

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate until 12 noon, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each.

## CONTINUING APPROPRIATIONS

Mr. DURBIN. Madam President, there were two headlines in most of the major newspapers across the United States this morning. I saw it in *Financial Times* as well as the *Wall Street Journal*. The headlines noted: "Americans flock to insurance exchanges."

It was the first day when we had the rollout of the Web site where uninsured Americans had an opportunity to shop—real competition, a variety of plans. Illinois has 54 choices for uninsured people. This is a dream come true. Most of these people have lived their entire lives either without health insurance or with no choice, a take-it-or-leave-it policy that may be worthless when they need it. These are situations where many of them never once in their lives were able to be insured when it came to health insurance. There were a lot of reasons for it. Some of them had jobs that paid so little, offered no benefits, and they couldn't afford to buy health insurance. Some of them had preexisting conditions or perhaps a history of asthma in their family, diabetes, cancer survivors. They couldn't buy health insurance if they wanted to. It wasn't even offered.

Yesterday was different. October 1 was different as 2.8 million Americans came on the first day to this Web site to go shopping for health insurance. What a relief it must have been.

The Chicago papers told the story of a man who had just about given up hope because he had a child with a mental illness and because of that he could never buy health insurance. He was shopping yesterday. He was disappointed. He wanted to sign up yesterday, but so many people came to this Web site the first day that it wasn't able to meet all of the needs of the people who were shopping, or wanted to.

It will. There will be an opportunity. I am sure it will be soon.

I can't get over when I hear the Republican leader come to the floor and, with barely disguised glee, talk about the first day's problems with the Affordable Care Act. There is no question that many Republicans are not only praying for the Affordable Care Act to fail, they are betting on it.

None of them voted for it, not one. Not a single Republican voted for it. They are frightened—frightened at what is to come when the verdict of history comes down on this program. I think I know what the verdict will be. There will be some bumps in the road, glitches, maybe, some problems with

the Web site. But in the end the American people understand the fundamental fairness of the Affordable Care Act; the fundamental fairness that said, yes, we have a right as Americans to health care protection. I believe we do and we should.

I have lived the life, a good one, but I had a moment in that life when I had no health insurance. I was a brandnew father with a brandnew baby with medical challenges and no health insurance. I have never felt more helpless in my life, praying that my little girl would get the best when I didn't have health insurance.

Multiply that times 40 million uninsured Americans and understand what is at stake. Those on the other side who are opposed to affordable care don't want to extend the helping hand of health insurance to those who have been denied for years. They don't have anything to replace it with. Stick with the current free market system.

Forty million Americans have been left behind with this current system. That is why I supported the Affordable Care Act. This is why the President is fighting for the Affordable Care Act. This is why we have to continue to fight every single day to make sure it is not defunded, as the Republicans tried to do only a few days ago, to make sure the coverage for individuals is not delayed as the Republicans tried to do only a few days ago.

No, we have to fight to make sure Americans have this chance. There is no turning back when it comes to offering health insurance to families who desperately need it.

What are the Republicans prepared to bet on this wager to end the Affordable Care Act and health care reform? They are willing to bet the Federal Government. They are willing to shut it down over the Affordable Care Act.

HARRY REID, our Democratic leader, told the story that was reported in the *Wall Street Journal* that the National Institutes of Health—not far from here, in the near suburbs of Maryland and which is a beacon of hope—this is where some of the most important medical research in the world is taking place. The head of NIH, Dr. Francis Collins, may be one of the most extraordinary people who has ever been involved in public service. He was head of the National Genome Project. They said it would probably take him 5, 6, or 8 years. He was so good and had so much talent that he did it in a very brief period of time—mapping the human genome. In doing so, he started opening doors to understanding, knowledge, and finding cures. He took that back to the NIH and they apply it every single day to save lives and find cures.

For the second day in a row, three-quarters of the scientists, doctors, and researchers at NIH sit at home, unable to engage in this critically important research, unable to find the new drugs, new surgeries, new medical devices, and the new procedures to save lives.

That is part of the Republican government shutdown. Oh, they may congratulate themselves on finally bringing this government to its knees, but they have to take responsibility for what they have done as well. They have shut down the National Institutes of Health. They have shut down medical research. It is worse because the toughest medical cases in America end up at the doorsteps of NIH. These are the most challenging medical conditions, families and people who have just about given up hope and think there is one last place to go, NIH, the very best.

