

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 I ask unanimous consent that the order for the quorum call be rescinded.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

health care law. I was the first speaker there and since that time have done my best to try to void its passage and then to repeal and replace it.

But I'm not in the shut down the government crowd. I'm in the let's-take-over-the-government crowd and elect a number of more Republicans and even a Republican President who agrees with us and who wants a different kind of health care law, one that introduces choice and competition and that actually reduces health care costs for most Americans.

What bothers me so much about this impasse today is the effect it might have on our military men and women around the world. I'm trying to imagine what it must be like for someone fighting in Afghanistan whose check might be late, whose spouse is at Fort Campbell, and whose mortgage is due today or tomorrow or the next day, or what if the Department of Defense school closes there and that spouse has a job and no childcare? These are very practical problems we need to be thinking about. We need not be thinking about shutting down the government. We need to be thinking about a way to fund the government and change the health care law at the same time.

Now, the House of Representatives has tried once and now is trying it again to make a reasonable offer. These discussions are all about compromise, about taking suggestions that come from one body to the other body and taking what you can. So if they have come back and said: Well, the United States Senate had 79 Senators, including many Democrats, who voted to repeal the medical device tax. And they said: Let's delay the individual mandate for a year.

I'm surprised the President himself has not done that. The President himself has delayed seven provisions, major provisions in the health care law, including the employer mandate. The regulations aren't ready. The program is supposed to start tomorrow. It would seem to me it would actually be to the President's benefit, as well as the country's benefit, to say instead of just delaying parts and exempting these people, let's get it right. Let's delay it for 1 year.

That is what the House of Representatives, the Republican House, has said to the Senate. They have said let's repeal the medical device tax, a particularly onerous 2.3% tax on top of revenues that increases the cost of medical devices for millions of Americans. We all agree we ought to get rid of it—79 of us do anyway, including about as many Democrats as Republicans. And the President himself has acknowledged this law isn't ready. The chairman of the Democratic Committee that wrote it says it is a coming train wreck.

So it seems to me this is a reasonable suggestion from the House of Representatives to say let's work on getting rid of ObamaCare, that is what we would like to do, or changing it, that is

what they would like to do to make it work, but let's fund the government. Let's not run the risk that one single soldier fighting in Afghanistan has a paycheck that is one day late because his spouse is home in Fort Campbell and the mortgage can't be paid or the Department of Defense School is closed and there is no childcare for the spouse who has a job while her husband or his wife is fighting overseas. Now, that's something we should not allow to happen, whether it's Republicans or Democrats.

It may be that the majority leader agrees with that and he has brought that up and we have brought that up, but we should do more than bring up political points. People expect us to act like adults, work together, come to a result, so we can change the health care law and we can keep the government going.

I've said for three years that instead of the historic mistake we passed which expanded health care delivery systems that already cost too much, we should go step by step to have a health care law that actually reduces health care costs: Make Medicare solvent instead of taking one-half trillion dollars out of it for other programs. Give Medicaid more flexibility so Governors can serve more people. Repeal the medical device tax. Make it easier for employers who want to help employees have a healthier lifestyle so they can have cheaper insurance. Allow people to buy insurance across state lines. Allow small businesses to pool their resources and offer insurance. I have listed a half dozen already, steps we could agree on that would reduce health care costs in the country.

I'm not in the shut down the government crowd, and neither are most everybody I know around here. We are in the take-over-the-government crowd, and let's elect enough Republicans and a Republican President to change the health care law.

But in the meantime, we should make absolutely sure that men and women, whether on Active Duty or in the National Guard, not on Active Duty at this time, we should make sure they are paid on the day they are supposed to be paid and their spouses are not waiting for the check.

I thank the Senator from Texas for engaging in this colloquy, and I wish to join him in this effort.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, thank you.

The idea that ObamaCare—the Affordable Health Care Act—over time will be seen in history as having been a good thing for the American people, I guess that is a bit in doubt. The President keeps saying there will come a day when we will look back and claim to have voted for this. Maybe he is right. Maybe that day, around the bend, down the road, over the hill, is there.

All I can say is don't we know enough now about the Affordable Health Care

Act—ObamaCare—to slow down, take a time out, and see if we can make it better? Because the problems associated with the act are real. We do not need any more information. We do not need any more time. We just need to fix it in a bipartisan fashion. We passed it in a partisan fashion. Can we begin to look at the law anew in a bipartisan fashion? America would be better off.

What do we know? We know a lot of people are working 29 hours, when they had 40-hour work. If you do not believe me, ask the unions. I never thought I would live to say this: Just listen to the unions. I do not say that a lot about their positions, but they are telling the President and anybody who will listen that ObamaCare—the Affordable Health Care Act—is denying the 40-hour workweek. Why can't we do something about that?

The medical device manufacturers, the people who do all the very neat things to make life better, particularly for people who have been devastated in Iraq and Afghanistan, coming up with ways to make better the lives of people who had catastrophic injury—thirty-four of our Democratic friends have said this tax is not a good idea for that sector of the economy.

So the jury is in on enough for us to slow down and start over and get this thing right. The good news for today is that we are not going to agree to blame each other. They are not going to accept blame. We are not going to accept blame about where we are. But the one thing today is I think we have solved the problem, at least partially, for the military. The people on the civilian side who work for the military, I do not know if they are covered.

But I want America to understand that the Congress did something appropriate just a few minutes ago; that is, to tell the men and women in the military: Do not worry about this debacle up here in Washington when it comes to your paycheck. You are going to get paid. I will talk later on down the road about what kind of military we are handing to the next generation, what kind of funding we have for the military and how smart sequestration is.

But I just want to ask my colleagues, don't we know enough already about the Affordable Health Care Act to stop and work together before we plunge on, because it starts tomorrow. I do not know why our Democratic friends are so insistent that we cannot take a timeout, start over, and see if we can find some bipartisan consensus. Until we do that, this problem only gets worse.

I would conclude with this thought: The Democratic Party came up with the Affordable Care Act. They passed it on a party-line vote. But this thing is just not helping Democrats or hurting Republicans, it is hurting the economy as a whole.

So the one thing I can tell you about big ideas: When one party pushes it through and nobody else on the other side signs up, we need to be wary about that product.

I yield.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I see my colleague from Texas who gave a very high-profile speech for about 21 hours the other night on the subject of ObamaCare. I know he feels passionately about it, and his efforts have captured the imagination of the American people and reminded them of the various failures of this piece of legislation, some of which we have talked about perhaps fixing in the course of this ping-ponging of the continuing resolution.

But I might ask him, through the Chair, there have been so many failures, so many promises that have been made about ObamaCare that are obviously not going to be kept—things such as, if you like what you have, you can keep it. I think that is one of the complaints the Senator from South Carolina mentioned earlier, that organized labor—Mr. Trumka, among others—went to the White House to get a special carve-out for. We were told the President said: The average family of four would see a reduction of \$2,500 in the cost of their health care, and that had not proven to be true—so many promises that have not been kept, so many broken promises, so many reasons why we ought to be working together through the course of this to fix it.

So I would ask my colleague, through the Chair, perhaps he can list a few more reasons why he believes we need to be dealing with ObamaCare.

I know his preferred method was defunding ObamaCare. I know he has not given up on that. I am a cosponsor of his legislation that would accomplish that. But I would ask my colleague, through the Chair, if he might comment on that.

The PRESIDING OFFICER. Under a previous order, the majority leader is to be recognized at 4 o'clock.

Mr. REID. Mr. President, I was happy to ask unanimous consent to pass the bill that we just passed to ensure that the troops will be paid. But I do disagree with the remarks of my Republican colleagues and much of what they said in the last few minutes.

Let's talk about what was in this amendment that they sent us, this message they sent to us. Among other things, here is what it had in it: A provision—this is hard to comprehend, but listen to this—that would allow any employer, insurance plan or individual to refuse to cover any of the women's health preventative services that were included by Senator MIKULSKI in her women's health amendment, things like contraception, for virtually any reason during the 1-year delay.

That was in their amendment. It was spoken of clearly—I will talk about it a little later—by a cancer survivor in the House of Representatives, DEBBIE WASSERMAN SCHULTZ. It would have an adverse effect on cancer survivors, on women. That is one thing they did.

There has been a lot of talk here about the medical devices revenue issue. This is something that we will take a look at. We need to do that. But remember this magnanimous offer to get rid of this by the Republicans in the House and in the Senate would run up the debt by \$30 billion. How do you like that? \$30 billion. No offset. No pay-go. What does it matter? They are fixated on ObamaCare. I mean fixated on it.

