

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Ms. BALDWIN.) Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS

Ms. MIKULSKI. Madam President, as you know, we are only 2 hours now from a shutdown. I am sure those who are mesmerized by our behavior saw a group of Senators on the floor who looked like they were smiling and enjoying themselves. Let me tell the Presiding Officer what was going on.

Senators were actually having a conversation. We were talking about is there a possibility of a compromise. What you saw there is what I hope eventually would become a committee of 100, people actually thinking what could get us to a situation where we could begin to focus on the fiscal problems of the United States. There is a difference between the House appropriations bill and the Senate bill. I chair that committee. So there is a difference with us. But what I want people to see is that there are good people on both sides of the aisle who would like to get something done.

The first thing we would like to get done tonight is not to have a government shutdown and to lay the groundwork for a continuing funding resolution that would be short term, that would enable us to come up with a compromise on discretionary spending, where we could reduce our public debt, fund our government at a smart, frugal level, and also do it in the way that promotes growth. This is what I think the mood of many in the Senate is. I think it is the mood on the majority of both sides of the aisle.

So what do we need from our friends in the House? We do not need one more politically provocative, veto-bait rider on the funding resolution. The Senate passed a bill that essentially laid out a framework exactly for what I said, a continuing resolution to November 15, and a fiscal level that is their level now. We want to negotiate up. I certainly do.

If they would just take up the Senate bill which is neat, clean, clear, and gets us moving forward, we could be able to do this. So we were not just ha-ha-ha'ing over there. There is nothing here tonight to ha-ha-ha about. But there is a mood on both sides of the aisle to stop the shutdown, stop the shutdown and stop the slamdown. Let's be able to pass something tonight that gets us to a way that we can keep the government open, keep our processors functioning for compromise and negotiation and be able to get the job done.

I think it would be an outstanding achievement. I believe the mood is here. I said it earlier. I think there is the will. I even think there is the wallet. Please, if the House cooperates, we would even have a way forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I wish to follow the comments from the chairman of the Appropriations Committee. This has been a tough week. It has been a tough weekend. It has been a tough day. I think as Members of the Senate, as we approach the showdown of a potential shutdown, it is important for us to recognize what is at stake. This is not just me staying here holding the floor late on a Monday evening. I have neighbors here in Washington, DC, who work for the Federal Government. One works for Homeland Security. One works for the Department of Defense. They asked me over the weekend: Am I working on Tuesday? What is happening on Tuesday? Are we shutting the government down?

When we talk about those who are uncertain about what happens this next week with their jobs, I think it is important to recognize it is not just jobs we are talking about; it is the reality that if I am not at work is the childcare facility my kids go to going to be open? What does that mean to me?

If I am the local sandwich shop owner around the corner from where the Fish and Wildlife Service building is and most of the folks who work for Fish and Wildlife are not working next week, what does that mean to me? How many loaves of bread do I make over this next week? I think we need to appreciate and understand, when we are talking about a government shutdown, it does not just mean those who receive a check from the Federal Government. The ripple effect from what we do has consequences.

As we debate, as we ping-pong back and forth between this body and our colleagues on the House side, I think we need to recognize that there are real lives, real families who are lying awake tonight wondering what the rest of the week is going to mean to them. This is a difficult time for us. There are stakes that are very high.

I have not hidden the fact that I am not a supporter of the Affordable Care Act. I have voted against it every time we have had the opportunity to do so. But do I believe we should shut down the Federal Government at this point because we have not been able to shut down the Affordable Care Act? I think we have a responsibility here. We have a responsibility to govern. We are not doing that right now.

Folks back home are talking about a lot of things, talking about the fact that they had a tough fish season in certain parts of the State, talking about the fact that winter is coming on, and our energy costs are still as high as they ever have been. They are

worried about what is coming forward for them and their families. What they do not need is to see that their government cannot operate.

So as we deal with these very weighty decisions at this very late hour, we need to remember whom we represent, what we are doing here. It is not just about the next election; it is about making sure those people whom we work for are not stressing and are not anxious about what tomorrow is going to bring for them.

So I am hopeful in the less than 2 hours we have, we will be able to figure out how we keep the government running, how we keep the wheels on the bus, and how we get back together.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I wish to thank my colleague from Alaska Ms. MURKOWSKI and also the chair of the Appropriations Committee Senator MIKULSKI for their comments because I think, as Senator MIKULSKI said, the majority of the Members in this body believe it is important for us to keep the government open.

We may disagree about the Affordable Care Act, but one aspect we ought to be able to agree on is that it is in the best interests of this country to keep government open. I believe the same is true in the House; that if the Speaker would bring up the Senate-passed CR, that is clean, that does not have any amendments on it, that extends funding for government through November 15, that accepts the top line numbers for the amount of money we would spend during that period, accept the House numbers, if the Speaker would let that be voted on, on the floor, I think it would pass the House.