Yesterday Dr. Francis Collins announced that 200 people who would have started clinical trials this week at the NIH were turned away because of the government shutdown. Within that population of 200, 30 were children, most of them cancer victims. Imagine for a moment that you are the mother or father of a child diagnosed with cancer and have one last hope, the National Institutes of Health. It may be a great personal sacrifice for you and your family to pick up and come out here, but you are going to do it. It is your baby. Then when you arrive at the door of the NIH there is a sign that says: This agency is closed.

Why is it closed? Some national emergency, some disaster, some crisis? No. It was a manufactured political temper tantrum coming from the tea party, Speaker BOEHNER, and those who believe this is the right way to go.

Excuse me if this example is so stark, but I haven't even begun to go into the details. I would invite any family who has been a victim of this government shutdown at NIH or any other medical facility, come to my Facebook page, my Twitter account. Send me a message and tell me your story. I wish to come to the floor and tell that story too.

People shouldn't disappear into the shadows as we make all this noise over this political debate. They ought to be front and center. Please share your story if you wish. I know it is a matter of privacy and confidentiality. If you don't want to, I certainly understand.

This is what it has come down to. Yesterday, for example, in the House they said: Oh, we are going to open the Veterans' Administration. Senator CRUZ has made a decision he is going to pick and choose the agencies to reopen. We will start with the Veterans' Administration. In other words, as former Speaker PELOSI said, they are going to release one hostage at a time when it comes to our Federal Government.

But what Senator CRUZ and the tea party Republicans failed to acknowledge is of the 800,000 Federal employees who have been furloughed, over 500,000 are veterans. They are out of work. If they care about the veterans, put this government back to work, put 500,000 of our veterans back to work. Incidentally, one out of four of them is disabled, disabled veterans put off the payroll and furloughed. There is no

promise they will ever be paid because of this tea party government shutdown.

We have serious challenges facing America, but we need to reopen this government now. Now. There are no excuses. Speaker BOEHNER sits there with a bill that he could bring before the House by 11 o'clock this morning. They could vote on it and the word would go out before noon that the government is reopened. That is how quickly he can act. It is there, but he won't call it for a vote.

What is he afraid of? Why won't he call this measure for a vote before the House? He knows it will pass because every Democrat will vote for it and moderate Republicans will step up and vote for it.

The only hope we have to end this tea party Republican crisis is if moderate Republicans will step forward now and say we are not part of this strategy. We want this government open. We are prepared to face all the challenges that follow, but we are not going to move forward at the expense of patients coming to the National Institutes of Health.

This is only one example. There are many more just like it.

I would say this in closing. Once again the Republican leaders come to the floor and mention the fact that Members of Congress will be in the insurance exchanges, the same insurance changes that were advertised yesterday for the first time. To give a moment of reflection in history, we are in the insurance exchanges because of an amendment offered by a Republican Senator, Senator GRASSLEY. This is an amendment which was part of the Affordable Care Act, which passed. We will be buying insurance, the same kinds of policies, exactly the same kinds of policies offered to all Americans on the exchanges. There are no special favors for Members of Congress.

Now we hear an objection from Senator MCCONNELL to the employer's contribution for our staff and for Members of Congress. Over half of the American people get their health insurance through their place of employment. Virtually all of them have employer contributions that help them pay their monthly premiums. The same thing is true for Federal employees. The same thing is true for Members of Congress. The same thing will be true when it comes to the insurance exchanges. There is no special treatment of Members of Congress. The notion that we can't have an employer's contribution when it comes to the insurance exchanges is flatout wrong. A business with fewer than 50 employees, for example, can send their employees to the exchanges and continue to contribute to their premiums. It is already accepted under law so there is no special treatment in this. It is only another diversion.

Trying to find ways to create chaos and uncertainty when it comes to the Affordable Care Act is the message of

the Republican Party. Unfortunately, it is being delivered at the expense of 800,000 furloughed Federal employees, the services this government offers, and 200 people turned away this week for clinical trials at the National Institutes of Health.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Madam President, I listened with great interest to the comments of the distinguished deputy Democratic majority leader.