My friend from Texas referred to it as a bill. It is not a bill. It is the law. It has been for 4 years. My friend from Tennessee said he thinks that this should be resolved by having a Republican President. Less than a year ago, the American people took a look at that. The No. 1 issue in the campaign: ObamaCare. That was the No. 1 issue.

Overwhelmingly, the American people said: We reject the Republicans' efforts to get rid of it. Republicans always oppose big things. They opposed Social Security. They opposed Medicare. I have carried with me for 25 years—I have it in my wallet here, and it is getting old and frayed. But here is what it says:

I was there fighting the fight, one of 12 voting against Medicare because we knew it would not work in 1965.

Senator Dole.

Now, we did not get rid of it in round one because we do not think it's politically smart. But we believe Medicare is going to wither on the vine.

Newt Gingrich.

Medicare has no place in a free world. Social Security is a rotten trick. I think we are going to have to bite the bullet on Social Security and phase it out over time.

Former leader in the House Dick Armey.

They opposed Social Security and they opposed Medicare. But even though they opposed it, Social Security is popular with Democrats, Republicans, and Independents. Medicare is popular. Why is it popular? My first elected job was on a big hospital district in Nevada. It was an indigent hospital, in some frame of reference.

But 40 percent of the people that were senior citizens that were admitted to that hospital had no health insurance. We made sure that somebody vouched for their hospital bill: father, mother, son, brother, neighbor. If they did not pay, we went after them. We had a big collection agency in the hospital.

The reason they like Medicare is because today virtually 100 percent of seniors that come into a hospital have Medicare. That is why they like it.

ObamaCare. Tomorrow in Nevada 600,000 people will have the opportunity to sign up on the exchanges. By the way, the exchanges were established by a Republican Governor, Brian Sandoval. People there can buy—some people can buy health insurance for \$100, people who have nothing. Just give this ObamaCare a little time, and it will be looked back at as Social Security and Medicare. Right now, people love what they are able to get off this. I will go through some of that stuff.

Let's review where we are. This weekend Republicans in the House of Representatives did what we all feared they would do; they voted to shut down the government. Republicans knew their empty political stunt would fall on its face in the Senate. It did. Yet they voted to hold the government hostage until Democrats agree to return to the days when insurance companies put profits before patient care. That is the way it was.

Their vote was strikingly irresponsible and stunningly callous. Republicans do not seem to understand that stripping health insurance from millions of Americans would literally cost lives. Maybe none of those Republicans have received a doctor's bill that they could not pay. Maybe none of those Republicans spent a night awake worrying about whether a heart attack or a car accident would drive them into bankruptcy or what they would do with their mom or their dad, their brother or sister who has no health insurance and who is sick.

Millions of Americans have experienced the fears I just described. For a glimpse of just how little regard Republicans have for struggling American families, look no further than the chief Senate rabble rouser, Senator TED CRUZ. Listen to this. He told David Gregory of Meet the Press how easy it is for the average American to get health insurance, even during these difficult times. Here is what he said: "If you want people to get health insurance, the best way for them to get health insurance is to get a job." That is what he said. I am not making this up.

His comment comes at a time when more than 11 million Americans are still struggling to find work and when millions more who already have jobs still lack health insurance. That is why we passed ObamaCare in the first place, to ensure access to quality, affordable health insurance for all Americans.

To Republicans, ObamaCare is a punch line to rile up their base. But for American families, ObamaCare is not a punch line, it is a lifeline. For millions of Americans, the Affordable Care Act is the only option to access quality health care at an affordable price. I have indicated that 600,000 uninsured Nevadans who are eligible to purchase insurance from Nevada's Health Link beginning tomorrow.

ObamaCare means access to affordable doctors and hospital stays, prescription drugs, and more. Uninsured Nevadans will have access to good insurance plans that cost as little as \$100 a month. In fact, many Nevadans will get quality coverage for less than they pay for their monthly cell phone bill. Republicans would rip that lifeline away.

Republicans want to return to the days when insurance companies could discriminate against women. Why? Because they are women. I am not making that up. That is the way it was. That is how it was before ObamaCare.

Republicans want to return to the days when insurance companies could deny care because of preexisting conditions, like diabetes, epilepsy, and breast cancer. Even acne was a pre-existing condition. Again, I am not making this up. That is the way it was before ObamaCare.

Congresswoman DEBBIE WASSERMAN SCHULTZ, she is a breast cancer survivor. Sunday, I saw her say on the House floor that Republicans are trying to “make sure that every single day . . . each of us who survived cancer or another life-threatening illness . . . stay living in fear for an insurance company to boot you off your insurance.”

That is what it would do. I am not making this up. That is the way it was before ObamaCare. They want to return to the days when even children could be denied lifesaving coverage because they were born with a heart murmur or some other disability. Again, I am not making this up. That was the way it was before ObamaCare.

They want to return to the days when insurance companies could overcharge you when you were well and drop your policy when you were sick. That is the way it was. I am not making it up. That is the way it was before ObamaCare.

Because of the Affordable Care Act, millions of seniors are saving money on prescription drugs. No one can dispute that. The doughnut hole is being filled. That is all because of the Affordable Care Act. Millions of seniors are saving money on prescription drugs and many other things. Seniors today at no cost can go get a wellness check. They could never do that before.

Millions of young people are staying on their parents' insurance. Does the presiding officer know how important that is? I will tell you how important it is. In the little town of Searchlight where I am from, a woman who was assistant postmaster retired and her husband retired. They have a son Jeff. He is going to school. He was going to school at a community college. He had to go off his parents' insurance when he turned 23.

Within a few weeks of his turning 23, he was sick. He did not know what was wrong. But he went to the doctor. He had testicular cancer. He had to interrupt his education. He had three surgeries, and his parents struggled to pay for that. They are not people of means. One doctor friend of mine did one of the surgeries for nothing. But other people did not have the benefit of my being able to help them or parents like his who struggled to take care of their son. That is why more of that will not happen. Again, the Jeff Hill story, I am not making it up. That is the way it was before ObamaCare.

Because of the Affordable Care Act millions of seniors are saving money. That is the way it is. I have said that. Millions of young people are staying on their parents' insurance, and hundreds of thousands of businesses that already

offer their employees health insurance are getting tax credits for doing the right thing.

But the Republicans want to turn back the clock on all of these benefits and more. They want to force more than 25 million families to once again rely on crowded, expensive emergency rooms or go without the lifesaving care they need. Many of them go without that care.

That is how it was before ObamaCare. Unless Democrats agree to all of their demands, unless we agree to strip tens of millions of Americans of their health insurance and force tens of millions more to live in fear, they will shut down the government. That is where we are headed. Why do you think the Republicans came over here thinking by some reason we would not agree to fund the troops? They know that BOEHNER is going to shut down the government. The House of Representatives could have voted yesterday—they could vote today—to keep the government running.

But they are going to vote, I am sure, to shut it down. Many House Republicans have admitted that Speaker BOEHNER has the votes to pass a clean bill to keep the government open and functioning. Here is what Republican RAÚL LABRADOR from Idaho said. He said this on Meet the Press:

I am not willing to vote for a clean continuing resolution. But I think there are enough votes in the Republican party who are willing to do that. I think that is what you are going to see.

Republican Congressman CHARLIE DENT from Pennsylvania, here is what he said: “I am prepared to vote for a clean resolution tomorrow. . . .”

That is today. He said that yesterday.

It is time to govern. I don't intend to support the fool's errand—and it is a fool's errand. That is what he called it and that is what it is.

These reasonable Republicans are correct. The House easily could and should pass a clean continuing resolution today. All Speaker BOEHNER has to do is let every Member of the House of Representatives, Democrats and Republicans, all 435 of them vote on a clean CR, and it would pass big time. The Speaker has another opportunity to do the right thing.

This afternoon, the Senate voted to strip the hollow political ransom notes from the House. We rejected the House amendments. The House has what we passed. They have had it since last Friday. The Republicans will face the same choice tonight, this afternoon, or this evening, whenever they choose, as they did this weekend, to pass the Senate's clean bill to keep the government functioning or force a government shutdown. Democrats have already met Republicans in the middle and agreed to their lower funding level even though Republicans have refused to negotiate a responsible budget for more than 6 months.

Let's talk about what a lot of my Republican friends have talked about this

afternoon. They need more time to negotiate. Democrats have already met Republicans in the middle.

