more drama, and cook up even more toxic ideas. They thought they could break this government in every bad way possible. These tea party antics are the stuff of fairy tales. The way the GOP is writing this story at the stroke of midnight as we turn the calendar to-

ward October, our government and potentially our economic recovery turn into a pumpkin.

But it is the tea party GOP who are in fantasyland by thinking we will allow them to cut off ObamaCare, shut down government, and melt down our economy. Democrats are not going to allow them to do this.

What do the American people want? Americans want our military to get paid on time. Americans want our seniors to get the benefits they have earned and depend on. Americans want to be able to respond to floods in Colorado or wildfires in the West.

The American people don't want the government to shut down. Americans want a business plan that completes this recovery, creates jobs, and gets our economy back on track. They want us to work together to accomplish this goal.

What are the effects of the tea party Republican tactics? By forcing Congress to govern by going from crisis to crisis, tea party Republicans hope to chip away at the bedrock programs that run our country and help our people.

First, the tea party did this with sequestration, which is a fancy word for mindless cuts in programs that help ordinary families in our country. Now they are going after the ObamaCare law. What is next are their enduring targets such as Social Security, Medicare, and the safety net programs that millions of Americans depend on. These are the same Republicans who want to privatize Social Security. They want to turn Medicare into a voucher program. Now they want to reverse the progress achieved by the legendary Ted Kennedy, who made it clear that in the United States of America health care is a right and not a privilege.

The tea party Republicans are playing high-wire politics with our economy so they can take away the social safety net for millions of American families. This bill is just a preview of coming attractions. Two weeks from now we will be careening to the next crisis, this time over whether America will pay its debts. If we do not raise the debt ceiling, we will not be able to pay our bills starting on October 17.

What is the harm of defaulting on our debts? Our Nation's stock and bond markets could go into a free fall that will damage the full faith and credit of our country, the bedrock of the entire American economy. What does that mean? The full faith and credit of the United States is in question.

If you took out a mortgage, had a car loan, bought some furniture, and when the bill came due you said: I am not going to pay these bills, what do you think would happen? Your credit score would plummet. It would throw your financial life into chaos for years. No one would lend you money, or, at a minimum, you would be hit with sky-high interest payments because of the risk that you wouldn't pay the next time either.

Americans ran up these bills. We promised these payments. We should pay what we promise, and then we need to stop lurching from one crisis to another, scrambling to stitch together last-minute deals that only last until the very next crisis.

It is time to end these games. It is time to end the uncertainty. It is time to do what we were sent here to do—to get to work creating jobs for American families so they can have a mortgage and put their kids through school. That is what we should be talking about here, the prosperity of all Americans.

This shutdown today is a preview of a debate over a meltdown of the American economy. If, in fact, we go to a debt ceiling and we haven't found a way of working together here on the Senate floor, Democrats and Republicans, along with Democrats and Republicans from the House of Representatives, those who are in the most jeopardy are those who are watching us with their mouths open, agape, wondering how their system of government can operate this way.

I thank the Presiding Officer, and I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. MERKLEY). The assistant majority leader.

Mr. DURBIN. Mr. President, in less than 9 hours, unless there is an intervening effort that is successful, the government will shut down. I know people across America are scratching their heads and saying: Why? How did it ever reach this point?

I went through O'Hare this morning—I have done that a lot in my life—on my way back to work, and the reaction of people was interesting. People I didn't know walked up to me and said: Hang in there. Good luck. We hope you can do it.

I realized people across America are listening and watching this, and they are trying to figure out who is right, who is wrong, and what difference does it make?

About an hour ago I was presiding as we took the vote on the latest House amendments. In the middle of the vote, my staffer came up and handed me an e-mail. The e-mail said there was a House e-mail that was circulating, and here is what it said: After the Senate tables the House amendments to the CR later this afternoon, and the papers come back to the House, we will send it back to the Senate with another amendment delaying the individual mandate and ObamaCare for a year and affect the Members' health subsidy as well.