I was reminded of a radio commentator, who perhaps is not remembered as frequently now, but when I grew up, he had radio show where when he started out he would say: And now for the rest of the story.

I wish to offer the rest of the story. I listened as Senator DURBIN spoke about the fact that the National Institutes of Health is not open for business. The good news is that Republicans and Democrats both agree that we should reopen the National Institutes of Health. In fact, it is my understanding that the House of Representatives will pass a bill perhaps as early as today and send it over to the Senate.

I hope Senator REID, unlike over the last few days where he has killed every reasonable offer by the House of Representatives, will reconsider and he will not kill that funding for the National Institutes of Health during this partial government shutdown.

There are some other areas where I think we could work together. Senator REID knew that Republicans were going to come to the floor and try to make sure that our uniformed military continued to get their full pay on time during this impasse of Congress. Like the good politician he is, he actually beat us to the punch. He came down here first and made the same offer. The good news is there was bipartisan support for funding our troops in full, our uniformed military, on a timely basis during this impasse.

This has been sort of a surreal experience in so many ways because my friends on the other side of the aisle have been making what I consider to be some very strange arguments. The argument they have been making is that President Obama's health care law, the Affordable Care Act, otherwise known as ObamaCare, is untouchable, and that our efforts to modify it in any way are illegitimate. Their favorite word is "extreme" or the product of some effort by the tea party Republicans or some other disparaging connotation.

I am not sure exactly how to respond except to say this: If ObamaCare is untouchable, if the Obama administration is perfect, if we can't change one word and one sentence about ObamaCare, then you need to tell the Obama administration. Since 2010, the administration has granted more than 1,000 different waivers to its friends and political allies. It suspended all work on a large portion of ObamaCare known as

the CLASS Act. It has delayed ObamaCare's basic health program and delayed the employer mandate. When we tried to delay the individual mandate so average Americans get the same sort of consideration from this administration that employers get, that businesses get, we were told this is an unreasonable request. Senator REID tabled that, in essence killing that provision rather than taking it up and embracing it and saying: You know what. If employers get a break for 1 year, then let's give average Americans a break.

The Obama administration has likewise delayed the eligibility verification for the exchanges. It started yesterday. In other words, you can apply for one of these insurance exchanges, but you don't have to prove what your income is. If there is a bigger open invitation for fraud, I am not aware of what it might be. But that is what the Obama administration has done, delayed the eligibility verification for the Obama exchanges, and they have delayed the cap on out-of-pocket expenses.

In short, the Obama administration has, by its very actions, demonstrated that ObamaCare is not perfect. The administration itself, by its own actions, has acknowledged ObamaCare is not ready for prime time.

This became painfully obvious to millions of Americans yesterday when the ObamaCare exchanges encountered widespread problems on its first day of operation. The President calls these glitches—glitches, a nice poll-tested, fairly benign-sounding word. But these were systemic failures of the ObamaCare exchanges yesterday when they came online—obviously, not ready for prime time.

Meanwhile, there have been other changes in this perfect, inviolable, can't-change-a-word ObamaCare. While the Supreme Court, we certainly acknowledge, has upheld major portions of ObamaCare, it is important to remember it declared a major piece of the law—the compulsory expansion of Medicaid—as unconstitutional. Unconstitutional: incompatible with our fundamental law of the land. Does that sound like a law that is perfect, can't be changed?

Let me give another example. During the ObamaCare debate, Democrats voted on a party-line vote to impose a medical device tax on medical device manufacturers. It is not based on their income, it is based on their gross receipts or how much money comes in the door, before they even deduct their cost of doing business and their overhead. So they would actually have to pay taxes without it generating any net income because of the nature of this tax. This is a job-killing tax.

I have had constituents come into my office and say: We have operations in Costa Rica, so we are going to have to move jobs we would create in Dallas to Costa Rica because of this job-killing medical device tax. You know what. Medical devices are some of the

most innovative parts of our health care system. How better to discourage medical innovation and lifesaving discoveries and manufacturing than to impose this gross receipts tax on medical devices.

That is not just my opinion. The last time we had a debate on the budget resolution, 79 Senators voted against the medical device tax because they realized it was a terrible mistake in this law we are told today, yesterday, and the day before is perfect in every way, wouldn't change a thing. But Senate Democrats are now lining up to repeal the medical device tax. Somehow, in a schizophrenia I don't quite understand, other Democrats are saying an attempt to do that would represent partisan extremism. Which is it? I think the American people know.