Senator MURRAY, the chairperson of our Budget Committee—because the Republicans said they wanted it and it was the right thing to do, and we acknowledged that, we passed a budget 6 months ago. Where are the Republicans in this 6 months, a half a year? Why couldn't we go to conference? Because they wouldn't let us.

What has happened and why they can't take yes for an answer is hard for me to understand. Our number was a lot higher than theirs. We took their lower number.

Senator MURRAY doesn't like it; Senator MIKULSKI doesn't like it. We took their lower number, 98. Why can't they take yes for an answer?

In addition, all these people who whine that we haven't done any negotiating—how many times has the President taken Republican Senators to dinner at the White House, this restaurant, and that restaurant?

What did he do? He put in writing what he was willing to do. Many of us were concerned that he had given far too much. We didn't like it, but that is what the President did because he wants a deal. He wants something big to help the government.

All of these meals that he paid for, have we gotten anything from the Republicans? Not a single sentence. Not a single sentence. They refused to put anything in writing.

Let's not talk about not negotiating. We have negotiated, negotiated, and negotiated. The last 2 weeks, we have had enough, and we are not going to negotiate. That is where we are.

For shrill Republicans in the House to demand more time to negotiate is simply ludicrous. I looked up today what ludicrous means. It means comically ridiculous. That is a good definition. When I put in ludicrous, I wasn't sure what it meant. I wanted to make sure I had the right word and I got it—comically ridiculous.

The President met with Republicans at the White House over dinner and other places. He has given a list of difficult cuts he is willing to make to reduce the deficit, but Republicans haven't reciprocated. They have never once put down in writing what they are willing to concede, not once. Democrats are through negotiating with ourselves. This is what it amounts to.

The fate of our country and our economy now rests with JOHN BOEHNER. Tonight we will see whether the Speaker is willing to shut down our government and risk our economic recovery to extract callous political concessions. I hope he makes a responsible decision. I doubt that he will, but I hope he does, and helps avert a government shutdown.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Texas.

Mr. CRUZ. Madam President, it is no secret that the majority leader HARRY REID and I disagree on a great many

topics. Yet I rise today in praise of Senator REID. In particular, I wish to praise Senator REID for agreeing to pass the bill the House of Representatives passed at 12:30 in the morning yesterday that would fund our military.

For weeks President Obama and Senate Democrats have been threatening to hold in jeopardy the paychecks of the men and women of our military if there is a government shutdown. I commend the majority leader for agreeing to pass it, for not objecting, for not standing in the way.

For everyone who thinks that compromise is impossible in Washington, that working together is impossible in Washington, I would point to this as an example. That bill passed the House of Representatives unanimously. It came over to the Senate, and a few minutes ago we all saw it pass the Senate unanimously. It should be able to be on President Obama's desk for signature by tonight.

That is exactly as it should be. The soldiers, sailors, airmen, and marines who risk their lives defending our Nation should not have their paychecks held hostage to any potential government shutdown in Washington. I salute the majority leader for doing the right thing. I salute the Senate Democrats for not blocking the paychecks of the men and women in the military, taking them off the table and saying, regardless of what happens, we are going to pay our troops. That was the right thing to do.

I also note, for those who would like to see a resolution of this impasse, I, for one, don't wish to see a government shutdown. I think it is unfortunate that the majority leader seems bound and determined to force a government shutdown. In the course of the past several weeks we have seen the House of Representatives repeatedly attempt to compromise. In my view and the view of a great many Republicans is that ObamaCare is a disaster, a train wreck, a nightmare. Of those last two terms, the term train wreck comes from the Democratic Senator who was the lead author of ObamaCare. Nightmare is the term that was used by Teamsters president James Hoffa.

My view is we should repeal it in its entirety. I would note that was not my starting position on this debate. It was not the starting position of the House of Representatives. Instead, they started with the position that it should be defunded, which itself represented a compromise. The House of Representatives passed a bill to fund the entire Federal Government, every bit of it, except for ObamaCare and to defund ObamaCare.

They sent it over to the Senate and what did the majority leader, what did the Democrats do on a straight party-line vote? Every Democrat voted no, absolutely not. We reject it in its entirety. They voted, in effect, to force us into a shutdown.

The House of Representatives was not done with that. They came back at

12:30 in the morning late Saturday night, early Sunday morning and passed yet another continuing resolution that represented a second compromise where yet again the House said, we want to fund the government, we don't want to shut down, we want to keep government going. Instead of defunding, which is what the House preferred, the House instead said: Let's delay ObamaCare, let's delay it. President Obama has already delayed it for giant corporations. He has already exempted Members of Congress. Both of those actions were contrary to law.

The House of Representatives said let's delay it for ordinary families the same way it has been delayed for big companies. It shouldn't be the case that giant corporations get treated better by the Federal Government than hard-working American families.

That was a compromise, and it was a compromise even though the Senate under Majority Leader REID had not compromised at all and held an absolutist position. At 12:30 in the morning, early Sunday morning, the House voted on that.

Did the Senate come back yesterday? No, we did not. The majority leader could have called the Senate back. We should have called the Senate back. We were only 48 hours away from a government shutdown, but apparently the majority leader made the decision it was more important for Senators to be home on vacation, home playing golf, home doing anything but being here on the floor of the Senate doing the people's business.

Instead, many Senators came back today. We voted only a couple of hours ago and once again Majority Leader REID and every single Senate Democrat voted to shut down the government, responded to the House's second compromise—not with any discussion, any compromise, not with any middle ground, but simply said no.

The position of the Senate Democrats is absolutely not. Are we going to listen to the millions of young people coming out of schools who are not able to find jobs because of ObamaCare? The majority leader says no. Are we going to listen to the millions of single moms who are struggling to feed their kids and finding themselves forcibly put into 29 hours a week because of ObamaCare? The majority leader says no. Are we going to listen to millions of recent immigrants who are struggling to provide for their families and facing skyrocketing health insurance premiums? The majority leader says no. Are we going to listen to millions of retirees, people with disabilities, and spouses who are covered on their spouse's health insurance plans, all of whom are losing or at risk of losing their health insurance? The majority leader says no.

Instead, the majority leader shared with this body that I was—and I wrote this down—the “chief Senate rabble-rouser.” I am not entirely sure what that is. I wasn't aware that was an official designation.

I would note previously the majority leader from the floor of the Senate had described me as a “schoolyard bully.”

It is entirely the majority leader's prerogative if he views the way to carry out his job as engaging in personal insult and ad hominem attacks. I, for one, do not intend to reciprocate.

I note that what he seems most dismayed about is in the past 2 weeks the voices of the American people have begun to be heard in this body. In the past 2 weeks the voices of millions of Americans losing their health insurance, losing their jobs, being forced into part-time work, millions of Americans who are struggling, have begun to be heard. We have begun to make DC listen. Apparently, the voices from our constituents, from the men and women of America, apparently to the majority leader, constitute “rabble-rousing.” I have a different view of what our responsibility is.

I would also note that the majority leader told us only moments ago, “We have had enough. We are not going to negotiate.”

I find that quite remarkable because to date it has been the House of Representatives that has been negotiating, that has been compromising and has been trying to find a way to resolve this so we can keep the government running and at the same time answer millions of Americans who have been hurting. The answer from the majority leader over and over has been no, no, no, we will not compromise, we will not talk.

As the majority leader said, he hasn't compromised yet and he doesn't intend even to negotiate. This is unfortunate.

Mr. CORNYN. Would the Senator yield for a question?

Mr. CRUZ. I yield to the Senator from Texas for a question.

Mr. CORNYN. The Senator has described accurately the back-and-forth between the absolutist position the majority leader has taken that says nothing can change ObamaCare because apparently he thinks it is absolutely perfect—we shouldn't change a letter, even though, as the Senator pointed out, a number of ObamaCare's biggest advocates are now coming back and saying it is a nightmare. I think the Senator quoted Jimmy Hoffa as one of them.

But is the Senator aware, reportedly, the House is going to be voting later on today and be changing once again the continuing resolution and sending it back over here? This time the report is that they will vote to delay the individual mandate to make it match—as the Senator points out, the employer mandate that has already been unilaterally delayed by the President, in an act of lawlessness. Unfortunately, it is not an isolated event.

Then the Vitter language, which will overturn the Office of Personnel Management interpretation, which basically carves out Congress and congressional staff from the law that would apply to everyone else, strikes me as

another attempt by the House to enter into some negotiation.