It is unfortunate that he has been unwilling to do that. But the reality is, as both Senators MIKULSKI and MURKOWSKI said, a shutdown of the government is not just about what we are doing on the floor tonight or what the House is doing, it will have ramifications way beyond that.

We had a meeting last week with some economists that included former Treasury Secretary Bob Rubin. One of the things he said to us was that unlike the last government shutdown in 1995, when there was not a real long-term impact from that shutdown, we are looking at a real long-term impact from a potential shutdown. We have already heard Mark Zandi, an economist, say that if it continues longer than a few days, if it continues for weeks, as it did in 1995, it could affect our growth in the fourth quarter over 1 percent.

At a time when the economy is struggling, we cannot afford to have that kind of a hit to our economy. Families who are seeing their 401(k)s just beginning to recover, pension plans that are beginning to see recovery, cannot afford to have that kind of a hit. We have already seen the stock market reacting. So we know there is going to be an impact.

In New Hampshire we have 4,000 Federal employees who are going to get furloughed starting tomorrow if we are not able to keep the government open. That affects not just them and their family, that is bad enough, but it affects the grocery stores they frequent. It affects the gas station. It affects every business they are shopping in.

We know 1,000 small businesses are not going to be able to go to the SBA and look for loans if the government shuts down. We know people are not going to be able to get their mortgages through the Federal Home Loan Agency because it is not going to be operating.

We know in New Hampshire, as in Alaska, that tourism is going to be hit because visas are not going to get processed. We know that at the Department of Defense, half of their civilian workers are going to be furloughed; in New Hampshire, our Portsmouth Naval Shipyard—in New Hampshire and Maine. I see my colleague from Maine. The shipyard workers are going to get furloughed.

So this is going to have a huge impact on families, on businesses, on the economy. We cannot afford this kind of political gamesmanship. We have to work together. We have to solve these problems, not just for the future of this country here in America but also for our standing in the world, where the rest of the world is looking at us, asking: What is the matter with the Congress that they cannot solve an issue that they ought to be able to come together to address?

I certainly hope in the next couple of hours we can see some progress in the House. I hope the Speaker will bring a clean CR to the floor, will let the Members of the House vote on that so we can keep the government operating for the good of the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, we have a number of serious difficulties in our country. The most serious is a lack of jobs and a lack of economic growth. The Affordable Care Act is devastating to that situation, making it much worse.

Our colleagues need to understand, as we talk about the difficulties that would happen if there would be a shutdown—and there will be difficulties, for sure. But the idea that this is not an important matter that needs to be addressed when we confront the Affordable Care Act, ObamaCare, is wrong. We have to address this question.

One thing I would say to all of us, the numbers are in and it is quite clear: 77 percent of the jobs that have been created since January of this year are part time. Every economist has said that is in large part driven by the Affordable Care Act. They have no doubt that this is a major factor and is an exceedingly unusual and dangerous trend that businesses are hiring people part time, not full time—77 percent of those hired this year are for part time work.

When we look at the job numbers that will come in tomorrow and at how many people found jobs, maybe it will be 180,000, maybe it will be 210,000. They will brag about that I'm sure. But has anybody thought about the fact that to an unprecedented degree those jobs will be part time, without health care, without retirement benefits, and less job security? Somebody needs to be thinking about this. The health care law is absolutely a driving factor. Businesses told me that as I traveled my State in August. They say they are trying to keep small businesses below 50 employees too. They are not hiring people only to stay below 50 employees so they don't have to comply with some of these rules.

What have we heard all year? We are not going to talk about fixing the Affordable Care Act. We are not going to bring it up. We are not going to get a single amendment in the Senate.

The House has repeatedly legislated on the Affordable Care Act. The Senate refuses to take up their bills, refuses to allow votes, refuses to have a full debate. We are at the end of the year, and nothing has been done about it. We could expect some tension to build up here.

What I hear the House saying is: Delay this bill for 1 year. It is not working. Delay the individual mandate and give ordinary Americans some relief from this law. The President has already delayed parts of ObamaCare—probably without lawful authority—and delayed it for a year for Big business. But the President and Senator REID have, in effect, said: We will shut down the government before we delay the law for ordinary Americans.

The House has passed a bill to fund the government, but the bill that was just voted down would simply have delayed the individual mandate in the Affordable Care Act for 1 year. Maybe this time we could actually fix some of the problems or change some of the provisions in ObamaCare that are so damaging to America.

