

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Mrs. BOXER, Mr. BROWN, Mr. CARPER, Mrs. FEINSTEIN, Mr. HARKIN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mr. UDALL of New Mexico, and Mr. WARNER):

S. 1567. A bill to provide for the compensation of furloughed Federal employees; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 264. A resolution to authorize testimony, documents, and representation in *State of Florida v. Lawrence, Denny, & Scarbrough*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 462

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 727

At the request of Mr. MORAN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 727, a bill to improve the examination of depository institutions, and for other purposes.

S. 822

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1158

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr.

COCHRAN) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1503

At the request of Mr. DURBIN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1503, a bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

S. 1557

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1557, a bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

S. 1561

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1561, a bill to amend the Public Health Service Act to improve provisions relating to the sanctuary system for surplus chimpanzees.

S. 1564

At the request of Mr. BOOZMAN, his name was added as a cosponsor of S. 1564, a bill making continuing appropriations for veterans benefits and services in the event of a Government shutdown.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself, Mrs. BOXER, Mr. BROWN, Mr. CARPER, Mrs. FEINSTEIN, Mr. HARKIN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Ms. MIKULSKI, Mr. SANDERS, Mr. SCHUMER, Mr. UDALL of New Mexico, and Mr. WARNER):

S. 1567. A bill to provide for the compensation of furloughed Federal employees; to the Committee on Homeland Security and Governmental Affairs.

Mr. CARDIN. Mr. President, I rise to introduce the Federal Employee Retroactive Pay Fairness Act. I am pleased to have Senators BOXER, BROWN, CARPER, FEINSTEIN, HARKIN, HEINRICH, HIRONO, KAINE, LEAHY, MIKULSKI, SANDERS, SCHUMER, UDALL (NM), and WARNER as original co-sponsors. This bill is a companion bill to legislation Representative JIM MORAN introduced in the House of Representatives, H.R. 3223. The bill is simple and straightforward. It requires that all Federal workers furloughed as a result of the lapse in appropriations that began last night at midnight receive their pay retroactively as soon as is practicable. It is the right thing to do. It is the fair

thing to do. Federal workers didn't cause this shutdown. Federal workers don't want this shutdown. They are dedicated public servants who simply want to do their jobs on behalf of the American people. They shouldn't suffer because so-called Tea Party Republicans, mostly in the House of Representatives, suffer from the delusion that shutting down the Federal Government will somehow prevent the Affordable Care Act from being implemented.

As the Congressional Research Service has reported, in "historical practice", Federal workers who have been furloughed as a result of a shutdown have received their pay retroactively "as a result of legislation to that effect". The language in our bill is the language used to provide pay retroactively to workers furloughed in the Newt Gingrich-led shutdowns in 1995 and 1996; that language was contained as part of section 124 of P.L. 104-56 (109 STAT. 553).

Mr. President, Federal workers already have endured a 3-year pay freeze and "contributed" over \$90 billion to deficit reduction. That was before sequestration hit. On top of the pay freeze, hundreds of thousands of Federal workers have been furloughed because of sequestration. Their pay hasn't just been frozen; it has been cut. They have had fewer resources to carry out their missions and administer the programs they are responsible for.

Now, upwards of 800,000 Federal workers are being furloughed, again, and the rest of federal workforce is being compelled to work without pay. And Republicans are threatening that there won't be any retroactive pay. This is happening to hardworking, patriotic public servants, mostly middle class and struggling to get by like so many other Americans. Enough is enough.

Increasingly, Federal workers are asked to do more with less. According to the Office of Management & Budget, the size of the Federal civilian workforce relative to the country's population has declined dramatically over the last several decades. In the 1950s and 1960s, there were, on average, 92 Americans for every Federal worker. In the 1980s and 1990s, there were 106 Americans for every Federal worker. By 2011, the ratio had increased to 145 Americans for every Federal worker.

Since the 1950s and 1960s, the U.S. population has increased by 76 percent and the private sector workforce has surged 133 percent, but the size of the Federal workforce has risen just 11 percent. Relative to the private sector, the Federal workforce is less than half the size it was back in the 1950s and 1960s. Now it just got smaller by another 800,000 workers overnight because of Republican action regarding the fiscal year 2014 continuing resolution.