Would the Senator care to venture a guess as to what sort of good-faith attempt by the House to keep negotiations open—what that will lead to? I would be interested in the Senator's observation about whether he believes, as I do, that Senator REID is marching toward a government shutdown. Nothing the House does, nothing the House passes will deter him from shutting down the Federal Government at midnight tonight.

Mr. CRUZ. I thank my friend, the senior Senator from Texas. I think he is exactly right. Indeed, the conduct of the majority leader, as it has recently been reported in the press, the majority leader advised President Obama do not even engage in conversations or negotiations with congressional leaders.

As the senior Senator from Texas observed, the House is repeatedly trying to solve this problem to keep the government funded and to do it in a way that responds to the millions of people who are hurting under ObamaCare.

The answer for the majority leader over and over and over has simply been, no, we will not talk, we will not negotiate, we will not compromise, we will not listen to the American people.

I am reminded of the old philosophical question: If a tree falls in the woods and no one is around to hear, does it make a noise?

Likewise, if the House endeavors to compromise responsibly, and the majority leader and the President refuse to participate at all, can you solve the problem?

Ultimately, the only way to solve the problem is for Washington to listen to the people. If Majority Leader REID insists on forcing a government shutdown, then we may face a government shutdown. I think that is an irresponsible course of action.

If the House of Representatives acts tonight, I believe this Senate should come back immediately and pass the continuing resolution, whatever the House passes. I don't know what it will be, but it will be yet another good-faith effort to keep the government running and to address the train wreck of a law that is ObamaCare, and I very much hope this body begins to listen to the people.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, we have listened to the people. I recall we had a Presidential election. We had two people running in a bad economy. Normally, the nonincumbent would win. That was a Republican. He ran on the platform: I will repeal ObamaCare if you elect me President. He was actually ahead in the polls when he started saying that, but we all know what happened—he lost disastrously. Did the American people speak? Yes, they spoke pretty clearly on that one.

Now, the other body has voted countless times to repeal the Affordable Care

Act. They all get out their press releases and talk about how they stand up against the Affordable Care Act as they vote to repeal it 40 times knowing it will go nowhere.

Wouldn't it make a lot more sense if the other body's leadership said: Look, we lost the Presidential election saying we were running on doing away with ObamaCare. The American people shut us down on that. We have become the butt of late-night jokes every time we vote like this.

Maybe it would help if their leadership said: Why don't we take 10 Republicans, 10 Democrats, and those folks can deliberate and suggest how we can make improvements to ObamaCare. If they have improvements, they can bring it back by June, and we can vote those specific improvements up or down. We have already shown that after 40 votes to repeal and a Presidential election, we are not going to get rid of it. If they have improvements, let's debate and vote on them. That would make some sense.

Or we could return to regular order and between now and the end of the year, we could vote up or down on every single appropriations bill so we are on record as voting yes or no.

Instead, we have a small group of extremists insisting on shutting down the Federal Government, putting their own political agenda ahead of the rest of the country, throwing people out of work, costing hundreds of billions and making the United States look like the laughing stock of the world. The obsession with defunding or delaying the Affordable Care Act, which will continue to be implemented in the event of a government shutdown, is out of touch and it poses serious threats for our economy and the well-being of thousands of hardworking Federal employees and those who rely on important government services.

Defunding or delaying the Affordable Care Act will do nothing to solve our fiscal troubles. In fact, some repeals sought by House Republicans will add \$30 billion to our national deficit. It is a shame that some members who claim to be concerned about wasteful spending are willing to throw away the billions of dollars that a government shutdown will cost, all simply to prevent access to affordable health care for Americans.

Mr. DURBIN. Madam President, will the Senator from Vermont yield for a question?

Mr. LEAHY. Of course I will yield to the Senator from Illinois.

Mr. DURBIN. I would say to the Senator from Vermont, I just missed Senator CRUZ. I was rushing down from my office to ask the junior Senator from Texas a question, which I have asked him repeatedly. He has come to the floor and spoken at great length about why ObamaCare and the health care reform act is unnecessary for Americans. What I read is that 40 million Americans as of tomorrow will be able to shop on these insurance exchanges to buy their health insurance.

He has also spoken—as the other Senator from Texas did—about Members of Congress and their own health insurance. I have asked the junior Senator, Senator CRUZ of Texas, to tell us about his health insurance. He has told us he is not in the Federal Employees Health Benefits Program. Since he is addressing the health insurance of millions of Americans, I think it is not unreasonable for him to disclose publicly what his health insurance is, how much he is paying for it, and how much the employer contribution is on his health insurance.

Mr. LEAHY. How much of a tax break he is getting on it.

Mr. DURBIN. It is a reasonable question. I am prepared to disclose that, and I think most Members are.

So I say to the Senator from Vermont, shutting down the government to keep the American people—40 million uninsured people—away from the opportunity under the Affordable Care Act is hardly the kind of work we want to be part of.

I thank the Senator from Vermont for his leadership on so many issues, and I thank him for coming here today in personal witness to the need for good medical care, even for Senators.

Mr. LEAHY. I thank my colleague.

The Senator from Illinois has heard me mention—and with pride—the time I was able to serve in law enforcement as a prosecutor. Well, I was talking to some police officers in Vermont this weekend. They were saying: What happens here in Vermont? Will the Department of Homeland Security discontinue the training it provides for state and local law enforcement?

As the other distinguished Senator from Vermont knows, in a small State such as ours, support from federal agencies for our law enforcement is extremely important. It is one of the reasons we are able to keep our crime rate down.

The Vermont Passport Agency provides spectacular passport services out of St. Albans, Vermont. What is going to happen? Oh, you have a dying relative abroad and you need your passport in a hurry? Sorry, we may not be able to get you your passport on time.

Members of Congress are elected to lead, not to play bumper-sticker politics. It erodes confidence to continue to bring government to the brink in every debate. There is too much in the country and around the world of tremendous importance that demands our attention.

Instead of helping Americans get back to work and stimulating the economy, House Republicans are intent on playing political games that do nothing but weaken America and harm Americans. When they showed they weren't willing to do anything, the stock market collapsed, just as it has the last 3 days. How many people have seen their savings for their children to go to college wiped out while they play political games? How many people have seen their retirement wiped out

while they play political games? It is wrong.

I hope those who have set this course will reconsider before more damage is done. Congress has a real opportunity to reject the slogans, the politicking, the influence of pressure groups, and show real leadership. It is what we have done in the past. We have to do that now and in the future. Stop this always voting for slogans. Let's debate the appropriations bills and vote for them or against them. Vote to repair those crumbling bridges or vote against doing it. Vote for that medical research in cancer or vote against it. Right now they are allowed to go home and say: I am on your side, whatever side you are on. No. It is damaging our economy, it is destroying our image abroad, and it is stopping everything from cancer research to the education of our children. And in a rural State such as mine, in Vermont, it is of extreme danger.

We have seen this before, in 1995 and 1996, when a handful of Republicans turned a looming debt limit crisis into a political standoff with President Clinton that led to a shutdown of the government for three weeks. It is now happening again, as some Republicans seek to gain political advantage over President Obama. Continuing operation of our government's responsibilities to its citizens is too important to be sacrificed for partisan political advantage.

The effect of a government shutdown on law enforcement operations is also significant. Agencies like the FBI are already strapped for resources due to sequestration and the general budget environment. According to the Washington Post, FBI Director James Comey learned from his field agents across the country that funding was so limited that agents were left unable to put gas in their cars and training for new recruits has ceased. Agents are unable to build anti-fraud cases at a time when incidents of mortgage and investment fraud are on the rise, and staffing constraints have meant fewer cases opened overall and slower hiring throughout the Bureau. The needless shutdown of the Federal government will only compound an already challenging situation and make the job of law enforcement more difficult.

According to the Department of Homeland Security's shutdown plan, staffing at the Federal Law Enforcement Training Center will go from 1,074 employees to 61. This means that all training for Federal, state, local and tribal law enforcement officers will cease immediately. Last year, the Federal Law Enforcement Training Center trained nearly 70,000 people. The Department of Homeland Security would be compelled to reduce staffing at the Domestic Nuclear Detection Office from 115 employees to six. This office plays an important role coordinating nuclear detection efforts among Federal, state, local, and international governmental entities.

The partisan brinksmanship in 2011 that led to the downgrade of our national creditworthiness should be a cautionary tale that convinces all Americans that the risks of a government shutdown and ideological impasses to them, to interest rates, to financial markets, and to our household budgets are too great.

