

The administration tried to say it was caught off guard. They said they were caught off guard by too many people going to the Web site on the first day. Even Saturday Night Live ridiculed the excuse. They said: That is like 1-800-Flowers getting caught off guard on Valentine's Day.

There were glitches the first day, but they lasted the whole week—the entire first week. The question is, Did the administration finally get its act together? Well, actually, no, it didn't. The past weekend they had to pull down the Web site to try to fix some of the worst problems. USA TODAY, a newspaper whose editorials have actually in the past supported the health care law, had as yesterday's headline: "Health sites generate more error messages than coverage." That was the headline. The subheadline: "Exchange launch turns into an inexcusable mess."

An inexcusable mess. And they go on: . . . the administration managed to turn the experience for most of those visitors into a nightmare. Websites crashed, refused to load, or offered bizarre and incomprehensible choices. Even though the system was shut down for repairs over the weekend, Monday's early reports continued to suggest an epic screw-up.

The front page of the Wall Street Journal on Monday read: "Software, Design Defects Cripple Health-Care Website."

One does not take down a Web site for minor glitches. These are signs of major trouble. Some of us have been warning that the administration has failed to prepare properly. We said there would be security holes that would expose people to fraud and identity theft. It turns out the administration didn't even get to the point where the security flaws would actually matter early on because people couldn't even start entering their personal information. The exchanges were failing to launch. People got repeated error messages, and they couldn't fill out forms or applications. They couldn't create an account to start looking at the most basic of information to even make comparisons. When they tried to telephone to get help, they found long wait times and they got disconnected entirely. Even the administration's biggest cheerleaders admitted defeat. One reporter at MSNBC spent so much time trying to show viewers how to sign up for the exchange Web site on line that she actually gave up. They were playing this on television. She finally threw in the towel saying:

If I were signing up for myself, this is where my patience would be exhausted.

The Wall Street Journal tried to find out what went wrong. It talked to computer experts, who looked at the healthcare.gov Web site, and what the computer experts said is, "The site appeared to be built on a sloppy software foundation." According to those experts, "such a hastily constructed website"—and, of course, they had 3½ years—"may not have been able to

withstand the online demand last week."

Even the far-left Wonkblog at the Washington Post couldn't believe how badly the administration had failed. One of its columnists wrote:

The Obama administration did itself—and the millions of people who wanted to explore signing up—a terrible disservice by building a Web site that, four days into launch, is still unusable for most Americans.

It wasn't supposed to happen this way. President Obama promised using the exchanges would be like, in his words, shopping on amazon.com. Well, Amazon can handle 13 or 14 million transactions every day with no problem. There are over 5,000 Web sites generating more traffic than health care.gov.

So how many people were able to successfully enroll in the health care exchanges on the first day? We have no idea. The administration doesn't want to talk about it. First, they said: We are thrilled so many people were checking out the Web site. By Sunday, Treasury Secretary Jack Lew was on multiple television shows refusing to answer questions about how many people had enrolled and just repeating the White House talking points. He claimed 4.7 million people had visited.

If they are willing to tell us how many people have visited the Web site, why won't they tell us how many people actually got coverage?

The administration says they won't provide any data to back up its claims until at least November.

Remember, California claimed 5 million people visited their Web site for its own State exchange for the first day. They later had to back up and say that wasn't true. It turns out they had 645,000 visitors—less than 1 million, not the 5 million they claimed. That is a State that spent \$313 million on their site and it couldn't handle even that many people, because they had trouble.

President Obama said he was going to have the most transparent administration in history. The health care law is this administration's signature accomplishment. October 1 was the day they had been working toward for more than 3 years, and now the President won't tell the American people—won't tell any of us how many people have even signed up for health insurance. Why not? What is the President trying to hide?

CNN looked into the 24 States that set up their own insurance exchanges under the law. They found that as of last Friday, about 52,000 applications had been started. That is not how many people have actually completed their application successfully; it is just they have started. It is not how many people have gotten insurance; that is just how many people get to the point of starting their application.

Even if the Obama administration fixes the technical problems with its health insurance Web site, it will not have fixed the many problems with its health care law. The law will still not

give people the lower cost, high-quality care they wanted—which is the reason we needed health care reform in the first place. But I think the American people will hold the President to his promises and hold the Washington Democrats who voted for this law to their promises.

The President, right before the exchanges opened, said coverage in the exchanges should cost less than your cell phone bill. He said you should be able to keep your doctor. And he said it would be as easy and secure as amazon.com. So far, the President's health care law has failed on all of these. That was exactly what many of us warned would happen.

It doesn't matter if the ObamaCare exchange system failures happened because of heavy traffic or because of design flaws. The administration officials should be embarrassed, but they should not be surprised. Republicans warned the exchanges were not ready for prime time, but the President and Democrats ignored calls for a delay.

Why is the administration insisting now on fining people—fining people who don't have insurance, even though they can't sign up on the Web site successfully? The President unilaterally gave big businesses a 1-year delay in the employer mandate. Workers should get the same break that bosses get. If bosses get a 1-year delay in penalties, why shouldn't hard-working men and women all across the country get a 1-year delay of the individual mandate?

President Obama should have delayed the launch of his insurance exchange until it was ready. That would have been the fair thing to do. It is still the right thing to do. It is also the fair and right thing to give individual Americans the same delay of the mandate that the President has unilaterally—without the action of Congress—given to businesses all around this country.

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

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

The legislative clerk proceeded to call the roll.

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

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

CONTINUING APPROPRIATIONS

Mr. BLUMENTHAL. Madam President, yesterday the Veterans Affairs Administration announced it would furlough 7,000 Veterans Benefits Administration employees, and as a result activities and services in the following areas would be suspended: The education call center, personal interviews and hearings at regional offices, education and vocational counseling, outreach programs including at military facilities, the VetSuccess Program on campuses.

But this announcement is only the beginning of the contraction in the

services and activities of the VA. In fact, VA also announced that at the end of the month it will run out of funding for compensation, pension, educational and vocational rehabilitation, and employment benefits.

What does that mean for America? What are the consequences of the VA saying this shutdown means we are shutting our doors to processing and paying the claims of men and women who have served this country, who have been disabled as a consequence of that service, who have earned educational benefits so they can come back and continue to contribute to this country? What that means to America is we are in effect defaulting and failing on a core obligation this country has to men and women who serve and sacrifice. America is failing to keep faith with its veterans, and America is failing on one of its most essential obligations.

We ought to be ashamed and embarrassed that 7,000 men and women, who want nothing more than to help their fellow veterans—in fact, half of those 7,000 men and women at the VA are themselves veterans—have been told: Go home. In fact, at the end of the month the benefits, pensions, and educational benefits that are received by veterans will have to be suspended because the VA is running out of money. Right now it is in effect continuing on the leftover money, which will last only through the end of this month.

I spoke this morning to a veteran named Jordan Massa, a native of Bridgeport, who served for 6 years in the U.S. Army as an infantryman, including two tours in Iraq. Jordan Massa was injured in an IED explosion, a roadside bomb, that left him severely disabled with ear and back wounds as well as posttraumatic stress. Jordan Massa waited for 2 years after he applied for the benefits he needs and deserves, until October 1—just days ago—when he heard the good news that he would be receiving the disability benefits to which he is entitled—not as an act of charity or beneficence; he is entitled to those disability benefits. Now Jordan Massa is on the verge of being denied the benefits he needs and deserves because of this shutdown. A Connecticut native, awarded the Purple Heart, he has been a student at Tunxis, and has sought to help other veterans as a counselor—giving back to this country even after his service in uniform.

I spoke also to Aaron Jones, who works at the South Park Inn Shelter, which serves homeless veterans in Hartford. That shelter is full.