I am not sure exactly how our friends on the other side of the aisle define extremism, but I would submit that very few extreme ideas gain the support of 79 Senators in the Senate on a bipartisan basis. How is it extreme to delay ObamaCare's individual mandate when the administration has unilaterally done the same thing for businesses? How is it extreme to ask Members of Congress to live by the same laws that apply to everyone else?

The majority leader, Senator REID, tabled two amendments to the continuing resolution that would change this special carve-out for Congress that would provide a delay of the individual mandate for average Americans, such as the administration has already done for businesses, and we are told that is extreme; that somehow we are the ones who caused the government shutdown.

I am absolutely convinced President Obama and HARRY REID think this shutdown is the best thing that ever happened to them politically in recent memory. So rather than come out and tell sympathetic stories about what is happening at NIH, let's work together to mitigate some of the hardship and inconvenience. Let's talk about working through this impasse. Why can't we get the President to do what he reportedly intended to do in the first place, which is to convene a meeting at the White House with Republicans and Democrats to work through this? They are not just refusing to negotiate big compromises, they are refusing any compromise. It is my way or the highway.

They will not even agree to keep the war memorials open for our Honor Flights coming to Washington, DC. I would urge the majority leader and President Obama to join with us in passing a bill today that would keep our war memorials open.

My father was a World War II veteran. He is dead now, but he was a B-17 pilot in World War II. On his 26th bombing mission, he was shot down and captured as a prisoner of war. My father-in-law landed on Utah Beach the second day of the Normandy invasion. He is 95 years old now. His mind is still sharp, his body not quite what it used

to be. He would love nothing better than to come to Washington, DC, on one of these Honor Flights. Unfortunately, his health will not allow him to do it.

The chairman of the Honor Flight Network, James McLaughlin, has said:

It is beyond belief that those deserving men and women who have waited decades to see their memorial and were selected for this trip of a lifetime, to discover they may not be able to see their memorial.

For many of them, this may be the last time they get during their lifetime. I would ask that the President cancel his trip to Asia—he is leaving on Saturday—to overrule Senator REID and convene that meeting at the White House and come together to try and work through some of these differences.

We can fund NIH. We could do it today if Senator REID and President Obama would allow it. But, no, instead, we are told it is my way or the highway. We actually like this shutdown, they are saying to themselves, because they think they are winning politically. But they are not winning politically when the American people are the net losers.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. My good friend, whom I saw in the gym this morning, sometimes stretches credulity. Who shut down the government? Was it HARRY REID? No. He kept passing messages to keep the government going. Was it Barack Obama? No. We all know who it was. It was the small band of tea party people in the House. It was his junior colleague in the Senate, TED CRUZ, who had the idea of shutting down the government.

As Leader REID said yesterday, we are not in 1984. Truth has some degree of credulity. For my colleague from Texas to get up and say: HARRY REID and Barack Obama open the government, when his junior colleague led the charge to shut it down, when the cries of the tea party are "shut it down," and we are desperately trying to keep it open makes no sense and it is not going to wash.

One of the amazing things about our politics is how rhetoric has become so detached from reality, and then we have talk radio and some of the networks, FOX News, that repeat it. I saw a cartoon in the New York Post yesterday saying that Senators and Congressmen are exempt from ObamaCare. That is just not true. We are part of ObamaCare, and we will join the exchange—I will and so will my colleagues—because that is what they have to do.

But that doesn't even matter. The hard right is so angry at ObamaCare and, frankly, at President Obama and the fact he just trounced them in 2012 in an election that was run on their issues. They are so angry and white hot that their rhetoric just becomes totally detached from reality and totally detached from the truth.

I feel badly for the veterans who couldn't get to the memorial. But why was the government shut down? Because Speaker BOEHNER and the House wouldn't keep it open. Senator CORNYN and many other Republicans paved the way for us to open the government with a vote to allow us to go forward. That got 25 Republicans, even though TED CRUZ, his junior colleague, was urging him not to vote that way. That was the right vote. We know that. He knew, Senator CORNYN did, to his credit, that shutting down the government was bad. So on the one procedural vote that mattered, where he could have had the Senate say shut down the government, he voted the other way.