Madam President, I am privileged to be the President pro tempore of this Senate as the most senior Member here. I have seen Republicans and Democrats come together. Democrats are prepared to come together here. Where is the Republican leadership, as it has been in the past?

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I wish to concur with much of what my colleague from Vermont just said. Clearly, in our small State a government shutdown will be devastating—devastating for many thousands of Federal employees. If a shutdown continues, it will be devastating for families who have kids in Head Start. If a shutdown continues, it will be devastating for seniors who are on the Meals On Wheels Program and for pregnant women and young mothers and their kids who are on the WIC Program. This is going to hit Vermont hard, and it is going to hit America hard, and this is something that should not be taking place.

This debate is not about the Affordable Care Act. That is something which should be debated. I think it can be improved. What this debate is about is blackmail and hostage-taking.

What my Republican colleagues—especially the rightwing extremists in the House—are upset about is not so much ObamaCare; what they are upset about is that they lost the election in November. President Obama won by some 5 million votes. They lost seats. The Republicans lost seats in the Senate and they lost some seats in the House.

What they are upset about is that they cannot legislatively accomplish what they want to through the normal legislative process. What legislation is about is the House passes a bill, the Senate passes a bill, they both get together, work on something, compromise, and then the President signs it. They do not have the support to do that, so what they have now concluded is the only way they can go forward is to say: If we don't get our way, if we don't shut down the government or kill ObamaCare or delay ObamaCare—that is the only game in town. That is all we are going to do. We can't do it the normal way.

So what they are doing is holding the Congress and the American people hostage. That is unacceptable. It is unacceptable not only in terms of the Affordable Care Act, but let's be very clear: If we were to succumb and agree to this type of blackmail, does anybody not believe that 2 weeks from now,

when the United States needs to pay its debts, we will be threatened and for the first time in the history of this country we will be in a situation where we may not be able to pay our debts, which economists tell us could lead not only to a major financial and economic crisis in this country, but it could impact the entire world.

So if we say: Hey, no problem, we are going to yield to your blackmail now, what do you think will happen in 2 weeks? They will be back then. And next year when we go through this process again, it may not be the Affordable Care Act, it may be Social Security. Many of our rightwing extremist Republicans want to end Social Security. If we go through this process and submit to this blackmail now, I certainly will not be surprised if a year from now this same group of people says: Hey, look, you are not going to have a budget unless we end Social Security or we end Medicare as we know it right now.

So I think submitting and allowing blackmail to take place is very bad public policy. If Republicans or anybody else wants to have a discussion about how we can improve the Affordable Care Act—and I certainly think we can because I think it is too complicated in many respects, I think it leaves many people still uninsured. We are the only country in the industrialized world that does not provide health care to all of our people as a right, and ObamaCare doesn't do that. So I want to see some improvements made in it, but let's do it in the normal legislative process, and let's not say that if we don't get our way, we are going to shut down the government; we are going to impact hundreds of thousands of Federal workers; we are going to impact many vulnerable people who are dependent on Federal programs.

Another point I wish to make is that we hear from some of our Republican colleagues that the world is about to come to an end because the Affordable Care Act will be implemented. But it is important to understand that many of these same arguments have been made in the past around the time or shortly after major pieces of legislation were passed which today are enormously popular.

Right now we have over 50 million people who benefit from Social Security. Social Security is an enormously important and popular program in this country. But let me take you back to April of 1935 when Social Security was just passed, and I will quote what some Republicans had to say about Social Security at that time.

April 19, 1935, Republican Congressman John Taber said this about Social Security:

Never in the history of the world has any measure been brought here so insidiously designed as to prevent business recovery, to enslave workers and to prevent any possibility of the employers providing work for people.

Ask most working people in Hawaii and in Vermont whether Social Security is enslaving them. I think they

would not understand what you are talking about because since its inception Social Security has been enormously successful in reducing the poverty rate among seniors.

But it was not only Congressman Taber in 1935. Here is what Republican Congressman James Wadsworth told the American people:

This bill opens the door and invites the entrance into the political field of a power so vast, so powerful as to threaten the integrity of our institutions and to pull the pillars of the temple down upon the heads of our descendants.

The world was just about coming to an end in 1935 because they passed Social Security.

Republican Senator Daniel Hastings in 1935 called Social Security “un-American” and told the American people that Social Security would “end the progress of a great country and bring its people to the level of the average European.”

I am not sure what that means but looks pretty scary.

On May 6, 1935, former President Herbert Hoover said:

As a matter of economic security alone, we can find it in our jails. The slaves had it. Our people are not ready to be turned into a national zoo, our citizens classified, labeled and directed by a form of self-approved keepers.

That is a former President of the United States on Social Security.

It is not widely known, but in 1936 the Republicans campaigned to repeal Social Security. That year the Republican nominee for President said that Social Security is unjust, unworkable, stupidly drafted, and wastefully financed. He called Social Security a fraud on the working man and a cruel hoax and said: We must repeal Social Security. The Republican Party has pledged to do this.

It has turned out not quite to be the case. It turned out that Social Security will probably go down in history as maybe the most important and successful program ever passed by the U.S. Congress, and it plays an enormous role in keeping seniors out of poverty, helps people with disabilities, helps widows and orphans. It has been enormously successful and enormously popular despite all of these cries about how it was going to destroy our Nation. Maybe we should learn something from these prophets of doom.

Furthermore, we have a similar situation regarding Medicare. In the fairly dysfunctional health care system we currently have today where so many people are uninsured, so many people have high copayments, so many people have high deductibles, and yet we end up spending almost twice as much per capita on health care as do the other industrialized nations with guaranteed health care to all of their people—in 1965 Congress passed Medicare. Today Medicare is a very popular program. Today nearly 50 million seniors are receiving guaranteed health care benefits through Medicare. But when Medicare

legislation was being debated in 1965, this is what some of the Republicans from Washington had to say. Remember, today Medicare is quite a popular program, generally regarded as a successful health care program for seniors.

On April 8, 1965, Republican Congressman Durward Hall had this to say about Medicare:

We cannot stand idly by now as the nation is urged to embark on an ill-conceived adventure in government medicine, the end of which no one can see and from which the patient is certain to be the ultimate sufferer.

I don't know where Mr. Hall is today, but I think if he were to ask the seniors throughout this country whether they are suffering from Medicare or whether they approve of Medicare, I think most of them would say they approve of Medicare.

In terms of the Medicare debate we had on July 8, 1965, Republican Senator Milward Simpson said this about Medicare:

This program could destroy private initiative for our aged to protect themselves with insurance against the cost of illness. . . . Presently, over 60 percent of our older citizens purchase hospital and medical insurance without Government assistance. This private effort would cease if government efforts were given to all older citizens.

In 1965 Congressman Joel Broyhill wrote:

Medicare would initiate what would ultimately become a Federal monopoly in regard to the financing and rendering of health care with respect to our aged to the detriment of endeavors of the private sector; this would impair the quality of health care, retard the advancement of medical science, and displace private insurance.

In 1961 Ronald Reagan warned that “Medicare will usher in Federal programs that will invade every area of freedom as we have known it in this country. If you don't speak out against Medicare, one of these days you and I are going to spend our sunset years telling our children and our children's children what it was like in America when men were free.”

On and on it goes.

So the point to be made is not that the Affordable Care Act does not have its share of problems—it does—and not that it will take some work to implement it—it will—but what we have heard from Republicans in the past whenever a major government initiative was introduced was constant doomsday discussion about how the world would collapse.

Let me conclude by getting back to my major point that, in fact, this debate really is not about the Affordable Care Act. We can argue about the Affordable Care Act. We can change the Affordable Care Act. All of that is certainly legitimate. What this debate is about is whether 20 or 30 extreme rightwing Members of the House of Representatives are able to hold our entire government hostage. Hundreds of thousands of Federal workers, many of whom are trying to bring up their families, are going to lose their paychecks, lose their jobs. People who are

going to be applying for Social Security, for Medicare, for veterans benefits will have that process significantly slowed down. Depending on how long the shutdown continues, if it takes place—and I certainly hope it doesn't—it will mean that Head Start centers will be closing and other important programs will not be available to the people who need them.

Once again, this is not a discussion about the Affordable Care Act. What this is about is whether a small number of Members of the House are able to use their position to blackmail the American people and the President and the Senate and say: If you do not do what we could not accomplish—what they could not accomplish legislatively—we are going to render terrible harm to our country.

