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Senate

The Senate met at 2 p.m. and was called to order by the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our stronghold and defense, Your judgments and will are perfect, so we place our trust in You.

Thank You for the privilege of speaking to You in daily prayer. Forgive us when our prayers are so other worldly they are no earthly good. Forgive us also when we put politics ahead of progress.

Lord, strengthen our Senators today, helping them to not throw away their confidence in You. Inspire them to persevere in seeking to do Your will, knowing that Your promises are sure and that the harvest is certain.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 7, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KING thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following leader remarks the Senate will be in a period of morning business for debate only until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each.

At 5 p.m. the Senate will proceed to executive session to consider the Bruce and Ellis nominations, both to be U.S. district court judges in the State of Illinois.

At 5:30 p.m. there will be at least one roll call vote on confirmation of the nominations.

CONTINUING APPROPRIATIONS

Mr. REID. Mr. President, yesterday the Speaker of the House of Representatives, JOHN BOEHNER, on national TV claimed there are not enough votes to pass the bill and bring an end to the dangerous government shutdown. I believe he is mistaken.

Two hundred Democratic Members of the House of Representatives said they would vote for the bill to reopen the government, and 22 Republicans in the House have said publicly they would vote for the bill. We have heard there are as many as 100 who wish to vote for it. No matter how we do the math, it adds up to a majority of the Members of the House of Representatives.

If there were only a mechanism for polling all Members of the House of Representatives to find out whether they support the Senate-passed bill, one surefire way to find out whether the bill would pass is to have a vote on it; that is, to vote on the legislation

that has already been passed in the Senate.

There is a way; have a vote. That would settle the question for a long, long, time, wouldn't it.

What I say to the Speaker: Allow a vote on the resolution that would end the shutdown, legislation that you, JOHN BOEHNER, proposed in the first place. The entire Federal Government could reopen for business by tomorrow morning.

I ask the Speaker, why are you afraid? Are you afraid this measure will pass, the government will reopen and America will realize you took the country hostage for no apparent reason?

Why is the Speaker opposed to these reasonable solutions.

Across the Nation people are suffering—not only Federal employees—because of his irresponsible action, the irresponsible tea party driven action. But it is not, I say, only Federal employees. US Air had a delivery last Friday of a \$180 million aircraft. They couldn't take delivery. Why? Because there weren't inspectors to do that for those aircraft.

We know that Lockheed has already announced today they are laying off 3,000 people, and there is more to come in the defense industry. It is happening all through the government.

There is an easy way out of this; the same escape hatch has been available as long as we have been a country. It is called a vote. But for the 7 days the Federal Government has been closed for business, the Speaker has refused to use that escape hatch.

It is so important when people wish to buy a home. One can't buy a home with an FHA loan today. Even if it is not FHA, they can't get them done because to confirm the amount of money that is on the application they need an IRS person to check it. They are not available.

The Senate-passed bill to reopen the government, while we work out our

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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budget differences, wasn't my idea. It was his idea. The Speaker of the House of Representatives said: You do this CR at this number, and I will get it done.

We negotiated for a while. I agreed to his number. It was very hard to do for us in the Democratic Caucus. But it was his idea, not my idea. All this talk about not negotiating, that is what that was all about. He admits it was his intention all along to pass a clean resolution. But then he ran into the tea party, a minority within a majority that runs the majority in the House of Representatives.

The bill before the House of Representatives is a compromise by us, a compromise that was difficult, I repeat, to get my caucus to accept. Now that we have compromised, the Speaker won't take yes for an answer. He has moved the goal line again.

Last week he said he wanted to go to conference to work out some differences. As we heard on national TV yesterday, he is not only concerned about ObamaCare, he is concerned about the budget deficit, as we all are. He keeps changing. He said he wanted to talk about that. Fine. We are happy to do that. If he wants to talk about ObamaCare, if he wants to talk about anything else, we will do it. I put that in writing and had it hand delivered to him. We said that we would talk about agriculture, we would talk about health care, we would talk about domestic discretionary spending, military spending, and anything he wishes to talk about. We have been asking to go to conference on a responsible budget for more than 6 months.

On national TV, the Speaker said Chairman RYAN and Chairman MURRAY have been working together for a long time. As I have indicated here previously, he said that in a meeting we had in the White House in the last few days. I said in front of everybody there: It is simply not factual.

Senator MURRAY issued a statement yesterday after she heard him saying this on national TV saying that is not true. They have had a couple of meetings but they haven't discussed anything substantive. I guess the meetings were only to say to the Speaker they met, but they talked about nothing in her budget or his budget.