The real onus here is on Speaker BOEHNER. The entire focus of this debate should be on Speaker BOEHNER. Some might say it should be on Mr. CRUZ, the Senator from Texas. Some might say it should be on the 30 or 40 hard-line tea party people in the House. But in my view it is the Speaker of the House who has the responsibility not to listen to a small faction of his party when so much is at stake. Instead, Speaker BOEHNER seems to be listening to the junior Senator from Texas. The junior Senator from Texas has become the de facto Speaker of the House. If he says jump, the House jumps.

The junior Senator wanted the House to embark on a crusade to defund ObamaCare, so the Speaker, Speaker BOEHNER, did it. The junior Senator from Texas told the House to delay ObamaCare for 1 year, so the Speaker, Speaker BOEHNER, did it. Now this junior Senator from Texas is telling the House to pass piecemeal bills in a cynical attempt to pit important programs against each other, and now the Speaker is trying to do just that.

Senator CRUZ has driven Speaker BOEHNER to pit kids who should be enrolled in Head Start against kids who should be enrolled in cancer trials. He has driven the Speaker to pick families who want to visit the Statue of Liberty against families who own a small business and need help from the SBA. He has pitted research and cancer against health care for our veterans.

It is a cynical strategy. Similar to all the others they have sent us and that have failed, as these will fail today, it has one purpose: not to get anything done but to try and wiggle out of this view that they have shut down the government. Senator CORNYN's rhetoric will not work. It is too far detached from reality.

So Speaker BOEHNER tries to come up with these gizmos, these gimmicks, these legislative ploys to say: Hey, I am trying to do something. At the same time he is in the vice grip of the tea party members of the House who are taking their orders from the junior Senator from Texas.

There is a simple way to open the government, I would say to my friend—and he is my friend, Senator CORNYN of Texas—and my other colleagues on the Republican side in the House.

There is a bill sitting there waiting for a vote. It will open NIH, it will open the Veterans' Administration, it will open the World War II memorial, it will open the Statue of Liberty so the guy with the little sandwich shop right by the Statue of Liberty can get some business back. Make no mistake about it: This crisis doesn't just hurt the Federal Government. It doesn't even just hurt 800,000 families who aren't getting the paychecks on which they depend. This is not abstract. It hurts lots of private sector people as well, whether they be construction workers building a road using Federal dollars or the veteran waiting for that disability claim to come through or the guy with the sandwich shop next to the closed Statue of Liberty who is making those sandwiches. It is not abstract. I get a little resentful when I hear my colleagues talk about the Federal Government as if it is some big ogre; shut it down.

If you watched Rachel Maddow the other night, she had a variety of tea party congressmen who were running for the Congress in 2010 who said they were going to shut the government down. I think it was Congressman MULVANEY of South Carolina who said: When I get to Congress, I am going to shut the government down. And the tea party audience cheered and said "shut it down" before they even had a plan because they hate the Federal Government so much. That is the goal, to shut it down. ObamaCare is an excuse.

Mainstream Republicans know that shutting the government down is a bad thing and know that they are indeed paying a political price. So Speaker BOEHNER should follow the majority and stop being scared of the tea party. He will face them down easily in a challenge for Speaker. Speaker BOEHNER knows, as the "National Review" said this morning, that more than 100 House Republicans would vote for our bill to reopen the government if he put it on the floor. Instead, Republicans are wasting time on political stunts in asking to go to conference on a short-term CR.

The Republicans have this exactly backward. They say: Let's talk, and then maybe we will open the government. They ought to say: We will open the government, and then we can talk. If Republicans would simply switch all the lights back on, allow hundreds of thousands of furloughed Federal employees to go back to work, allow cancer research to continue, veterans to get their disability claims, kids to go back into Head Start, we could have a discussion about the budget, which they rejected 18 times.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Washington.

Mrs. MURRAY. Madam President, I woke up this morning feeling like I think most Americans feel today—pretty disappointed in the antics of Washington, DC.

As my colleague from New York just pointed out, we all know why we are

here: Speaker BOEHNER and the Republicans in the House demanded a ransom in order to keep our government open, and their ransom was to repeal a law they do not support—ObamaCare. They made it very clear that the government was going to shut down. My constituents in Washington State who were supposed to go to work today—thousands of them—aren't going to get their paychecks because of that ransom. They made it very clear that they were not going to open the government over a policy about which they care passionately.