There are thousands of homeless veterans in Connecticut and millions across the country who also are a mark of shame and embarrassment for this country. The greatest Nation in the history of the world is failing to provide for men and women who have worn the uniform and now are homeless.

He is telling me the government shutdown has created an additional ob-

stacle to those veterans who want to leave that shelter to find permanent housing. Some are there for emergency, about 7; some are there in transitional housing, about 10; and they want to resume productive and constructive lives. This shutdown has created an additional obstacle to their doing so. In fact, for Aaron himself, who is a veteran and served in the National Guard, a tour in Bosnia, a tour in Iraq, this shutdown is a horrendous obstacle.

At this moment as I speak on the floor there is a House hearing. The House Committee on Veterans' Affairs has, as its principal witness, the head of the VA, General Shinseki, who has served this Nation with distinction and dedication and has sought valiantly to reduce the backlog in disability claims and to provide benefits more efficiently and effectively to our veterans.

Rather than using General Shinseki as a political punching bag, the House should simply have a vote. They should vote on a simple, straightforward, no-strings-attached funding resolution that would enable those 7,000 VA employees to come back to work and serve the people they love. It would provide for other essential services, whether at NIH serving cancer victims or the other agencies that work with the VA to help serve our veterans, such as the Department of Labor and the Department of Housing and Urban Development. The piecemeal approach the House is taking, a "cause du jour" approach to governing, is simply inadequate and irresponsible. The bill they have sent to us, while it deals with the VA, would not provide for those other agencies that are essential to the VA's work, whether in training or housing or processing claims.

This Nation should be embarrassed and ashamed. This legislature ought to be embarrassed and ashamed that it is failing to keep faith with Jordan Massa, with the folks who live at the South Park Inn Shelter, and countless other veterans in Connecticut and across this country who are entitled to benefits, pensions, and processing of their disability claims so they can receive what they deserve and need. If the House votes it will pass a simple, straightforward funding resolution, if the House is permitted to simply say yea or nay to that very straightforward, simple measure, this Nation will keep faith with Jordan Massa, with Aaron Jones, and with the countless millions of other veterans who at the end of this month will lose the benefits and pensions they are entitled to receive as a result of their service and sacrifice to this Nation.

I ask the Speaker of the House to simply allow a vote. Let the House vote so we can open government, pay our debts, and then reach a budget that is comprehensive and responsible and meets the needs of those veterans and many other Americans who are harmed and handicapped, enduring hardship as a result of the failure of that body. It

is a small minority in one branch of the legislature, one branch of our government that is failing our Nation.

I yield the floor and 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. ROBERTS. 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. ROBERTS. I understand we are in morning business. I ask consent to speak for 15 minutes.

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

Mr. ROBERTS. Madam President, I wish to talk a little bit about the government shutdown—what else. It is my understanding that my colleagues across the aisle, I understand I will not have the opportunity to speak to any one of them, but should they come out on the floor—they are out on the Senate Capitol steps exhorting the House to send something they prefer over or to simply end the shutdown with a clean bill. I however would have suggested they would go over to the House steps as a gesture of good will. I am not sure any Member of the House—I know when I was in the House, I am not sure I would have appreciated either party getting on the Capitol steps and urging me to do something when I was in the House. But be that as it may, perhaps it is a good will effort as opposed to further demands.

I want to make sure everybody in Kansas is aware—and I know I speak for everybody on our side—the Republican side of the aisle did not want to shut down the government. As everybody knows, we have the current continuing resolution. I am sorry we have to continue to go through continuing resolutions. This is where we bundle up everything from appropriations bills, some of which have already been worked through, and then simply meld them together into a continuing resolution. We do not do appropriations bills anymore. That would be called regular order. I truly resent this. I find this most unfortunate.

So here we are, trying to consider how to fund the government. Many of us believe this funding measure should do everything possible to also control spending. That seems to be the real issue. Chief among these proposals would be to defund or at least delay the health care reform law. My colleagues and I have supported multiple measures to try to avoid a shutdown.

In the past few weeks Republicans have offered no fewer than three solutions to avoid the government shutdown, and I voted to keep the government open every single time. Most recently, the House is passing mini-CRs to open the government piece by piece because we cannot come to an agreement on a continuing resolution. Most

people, if they pay attention to the media—or if the media even covers this—understand what the House is trying to do, which is to open the government piece by piece. The first item of business would be to certainly fund the Veterans' Administration. We have all seen what is going on down at the World War II Memorial and, unfortunately, at the Marine Corps War Memorial as well, where we have yet to break the barrier. Being the senior marine in the Congress, I may lead a charge at the memorial sometime later this week. I have not made up my mind yet.

At any rate, that is just not reasonable. There are a lot of things being done, including no death benefits for people who have paid the ultimate sacrifice recently in the current wars that continue to go on. That is abhorrent. Why that decision was made by the Department of Defense I do not know.

At any rate, the House is trying to target these particular items, most of which have been identified by the President. So these mini-CRs by the House mirror what the President says in regards to the hurt that is being caused by the shutdown. What the President identifies, the House is trying to fix and then send over to the Senate. It is very unclear whether the majority leader will even allow a vote in regard to these measures. Senator CRUZ spoke to this in regards to a plan A, when we were discussing this in the Republican conference.

At any rate, the majority leader has refused to consider a single one. So this debate is not about shutting down the government, it is actually in part to protect Americans from what I call the disastrous health care law that is damaging our economy, raising taxes, and costing people their jobs. It is about a President who is unwilling to lead, unwilling to even come to the table to negotiate.

The President is now indicating he might want to negotiate on a short-term continuing resolution, but we do not have an agenda. We have had quite a few people offer plans. The distinguished Senator from Maine, SUSAN COLLINS, has a plan—it should be a bipartisan plan—that calls for a short continuing resolution, repeal of the medical device tax, and then fixing the sequester so the different agencies would have the authority to pick and choose how to meet the guidelines with regard to the Budget Control Act. Then it allows oversight responsibility to the Appropriations Committee to take a look at what the various Secretaries would do and make sure that is all right. This would be plan B.

We have a plan C by PAUL RYAN that I just read about in the Wall Street Journal. So we are not lacking in plans. What we are lacking is a room. We don't have a room, we don't have a table, we don't have chairs, and we don't have anybody in the chairs, they don't want anybody in the chairs. By the way, I would just as soon not have

another supercommittee that turned out to be not very super, selected by leadership. We could have the Finance Committee, which has jurisdiction, and the Ways and Means Committee in the House, which has jurisdiction, and I will bet we could come up with something that would be reasonable. At any rate, it is still about the majority leader insisting, no, he is not going to consider something like this. Unless, of course, the President would change his mind—and I hope he does.

My colleagues across the aisle have refused to consider even the most moderate proposals such as repealing the medical device tax as recommended by Senator COLLINS and ensuring that Members of Congress and their staff are treated the same as the average American in the ObamaCare exchanges.

Let me repeat that: that Members of Congress and their staff are treated the same as average Americans in the ObamaCare exchanges. When that came up in the Finance Committee, long before ObamaCare was passed or, for that matter, before it left the Finance Committee to go behind closed doors, in the majority leader's office—where I think he was singing with Mr. Rich, in terms of singing behind closed doors, but that is another story—at any rate, that first time I think it was Senator GRASSLEY who said he thinks it is only right that Members of Congress and their staff live under the same rules. He proposed that amendment. I voted for it then and I would again. It did pass then and, of course, now it is defeated by those across the aisle.

After failing to pass a budget last year and the 3 years prior to that or to pass a single funding measure this year, the Federal Government has been operating under a stopgap measure, as I mentioned before, called a continuing resolution. This is not what the people of Kansas expect from their government.