One thing I wish everyone to know—and I am the ranking Republican on the Budget Committee and we deal with the numbers—I wrote to the Government Accountability Office. They are an independent group, and I asked them what the long-term costs of the Affordable Care Act would be. The President said, unequivocally, this bill will not add one dime to the debt of the United States. Do you remember him saying that? He said it many times. His aides and Senators said the same thing many times. The President went on to say, however, you may have forgotten: Not now, not ever, period.

Well, is that true? Will the Obama administration health care law not add one dime to the United States debt now or ever?

What did the Government Accountability Office say? This is a chart that reflects what they told the Budget Committee in response to my question.

They said over the 75-year period, it adds \$6.2 trillion to the debt of the

United States. That number is huge, as \$1 trillion is a lot of money.

How huge is it? How do we compare it? All of us know that Social Security is in great difficulty and under serious threat. We have to reform it and put it on a sound basis. It is not going to be easy to do that. Why? Well, it has unfunded liabilities. We don't have enough money coming in to pay for the commitments we made to pay out in the future.

Remember, Social Security has a dedicated source of revenue as well. It is on your paycheck every month. It is the FICA we pay. It goes to Social Security and there is a Medicare withholding too. Those funds are dedicated for Social Security or Medicare. But people are living longer, and the benefits are such that we are going to have a shortfall in the future.

How much is that Social Security shortfall we have been wrestling over how to fix? It is \$7.7 trillion. In the ObamaCare bill that passed on Christmas Eve, that they rammed through the Senate on Christmas Eve on a party-line vote before Scott Brown could take office and provide the vote for Massachusetts that would have killed the bill. They rammed it through the Senate without any amendments, and it added at least another \$6.2 trillion to the long-term debt of the United States of America. It is worse than that, and I can explain why it is even worse. That number does not consider interest on the \$6.2 trillion over 75 years. I suspect the interest is going to be many trillions of dollars more and it adds to the debt.

As we borrow the money, we pay interest on the money we borrow. It is not free. We borrow the money on the market or from trust funds. This is a big deal. The American people need to know that the promise this law will not add to the debt is absolutely false.

This is based on, the GAO said, accepted accounting principles and a realistic scenario of what is likely to happen over time should the plan be implemented. One of the things they say is the cuts they made to Medicare providers, hospitals and doctors, that provide health care to seniors are so large they will not be sustainable. If they continue to cut in that fashion over a period of years, hospitals would close and doctors would quit practicing. You cannot do it. We are already dealing with a doc fix now on a bill that cut doctors more than they could reasonably be cut. Every year we have to find up to \$20 billion to get the money to fund the doctors because we can't cut below a certain amount. So I would say this GAO number is low.

As we wrestle with the great responsibilities we have been given as Senators, yes, we need to think about what would happen in the next few days if the government does not function. I hope we avoid that. We absolutely should avoid that because it is not good.

We need to be asking ourselves what are we doing to our children, grandchildren, and the financial stability of the United States of America with a new entitlement program that is going to commence now, by January 1, that will add more than \$6.2 trillion to the debt of the United States. This is a huge amount. I ask our colleagues to consider it.

One more matter that shows how we get in trouble financially is when the numbers get so large nobody can quite follow. The larger the numbers get, the harder it is to follow.

Under the legislation of the Affordable Care Act, the plan was to cut up to \$500 billion over the next 10 years from Medicare by cutting providers while promising patients would receive just as good health care as they always did. We are not cutting your benefits, we are only going to cut providers. We have done this before. At some point you can't sustain that.

On December 23, the night before this bill passed, I spoke with the Director of the Congressional Budget Office, our own accountant, and told him in a conference call words to this effect: It is absolutely unbelievable to me, Mr. CBO Director, Mr. Elmendorf, that we are about to vote tomorrow morning, we are told, on the largest health care bill since Medicare and we don't know how to count the money. I think they are double-counting the money. This is unbelievable, how many hundred billion dollars we are talking about, it seems to me. I could hear somebody on his end of the conference call say: It is double-counting. I heard someone say it in the background.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I ask unanimous consent of the Chair for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. I thank the Presiding Officer.

Mr. Elmendorf, by the next morning, gave us a letter. It laid out and contained this language. He said:

The key point is that savings to the HI trust fund—

That is the Medicare trust fund.

—of \$500 billion over 10 years, the savings from the HI trust fund by cutting providers and increase Medicare taxes under PPACA—That is the Affordable Care Act.

—would be received by the government only once, so they cannot be set aside to pay for future Medicare spending and, at the same time, pay for current spending on other parts of the legislation or on other programs.

You can't simultaneously say you are using this money to support Medicare by making Medicare more sustainable and then spend the money on a new program because then it is not going to be available to strengthen Medicare. That double-counting is not even taken into account in the \$6.2 trillion figure derived from the GAO study.