Unfortunately, that message kind of betrays what is going on here. We made it clear on the Senate side that we are sending a clean CR, with no political strings attached to it, to extend the government services and allow them to continue for at least 6 weeks while we try to work things out on a bipartisan basis. What we keep getting back from the House of Representatives is all sorts of political strings, such as the

medical device tax, ObamaCare, conscience clause when it comes to family planning. All of these are being thrown back to us as conditions for us if we are going to fund our government.

If we want to on the Democratic side, we have the votes to put our own conditions on this. I can think of a couple: that the House takes up the bipartisan comprehensive immigration reform bill we passed months ago here and they have never even addressed in the House. That would be a good one, wouldn't it? At least from my point of view.

How about the bipartisan farm bill we passed twice in the Senate that they failed to pass in the House of Representatives for years? Why wouldn't we make that one of the conditions? I can think of a few more. But we didn't do it. We sent them a clean CR, a clean spending bill, and said to them: Let's extend the functions of government.

John Kennedy's book, "Profiles In Courage," talks about men and women who served our Nation and showed extraordinary courage. Some of us would like to think that at least once or twice in our public careers we get close to that standard. There is no political courage in what the House Republicans are doing. They are not standing up, putting themselves at any political risk. They are threatening to shut down the government to affect the jobs of hundreds of thousands of innocent Federal employees. These are people who get up and go to work every single day for this country because they love their jobs and they love this country and they do a great job every day. They are viewed with disdain by so many critics of government, but were it not for those men and women and the contribution they make, we would not be the great Nation we are at this moment in time.

At midnight tonight—in less than 9 hours—our government will shut down. Many—hundreds of thousands of them—will be told: Don't come to work. If that happens, we will be lesser for it—not just the fact that we cannot produce the services our government needs to produce to help our people, and not just the fact that innocent Federal employees will lose their paychecks. Many of them will not get paid for the time we are losing.

But equally important is what it says about us and what it says about America. We stand and we say: We are different, and we are proud of being different. We are the oldest democracy on the face of the Earth. We are, in many ways, different from some other Nations, and we are proud of that difference.

Sadly, at midnight tonight the difference is not going to be something of which we can be proud. It is the failure of political leaders in Congress to fund the government of the United States of America. It is the failure of political leaders in Congress to fund our government.

What this comes down to is very basic. There is a reason why we have

elections. There is a reason why ultimately the decision on this issue, and all the other issues, will be given to the American people. What I ask them to do is to watch carefully what is happening in Washington and whether they want to continue it.

Senator MERKLEY of Oregon came to the floor and talked about the beginning of this tea party effort and the first threat to shut down the government. This is not altogether new, but it is unusual that we face this. Now it is becoming more frequent, more regular, business as usual that we are going to shut down the government. That is the tea party approach. That is how they get their attention: 21 hours speaking on the floor or threatening to shut down the government. I don't think that is the answer to America's future. I think it is a problem.

If you listened to Senator MERKLEY from Oregon, he talked about the fact that we passed a budget resolution in the Senate—I thought it was a good effort—to try to figure out what our spending will be in the next fiscal year. We came up with a number, and the House came up with a different number. The Founding Fathers of the Constitution anticipated that and created an opportunity for the House and Senate to work out their differences through a conference committee.

Senator MURRAY of Washington chairs our Budget Committee. She brought this to the floor and asked for unanimous consent to take this budget resolution to the conference committee so we could agree. She brought that request to the floor 6 months ago. The tea party Republicans stood—some of the same Republicans we are seeing now—and objected to this meeting. They said: No way. We won't allow this meeting between the Democrats and Republicans.

Senator MURRAY and her backers, on the committee and off, renewed that request over and over and over, and every time the tea party Republicans objected. They did not want us to do the orderly, constitutional thing of sitting down to work out our differences. They wanted a confrontation, and now they have it. We were unable to reach a budget number, unable to pass appropriation bills because of their objections, and now we face a government shutdown.