Despite multiple disruptions and critical delays, the exchanges became active as of October 1, about a week ago. However, since then we have heard feedback that the exchanges are off to a rocky start, are unusable or totally disappointing, fraught with frequent error and messages from a failure of a major software component. That is also not what people expected from any government program, and certainly not what has been sold as the President's signature domestic achievement.

Unfortunately, this was not unexpected for those of us who have opposed the law since the beginning, but it does bring up an issue. If you watch the news media—and for that matter, the comedy shows that follow later in the evening—there is always somebody who is trying to sign up on a computer and following the instructions given by the Department of Health and Human Services.

After you log on, the first page shows a smiling face, and then you get maybe three questions. I was interested in one of the questions I heard had been

asked: What do you eat? What is your favorite food?

If that's true what on Earth does that have to do with signing up for ObamaCare? Maybe they are concerned with somebody they feel might be obese or something like that, and maybe that is the person who ought to be signing up. I just don't know.

I know when I went through the first 16 pages—when I was reviewing as a member of the Finance Committee—of the draft on how you sign up, I got to page 3, and must say I would not give any database that kind of personal information. I think part of the delay is probably caught up on that. But you can't even get past page 3, and then it says you must wait.

I don't know how long we are going to wait. I know the President has called it simply glitches and bumps in the road. I think the front page of the Washington Post saying that many people had warned the administration that this was not going to work is certainly pertinent with regards to this discussion. I would offer up that these are system failures as opposed to bumps and glitches. I don't know when this is going to be worked out.

Despite a government shutdown, my colleagues across the aisle will not even consider solutions which acknowledge the widespread concerns expressed by the American people have with ObamaCare.

Let me also point out something else. The nominee to be the new head of the IRS—I asked him first why on Earth he would want to take on that job. He said, I am Mr. Fix-it, and that is what his resume says. I asked him a couple of questions, and I wished him well. I said: How are you going to implement and enforce this fine that is going to be on everybody if they don't sign up? I understand, from the administration, that nobody has to submit their eligibility requirements with regards to income. This is going to lead to fraud, abuse, and scamming. Second, you can't even sign up to begin with, and third, how on Earth is the IRS going to find anybody when they do not have the information or capability to do that?

I asked the distinguished nominee, who will come before the Finance Committee, where I will ask him again: How are you going to do that? He said: I need 8,000 more people. I said: What do you think the chances of that happening are around here? They would have to be trained, right? He said: Right.

They don't even have the people to enforce this if, in fact, they are going to enforce the fine. So why not just tell the American people: I am sorry, but we are not ready to fine people. We are not ready to have people declare their eligibility with regards to income, and we are not ready to sign people up yet because of the glitches, bumps, or failures in the system. So just delay it. Maybe they could delay it—as one prominent newscaster has proposed—

and just say: Look, if you want it, sign up for it, do. If you don't, you don't have to. You won't have to anyway because you are not going to get fined because the IRS has no capability to fine people. How are they going to do that? Are they going to cut your rebate check? Most of the people don't even get rebate checks. This is a mess that is just falling apart.

I, for one, am going to do everything I can to not let this stalemate stand. I am a senior member on the Finance Committee. I would encourage my colleagues basically that we meet, and that we discuss a continuing resolution that would extend funding out and allow us to try to work together on the systemic problems that face us with regards to the national debt.

I want to work toward a solution. I am going to do everything in my power to bring my colleagues to the table. I think they want to come to the table. We have a lot of responsible and good people interested who want this to end just like this side wants it to end. But we race headlong into another debt ceiling debate with the President in the exact same position as he is in the shutdown—unwilling to lead, unwilling to even come to the table, and we still have the majority leader saying no. We have White House officials running to the media declaring that we will default on our debt, the sky will fall, and this will be the fault of Republicans. These claims of inevitable default are false given the operation of the government and the cash flowing into the Treasury each month. They are clearly posturing—and dangerously posturing at that. No one wants a default or a shutdown by shotgun. Nobody wants a default—least of all me. It is the height of irresponsibility to make these claims and all along the way refuse to negotiate.

What we are asking for, and what we must do, is very simple: Consider a debt limit extension and budget changes at the same time, which would allow us to address our debt problem. Contrary to what Secretary Lew and other administration officials say, this is how these issues are handled. This is regular order. The debt limit, for at least the last 27 years, except for one small extension, has been attached to larger spending cuts and budget reforms. This is not unprecedented. This is how we do business. This is regular order.

The President's position is at odds with the stance taken by his predecessors from both parties. They saw the common sense of coupling deficit reduction with the extension of the debt limit. It is hard to figure out the President's thinking on this. Maybe now that a huge portion of Federal spending is on autopilot, he simply wants a blank check to fund the government with automatic increases in the debt limit. I want to mention something else that bothers me. I would like to go into negotiations with at least certain things that are guaran-

tees, things which have been guaranteed before. I am talking about guarantees in the Budget Control Act, and I am talking about the so-called fiscal cliff. The fiscal cliff protected 99 percent of Americans from a tax increase and had an estate tax reform that made sense and some real progress on capital gains.

The Budget Control Act, as we all know, led to the sequester. Again, Senator COLLINS has a plan that would fix the sequester and would give people more flexibility on how to do it, but also with oversight by the appropriations committees to make sure it is done right.

In meeting with the President—and he indicated in a press conference the other day that maybe he would invite more people to the White House. I appreciated being invited to the White House about 6 months ago. The subject came to a grand bargain. We were asking how this would work out.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. ROBERTS. Madam President, I ask for an additional 5 minutes if I may have it.

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

Mr. ROBERTS. Thank you, Madam President. I will try to wrap up. I appreciate the courtesy of the Senator who wishes to speak. I will try to get this done.

We were meeting with the President. I was bringing up the issue of regulations, but the rest of the people were talking about a grand bargain and what could happen. The President said on tax reform: Why can't we start with a clean page? Basically everybody agreed. And then he said we could also take mortgage interest, charitable giving, retirement, and we can means-test those and start from there. I thought, oh boy, here we go again—income redistribution. That is not the answer.

I would just say that before we enter into any negotiations, we ought to make sure that the Budget Control Act and the fiscal cliff bill, which were negotiated in good faith with the Vice President and which have resulted in lower spending, in the first actual decreases in spending by the Federal Government since the Korean War. That is unbelievable.

So in going to negotiate, I don't want to give up in regards to those decreases, and I don't want a situation where the President has said: I gave to you on CPI so I need \$800 billion in revenue. The distinguished majority leader has said it is \$1 trillion. So if we are going to raise \$1 trillion in revenue, then here we go again and whatever negotiations come down the pike are going to be more spending and more taxes. People are just figuring out what their tax bill is going to be with ObamaCare. We don't need a situation where we sit down and negotiate simply for more taxes and spending. Without going into the constitutional im-

plications of granting any authority on autopilot to the President, I would say I am adamantly opposed to giving any President that much control over the budget.

Why does all of this matter? Why am I making this speech? Why is my friend across the aisle going to make her speech? The debt limit is currently \$16.7 trillion. The debt has increased about \$6 trillion since the President took office—more than any other President in our history. The main source of this tremendous growth in our debt is entitlement spending, Social Security, Medicare, Medicaid. PAUL RYAN has a plan to fix that. It ought to at least be on the table, and that way we can see a path for where we can go with it.

Without changes, spending on these programs is expected to grow by 79 percent over the next 10 years. In fact, by law, there is no upper limit on how much we spend on these programs. This spending—added to interest payments on the debt—will make up close to 65 percent of the budget in 10 years. By then we won't have any discretionary spending.