I would conclude by saying the unfunded liabilities in this law are huge. They are a direct threat to the future of the United States financially. At this point in history, we need to be saving Medicare, we need to be saving Social Security, and we need to be saving Medicaid. We don't need to be starting another program without sufficient funds to pay for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I am happy to have an opportunity to speak for a minute, particularly following my good friend, the Senator from Alabama. He and I have worked on so many issues. It shows one day you can work together and agree on something and the next day you can have different points of view.

He and I worked successfully on the RESTORE Act. We worked on the FAIR Act where we can get a portion of our revenues to bring back to Alabama, Mississippi, Louisiana, from offshore oil and gas production. I have to say I have enjoyed working with him many times over the years we have been in the Senate.

Tonight I take issue with some of the things he said. To recapitulate, with much due respect, if everything the Senator said about the Affordable Care Act was actually factual—and it is not—if everything he said about the act was true, this time and method of shutting down the government to prove his point is still wrong.

You should not hold Federal employees, the economy of the United States, the governments of the United States—Federal, State, or local which will be affected by this—hostage because you agree or think that the Affordable Care Act is a bad act. It is the wrong method and it is the wrong time for that debate. That is the issue.

They are on the floor debating whether the Affordable Care Act is good or bad. This is not the debate we are having tonight. The debate we should be having tonight, whether it is good or bad, is, is it worth shutting down the government of the United States tonight? The answer is clearly no.

Secondly, the Senator from Alabama said this bill was passed in the middle of the night. It was passed late one night several years ago. It has been passed by the House and the Senate, signed into law as every bill by the President of the United States. In the case of this law, it was upheld by the Supreme Court and is being implemented by a majority of States in the United States. This bill, law, concept, and approach was debated for 40 years in 20 Congresses. This wasn't debated in 1 night, in 1 week, morning, noon, or midnight, but 40 years across many Presidents, both Republican and Democratic. The question was, How does the richest Nation in the world, the most developed democracy on Earth, a Nation with 1 million-plus workers, pro-

vide affordable health care without bankrupting the country and putting too much burden on either individuals or businesses?

There were ideas thrown out for the 40 years this was debated—not 1 night, not just on Christmas Eve. There were hundreds of hearings, thousands of documents, millions of pieces of paper and studies done on the subject, and there were about four options:

One, Medicare for all—lots of opposition to that. It is expensive—popular but expensive.

The second option was a single-payer system similar to Canada's. It was very popular with some, deemed too socialistic by others.

The third option was Medicaid savings accounts, health care savings accounts. Republicans love it. Democrats don't like it, don't think it is fair to the middle class. It would only really help those at the top 2 percent. We said No.

So we compromised on an idea that came not out of the Democratic caucus but out of the Republican caucus, not out of a Democratic think tank but a Republican think tank—the Heritage Foundation—and we passed a private sector, market-based insurance choice for all Americans.

But that debate is over. At least the bill has passed; the debate will go on for a while—but not about shutting the government down. The debate as far as the bill passing, it is done. It is signed into law. And contrary to arguments made on the other side that nobody is interested in amending anything, I don't know if they have read their CONGRESSIONAL RECORD. It is right in the CONGRESSIONAL RECORD. We have already amended the law twice on a vote in the House and the Senate. Remember a year and a half ago we passed the 1099? We repealed that. It was a part of the way we paid for the bill. We reviewed it after we did it and thought that wasn't a very good idea, and we changed it. There has been another change to the law. It is not as if this law will never be changed. But for Republicans—particularly the extremists—every time we come up to a budget debate or the full faith and credit of the United States, to reengage in this debate, it is not fair to the American people, it is not fair to the workers of the United States, and it is not fair to the businesses in the United States. It is just simply not the right way to legislate.

So I would like the chairman from Alabama, as the ranking member of the Budget Committee, I wish he would get on the floor and urge his colleagues to go to conference on the budget he was talking about because I do agree with him. We do have a deficit problem. We do have a debt problem. We do have some entitlements that need to be looked at. We have to get our budget in balance. But the way to do it is not to hold the American people hostage, to take their jobs away from them and shut the government down. That is not

the way to operate. It is to go to conference.

We have tried 18 times to go to conference, and we have been blocked by the Senator from Texas. The Senator from Texas Mr. CRUZ has objected to going to conference to debate the budget.

Let's debate the budget. Let's debate the appropriations bills. I am an appropriator. I am the chair of the Homeland Security and Governmental Affairs Committee.