If this is what you want as the ordinary course of business in Washington, if this is what you want for America and our Federal Government and the good people who work for it, then keep on voting for tea party folks. This is their attitude and their idea. This is their idea of the new normal.

Well, it shouldn't be the new normal. America is better than this.

There is something that is encouraging. There are a handful of Republicans who are finally standing and saying: I have had enough of it.

Senator JOHN MCCAIN and I disagree on so many things, and agree on a few things, but we are different politically.

I admire him not just for his service in the Senate but what he has given to this country. He came to the floor and gave a 10-minute speech after the Texas Senator finished his 21-hour speech. Senator McCAIN made more sense in 10 minutes than in the 21 hours that preceded it.

He said: I don't like ObamaCare. I voted against it. I want to change it, but get real; it is the law. It was found to be constitutional by the Court. The President, who authored it, was re-elected by 5 million votes in America. That is how a democracy works. Those who won't accept ObamaCare and want to try to stop it will not accept the verdict of this democracy. We need to go forward and prove it. That was Senator McCAIN's speech to us. It was a good speech.

Upstairs Senator SCHUMER talked about what we could have done in the past. What if we said: Unless all of the Bush tax cuts are repealed, we are not going to allow the government to be funded? We didn't do that. We shouldn't have done that. It is not responsible.

I hope this doesn't come to pass. I hope at midnight we don't shut down this government. There will be a lot of unhappy people in the Federal service, and they don't deserve it. These are innocent people who want to do a good job for this Nation. There will be a lot of people hurt on the outside because they can't have access to government services. There will be things that we will miss doing that will have an impact, and we may never know it.

What impact will it have at the National Institutes of Health if they suspend medical research until this is over, just put it off a couple of days or maybe a couple of weeks if it gets really awful? Then what happens? A delay in finding a cure, a drug, a medical device. All of these things make a difference in the lives of a lot of innocent people. So it is not an act of courage to play politics with the lives of other people, with the future of America, and with the future of our economy.

Yes, this is why we have elections, so the American people can say: Enough. We are not going to put up with this anymore. We need to have responsible Republicans and Democrats working together to solve our problems.

I think that is why we were sent here, not to lurch from one confrontation to the next.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask to speak in morning business for 10 minutes.

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

Mr. MURPHY. Mr. President, after 5 years of being a parent, I have gotten used to temper tantrums. It is an unavoidable part of having kids. They demand something—they want a second dessert, they want another 10 minutes before bedtime—and if they don't get

it, they storm out of the room. That aspect of early human nature—the inability to deal with defeat and the unwillingness to compromise—luckily goes away over time as we get older and wiser and more thoughtful—everywhere except for Washington, DC.

By now everybody gets what is going on. As Senator DURBIN said, we are only a handful of hours away from a government shutdown—another manufactured, made-up, totally avoidable crisis. This one is just because we can't pass a 6-month continuing resolution. We are having a problem just keeping the government open under the exact same rules that it has been open because a small set of tea party Senators and Congressmen are basically throwing a temper tantrum because they haven't gotten their way.

It is not news to anybody that Republicans oppose the health care law. They opposed it back when it was passed by both Chambers and signed by the President. They opposed it when the Supreme Court upheld the legislation. Their Presidential candidate opposed it when he got roundly defeated in the 2012 election. My opponent and the opponent of every single Senator who stood for election who voted for the law opposed it as well, and every single time they lost.

Over and over Republicans have made it clear that they don't like the Affordable Care Act. They voted 40 times to repeal it or defund it or postpone it in the House of Representatives. This is despite the fact that today the Affordable Care Act is saving millions of seniors millions of dollars because they don't have to pay for drugs in the doughnut hole. This is despite the fact that starting in January it is going to save millions of people across the country from having to go into bankruptcy because they can't afford their health care. But Republicans are refusing to vote for a budget that will keep the government operating unless this health care bill is stopped.

For too many of those urging a government shutdown, government has just become an abstraction. They have sold themselves on the idea that government is so twisted and malignant that shutting it down just wouldn't really do anything. After all, if the goal is to starve the beast, then what better way than putting the beast into a coma for a couple of days or a week.