The Congressional Budget Office reports that we remain on an unsustainable path. All we are asking—prudently, I hope—is that any increase in the Federal debt limit needs to be coupled with real, tangible cuts in discretionary spending and meaningful, structural reform to entitlement spending. We need to get this done to rein in our unsustainable debt and to ensure that these programs are there for our children and our grandchildren.

Madam President, I ask unanimous consent that an article by Thomas Sowell, a senior fellow at the Hoover Institution from Stanford University be printed in the RECORD at this time.

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

[From the Standard Times, Oct. 6, 2013]

WHO SHUT DOWN THE FEDERAL GOVERNMENT?

(By Thomas Sowell)

SAN ANGELO, TX.—Even when it comes to something as basic, and apparently as simple and straightforward, as the question of who shut down the federal government, there are diametrically opposite answers, depending on whether you talk to Democrats or to Republicans.

There is really nothing complicated about the facts. The Republican-controlled House of Representatives voted all the money required to keep all government activities going—except for Obamacare. This is not a matter of opinion. You can check the Congressional Record.

As for the House of Representatives' right to grant or withhold money, that is not a matter of opinion either. You can check the Constitution of the United States. All spending bills must originate in the House of Representatives, which means that congressmen there have a right to decide whether or not they want to spend money on a particular government activity.

Whether Obamacare is good, bad or indifferent is a matter of opinion. But it is a matter of fact that members of the House of Representatives have a right to make spending decisions based on their opinion.

Obamacare is indeed “the law of the land,” as its supporters keep saying, and the Supreme Court has upheld its constitutionality. But the whole point of having a division of powers within the federal government is that each branch can decide independently what it wants to do or not do, regardless of what the other branches do, when exercising the powers specifically granted to that branch by the Constitution.

The hundreds of thousands of government workers who have been laid off are not idle because the House of Representatives did not vote enough money to pay their salaries or the other expenses of their agencies—unless they are in an agency that would administer Obamacare.

Since we cannot read minds, we cannot say who—if anybody—“wants to shut down the government.” But we do know who had the option to keep the government running and chose not to.

The money voted by the House of Representatives covered everything that the government does, except for Obamacare. The Senate chose not to vote to authorize that money to be spent, because it did not include money for Obamacare.

Senate Majority Leader Harry Reid says that he wants a “clean” bill from the House of Representatives, and some in the media keep repeating the word “clean” like a mantra. But what is unclear about not giving Reid everything he wants?

If Reid and President Barack Obama refuse to accept the money required to run the government, because it leaves out the money they want to run Obamacare, that is their right. But that is also their responsibility. You cannot blame other people for not giving you everything you want. And it is a fraud to blame them when you refuse to use the money they did vote, even when it is ample to pay for everything else in the government.

When Obama keeps claiming that it is some new outrage for those who control the money to try to change government policy by granting or withholding money, that is simply a bald-faced lie. You can check the history of other examples of “legislation by appropriation,” as it used to be called.

Whether legislation by appropriation is a good idea or a bad idea is a matter of opinion. But whether it is both legal and not unprecedented is a matter of fact.

Perhaps the biggest of the big lies is that the government will not be able to pay what it owes on the national debt, creating a danger of default. Tax money keeps coming into the treasury during the shutdown, and it vastly exceeds the interest that has to be paid on the national debt.

Even if the debt ceiling is not lifted, that only means that government is not allowed to run up new debt. But that does not mean that it is unable to pay the interest on existing debt.

None of this is rocket science. But unless the Republicans get their side of the story out—and articulation has never been their strong suit—the lies will win. More important, the whole country will lose.

Mr. ROBERTS. I yield back any time I may have.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, as my colleague from Kansas said, I also came to the floor today to talk about the unnecessary government shutdown that is continuing and is having widespread ramifications in New Hampshire and across the country.

I would like to respond to some of what he said about the Budget Control

Act and about the current state of the deficit. The fact is the deficit, under this President, has been reduced by more than 50 percent since he took office. It is on course to reach a little over 4 percent of GDP by the end of 2015, I believe. By 2023 it is expected to get even lower—down to a little over 2 percent. There is no doubt that we need a plan to deal with the long-term debt and deficits of this country.

Most of us who supported the Budget Control Act thought that was what we had done. We put a committee in place that was actually going to come up with an agreement on how we could get to a long-term plan to deal with this country’s debt and deficits. It is really unfortunate that some of the people who were appointed to that committee didn’t share in that commitment.

I think it is important to remind us all where we are. We have made significant improvements on reducing the deficit in this country. We have been willing to look at a long-term agreement to deal with the debt and deficit, and I think that is what we ought to do. I would hope that as the result of this government shutdown, we can get some agreement from both sides of the aisle to actually do this.

My main purpose in coming to the floor today is to talk again about the impact of the shutdown on too many people who were caught in the middle between this unnecessary inflicted crisis that we are seeing in Washington and the impact that it is having on families, small businesses, the economy of New Hampshire, and the country.

We are now in the ninth day of the shutdown. In New Hampshire we have seen hundreds of Federal workers who have been furloughed. Some of those workers are back to work. Fortunately, at the Portsmouth Naval Shipyard most of those people are back to work, and that is very good news. We still have people at the Forest Service, and we have people who work for the Federal Government in other capacities all over the State who have not been fortunate enough to be called back to work.

I would just remind everybody that even for those people who are back at work, they are not being paid. They are working without pay.

In New Hampshire Small Business Administration loans have been halted, and that is true across the country. The Federal Housing Administration and VA loans have been slowed down. At the White Mountain National Forest, which is a Federal forest that hosts more visitors than Yosemite and Yellowstone National Parks combined, people who are traveling through our beautiful White Mountain National Forest at this time of the year so they can look at the foliage are not even able to use the restrooms because of the shutdown.

This morning I wanted to speak about some of those businesses I have heard from who are being hurt by the

shutdown. New Hampshire is truly a small business State. Ninety-six percent of employers in the Granite State are considered small businesses and they are the backbone of our economy. They are also where most of the new jobs are going to come from.

Two out of every three new jobs in the United States is created by a small business, but the shutdown is hitting them hard. I heard this morning from two of our businesses that have been established in the State for a long time. They have national reputations.

Titeflex, which is an aerospace company in the lakes region, does a lot of business for the Department of Defense and they also provide supplies to larger companies. They told me their inventory is piling up on their docks now because they don’t have anybody to inspect it, because those Federal officials who do that are not working. They are furloughed. They said it is really going to be a problem in 10 days if they don’t get this resolved, when they have to report to the corporation their bottom line numbers, which will show on their reports, and that will affect their company.

Then I also heard from some representatives of Smith Tubular, which is a medical device equipment company that does business with the VA and with the military, and they also do a lot of work with the FDA. They said they are seeing their contracts affected, and they have heard from FDA that they couldn’t provide the payments they normally provide to them because there is nobody at FDA to process those payments. So that is having an effect on the ability of businesses to innovate, to provide the products that are needed.

We have seen an impact on lending in New Hampshire. The Small Business Administration has reported that loans are not being originated. One does not need a Ph.D. in economics to understand that if small businesses can’t access capital and credit, there are real economic consequences. One of our largest SBA lenders in New Hampshire is a company called the Granite State Development Corporation. Twenty of their loans are on hold already because of the shutdown.

Then this morning I heard from a community bank in New Hampshire called Provident Bank that it has about half a dozen SBA loans being held up right now. One of those loans is for a newly starting up entrepreneur who wants to open an Orange Leaf Frozen Yogurt franchise in New Hampshire. All the paperwork is ready to go, but Provident Bank can’t get the final approval for the loan until the SBA is up and running again. So if the shutdown continues, Provident Bank is concerned that interest rates are going to rise, and if interest rates rise, the cost of borrowing for small businesses is going to go up.