Tomorrow thousands of people are going to be laid off. People who protect our borders, who help navigate international trade, help keep our hospital industry going, passports, et cetera, are going to be impacted. But instead of the Senator arguing and urging us—as the ranking member of the Budget Committee—to go to the Budget Committee to negotiate, they have objected. We can't go to a conference.

Senator MURRAY passed her budget months ago. We passed a budget. The House has passed a budget. They aren't the same budget, but it is their version and our version. Let's go to conference and work it out. But, no, we have to now threaten the shutdown of the entire government of the United States because the Republicans after 40 years of debate feel that was not enough. Forty years of debate was not enough. Two Presidential elections, which they lost, was not convincing enough. The majority of the Senate fell to the Democrats. That was not convincing enough.

The people who voted that way, their votes, their actions as a democratic nation are being disrespected by our colleagues on the other side. It is not as though this is a dictatorship. We were elected. I was even elected in a State where this is a difficult issue. It is not clear-cut. I have people for it and against it. But after studying and after soul-searching and after looking at all the options and understanding that I have 800,000 people in my State who are uninsured, that I have hundreds of thousands of small businesses that had been dropping their insurance because they couldn't afford it, and that 85 percent of our market is taken up by one company with virtually no competition, I said there has to be a better way. This may not be perfect, but the status quo is worse.

We had that debate, and their side lost. So instead of just trying to fix what they can or suggesting changes or finding a time where we can debate—and we have already changed two things; the President, administratively, has already pushed back one—they want to shut the government down. It is on their shoulders.

So I came to the floor—and I will ask for 5 more minutes—to talk about two things because I have hesitated to speak on this big issue because I have been focused for the last year on a real problem—not that this isn't a problem; it is a problem, but this is a real issue that with a little bit of attention from

everyone and a lot less rhetoric, we could fix this, and that is helping to amend a bill that did pass and does need to be amended, and that is the Biggert-Waters bill.

I am not threatening to shut the government down over this; I am simply asking and raising attention to the fact that at some point we would like to have a debate on this floor and in the House on Biggert-Waters. This was a bill that was passed through here—it wasn't debated for 40 years, it was debated for a very short time. At the time the bill passed—Madam President, I ask unanimous consent to speak for 5 additional minutes.

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

Ms. LANDRIEU. The bill passed out of the committee on the Senate side. It never did come to the floor at all for debate. It went to the House, was changed pretty dramatically, and then was put in a conference committee. This happens sometimes. It is not usual, but it does happen. I am not complaining about that except that as a result of that, hundreds of thousands of people in Louisiana, Texas, Florida, North Dakota, New York, and New Jersey, tomorrow morning—as I guess if the government is shutting down, they may not be able to go to work, if they have a government job—they will have a big fat bill coming on their flood insurance because Biggert-Waters, the bill in the House, had several very pernicious provisions.

There are about 5 million flood insurance policies in the country. There should be about 17 million, but there are only 5. There will be 17 million, or some such universe as that, but there are 5 million now, and we have many in Louisiana.

When a person goes to put their house on the market and they sell it, the act of selling, according to Biggert-Waters, removes their grandfathered status. They then go from that grandfathered status, which was below market rate—and that was done purposely to help people who live in coastal areas—not necessarily in secondary homes, not in condos, not in million-dollar mansions, but people who work on the rivers, who fish, who live in coastal communities, hard-working individuals and small businesses. This allowed them to live where they have lived, in our case, for 300 years. They didn't just move there in the 1980s. They didn't move down there for sunbathing. They have been there for 300 years, and this was to give them an opportunity to live in their homes with reasonable insurance.

In the Biggert-Waters bill, that trigger—the act of putting up a “for sale” sign or selling your house—eliminated the subsidy, virtually rendering a person's house valueless. And it is not just paying 25 percent more, 100 percent more, or 400 percent more. That would be hard enough, but in some cases it literally will render a house valueless because let's say, for instance, you paid

\$1,200 a year for insurance, but let's say the real rate is actually \$15,000. The trigger mechanism means their flood insurance will go from \$1,200 to \$15,000 overnight. No one will buy a home that has a \$15,000 annual premium for insurance. So if they have \$400,000 in equity in their home or \$500,000 or \$150,000 in equity or perhaps they have \$1 million in equity, it is gone because their house will not be able to be sold for virtually any price close to what it is worth. And that is not right. That comes close to a taking.

When this bill passed, I put an objection in the record. I said then that we would be back talking about it. There are ways we can fix bills. We need to get Biggert-Waters fixed and changed, and I want to submit that if we don't shut the government down, we can do it. We can negotiate, we can meet in conference and bring amendments to committees, and we can work together.

I want to read for the RECORD for a few minutes. I don't see anyone else on the floor.