Furthermore, as bad as the government shutdown may be—and I certainly hope it does not take place—what we are looking at in 2 weeks is something that may be even worse. If some get their way, for the first time in the history of the United States of America, we, the largest economy on Earth, may not pay our bills. That will certainly cause a huge eruption not only in our country but throughout the world in terms of markets, rising interest rates, and all kinds of terrible things.

Once again, their understanding of government is, well, I guess it is too bad we lost the election for the White House, we lost seats in this Senate, and we lost seats in the House. That is too bad, but we are still going to do what we want to do regardless of what the election was about.

We cannot allow that to happen because if we do, it is not going to stop now. It will continue and continue.

So my hope is that Speaker BOEHNER will do something he should do. He is not the Speaker of the Republican Party; he is the Speaker of the U.S. House of Representatives. I suspect very strongly that if he put the bill that we passed on the floor of the House, he would have virtually all Democrats and a number of Republicans voting for it, and a majority would say: We are not going to shut down the U.S. Government.

So my request to Speaker BOEHNER is let the people in his body—all of the people, not just Republicans—vote on what we passed here. If he does that, I suspect we will not see a government shutdown and we will have some common sense over there.

Madam 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.

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

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

Mr. CARDIN. Madam President, we have just a few hours, absent some

last-minute agreements on the continuing resolution, to a government shutdown. This is a manufactured crisis that we are imposing upon our country. Make no mistake about it, it will cause harm. People will be hurt by a government shutdown.

I am honored to represent the people of Maryland. We have one of the largest number of Federal workers on a per capita basis of any State in the Nation and I am proud of the work they do every day keeping our country safe, doing the important research into incredible life sciences, protecting our food supply, making sure people get their Social Security checks—the list goes on and on. These are men and women who are on the front lines of public service. At midnight they will be asked to have another sacrifice added to their public service.

These public workers have gone through a lot: 3 years of a pay freeze, fewer Federal workers to do more work, furloughs as a result of sequestration—in other words, they are not getting their full pay today. Now what will happen after midnight? Some will be asked to work and not be clear whether they will get a paycheck or when they will get their paycheck. Others will be furloughed not knowing if they will ever get paid for the time they are off.

This is unfair to our Federal workers once again. Our Federal workers want to show up at work, do their work, and get fair pay for what they do on behalf of their country. That is what each one of us wants. Yet once more they are going to be the victims of the fight we see taking place here on Capitol Hill, particularly among our Republican colleagues in the House.

This is going to hurt people of this country such as small business owners trying to get an SBA loan, finding out there is no one there to help them process that loan. That person's business cannot wait. Yet a government shutdown will jeopardize that person's ability to get badly needed capital for their business. It will affect people who are now entitled to get Medicare benefits or Social Security benefits or they may have some questions about it or veterans trying to get their veterans' benefits worked out. Those issues will be delayed as a result of a government shutdown.

Individuals who depend upon the basic research which will be done by government—slowed down or in some cases stopped as a result of a government shutdown. People will get hurt as a result of a government shutdown.

This is going to be wasteful for the taxpayers of this country. It will cost the country valuable resources which should be used to provide services to the people of this country. This is wasteful. It will hurt our economy. When people do not get a paycheck, they do not go to the local shops as they would otherwise; they do not travel as much. Our whole economy will suffer.

From a logical point of view, it is hard to understand why we have reached this point. Let me explain. This body passed what is known as a continuing resolution. That continuing resolution would keep government open until the middle of November. It did not represent one party or the other's view as to what that level should be. If anything, it represents the Republican view because the number we picked for continuing government is the number the Republicans thought was the right number. We did not take the number that was in the Senate-passed budget bill. So we have already made an accommodation in an effort to make sure we do not get into that budget fight as we keep government operating.

We passed that resolution, known as a clean CR, and sent it over to the House. We are told—you listen to the comments of Members on both sides of the aisle—it looks as though we have the votes to pass that on the House side. Yet the Speaker will not bring it up for a vote. He refuses to do that. Talk about democracy. We passed it here, looks like the votes are on the other side to pass it, the President is prepared to sign it, and government will not shut down in 7 hours, but there is no indication that the majority will prevail in the House of Representatives. Instead, a minority, with extreme views, is saying we are going to use this shutdown of government to try to advance our extreme agenda.

It gets us to what we have seen in other parts of history. This is not much different than some of the tactics that were deployed to try to prevent Medicare from coming into law, or Social Security from coming into law. The Republicans in the House who are trying to block ObamaCare are saying they do not want to see this happen. They say they are afraid of what will happen when ObamaCare becomes a reality. They are not afraid it will fail; they are afraid it will succeed. President Obama observed—and I happen to agree with him—regarding the naysayers on ObamaCare, the one thing he knows is in a few years when this program is successful, they will not call it ObamaCare.

I can talk about the merits or I can talk about the process. The merits of the Affordable Care Act—I am proud at last the United States, the wealthiest Nation in the world, is moving toward universal coverage so we can at long last say health care is a right, not a privilege. We are the only industrial Nation in the world that has yet to move in that direction.

I am proud we improved Medicare under the Affordable Care Act. Our seniors are seeing that coverage gap in Medicare prescription drugs closed. They are seeing preventive health care services now available without copayments. By the way, they are also seeing a Medicare trust fund that is solvent. The future looks much brighter than it did before the Affordable Care Act.

American families are happy they can keep their adult children on their insurance policies to age 26, and they are getting value for the dollar.

I hear these negative comments about ObamaCare. They are talking about how our health care system used to be. Talk to American families who saw every year their coverage erode and their premiums go up before we passed the Affordable Care Act. Under the Affordable Care Act, we see you are getting value for your dollar. The insurance company has to return 80 to 85 percent of your premium dollars in benefits. If not, you get a rebate. Millions of Americans have seen rebates because the insurance companies charged too much. They are getting money back. They are getting value for their dollar.

For affordability, of the people who will be able to enter the exchanges starting tomorrow—tomorrow they can enroll in the exchanges—three out of every four who are eligible to enroll in the exchanges will be entitled to some help. This is affordable coverage and it is good coverage—no lifetime caps; no preexisting conditions. You are getting solid insurance coverage for an affordable rate. That is what the Affordable Care Act is all about.

Small businesses, I have heard a lot about small businesses. If you have under 50 employees, there are no new mandates and at last you are able to get competitive products, insurance programs with a little variety. You can pick the plan that is best for you rather than being told by the insurance company this is all you can get, and there are larger pools so you don't have to worry about one of your employees getting sick and all of a sudden the premiums go up. That is the situation that is changing.

I can talk about the merits of what we are trying to do but that is not where we are. This is a process issue. There is a time and place to talk about how we can improve our health care system in this country, but in a few hours we are talking about whether government is going to stay open.

I can make a very strong argument that the reason we do not have a budget that starts October 1 is because of the obstructionist policies of the Republicans, particularly in the House. We have tried to go to conference. We passed our budget. They said we could not. We did. We passed a budget in the Senate. The House passed a budget. They were different. Would you think you go to conference? Republicans refused to go to conference. They refuse to go to conference. They refuse to negotiate a budget agreement. We are now up to October 1 and they will not agree to keep government open. I acknowledge it is not the majority, but there is an extreme element, particularly on the other side, that wants to see government shut down. They want to see government closed. That is what we are confronting, which is terribly irresponsible. It is affecting families, it is affecting our economy.

New York Magazine got this right. I don't normally quote from them:

The Republican party has spent 30 years careening ever more deeply into ideological extremism, but one of the novel developments of the Obama years is its embrace of procedural extremism. The Republican fringe has evolved from being politically shrewd proponents of radical policy changes to a gang of saboteurs who would rather stop government from functioning at all.

That is what we are up against. I think most Members of this body know that I believe in pragmatism. I believe we need to work together. I believe Democrats and Republicans need to come together and forge agreements to move the process forward. That is what I think the Framers of our Constitution envisioned, sitting around a table working out our differences. We have had divided government before. It is not new. We have gotten through those days. We have gotten through those days by listening to each other, sitting around the table and working out our problems.

But there are three things that are happening right now that need to end. No. 1, we have to keep government open; No. 2, we have to pay our bills and not be threatened in 2 weeks with the inability to pay our bills; No. 3, we have to get rid of these senseless, across-the-board, mindless cuts known as sequestration. We have to get rid of those three.

Yes, we do need a budget. That budget will not be what the Democrats want or the Republicans want. It has to be negotiated. It will contain, I hope, the best of what both parties can offer in dealing with the future needs of our country. That is what we should do, put America first. If we do that, we will help the people of our country.