As the Presiding Officer knows, because her State is much like New Hampshire with a lot of small businesses, access to credit is the lifeblood

of those small businesses. Right now, we are preventing them from getting the help they need.

Then we have small businesses in New Hampshire that rely on consumer demand. I heard from Charles Moulton, who is the owner of a New Hampshire maple syrup company called New Hampshire Gold. This is the time of year when people are coming to see the foliage and sample our maple syrup in New Hampshire. He has four employees and his maple syrup company has a storefront in New Hampshire, but it also sells one of their signature products, their maple syrup, to Zion National Park in Utah—kind of an unlikely location for a New Hampshire maple syrup, but New Hampshire Gold sells to tourists who come there from all over the world during the summer and early fall. But now, because Zion National Park is shut down, as are all of our national parks, New Hampshire Gold sales have dried up. While they continue to sell in Concord, NH, in their retail store, much of the cushion they needed to get through the winter into next year comes from that location at Zion. They can't afford to lose those dollars as they are thinking about how to get through the rest of this year.

New Hampshire Gold is just one of the thousands of small businesses that have been hurt by the shutdown of our national parks. Visitors to the parks spend nearly \$13 billion a year in regions within 60 miles of the parks. This shutdown is hurting not just visitors to those parks; it is hurting small businesses such as New Hampshire Gold and all of the other small businesses around our parks who depend on that tourism business.

There is no doubt this shutdown is hurting our economy. Economist Mark Zandi projected that a 3-to-4-week shutdown would reduce gross domestic product by 1.4 percent during the fourth quarter. He noted that the projection likely underestimates the economic fallout, since it doesn't fully account for the impact of such a lengthy shutdown on consumers, businesses, and investor psychology.

The bottom line is clear: The shutdown is bad for our economy, it is bad for middle-class families, and it is bad for the country.

As we look at the looming deadline for when we need to raise the debt ceiling so we can pay the bills this country has incurred, there is potentially even greater fallout for America. Holding the economy and critical services hostage to score political points is irresponsible. We need to open the government. We need to raise the debt ceiling so we can pay our bills. With the economy finally showing signs of improvement, the last thing we should be doing is what is happening right now.

I am hopeful the House will do what is right. I am hopeful they will pass a short-term funding bill. That action will get our government running again, and then we can continue to negotiate

on what we need to do to address the long-term debt and deficits in the country, as well as talk about where we need to invest to make sure this country stays competitive in the future.

I yield the floor.

QUORUM CALL

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The bill clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 4]

Baldwin	Heitkamp	Nelson
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Boxer	Kaine	Sanders
Casey	Klobuchar	Schatz
Coons	Leahy	Schumer
Durbin	Merkley	Stabenow
Franken	Murphy	Warner
Heinrich	Murray	Warren

The PRESIDENT pro tempore. A quorum is not present.

The majority leader.

Mr. REID. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 78, nays 18, as follows:

[Rollcall Vote No. 215 Leg.]

YEAS—78

Ayotte	Graham	Mikulski
Baldwin	Grassley	Murkowski
Baucus	Hagan	Murphy
Bennet	Harkin	Murray
Blumenthal	Hatch	Nelson
Boozman	Heinrich	Portman
Boxer	Heitkamp	Pryor
Brown	Hirono	Reed
Cantwell	Hoeven	Reid
Cardin	Isakson	Rockefeller
Carper	Johanns	Rubio
Casey	Johnson (SD)	Sanders
Chambliss	Kaine	Schatz
Chiesa	King	Schumer
Coats	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Landrieu	Stabenow
Coons	Leahy	Tester
Corker	Levin	Toomey
Donnelly	Manchin	Udall (CO)
Durbin	Markey	Udall (NM)
Feinstein	McCain	Warner
Fischer	McCaskill	Warren
Flake	McConnell	Whitehouse
Franken	Menendez	Wicker
Gillibrand	Merkley	Wyden

NAYS—18

Alexander	Crapo	Moran
Barrasso	Cruz	Risch
Blunt	Enzi	Roberts
Burr	Heller	Scott
Coburn	Johnson (WI)	Sessions
Cornyn	Lee	Thune

NOT VOTING—4

Begich	Paul
Inhofe	Vitter

The motion was agreed to.

The PRESIDENT pro tempore. A quorum is present.

The senior Senator from Washington.

Mrs. MURRAY. Mr. President, when a house is on fire, the reasonable thing to do is put it out and then figure out what happened to prevent the next one.

When a ship is headed toward rocks, the reasonable thing is to steer away and then work on charting a better course.

When a government is shut down and is headed toward a default that economists would say is catastrophic, the reasonable thing to do is end the crisis, steer away from the next one, and work together on a long-term plan to avoid these crises in the future.

We are now in the second week of this absolutely unnecessary government shutdown. Every day we are hearing more and more about the tremendous impact this is having on our families and our communities across the country. It is only going to get worse.

We can end this today. It does not have to continue. We are holding the door open for our Republican colleagues to join us in putting a stop to this madness. All they need to do is come in. Senate Democrats have spent the past 6 months trying to get Republicans to join us at the table in a budget conference. We knew there were two options: conference or crisis—working together toward a bipartisan budget deal or lurching separately into a completely avoidable government shutdown.

A number of Republicans joined us in a push for negotiations, but no matter how many times we tried, we were blocked. We were pushed to this point by a refusal to negotiate, and now the only path forward is for the House to end the crisis and then join us at the table at which we have been waiting to sit for 6 months.

Democrats want to negotiate. We want to have this conversation. We think the only way out of this cycle of constant crisis is for the two sides to work together, to make some compromises and get to a fair and responsible long-term deal. But it does not make sense to do that while our families and our communities are being hurt by this government shutdown and while the threat of a default hangs over their heads.

I served on the supercommittee. I worked with my colleagues to write and pass our budget here in the Senate. I know Democrats and Republicans have some serious differences when it comes to our budget values and our priorities, and I absolutely believe we owe it to the American people to try to

bridge that divide and to find common ground. But are we really going to ask them to wait patiently, continue suffering through this shutdown, keep watching as we cruise toward an economic calamity while another supercommittee gets together and has a conversation? That does not make sense. Let's have those conversations, let's have those negotiations, but let's end this crisis and get to work.

Yesterday I heard something from the Speaker. He said he didn't want to end the shutdown or address the debt limit now because that would be "unconditional surrender to the President." Have we really come to the point where simply allowing the government to open is considered by one party to be a political loss? Are we really in a place where the majority of one Chamber in one branch of government believes allowing the United States of America to pay its bills is a major concession?

I say to my Republican friends who are here today, imagine if our roles were reversed. For example, I have been working very hard this year to write an early childhood education bill that I am passionate about, and I believe it will really help our children and our families. I suspect there are a few people in this Chamber today, including several on the Republican side, who could one day see themselves in the White House. If that day were to come, what would my Republican colleagues do if I said to them that if they did not pass my bill to expand pre-K, I would get all the Democrats together and we would refuse to pass any spending bills until we got what we wanted? And if that led to a government shutdown because they refused to let my bill pass, what would they do if I demanded a supercommittee to discuss ways to invest in our children before I allowed a vote to open the government again? I would humbly suggest that my Republican colleagues would say exactly what Democrats are saying now: This is not a legitimate way to negotiate, and the only path forward is to end this crisis and then have a conversation.

The great American system we hold so dear—our democracy that is the envy of the world—simply cannot work if a minority of Members can threaten to shut down the government or devastate the economy if they do not get their way on an issue—any issue. That is not what Democrats did when we were in the minority, and it is not what we should do should that day come again. Our system was designed to push both sides toward negotiations in a divided government, to encourage negotiation and movement toward common ground. It breaks down when one side refuses to negotiate in advance of a crisis, and it falls apart when a minority refuses to allow the basic functions of our government to perform unless their demands are met.