I have to say that I started my morning this morning talking to a number of businesspeople involved in the construction industry in the State of Washington. They told me that this uncertainty, this crisis, this shutdown of government is impacting their small businesses at home in the State of Washington because who is going to sign a contract to build something new when it is so unclear where our economy is going to be as a result of this shutdown and the looming debt ceiling crisis. So they are seeing a real retraction of their own businesses right now—not because of the government funding of a program or anything else that is ongoing or in dispute but because of this shutdown today.

Just a few minutes ago, on the other end of a spectrum, I talked to some moms and dads in Head Start from my home State of Washington. A young mom from Bremerton, WA, who has a 2-year-old daughter, told us that a few years ago she was on the streets, homeless, a victim of an abusive partner, and because of Head Start and the wraparound services they provide, they found her a place to stay and got her and her child involved in early childhood education. Because of that support and an early Head Start program, now 2 years later she is back at school working on her degree, her daughter is doing well, and she is back on track.

Thousands of moms and dads such as her exist across the country today, with a helping hand at the right moment from the right program. But because of sequestration and now because of the government shutdown, we are telling moms and dads such as her: Sorry, we are not going to be there for you.

I happen to be a very passionate advocate for early childhood education. I was a former preschool teacher. I am using my skills as a preschool teacher right now. I think all of our colleagues could learn a lot from those kinds of skills. No bullying; it is my turn to talk; be reasonable; teach our children to play well in the sandbox. Those are lessons we teach in preschool. I think we could all learn from that.

I think about that, and I think about those Head Start kids and the children whom I taught before and who are not being taught now because of the sequestration. What lesson are we giving them—that if I don't get my way right now about a bill I fought against and

voted against and an election was run and won on, but I lost, and I am so mad that I am not going to let you have anything else because I am just so entrenched in that. That is not a lesson we should teach our kids.

Let's look at the other side of that argument. What if I came out here and said: I am so passionate about funding early childhood education because I know the research and what a difference it makes and I know what that investment will do for our country not just for today but for 10 or 20 years, and if I don't get my way to make sure every child in this country has that start, this government is going to shut down. That is not the way we run a country. I adamantly and passionately fight for any cause I believe in. Any legislator here can. But the way you get your way isn't to hold the country hostage.

We have a country that is counting on us to be responsible adults and to come to the table and work out our disagreements between each other. And they are large, there is no doubt about that, but you don't do it by hurting every family, every neighborhood, every community, every part of this country by holding this country hostage.

We have a responsibility. It is to pass a clean continuing resolution. It is to get our government working again. It is to tell people they are going to get their paychecks. We are going to responsibly do that, and then we, as Members of Congress, are going to take our differences to a negotiating table and hammer them out. I may want \$1 million for something. My House counterparts may say no. We may meet in the middle. I may say: I didn't get my way; OK, you got yours. That is what you do in a conference committee. You don't do it by holding your country hostage.

So we say to Speaker BOEHNER today: Open the government. Let everybody go back to work. Don't hold our economy hostage. And we will then sit down with you and work out our disagreements, as the Presiding Officer knows we have asked 18 times now to do and have been told, no, we are not going to let you go to that negotiating table, we are not going to let you talk—by the same people who want this government shutdown.

I find myself in a very odd place where we have a country that is closed for business. We are sending a very bad message and lesson to the children of this country that we can't work and play well together, that we can't even disagree together in an admirable way. And we are doing it while people are getting hurt.

Speaker BOEHNER, open the country again, open our economy again and agree to work out our differences the way responsible adults should do.

My understanding is, after trying all kinds of different ways to appease some of his Members with all kinds of different proposals, the latest proposal is

to send us over piecemeal pieces of legislation. Well, OK. We feel bad about the veterans—and we all do. I am the biggest veterans advocate in here. We will take care of them now. And, oh gosh, some of our constituents are mad because they have flown out here and the national museums aren't open, so we will open those, and on and on, whatever the cause of the day is. I guarantee that if we began to pass those piecemeal pieces of legislation, my moms and dads in Head Start would be at the end of the line and would never get funded. I am standing up for them today and saying: You are first in line too.