I know we are just a few hours away from the shutdown of government. I still hold out hope that we will put the country's business first and stop playing this extremism politics of trying to say it is my way or no way. Let's keep government open. Let's pay our bills. Let's get rid of sequestration. Then let's negotiate a budget that allows this country to grow and unleashes our potential so that all Americans can enjoy the opportunity of this great land.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KAINÉ. Madam President, I rise tonight—with the question of whether the House will allow government to continue or shut down—to actually talk for a few minutes about a simple concept but that is apparently difficult in this body, and that is compromise. I want to talk for a few minutes about compromise.

Based on the action that was taken by the Senate earlier today, the House has an opportunity to accept a compromise that the Senate has put before them. The CR bill the House drafted contained a budget number that was their number, not our number. We weren't wild about it, but we accepted it. And the question is: Will the House accept yes for an answer?

Over the weekend, I was traveling in Virginia—especially yesterday when the weather was great—to different events in central Virginia where there were big festivals, so people were gathering outside. As I traveled, I heard again and again: Don't shut down government and can't you find a compromise?

People are aware in Virginia, and in Hawaii I know they feel the same, that there can be severe consequences to a shutdown. I know the Senator from Maryland may have already offered a number of these thoughts. A great agency such as NASA that funds science and research will see furloughs of 97 percent of its employees. The Commerce Department, which is about commerce, our business and our economy, will see furloughs of 87 percent of its employees. The National Institutes of Health, dealing with research and other important health matters, will see furloughs of 73 percent of their employees. Even an agency such as Treasury—the core Treasury function, separate from the IRS—will see a reduction of their staff at 50 percent at a time when we need the Nation's fiscal system to be strong.

The consequences of shutdown are severe, and that is why the citizens of Virginia are saying: Don't shut the government down. Find compromise. It is not just employees either, and that is significant enough. It will affect tens of thousands of employees in Virginia and services people rely on. To pick one as an example, the number of VA employees who will be furloughed is actually fairly small as a percentage, but the people at the VA who will be furloughed are the folks who work at the VA Benefits' Administration, which is the organization within the VA that processes veterans' benefits claims.

If you are a veteran who has come home from Iraq or Afghanistan, and you have been part of a war that has now lasted for 12 or 13 years and you want to file for your benefits, which is something you are entitled to because you fought for the Nation—and we have heard the stories of the backlog in veterans' claims—you will be delayed even more because of the furlough. It is unfair to do this to our veterans. It is unfair to do this across government.

I said I wanted to talk about compromise because I think this is not even fundamentally a battle about the budget. It is not a battle about the Affordable Care Act. It is a battle about whether compromise is good or bad.

I don't know if anyone had a chance to read this, but there was a wonderful article in the Washington Post—an

opinion article on Friday, September 27—that was authored by a columnist of the Post, Michael Gerson. Michael was the former speechwriter for President Bush 43, George W. Bush. He worked in the Bush administration and wrote an excellent piece that was published, and I want to read a bit of it. The title of the piece is "A compromised reputation among the GOP." Again, it ran in The Washington Post last Friday. I will read a couple of quotes:

The real target—

Not the ACA, not the budget—

is the idea of compromise itself, along with all who deal, settle or blink.

In the middle of this unfolding Republican debate comes a timely National Affairs article by Jonathan Rauch. It is titled "Rescuing Compromise," but it might as well have been called "James Madison for Dummies."

Rauch argues that Madison—

I have to mention a Virginian in my speech—

had two purposes in mind as he designed the Constitution. The first was to set faction against faction as a brake on change and ambition—a role that tea-party leaders have fully embraced. Madison's second purpose, however, was "to build constant adjustment into the system itself, by requiring constant negotiation among shifting constellations of actors."

Following the Articles of Confederation, America's founders wanted a more energetic government. But they made action contingent upon bargaining among branches of government and within them. "Compromise, then, is not merely a necessary evil," argues Rauch, "it is a positive good, a balance wheel that keeps government moving forward instead of toppling."

Compromise, of course, can have good or bad outcomes. But an ideological opposition to the idea of compromise removes an essential cog in the machinery of constitutional order. "At the end of the day," says Rauch, "the Madisonian framework asks not that participants like compromising but that they do it—and, above all, that they recognize the legitimacy of a system that makes them do it."

Finally from the Gerson article:

It is a revealing irony that the harshest critics of compromise should call themselves constitutional conservatives. The Constitution itself resulted from an extraordinary series of compromises. And it created the system of government that presupposes the same spirit. "Compromise," says Rauch, "is the most essential principle of our constitutional system. Those who hammer out painful deals perform the hardest and, often, highest work of politics; they deserve, in general, respect for their willingness to constructively advance their ideals, not condemnation for treachery."

That is what this debate is about: Is compromise good or is it bad? We have to be willing to compromise.

I want to talk about what the Senate has been doing to advance the spirit of compromise. On the 23rd of March in this body—after a very late night—at 5 a.m. in the morning, the Senate passed the first Senate budget that we passed in 4 years. In that same week, the House passed a budget as well. We have talked about this often. Once that happens and the two budgets are passed,

there is a budget conference to sit down and try to find compromise between these two different documents.

These budgets passed more than 6 months ago, but there has been no budget conference. There has been no effort to find compromise. Why not? Because the Republicans—a tiny handful in the Senate and the majority in the House—do not want to compromise.

Senate Democrats have made a motion 18 times since March 23 to begin a budget conference, and in every one of those instances, a handful of Republican—and when I use the word handful, I am quoting the Senator from Utah who objected to a budget compromise and said “a handful of us object”—Members of this body, working together with House colleagues, have decided they do not want to put in motion the process for dialog and compromise.

The Senate Democrats were, are, and will be ready to sit down at a budget conference table to negotiate, listen, and compromise to find a budget going forward. We have tried 18 times. We will try it a 19th time. We will try it a 20th time. We will keep working to compromise.

We also compromised in the very matter of the bill that is pending before the body today. As the Presiding Officer knows, the continuing resolution bill was sent from the House over to the Senate last week. That is the way these bills start; they originate in the House. The bill had two components. The first component was “defund ObamaCare,” and the second was “and then we will fund government.”

The House bill said they would fund the government at their proposed budgetary number, which is \$986 billion in discretionary spending. That was their number; that was not our number. We had extensive discussions among Senators about what we thought of their proposal. Frankly, we thought the \$986 billion number was too low. It includes all of the sequester cuts we disagree with. We think the right number to the budget compromise should be \$1.05 trillion, not \$986 billion.

The Senate has a different idea about the number, but guess what. The Senate was willing to accept the House's number. We accepted the House's budget number out of the spirit of compromise, and we stripped away the “defund the Affordable Care Act” provision and said: Let's put that into a budget negotiation. In a budget negotiation, we can talk about that or anything else they want, but we won't tie it up with the threat of a government shutdown.

So we sent the budget bill back to the House at their budget number and said to them: Can't you take yes for an answer? They have proposed funding at \$986 billion. We do not agree with that number, but for purposes of the short-term CR, we will agree, out of the spirit of compromise: Can you take yes for an answer?

The Presiding Officer knows the answer. They would not take yes for an answer. They brought it back and added new provisions: the repeal of a tax that would increase the deficit, and a delay in the Affordable Care Act provisions that would provide maternity service to expecting mothers, that would protect adults from not getting insurance on the grounds of preexisting conditions, that would give a significant tax credit to small businesses to help them pay for insurance. They wanted to delay all of those provisions.

We have taken action again today. We have again made this bill what we call a clean spending bill. We have taken out anything other than what this bill was supposed to be: At what level should government be funded? We have gone back to the House and we said: We are accepting your proposal. We are accepting your number even though we have a different number we want to argue for, and we will save the other arguments for a budget conference if you will finally go to the table with us.

I want to conclude and say that James Madison was right, and not because he was a Virginian. He was just right to recognize that compromise is the essential element of our system. Think about it for a minute. If you set up a government, you have three different branches. The legislative branch has two Houses. You have to find compromise between the two Houses to move forward.

The Supreme Court in the judiciary has nine Justices. They have to work together and find a compromise, or a consensus, by a majority on any case.

Even the President's power, which is unilateral so it seems as though it is not a compromise branch because we put the executive powers in the President's hands. How do we choose the President? We choose the President through the fundamental constitutional compromise of the electoral college. So the choice of a President is based on compromise.