I know all of my colleagues, Democrats and Republicans, came here to

fight for their constituents, to solve problems, to make this country work better. I know there is nobody here today—not a single Senator—who was sent here to shut the government down or to push this country toward an unprecedented default on our loans. And I know so many of my colleagues, Democrats and Republicans, are sick of the constant crises. They hate seeing their constituents get hurt.

As my friend the Senator from Arizona said yesterday, I think we should find a way to sit down and find a way out of these dead ends. That is what I am here today to offer—a way out, a path forward. It is not a defeat of one side or the other, it is certainly not any kind of surrender, but it would allow us to get out of this mess that has been created and open a path to negotiations so we can avoid the next one. I am going to ask consent once again to start a budget conference as soon as the current crisis has ended. Democrats have made it clear we want to negotiate. We couldn't have made it more clear. We will sit down and negotiate over anything the Republicans want, and we pledge to work as hard as we can for as long as it takes until we get a fair long-term budget deal to end these constant crises. But first this current crisis needs to end and the threat of the next one needs to be lifted.

Republicans don't need a hostage. There are plenty of things Democrats want out of a long-term deal for which we are very interested in making some compromises. So I urge my Republican colleagues to please consider taking us up on this offer. We can end this today. We can do the right thing for our families and the communities we represent, and we can get back to work helping people, solving problems, and working together.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

I respectfully ask unanimous consent that when the Senate receives a message from the House that they have receded from their amendment and concurred in the amendment of the Senate with respect to H.J. Res. 59, the Senate then proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment at the desk, which is the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; that the motion to reconsider be considered made and laid upon the table; that the Senate proceed to vote on a motion to insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the part of the Senate; with all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER (Ms. BALDWIN). Is there objection?

The Republican whip.

Mr. CORNYN. Madam President, reserving the right to object, on this side of the aisle we agree it is good to nego-

tiate, and we should. I would only hope the President of the United States would be a part of that negotiation in order to make it successful.

But I would ask my friend why the request is contingent on passage of the House continuing resolution. The Democrats have already rejected the House's request to go to conference on the CR, seemingly in contrast to what they are now asking for, which is a negotiation.

Hopefully, we will pass H.R. 3273, the Deficit Reduction and Economic Growth Working Group Act, which will create a bicameral, bipartisan group to address the CR and the debt limit situation.

But on the Republican side, again I would say to our friends that we have a longstanding request to make sure reconciliation instructions are not in order in a budget conference so that the debt limit can be increased on a strictly party-line vote.

We happen to think it is a problem if the debt ceiling is raised as the Democrats are requesting, that we would see the debt go up by 68 percent under this President—more than all other Presidents in American history who preceded him. We think that is a bad idea.

So I would ask the distinguished Senator from Washington whether she would consider an amended unanimous consent request, and we would ask that the Senate, by way of amendment to her request, proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment at the desk, which is the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25 be amended, be agreed to; that the motion to reconsider be considered made and laid upon the table; that the Senate proceed to a vote on the motion to insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the part of the Senate; with all of the above occurring with no intervening action or debate; and I would further ask unanimous consent that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. Will the Senator from Washington so modify her request?

Mrs. MURRAY. Reserving the right to object, let me make one observation, which is that sometimes I think those who have been objecting now 21 times to our request to go to conference have forgotten whom I would be conferencing with, which is the Republican House majority. What they fight so adamantly and strongly for here in the Senate will be well and ably represented in a conference committee. That is the point of a conference committee. That is what our democracy was set up to do in a divided government, where we have the opportunity to do that.

Having a conference committee to work out our budget agreement is exactly what I have asked for, but I will object because what the Senator's request does is simply say: We are going to keep our government closed. We are not going to allow people to do the functions that are so desperately needed. We are going to stay closed, and we are going to hold that hostage.

As I said so clearly when I spoke before, we need to open the government, we need to pay our bills, and we need to negotiate. That is what our request does, that is what the Republican request does not do, and so I object.

The PRESIDING OFFICER. Objection is heard to the modified request.

Is there objection to the original unanimous consent request?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

The assistant majority leader.

Mr. DURBIN. Madam President, I thank the Senator from Washington for her 21st time in coming to the floor of the Senate and asking the Republicans to join us in a conference committee to resolve budget differences between the House and the Senate. Twenty-one times Senator MURRAY has come to this floor simply asking to negotiate, and the Republicans, who have been arguing that we don't negotiate, turned her down 21 times—the latest by the senior Senator from Texas. The junior Senator from Texas shut down the government over the notion of defunding ObamaCare, and now the senior Senator from Texas has said he objects to going to a conference committee to resolve our differences, Republicans and Democrats, between the House and the Senate.

If we are going to restore this Senate to the orderly process, what the Senator from Washington has asked for is very basic—open the government.

This morning the Chaplain of the Senate started by acknowledging the five families who were notified, after they had lost a military member—a son, a husband, a brother in Afghanistan over the weekend—he noted that in their bereavement they were being denied the basic benefits this government gives to these grieving families after they have lost someone in uniform. The Chaplain of the Senate said it this morning: Enough is enough.

This notion that closing down our government and keeping it closed is somehow acceptable political conduct is outrageous. We just left a press conference where Maryland Senators MIKULSKI and CARDIN, and Senator Kaine and Senator WARNER of Virginia, spoke about the impact to their local economies and the loss of these jobs with this government shutdown. I can tell stories of Illinois, with 50,000 Federal workers who have either been furloughed or their checks are being withheld for the most part. This is unnecessary, and it is unacceptable.

We were in the midst of a terrible accident last week, right before October

1. A train ran into one of our Metro trains coming back from the airport, and 30 people were sent to the hospital. The National Transportation Safety Board went out to investigate the accident to find out what led to this terrible thing. They had to leave at midnight on October 1, after having collected what evidence they could, because the government was shut down. The investigation was suspended. That is one small example. There are the five families who are grieving. And it goes on and on.

What we hear from the Republicans is we will take care of each of these as it arises. We will pick out the vital functions of government. So far, all of the bills passed by the House of Representatives combined represent only 18 percent of the domestic discretionary budget of the United States.

So each day, as another tragedy occurs, as another embarrassment to this Republican strategy emerges, they will try to find a way to fix that story, to fix that problem. It is time for us to fix our sights on a solution that is befitting the great Nation of America: Open the government and pay our bills while we negotiate.

That is the only responsible way to approach it. I am sorry that for the 21st time the Republicans have come to the floor and denied the request by the Senate Budget Committee chair, Senator MURRAY of Washington, to sit down and negotiate. Twenty-one times Republicans have refused to allow us to enter into a bipartisan negotiation. That is why we face the problems we do today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, it is a good thing that Democrats for the first time in 4 years passed a budget—at least brought one to the floor and passed it on a strictly partisan basis. Before that, they not only didn't pass one, they didn't bring one to the floor for 4 years and refused to do so, even though a specific provision of the United States Code actually required them to do so. It was a stunning development.

Senator Conrad, then the Democratic chair of the Budget Committee, wanted to bring up budgets, fought to bring up budgets, and one time said he was going to bring up a budget. But Senator DURBIN and others in the leadership apparently had a vote, and they voted against him. Senator MURRAY, to her credit, has gotten a budget through. The Presiding Officer is a member of that committee, and they got a budget through this year, which was a good thing. I am not sure, but I suspect Senator MURRAY was one of those who blocked Senator Conrad from even bringing up a budget for 4 years. So I think it is a bit aggressive to say Republicans are blocking a budget when the history is they haven't even voted on one.