The picture that emerges is one of a Federal civilian workforce whose size has significantly shrunk compared to the size of the U.S. population it

serves, the private sector workforce, and the magnitude of Federal expenditures. Yet Republicans are intent on making things even more difficult for Federal workers and their families across the United States.

Preventing Federal workers from doing their jobs doesn't just harm Federal workers; it harms all Americans because Federal workers patrol our borders, make sure our air and water are clean and our food and drugs are safe, support our men and women in uniform and care for our wounded warriors, help our manufacturers compete abroad, discover cures for life-threatening diseases, prosecute criminals and terrorists, maintain and protect critical infrastructure, explore the universe, and make sure Social Security, Medicare, and other social safety-net programs are functioning properly.

When Federal workers do their jobs, they are helping each and every American live a safer and more prosperous life. And I would argue that what Federal workers are able to do on behalf of the American people often redounds to the benefit of all humankind, whether we are talking about conducting ground-breaking basic scientific research or establishing the rule of law.

Our tasks here in Congress are simple—not easy, perhaps, but simple: we need to end the shutdown and put federal workers back on the job; we need to raise the debt ceiling so we can continue to pay our bills and maintain the full faith and credit of the U.S. Government; we need to return to regular order around here and negotiate a comprehensive budget deal that spreads the burden of deficit reduction in a fair way; and we need to hold Federal workers and their families harmless after subjecting them to so much harm over the past several weeks and months.

We need to stop demonizing and scape-goating and punishing Federal workers. We need to re-open the government, continue paying our bills, and replace the sequester with a rational budget. One of the greatest attributes of the American character is pragmatism. Unlike what some other Federal workers are actually doing, here in Congress, balancing the budget is not “rocket science”. We know the various options. Former President Lyndon Johnson was fond of quoting the prophet Isaiah: “Come, let us reason together” That is what we need to do. We can acknowledge and respect our differences but at the end of the day, the American people have entrusted us with governing, with being pragmatic. Let us do our job so Federal workers can get back to their jobs.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 264—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN STATE OF FLORIDA V. LAWRENCE, DENNY, & SCARBROUGH

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 264

Whereas, in the cases of *State of Florida v. Lawrence*, Case No. 2013-CM-011301, *State of Florida v. Denny*, Case No. 2013-CM-011303, and *State of Florida v. Scarbrough*, Case No. 2013-CM-011311, pending in the Thirteenth Judicial Circuit of Hillsborough County Court in Tampa, Florida, the prosecution has requested the production of documents and testimony from an employee in the office of Senator Marco Rubio;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent an employee of the Senate with respect to any subpoena, order, or request for testimony relating to his official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Ryan Patmintra, an employee in the Office of Senator Marco Rubio, and any other employee of that office from whom relevant evidence may be sought, are authorized to produce documents and provide testimony in the cases of *State of Florida v. Lawrence*, *Denny*, & *Scarbrough*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of Senator Rubio's office in connection with the production of evidence authorized in section one of this resolution.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 1, 2013, at 10 a.m., to conduct a hearing entitled “Housing Finance Reform: Fundamentals of a Functioning Private Label Mortgage Backed Securities Market.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during

the session of the Senate on October 1, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 1, 2013, at 2:30 p.m.

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

AUTHORIZING SENATE LEGAL COUNSEL

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 264.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 264) to authorize testimony, documents, and representation in *State of Florida v. Lawrence*, *Denny* & *Scarbrough*.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, this resolution concerns a request for testimony, documents, and representation in three related criminal actions pending in Florida State court. In these actions, protesters have been charged with trespassing on the Tampa, FL, office of Senator MARCO RUBIO, and refusing requests by police to leave the premises. The prosecution has sought testimony from an employee of the Senator's Tampa office who had conversations with the protesters on the day in question. Senator RUBIO would like to cooperate by providing relevant testimony and documents from his employee. This resolution would authorize that employee, and any other employee of the Senator's office from whom relevant testimony may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 264) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, OCTOBER 2, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Wednesday, October 2, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to