We are saying simply, reopen the government. We have said we will go to your budget number. We don't like it. We have said we will go to conference and talk about anything you want.

He can't take yes for an answer.

Simply reopen the government. We will talk, I repeat, about anything you wish to talk about. We are not afraid to negotiate. We are not afraid to make reasonable compromises. Once again the football was moved, just like Lucy in the "Peanuts" cartoon.

As Judd Legum, editor-in-chief of ThinkProgress pointed out, Republicans have a strange definition of compromise. This is how he explains it:

Republicans ask: "Can I burn down your house?" We say: "No." Repub-

licans ask: "Just the second floor?" We say: "No." Republicans ask: "[Just the] garage?" We say: "No." Republicans say: "Let's talk about what I can burn down." We say: "No." Then Republicans say: "You're not compromising!"

Republicans insist we must negotiate while the Federal Government remains closed. As The New York Times editorial reported on Saturday, when 800,000 Federal employees are furloughed, government services are shut down and the economy is flagging, it is hardly time for talking.

Then they come up with all this: We will do an NIH bill. We will open NIH.

The problem is, it is really hard to pick and choose between that and the Park Service, especially when we consider they have cut spending this year for NIH by \$1.6 billion; the second year of their famous sequestration, \$2 billion. This is all a charade.

This is what the Times wrote after the brief introduction:

This is a moment for immediate action to reopen the government's doors, not the beginning of a conversation Republicans spurned when they lacked the leverage of a shutdown.

[Republicans] have refused to negotiate over the Senate's budget, they have refused to negotiate over the President's budget, and they have refused to negotiate to make the health law more efficient. . . . The two sides will eventually have to reach a reckoning on long-term economic issues, but the time to do so is not while dangling over an abyss.

Democrats are willing to negotiate but won't negotiate with a gun to our heads. We say to our Republican colleagues: End this irresponsible government shutdown. Stop your reckless threats of a default on the Nation's obligations. Then Democrats will negotiate over anything, anything our Republican colleagues wish to negotiate.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader in recognized.

CONTINUING APPROPRIATIONS

Mr. MCCONNELL. We are now in the second week of a government shutdown that nobody claims to want.

Democrats say it is unreasonable to ask for any changes or delays to ObamaCare. Republicans, we think the ObamaCare rollout has proven beyond a shadow of a doubt just how reasonable a delay is. If anybody had any doubts about the need to delay this thing, those doubts should have been allayed this weekend when the administration admitted its Web site wasn't working and took it offline for repairs.

Delay and basic fairness are what Republicans are asking for at this point, not exactly the Sun and the Moon.

Another thing Republicans have been saying is that if we can't agree on a bill to fund the entire government, let's at least pass the most urgent

pieces of it. Let's at least pass the parts we can all agree on. That is exactly what the House has begun to do.

Over the past several days, the two parties in the House have responsibly come together and passed no fewer than eight bills to fund things such as the Coast Guard, the Guard and Reserve, and programs for veterans. In other words, the House has quietly shown the two parties aren't completely at odds in this debate and that there is, in fact, some common ground here. Slowly but surely the House has approved funding for folks who shouldn't get caught in the middle of a political impasse such as this. They have done it on a bipartisan basis.

Over the weekend the House passed a bill that said a government shutdown doesn't affect the free exercise of religion on military bases, and 184 Democrats agreed. Another bill said government workers shouldn't have to wonder how they are going to pay their bills during a shutdown, and 189 Democrats agreed with that.

The bill to fund FEMA drew 23 Democrats. The one to fund NIH drew 25; national parks, 23.

Let's be clear here that the problem isn't the House. There is actually a fair amount of agreement among Republicans and Democrats over in the House, that Republicans and lawmakers have a duty and a responsibility that rises above the politics of the moment to fund things such as veterans, cancer trials, the National Guard, and reservists in every State.

The problem is the Senate.

I know Democrats don't like it, but the American people have given us divided government for two elections in a row. They gave us a Republican House, and they gave us a Democratic Senate.

This means negotiation isn't a luxury; it is a necessity. Until Senate Democrats accept reality, these crises will only be harder to resolve. So I would suggest they start thinking about how they might start playing a constructive role in the crisis and in the challenges that lie ahead. There is a time for politics, and there is a time for sitting down like adults and working things out. Republicans are ready and willing to negotiate. We invite Senate Democrats to join us.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.