But that is not how this works. Government does real things for real people. It provides paychecks for 9,000 people in Connecticut. It pays Social Security benefits and processes claims for disabled veterans. It inspects our food. At the NIH, it comes up with cures for diseases. The markets watch whether the government operates because they actually know that the private sector works better when the public sector is working better. So that is why today the market once again has been falling through the floor, as it will if we move forward with this madness.

Just as we don't give in to our kids when they threaten us if we don't give

them what they want, America cannot reward this “my way or the highway” approach from the tea party. I have strong beliefs, just as my tea party Republican friends do, but I also get that I am part of a majoritarian deliberative body. Senator McCASKILL and Senator DURBIN made the point, as did the Presiding Officer. We all would love to attach things to this continuing resolution. There are 20 grieving families in Newtown, CT, who do not understand why 90 percent of the American public wants background checks on weapons and we can't pass that in the Senate. I bet some of them would think it might make sense for us to condition our support of the continuing resolution on getting background checks on gun purchases. Ninety percent of the American public supports that. But we are not doing that. That is not how we govern—hold the entire Federal Government hostage to get what we want.

Ultimately, though, this just can't be how this place works. This is a 6-week continuing resolution. As the Presiding Officer said, it is just going to happen 6 weeks from now and 6 weeks after that.

I heard that a long time ago this place used to actually be involved in the business of running the country. It doesn't feel like that anymore. As I sat there on the dais a week ago now watching the middle act of Senator CRUZ's long, long, long speech, it didn't feel a lot different than it has for most days that I have watched the tea party over the last several years. It felt as if I were a theater goer.

What is happening this week really isn't exceptional. It is just the latest and worst example of a long trendline away from legislating and toward playacting. With rare exceptions usually prompted only by deadlines and cliffs and fake crises, we don't do anything here any longer. We just dig trenches and we make arguments. We pass fake bills. We playact. Occasionally, when the stacks of all the things around us are about to come teetering down we stop and we push them back up again instead of thinking for a couple of seconds that if we just stopped, sat back, and actually restacked those sets of things so they didn't come crashing down, we would probably be better off. We just play parts.

There is nobody better at playing their part than the tea party Republicans. Their character is recalcitrant, uncompromising, and destructive, and we have seen all of that on display this week. If we get beyond this crisis, we will just see it once again. But there is no curtain call here in Congress after which we can pull back our masks and share a good laugh. We are still all going to be left on stage tasked with picking up the pieces.

I think I am past believing that these folks are just going to start playing a different role. It is time for the American public to start asking some questions about people before they send

them here: Are you willing to compromise? Are you interested in actually running the government? Are you going to score your term based on whether you deliver for the American people rather than how many Twitter followers you have or how many times you showed up on the TV news that week?

If this government shuts down tonight, it is just because of a temper tantrum or, put another way, a really, really bad play, the third act of which has gone on way, way too long.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. MURPHY). The majority leader.

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

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

#### DARREL THOMPSON

Mr. REID. Mr. President, this is not the time for me to stand and speak about the loss of a staff member whom I feel so strongly about.

The man I am talking about is Darrel Thompson, who, as most people know, has been with me for 10 years. He was Obama's campaign manager when he ran for the Senate, and he is a wonderful man. I am sorry it is not appropriate for me to take Senate time now.

#### MAKING CONTINUING APPROPRIATIONS FOR MILITARY PAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 3210, which was received from the House in the last 24 hours. I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 3210) was ordered to a third reading, was read the third time, and passed.

#### EXTENSION OF MORNING BUSINESS

The PRESIDING OFFICER. The majority leader.

Mr. REID. The order now before this body is that we have morning business until 4 o'clock today. I ask unanimous consent to extend that until 6 p.m. under the provisions of the previous order and that I be recognized after that time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Republican leader.