Many in Congress were led to believe that the flood insurance program was unsustainable, that it consistently paid out more in losses than it collected in premiums, and that the only way to balance the ledger was to eliminate subsidies and raise rates. That simply isn't the case.

During 3 of the past 5 years, the program has actually collected more in premium revenue than it paid out in losses. In fact, the program has tabulated an annual surplus 18 times during the 42-year period for which we have data.

Now, there were times, after Florida had that terrible year—2004, I think—when four hurricanes hit and of course after Katrina, where the program took a very strong hit, like when our levees broke and caused so much to drain from the fund. But if we look over time, it was about a \$19 million average loss per year—not great but not horrible; not enough to generate the kind of bill that was passed here that is so draconian.

Continuing to quote:

I also think that most Members of Congress would be surprised to learn that 40 percent of all properties which are required to maintain flood insurance do not have an active policy. This violation of the law costs the program hundreds of millions in lost revenue. Stricter penalties under Biggert-Waters for lenders who fail to enforce mandatory purchase requirements will help to address this, but it is difficult to justify these exorbitant rate increases for people who are participating in the program and playing by the rules when millions of property owners are bucking their legal obligation to pay into the program.

I also think most Members of the Congress and the general public would be shocked to learn that only 44 percent of the money collected by the program is used to cover flood losses in a given year. In fact, the program spends more money paying the insurance companies and agents who administer the program but don't incur any risk and servicing the debt created by the Corps of Engineers than it spends on annual flood losses.

I ask unanimous consent to have printed in the RECORD the complete document from which I just quoted.

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

**THE TRUTH ABOUT PROGRAM SUSTAINABILITY**

Many in Congress were led to believe that the flood insurance program was unsustainable, that it consistently paid out more in losses than it collected in premiums, and that the only way to balance the ledger was to eliminate subsidies and raise rates. That simply isn't the case.

During 3 of the past 5 years, the program has actually collected more in premium revenue than it paid out in losses. In fact, the program has tabulated an annual surplus 18 times during the 42-year period for which we have data. Over the 26-year period between the time that the federal government took over the program in 1978 and the catastrophic losses in 2004 when Florida was struck by four major hurricanes, the program collected \$10.2 billion in premiums and paid out \$10.7 billion in claims, resulting in a modest deficit of just \$500 million or \$19 million per year on average.

I also think that most members of Congress would be surprised to learn that 40% of all properties which are required to maintain flood insurance do not have an active policy. This violation of the law costs the program hundreds of millions in lost revenue. Stricter penalties under Biggert-Waters for lenders who fail to enforce mandatory purchase requirements will help to address this, but it is difficult to justify exorbitant rate increases for people who are participating in the program and playing by the rules when millions of property owners are bucking their legal obligation to pay into the program.

I also think most members of Congress and the general public would be shocked to learn that only 44% of the money collected by the program is used to cover expected flood losses in a given year. In fact, the program spends more money paying the insurance companies and agents who administer the program but don't incur any risk and to servicing the debt created by the Corps of Engineers than it spends on annual flood losses.

The fiscal structure of the flood insurance program is definitely broken, but it isn't because of subsidies. Taken in combination, these facts paint a very different picture of the National Flood Insurance Program than the one that prevailed during the debate last Congress when Biggert-Waters was presented to us.

Ms. LANDRIEU. Madam President, these are several reasons why this bill needs to be amended. Again, I am not threatening to shut the government down. That is not appropriate to get amendments to this bill. There are ways to amend a bill, and we can work on that.

Madam President, I also ask unanimous consent to have printed in the RECORD a quote from Michael Hecht. Michael Hecht is the executive director of GNO, Inc. He is leading a great delegation or a group of people—realtors, bankers, gulf coast residents and many others.

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

**MICHAEL HECHT QUOTE**

I would like to read a statement that was made last week by the President of Greater New Orleans Inc., a regional business organization in Louisiana, which I believe conveys the sentiment of thousands of people who I represent that are facing steep rate increases

in the midst of so many unanswered questions and misconceptions about this program's underlying problems.

"It is irresponsible to introduce drastic reforms that will potentially devastate hundreds of thousands of American home- and business-owners, before basic questions about forgone revenues and high costs are answered. To proceed otherwise, destroying the wealth of innocent Americans—who have done exactly as the government has told them, maintained insurance and often never flooded—is both economically unwise and morally unjust."

Ms. LANDRIEU. Madam President, let me read this quote from Michael Hecht. He said:

It is irresponsible to introduce drastic reforms that will potentially devastate hundreds of thousands of American homes and business owners before basic questions about forgone revenues and high costs are answered. To proceed otherwise, destroying the wealth of innocent Americans—who have done exactly as the government has told them, maintained insurance and often never flooded—is both economically unwise and morally unjust.