The entire constitutional system we have requires compromise. The Senate was willing to compromise and go to a budget resolution, and we have been blocked by the House. The Senate was willing to compromise and accept the House's budget number and they have not been willing to say yes even to their own budget number.

We stand here tonight at 5:27 p.m. ready to compromise, and we will be ready the next hour to compromise. We will be ready to compromise and find a deal to keep this government open every minute, every second, from now until we get this right. But we do feel very strongly that no one should threaten to shut down the government of the United States.

If a foreign enemy threatened to shut us down, we would unify, as we have so many times, to repel that threat. But we are allowing elected Members of Congress to threaten to shut down this body, the government of the greatest

Nation on Earth? It is unfathomable to me. The only way I understand it is in exactly the terms Michael Gerson indicated in the Washington Post. This is not fundamentally about the Affordable Care Act or a debate about the budget. It is a fundamentally an attack by some upon the very notion of compromise that is at the core of our system of constitutional government.

I stand on behalf of Virginians—and I don't think Virginians are different from the rest of America—by saying we have to be willing to compromise to find the common good. It is my hope that the House, when they act tonight, will act in the spirit of compromise and the common good and allow this government to remain open.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. VITTER. Madam President, I rise again to urge both the House and this body to pass into law what should be the rule and the law for everything we do in Washington; that is, to apply the same rules to Washington as are applied to the rest of America, across the board, certainly including ObamaCare. Of course, what I am talking about is ending the special Washington exemption from ObamaCare.

That exemption is moving forward under what I consider a clearly illegal rule issued by the Obama administration. It is illegal because it is contrary to the statute, contrary to the clear language, contrary to the clear intent of an ObamaCare provision that says every Member of Congress and all congressional staff need to be treated the same as the millions of other Americans who are going to the so-called exchanges for their health care; 8 million, against their will, losing their previous employer-provided subsidy.

Let me recount briefly the history of this because it is important. Several years ago during the ObamaCare debate there was a proposal made by many, including myself and one of the leaders was Senator CHUCK GRASSLEY of Iowa, and that proposal was actually adopted, amazingly, to my pleasant surprise at the time, and put in the ObamaCare bill. It said just what I mentioned a few minutes ago: Every Member of Congress and all congressional staff need to go to the so-called exchanges for their health care. They need to leave our present Federal Employee Health Benefit Plan which includes our employer-provided subsidy. The idea was simple, and it was a good one, so that we would actually walk in the shoes of other Americans who are living under the challenges and the burdens of this law, including having to get our health care in the exchanges

with no special deal, no special subsidy, no special exemption.

That law was passed as part of ObamaCare, pure and simple, exactly those words.

I guess this is an example of what NANCY PELOSI said: We need to pass the law in order to figure out what is in it. Because after the law passed, with that language in it, lots of folks on Capitol Hill started reading that and they said, Oh, you-know-what; we can't stand for this, we can't live by that. We can't be subject to the same situation as other Americans. So there was furious scheming and gnashing of teeth about how we are going to get out of this burden, even though there was very little broad-based discussion about how we are going to get all of Americans out of that burden they were subjected to.

That developed into furious lobbying of the Obama administration. Many folks in the Senate, led by the distinguished majority leader HARRY REID said: Mr. President, you need to issue a special rule that exempts Congress, that takes the pain out of that provision—a special, unique, special rule, special bailout for Congress. Sure enough, that is what the Obama administration did, conveniently right after we left town for the August recess, right after Congress got away from the scene of the crime.

According to numerous press reports that are not rebutted, President Obama personally got involved. He personally had discussions within his administration, at the urging of HARRY REID and others, and he ensured that this special rule was issued. It does two things, basically. No. 1, it says that even though the ObamaCare statute states plainly and clearly that every Member of Congress and all official congressional staff have to go to the exchanges, we don't know what official staff is, so we are going to leave that up to each individual Member of Congress, and we are not going to second-guess that. So any individual Member of Congress can say certain folks aren't covered by that mandate. They can stay in their current plan. They don't have to be disrupted. In theory, a Member of Congress can say nobody on my staff is part of that official staff for purposes of this mandate. That is silly and ridiculous on its face because the statute is clear.

The second thing this illegal rule does is it says that for Members and any staff who do go to the exchange—what is supposed to be the fallback position for Americans and for Congress—for Members and staff who do go to the exchange, they get to take their very generous taxpayer-funded subsidy with them, even though that is not available to any other person losing employer-based coverage and who is going to the exchange against his or her will. So that deal isn't available to anyone but the select ruling class.

That is why I think this rule is completely illegal, and that is why I know it flies in the face of what I consider

the first most basic rule of democracy; that laws passed by Congress, by Washington, should be applied to Washington the same as they are applied to America. That should be true in ObamaCare. That should be true across the board.

To react to this illegal Obama administration rule, I joined with many colleagues in the Senate—and I wish to thank all of my cosponsors, including Senator ENZI, Senator HELLER, and several others—I am forgetting the entire list—and Members of the House who have identical legislation and identical language. They are led by Congressman RON DESANTIS of Florida. RON JOHNSON is another colleague I was trying to think of from Wisconsin who is another leading coauthor. I wish to thank all of them for leading this fight.

Our language does two simple things. First of all, it negates this illegal Obama administration rule that is a special exemption, a special bailout for Congress against the clear language and intent of ObamaCare. Secondly, it broadens that rule and also applies it to the President and the Vice President and all of their political appointees.

That is the “no Washington exemption” language. That is the Vitter amendment in the Senate, with many other cosponsors. That is the DeSantis amendment in the House, with many House cosponsors. I urge all of my colleagues to come together around that commonsense, fair language, which again simply ensures what I think should be rule No. 1 of our American democracy: Whatever Congress passes for America, it applies equally to itself; whatever Washington imposes on America, it applies equally to Washington, to policymakers in Washington.

We are making progress because there are reports that the House may very well take up this exact language tonight as part of the continuing discussion about a spending bill, and I urge the House to do that, to stand with the American people—not to stand with Washington but to stand tall with the American people—and say, yes, it should be that even playing field, and whatever is passed on America should be applied equally in the same way. No special deals or exemptions or subsidies should be applied to Washington.

I urge all of my colleagues here, Republicans and Democrats, to support that effort, to support that simple, basic, fair language, to support it on ObamaCare, to support it across the board because it is essential that what Washington passes on America is applied with equal force and effect on Washington. If we did that under ObamaCare, I am convinced we would rush with greater determination, speed, and focus to fix the very real problems of ObamaCare because we would be vested in it. If we did that on other laws, I am convinced it would have the same positive effect. Let's do

it, No. 1, because it is fair and right; and No. 2, because our personal interests should be completely aligned, should be the same as those of the American people, and that will get us to act. That will get us to fix things. That will get us to fight in the right direction, Republicans and Democrats together.

Again, I urge support of this new Washington exemption language. I urge the House to vote positively on that tonight. I urge the Senate to accept that fundamental principle, that important language, which, as I said, I think is the first core rule of democracy.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

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#### EXTENSION OF MORNING BUSINESS

Ms. WARREN. Madam President, I ask unanimous consent that the time for morning business with debate only be extended until 8 p.m., with Senators permitted to speak therein for up to 10 minutes each, and that the majority leader be recognized at 8 p.m.

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

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#### CONTINUING APPROPRIATIONS

Ms. WARREN. Madam President, I come to the floor today in a state of disbelief. With millions of people out of work, with an economic recovery still far too fragile, with students and families being crushed by student loan debt, with millions of seniors denied their chance at one hot meal a day, with Meals On Wheels, and millions of little children pushed out of Head Start because of a sequester, with the country hours away from a government shutdown and days away from a potential default on the Nation's debt, the Republicans have decided that the single most important issue facing our Nation is to change the law so employers can deny women access to birth control coverage.

In fact, letting employers decide whether women can get birth control covered on their insurance plans is so important that the Republicans are willing to shutter the government and potentially tank the economy, over whether women can get access to birth control in the year 2013,—not the year 1913, the year 2013.

I have a daughter and I have granddaughters, and I will never vote to let a group of backward-looking ideologues cut women's access to birth control. We have lived in that world and we are not going back—not ever.

This assault on birth control is just one more piece of an ongoing Republican assault on the orderly functioning of our government and the orderly functioning of our economy. In effect, the Republicans are trying to take the government and the economy hostage, threatening serious damage to both unless the President agrees to gut the Affordable Care Act.