#### PROTECTING MILITARY PAY

Mr. MCCONNELL. Mr. President, the unanimous consent request the majority leader just propounded was one a number of my colleagues were about to ask that dealt with a military pay issue, and a number of them are here on the floor. I ask unanimous consent to engage in a colloquy on the issue of protecting military pay.

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

The Senator from Texas.

Mr. CORNYN. Mr. President, as the Republican leader noted, there are a number of Members here on the floor who have come en masse from a meeting we just held following the tabling of the latest House proposal that would keep the Federal Government operating and make sure all of our uniformed military would continue to get paid, together with the other operations of the Federal Government. It is clear that it was under the pressure of the knowledge that we were coming to the floor to ask for unanimous consent and the knowledge of how, frankly, untenable it would be to object to that that the majority leader has quite skillfully come to the floor to try to preempt this issue. The truth is that none of us should be under any illusion that the majority leader has done anything other than make it more likely that we will have a shutdown of the Federal Government tonight.

The House has sent over several reasonable proposals which would keep the Federal Government operating and which would also make sure our troops would be paid—not just uniformed military but other government personnel performing important jobs. Rather than calling us in yesterday after the House acted—we know that perhaps the majority leader and other Members enjoyed watching a little bit of professional football yesterday—they waited until this afternoon to cut the legs out from under the House proposal and make it much more likely that the government will shut down.

The House worked late into the night this weekend to draft a compromise proposal that would fund the government and avert a shutdown. The House Members sent the proposal over to the Senate, and the majority leader did nothing until today—no emergency session, no bipartisan negotiations.

There is a report in Politico that President Obama was suggesting calling the leadership in both of the Houses—Republicans and Democrats alike—to the White House to have a meeting to say: What can we do to solve this impasse? If the story is to be believed, it was HARRY REID who shut that down, just as he is going to be responsible for shutting down the Federal Government by the actions he took earlier today.

So the question is, Who is really being unreasonable? Who is really being stubborn? Who is really seeking to gain partisan advantage over the best interests of the country?

Of course, we know the President has been eager to negotiate with the President of Iran about a very serious issue: Iran's nuclear aspirations, but he will not talk to the Speaker of the House of Representatives or the Republican leader of the Senate. He will not talk to them, but he will negotiate with the Iranian President.

He seems absolutely allergic to doing his job. He can give a heck of a speech. He is a skillful orator. But when it comes to actually doing his job, he is missing in action. He will not negotiate over a government shutdown, and he will not negotiate over raising the debt limit.

In the past, President Obama has urged Republicans to offer just a little bit of compromise when he likes to be the voice of reason. But now he himself refuses to engage in any sort of negotiation and refuses to offer any kind of compromise whatsoever.

Is it possible the President of the United States thinks his own health care law is perfect in every way? Seventy-nine Members of this body voted against the medical device tax. The House could pass that piece of legislation and send it over here and attach it to the continuing resolution. The President himself has repeatedly delayed different provisions of the health care law, including the employer mandate. What we would like to do is get the same break for the rest of the American people as he gave businesses.

The bill that was passed by the House of Representatives would have delayed ObamaCare for 1 year, and it would also have repealed the medical device tax, which is already killing jobs and hammering medical innovation.

Now we are being told that those sort of very same proposals, which mirror the same proposals the President has unilaterally taken or which are supported by a bipartisan majority of the Senate—they are called an act of extremism.

What is more extreme, trying to negotiate through an impasse to resolve this issue of the Federal Government functioning or to refuse to negotiate, to stonewall against any reasonable proposal by the House and to make it more likely that the Federal Government will shut down tonight? I ask who is being more unreasonable and more stubborn?

We know the clock is ticking. The American people are absolutely disgusted. I share their frustration. I can only hope cooler heads will prevail among our friends on the other side of the aisle.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I appreciate being part of the colloquy with the Senator from Texas, and I was listening to his comments.

I remember being asked by Senator MCCONNELL and the House Speaker JOHN BOEHNER to speak on behalf of Republicans at the President's health care summit 3 years ago about the new