We are all in this together. We need the government open—all of our agencies. Everybody gets a chance and an opportunity in this country. And we are going to stick together and say to Speaker BOEHNER: Pass a clean CR, and then allow this country and this government and the American way of life to function as our forefathers said—by sitting down at a negotiating table and working out our differences. That is what I have asked for as chair of the Budget Committee 18 times now. It is what we need to say we are going to do again but not while our country is shut down, not while my families in Head Start are held hostage, not while our small businesses are held hostage, not while everybody in this country is looking at us, wondering how we ever got to this.

Open the government, and let's be responsible legislators. That is what I came here to do. I certainly know it is what the Presiding Officer came to do. And let's tell the kids in this country who are watching us today that this country can function, we can work as adults, and we have a responsibility to do that—here and abroad.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent there be a period of morning business for debate only until 2 p.m., with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, and the majority leader will be recognized at 2 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. I ask the time used in quorum calls during this period of morning business be equally divided between Democrats and Republicans.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORKER. 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. CORKER. Madam President, we find ourselves in a very predictable situation, and what is unpredictable is what our response to this situation is going to be. For some time I have talked about the box canyon that we were taking ourselves into, and I think it has now become very apparent to folks on both sides of the aisle that to overturn a central piece of legislation, it takes more than one-third of government to do so. When we have the presiding President over that piece of legislation, it actually takes two-thirds of each of the bodies to make that happen. I think people have realized that. It gives me no joy, but this is something I have obviously talked about for some time. Now we find ourselves in this box canyon.

What was also very predictable was that my friend TOM COBURN, the great Senator from Oklahoma, laid out very clearly on the Senate floor that even if there was a government shutdown, the health care bill would continue. I think what Americans are waking up to and seeing—even though Republicans have strongly opposed the health care bill at every turn—that even with government being shut down, the health care bill is continuing on and people around the country are signing up for what people call ObamaCare. So both of these were very predictable outcomes.

What is now unpredictable is what our response to that is going to be. I am speaking mostly to my friends on this side of the aisle. There has also been a number of people on the other side of the aisle who have spent a great deal of time over the last 2 or 3 years trying to focus on ways to reduce spending in the government and making our country stronger in the process.

I think to a person over here—as well as many on the other side of the aisle—we understand that our inability to

deal with the fiscal situation in which we find ourselves in this country has hurt us economically. People have not been willing to invest in capital investments within their companies and around the world in many cases because they don't know what is going to happen in our country.

I know first hand as the ranking member on Foreign Relations—and as I have traveled the world—there is no doubt it has affected us around the world. People really do not understand whether we are going to be able to meet the obligations we have made from a security standpoint.

Again, where we are today is very predictable, and I don't want to be crass. Obviously, I know this is creating a hardship for some people who have been furloughed, and it is certainly affecting people around our country, and that is obviously not good. On the other hand, if there is some way for some good policy outcome that strengthens our country over the longer haul, which is why we are all here, then that is a good trade-off. We will see what happens.

Here is my concern: While the situation we are in is very predictable—and many people in this body predicted we would end up exactly where we are today in this box canyon—we knew people would still sign up for the new health care law, which some have tried to defund, in spite of the fact that government has shut down.

What I am concerned about is this: We have made great strides as a nation, and in this body, to reduce government outlays we have control over. This has not happened in this Nation since 1955 and 1956. Two years ago we were at \$1.43 trillion in annual outlays from a discretionary standpoint, and that is what we deal with in a CR. Last year we were at \$988 billion, and this year—if we continue to uphold the law we put in place—we will be at \$967 billion.

That is a phenomenal result for us to have achieved in this body and for our country—to have achieved to strengthen our Nation. While there may be ways of changing the way those outlays are done—and maybe there is mandatory spending that is substituted for discretionary spending. Maybe there are ways of doing it to make it more sensible to people in this body. It is truly remarkable that Washington figured out a way to reduce the amount of spending that was taking place. I know we can figure out a way to do that even smarter.

Let me get to the unpredictable point. Sometimes when people find themselves in a box canyon or in a place that is difficult, they begin doing things that are not in the interest of themselves, and certainly not in the interest of the body that they represent. What I am worried about is that while so many people have been focused on this shiny thing over here and so much of the Nation's focus has been on this shiny thing over here, what people