Secondly, there are Members on this side of the aisle who simply say the

legislation necessary to raise the debt ceiling again should be passed—like legislation should be passed—on the floor of the Senate, and it would require a 60-vote point of order where you have to have 60 votes to pass.

In conference, a raising of the debt ceiling would be put on the budget which only requires 51 votes for passage. We have simply said we would allow the budget to go to conference and agree to conference, but we want a commitment that our Democratic colleagues will not try to sneak through raising the debt ceiling on the budget—which doesn't require but 51 votes. Our colleagues have flatly refused. If they would make that agreement, we would go to conference.

I think our Democratic majority should agree to that. They have indicated they don't intend to put it on the budget. One time Senator DURBIN said he didn't think it was appropriate to put it on the budget. If so, let's make clear we are not going to gimmick it up and add that to it.

The reason we have had such contention at this point in history is that we are facing fundamental challenges relevant to the whole future of America financially. It is a time of great importance. The American people understand this. The American people want us to take action to place this country on a sound financial path.

So we are heading to the debt ceiling. By law we limit the amount of money Congress can borrow and how much money we can spend above our current level. We are now spending about \$3,500 billion a year and we are taking in about \$2,800 billion a year. Think about it. That is what we are doing every year, and it is unsustainable.

In August of 2011 we faced a debt ceiling, and the American people told Congress: We want to clip back on your credit card. You are not going to continue to borrow this much money every year. Before you raise the debt ceiling, we want you to show that you are going to be more frugal and are going to manage our money better.

Republicans dug their heels in and said, Mr. President, we are not going to raise the debt ceiling until you agree to some financial constraints and that you are not going to keep spending recklessly every year.

After a tense time, a committee was formed and an agreement was reached, and this is what we agreed to: First, we would raise the debt ceiling \$2.1 trillion. Then, over the next 10 years we would reduce the projected growth of spending by \$2.1 trillion—one for one, as Speaker BOEHNER said.

So it gave Congress 10 years to find cuts. But in a little over 2 years, we have already borrowed another \$2 trillion. We have hit the debt ceiling cap again, and we have not yet come close to saving the \$2 trillion we promised to save.

And by the way, these are not really cuts. When you look at the U.S. budget, the budget was projected to increase spending from \$37 trillion over

10 years to \$47 trillion over 10 years. With the Budget Control Act, spending would increase from \$37 trillion to \$45 trillion over 10 years. That is not really a cut in spending, is it?

Yes, the way it has been carried out hits some departments more than others—particularly the Defense Department—and we need to adjust that. But fundamentally, the reduction in the growth of spending that was part of the BCA last year was not extreme, not irresponsible, and should and must be preserved.

But colleagues, the President of the United States, after signing that agreement in August—the sequester is part of the BCA. It was all part of the same deal that created the \$2.1 trillion in savings. In January, after that August, he proposed a budget that would increase spending another \$1 trillion and would raise taxes \$1 trillion. That is basically what our colleagues passed in their budget this year: to spend \$1 trillion more than the Budget Control Act said we should spend and raise taxes another \$1 trillion over 10 years.

This is a total abdication of the promise we made to the American people. We said, OK, American people, we are going to vote to raise the debt ceiling. A lot of people didn't like any raising of the debt ceiling. Phone calls to my office were against any raising. People said, It is time for you guys to live within your means like I have to do in my house.

So we raised it. But we promised we wouldn't spend so much. We promised we would reduce spending by \$2.1 trillion, but over 10 years. Do you know what a lot of cynics around here said? They said, Congress won't adhere to that. That is just a bunch of baloney. They promise that all the time, and then they breach their promises all the time. That is why the country is going broke.

That is exactly what the President did in January of 2012, 6 months after the agreement—he proposed to spend another \$1 trillion above the amount of money we agreed to spend 6 months before. Why?

I didn't really want to sign that agreement. I didn't really want to cut that much money. So I am not bound by it. I didn't make a promise to the American people. I forgot all about that. That was 6 months ago. Oh, a 10-year promise, that we are going to contain the growth of spending for 10 years? Forget that. I don't want to do that. I want to spend more. I have investments I want to make. I have taxes I want to increase.

This is fundamentally what is occurring here. So we have got to stand firm and adhere at least to the containment of growth in spending in the Budget Control Act. We have to. Failure to do that is a capitulation in our promises to the American people, a total abandonment of any pretension that we will be fiscally responsible in this body. It is just unthinkable that we would abandon the limits we had in the Budget Control Act.

The sad truth is the Budget Control Act reductions in the growth of spending do not come close to putting us on a firm financial footing. We are still on an unsustainable debt course, as our Congressional Budget Office has told us.

Yes, we have seen a reduction in the deficits this year of \$600 billion. People say that is great.

George Bush has been called profligate, and sometimes he was. The highest deficit he ever had was \$470 billion. The year before his last year in office was \$167 billion.

President Obama in his 6 years will have averaged almost \$1 trillion a year in deficits. We have never, ever come close to that kind of deficit before in the history of the Republic.

So what does a budget say that says we want to tax people \$1 trillion more and spend more money under these circumstances? I will tell you what it says.

From the President and the majority here in the Senate, it says: It is not our problem. We can't find any more ways to reduce the growth of spending. We can't save another dime. You people just don't understand. There is no way we can save any more money. We have a problem, though. And do you know who is responsible for it? You, the American people. It is your fault. You won't give us enough money. If you would just send more money, another \$1 trillion, another \$2 trillion, another \$600 billion which was passed in January, just another few hundred billion more or a trillion here and a trillion there in taxes, why, we could solve all of the problems. Send us more money. And by the way, we will use that money to create government programs and government bureaucracies that impose great costs on the American economy and have in fact resulted in the declining wages of American workers to a degree that is not acceptable.

We need a growth-oriented, lean government—a lean government that serves the people for the least possible cost and reduces these deficits. Deficits themselves are pulling down the economic growth in our country. The size of our debt is so large, we have never had anything like it, it is already beginning to diminish the prospects for growth in our economy and reduces job creation and reduces wages.

I know we are in a tough time now. We certainly need to work our way out of this. But the President negotiated over the debt ceiling in August of 2011, and we made at least a step forward. In fact, it was the most significant fiscal step this country has taken, maybe in decades, and for the last 2 years we have actually spent less money than the year before. Think about it. To hear people talk, they would think the country is going to collapse.

But we have had a modest reduction in spending, and that has been good. It has been good. But it is not nearly enough to put us on a sustained path.

We need to save Social Security, we need to strengthen and save Medicare,

we cannot afford the Affordable Care Act. We have witnessed a total misrepresentation on the Affordable Care Act with regard to its cost. The Government Accounting Office, an independent auditor, has told us it is going to add at least \$6 trillion to the debt of the United States over the long term under its likely set of assumptions. It does not pay for itself—nowhere close. It is as unstable financially as Social Security is over the long term.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. Let's keep working. Maybe we can develop some ways to confront our financial problems. It is absolutely critical that we do that. We have a moral responsibility to do that and we have to start working together to achieve it. I think the President needs to back off his statements that he will not negotiate on the continuing resolution or the debt ceiling.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask my colleague from Alabama, if he has a moment or two more, after I read an official consent request, if he might stay for a moment and answer a question about how that budget conference committee works?

Mr. SESSIONS. I have a moment.

Mr. MERKLEY. Madam President, through the Chair, I want to pose a question about the budget conference committee. I think it is something that has puzzled a lot of people across America.

We hear some folks standing and giving speeches saying for 6 months we have been trying to get a conference committee and we have other folks who are standing and saying we will be glad to go to conference as long as there is a deal beforehand on exactly what is done in the conference committee.