I know my time is almost to the end. There is no one else on the floor, so I would like to speak until someone else gets here. But this is what we should be working on. We should be working on fixing the flood insurance. Tomorrow morning, October 1, these rates go up. These trigger mechanisms go into effect. It is devastating for people in our States. But the Texas Senators seem to be more concerned about the Affordable Care Act. I understand in their mind it is a problem and in their heart they are sincere. I understand their constituents are complaining. But it is the law, and we should not shut down the government over this.

I wish they would turn their attention to the Biggert-Waters bill, which the House and Senate passed. It needs to be amended. It needs to be fixed, and we need to negotiate a way forward.

No. 2, if people do want to fight about changes to the budget—I am an appropriator. We have been negotiating for years with Republicans about how much to spend, how little to spend, what programs to fund, what not. We do that in a budget conference. We do that in the appropriations bills. In fact, on this measure we are debating tonight the Democrats accepted the House number. Talk about negotiate. We just accepted the number they gave us for the continuing resolution. It was below our number. We want to fund the government in this month a little bit higher, but we even accepted their number. We said, fine, we will take your number.

We usually don't do that. We usually cut it in half or split the difference or say, you want this, we want this. We just took it. We just said yes. They can't even take yes for an answer because they are so committed to using the Federal Government as a hostage, or the full faith and credit of the United States as a hostage to change a bill they had every opportunity to change and didn't change or couldn't change, didn't have the votes to

change. Maybe one day they will. But they don't have those votes in this Chamber tonight and they don't have those votes in the House. If they would let the whole House vote, they most certainly would not. They are just allowing the Republicans to vote. But if they would allow the House to vote in its entirety, representing the country, they would support the position of the Senate and they know that.

I end my remarks by saying let us focus on what we can do to fix some bills, the Biggert-Waters flood insurance bill being one of them. Let's not hold the American public and government hostage over a bill that passed, that was signed into law, and upheld by the Supreme Court and is being implemented by a majority of States in America. We can debate it and not shut down the government over it.

I ask unanimous consent for 1 more minute.

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

Ms. LANDRIEU. I wish to put something else on the RECORD as well that is important for us to think about tonight, besides the underlying debate which I have spoken about and the Biggert-Waters reform which unfortunately is going to go into effect tomorrow. We are going to do a press conference tomorrow on it and try to get as much support as we can for Republicans and Democrats to fix it. But there is another issue I wish to bring up to the body tonight while we are waiting for the leader.

I think with the consent of both Republicans and the Democrats, we could allow the District of Columbia—which is one city that is going to be more impacted than others should the budget of the United States not be able to be negotiated in the next hour or hour and a half. So what I am hoping by raising this issue is that Members will consider that every city in the United States is going to operate tomorrow morning, every State is going to operate tomorrow morning, even if the Federal Government shuts down. They will be impacted, but they will continue to operate with their own money, on their own steam, under their own laws. I would like the same thing for the District of Columbia.

The District of Columbia's budget is 75 percent local and 23 percent Federal. So most of their money is local money raised by local taxes, not the taxpayers of the United States. More impressive than that, they have balanced their budget—unlike us—for 18 years. People may be surprised to know this, but the District of Columbia, which is about 650,000 people, does not have a Senator to speak for them. They have a House Member, but the House Member has no vote. So I wish to speak on their behalf for just a few minutes. They have balanced their budget for 18 years and they have well over \$1 billion cash in the bank.

So I am raising this to my colleagues to ask for us to consider a unanimous

consent resolution that several of us are putting together now. I would love for my colleagues on both sides of the aisle to simply allow the District of Columbia to use their own money—even if the Federal money doesn't come forward, to use their own money raised by their own taxpayers to keep their own government operating, because they are under a special provision to us and have been for many years. People argue whether that is right. That is not the point of this. Whether it is right is of no consequence. It is the law. If we can give them some relief, it would be very helpful to the thousands of people who need a signal from us that just because we can't get our budget straight, just because our budget is in deficit doesn't mean we can't honor the fact that the DC budget is in surplus, \$1 billion in the bank. It has been balanced for 18 years, and 75 percent of their budget comes from their own taxpayers. We should allow them to use their money to stay open.

I hope we avoid a shutdown. It doesn't look we are going to. It could be 1 day, it could be 2 days, it could be 3 weeks, it could be 4 months. Who knows how long it is going to be. I hope it doesn't happen, and I hope it is a very short period of time. But whatever it is, there is no reason in the world for the District of Columbia—as Mayor Gray said: We have balanced our budget for 18 consecutive years. We have well over \$1 billion in the bank. Yet we cannot spend our own money to provide our residents with services they have paid for unless we get permission from a Congress that can't even agree to pay its own bills.

If we can't agree how to pay our bills, I think it is unfortunate. We should. But this is a big city. It is an important city. It is the Capital of the Nation. They should be able to operate tomorrow morning.

I am hoping in the next hours we can find a way. All it takes is a unanimous consent. I know tensions are running high. We can be angry at each other or frustrated, but we should not be angry with the District. They have done nothing wrong. They have balanced their budget. They need to be able to operate. Many people all over the Nation depend on the District government. So let's not shut them down while we are shutting ourselves down.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent there be a period of morning business for debate only until

12 midnight, with Senators permitted to speak until for up to 10 minutes each, and that at 12 midnight I be recognized.

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

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

#### CONTINUING APPROPRIATIONS

Mr. REID. Madam President, this is a very serious time in the history of the country. It is hard to comprehend, with millions of people being affected tomorrow—in 65 minutes, actually—Republicans are still playing games.

As I indicated, speaking through the Chair to the senior Senator from Illinois a couple of hours ago, just take a couple of examples. We have 15,000 people a day who come to Lake Mead, spending huge amounts of money to help the economy. They come there to boat, to fish, to recreate. Tomorrow morning they can't go.

We have a beautiful recreational area just a short distance out of Las Vegas. When you fly into Las Vegas, you can see the beautiful red hills. It is called Red Rock. Over 1 million people a year come and visit. Not tomorrow. No. The Republicans are shutting down places like that all over America because they don't agree with government. Tomorrow will be a bad day for government and a day of celebration for the Republican-dominated House led by the tea party over there. We hear the next gambit of the House is to request a conference on the CR.

We like to resolve issues. In the Senate Chamber tonight is PATTY MURRAY, chairman of the Budget Committee. She worked so hard to pass a budget in this body. We worked until 5 in the morning to get it passed. We voted on over 100 amendments. We passed a budget. We passed a budget because it was the right thing to do and the Republicans said we should pass a budget—and we did. Senator MURRAY has for more than 6 months requested a conference on the budget 18 times.

So we like to resolve issues. But we will not go to conference with a gun to our head. The first thing the House has to do is pass a clean 6-week CR. They have that before them. They can do it right now. If they do that, then we will agree to work with Republicans on funding for the government for the remainder of the fiscal year.

I propose that the House pass our clean CR, and we will sit down and discuss funding for the balance of the year. That is it. This deal they are pulling out—they have a rule over there that says they want to go to conference on the CR. That closes the government. They want to close the gov-

ernment. This is all a subterfuge to satisfy the tea party-driven Republicans. This very strange agenda is so hurtful to the American people.

So I want everyone to hear what we just said. We will not go to conference until we get a clean CR. If the government closes, what benefit do we have from that? In 2 weeks the government is not only going to close down—we are going to lose the credit rating because they are talking now about not raising the debt ceiling.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I sort of feel sorry for Speaker BOEHNER. He has this hard-right tea party group that is adamant about shutting the government down. Many of them talked about shutting the government down in their 2010 campaigns. There are clips where they go to the audience: We will shut the government down if we win back the House. And the audience of tea party faithful cheers.

Here we are. Speaker BOEHNER, who has not been able, not been strong enough, frankly, to stand up to the tea party, realizes he is in a real dilemma. They want to shut the government down and he knows that the American people do not want that. CNN came out with a poll today. What should we do, end ObamaCare or keep the government going? Sixty percent said, keep the government going. Only 30 percent—or 34 percent, I believe it was—said end ObamaCare. The closer we get to this fateful hour—and we are only an hour away from a government shutdown—the more people will understand what the Republicans have done.

There is only one answer, and that is for the House to pass the clean CR bill that we have sent them, that they have. They keep coming up with new diversions. They send us a message that says this. They send us a message that says that. Some of it is related to ObamaCare. Some of it is related to contraception. Now they say we want to go to conference. As the leader said, we want to resolve issues. We would like to get a nice omnibus for a whole year, for the remainder of the fiscal year. We realize we have to do that with both Houses. But not with a gun to everybody's head. Let's go to conference? While they shut down the government and hurt millions of innocent people? Speaker BOEHNER is not going to get away with this subterfuge, as he has not gotten away with the previous ones. People will see through it.

It is a way to take the focus off what they really are doing, shutting the government down and trying to get people to follow the diversion. This time it is let's go to conference. Again, there is nothing wrong with a conference, but not, absolutely not when they are shutting the government down in an hour. All the talking in conference will not help the Federal worker who is not getting a paycheck, the highway construction worker whose job uses Federal