In that regard, I thought it would be useful to have a little bit of perspective here. My understanding is that anything that comes out of the budget conference committee would have to have agreement of both the team of delegates from the House side and the team of delegates from the Senate side. That is a question I ask of the ranking member of the Budget Committee, to clarify that process?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator. Of course that is correct. I understand the Speaker has indicated there is no guarantee that the increase in the debt ceiling would not be a part of a conference report that came out of conference committee. We have independent Senators in this body who simply said we do not think we should be subjected to having the debt ceiling increase without a full debate and the normal processes of 60 votes in the Senate. That is where the disagreement lies. People can have disagreements about the validity of their concern, but

it is a legitimate concern. If there is no intention to move a debt ceiling increase at 51 votes, why wouldn't my colleagues agree not to do it? That is the disagreement I think that now exists.

Mr. MERKLEY. Madam President, might I ask about a couple of other pieces to this puzzle. Why not, with that concern—I pass this question through the Chair to my colleague—why not, with that concern, simply ask the House delegates to carry that concern, rather than blocking the start of the conference committee?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I say to my colleague, through the Chair, it is very simple. Senators have rights. They have a right to assert those privileges on the floor of the Senate. We have Senators who say you should not do this, you should not raise the debt ceiling on the budget and we do not want to go to conference unless you do agree not to sneak that through without a full debate and 60-vote threshold on the floor of the Senate. Attaching it to a bill that is a budget deal that is huge and would have a lot of interest in it would make it even more difficult to separate that question out. Rightly or wrongly, that is their view.

I say I don't see any problem and I am amazed at the intransigence of the majority of not just accepting that. I don't think it is likely, as the Senator indicated, that the House would add that to it, frankly. I am not too worried about it. But some are and that is causing the disagreement right now. I think it would be great to go to conference. I would like to see a conference occur, frankly. I think it is an unusual and positive development that after 4 years of not even bringing a budget to the floor, that we now have the majority here passing a budget so we can try to do something with it in conference—although I have to tell you, all of our colleagues, there is a big difference in the budgets. The budget passed out of the Senate with our majority that every Republican opposed completely busted the Budget Control Act. It is nowhere close to what was agreed to in that Act 2 years ago.

I think we have a huge gap to cover in conference. It is not impossible and it would probably be a healthy thing to start that process. I wish my colleagues would relent and commit not to try to sneak the debt ceiling increase in on the budget.

I thank the Chair. I appreciate my colleague, a member of the Budget Committee, who contributes ably and works hard to try to do the right thing around here.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, the thing that puzzles me, if my colleague would still consider responding, is that there is a process on the floor of giving instructions to a conference committee.

My colleague has left the floor, but the question I would have followed up with is, given that there is a specific process in the Senate for doing budget instructions to a conference committee, why not utilize that specific process, hold a vote on the conference committee instructions, rather than blockading the conference committee from starting?

I guess I will have to rhetorically answer the question, that there is no good explanation for why not go through the normal process and propose a Budget Committee instruction for our conferees.

Then the question becomes, couldn't we resolve this today? Couldn't we resolve this today, have a proposal put forward to instruct the conferees, vote on it on the floor of this Senate, and it either passes or it does not? Isn't the whole budget process designed specifically to be a simple majority process under the Budget Act so we can indeed get the job done and not be paralyzed?

I think—I believe the story—and I would have liked to have had the perspective of my colleague—but I think the story is a determination to not allow a majority determination of the budget instructions, to, instead, allow a minority to do so. I believe also that is an absolutely unprecedented situation, but I wanted to clarify that and understand whether there was in fact precedent for this type of determination that in a simple majority budget process, a minority would blockade a budget conference.

It is very strange that this should become such a central issue. But I want Americans to understand that essentially it boils down to this: For 6 months we have been trying to start a budget conference committee. A small group, a couple of individuals have wanted to instruct that Budget Committee but to do so without going through the normal process on the floor so they could do it as a minority rather than as a discussion and decision of the Senate as a whole. It is that precedent that seems unacceptable. I think if the tables were turned it would be felt strongly on the other side.

I hope to keep exploring these questions, because this 6-month obstruction of being able to get the budget that provides a framework for spending is deeply damaging. This body absolutely has to be able to do its fundamental work in determining the budget, getting a budget conference, getting a budget number, doing the spending bills, all appropriations bills—because otherwise we are careening from crisis to crisis.

I am going to shift gears here. I am going to step back from what is going on immediately with the shutdown and ask where did the seeds of this come from? If we turn back to about April of 2009, shortly after I first came to the Senate, there was a memo put out by an individual named Frank Luntz. Frank Luntz was providing a roadmap on how to block any sort of improve-

ment in our health care system. Frank Luntz said, and he was specifically instructing my colleagues across the aisle—he said it doesn't matter what is in the health care bill. It doesn't matter what good it does. Whatever it is, let's attack it and call it a government takeover.

This was long before anyone even knew what was going to be in the bill. So this strategy of poisonous partisanship rather than problem solving has been with us since at least April of 2009. Therefore, a series of myths were generated. As the process proceeded, those who were behind the myths kind of doubled down on them. For example, we have in the health care reform a process by which small businesses can join together and get the marketing clout of a large group to negotiate lower rates and get a better deal. But under the Frank Luntz "let's demonize and deceive" strategy, instead of honoring the fact that the small businesses will be able to get a better rate, there has been an assertion this would hurt small businesses.

In the health care reform bill we have a process by which individuals who have no market clout can band together and get a much better deal. We are seeing significant drops in rates for individuals across this country under the marketplaces that are just now opening for signup. But indeed, under the Frank Luntz "deceive and demonize" strategy, it became: Let's tell people insurance rates will go up instead of down.

We have a bill before us—not a bill but a health care reform law coming into effect—that ends abuses in the insurance industry. There was a situation where you could not get a policy if you had a preexisting condition; the sort of situation where if you had insurance and you got sick you would be thrown off the policy; the fact that your children were not able to stay on your policy until they were able to get health care insurance of their own.

These bills of rights are reforms that are deeply sought by Americans across this country, urban and rural. But under the Frank Luntz "deceive and demonize" strategy, there was simply an assertion, unfounded, that this would destroy the insurance system.

You have a process whereby, under the marketplaces, insurance companies will have to compete, private insurance companies. Yet under the Frank Luntz strategy adopted by some of my colleagues across the aisle, they decided to say this would hurt competition even though it strengthens competition. It puts before people, apples to apples, companies having to lay out their rates and benefits under these different levels of insurance. We are seeing that competition from private companies proceed to lower rates.

Let's fast forward. We had that phase of the "demonize the plan" even though we have to mischaracterize it and deceive and delude Americans about what is in it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MERKLEY. Madam President, I will wrap up with a sentence or two and yield to my colleagues. Thank you for coming to the floor to continue the conversation.

I think it is so important that we proceed to put our government back on track and quit careening from crisis to crisis, doing damage to communities and families across our Nation.

The PRESIDING OFFICER. The Senator from Vermont.

EXTENSION OF MORNING BUSINESS

Mr. LEAHY. Madam President, I ask unanimous consent the period for morning business for debate only be extended until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each, and the majority leader be recognized following morning business; further, that the Republican side have the time from 2 p.m. to 2:45 p.m., and the majority have the time from 2:45 p.m. to 3:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONTINUING APPROPRIATIONS

Mr. LEAHY. Madam President, today is day 9 of the government shutdown. House Republicans piously blame everyone except themselves, but there is no mystery about what is happening.

It is very simple: They continue to refuse to permit a vote on a continuing resolution to keep the government operating for one reason—they disagree with one law, the Affordable Care Act.

That law, debated for months, voted on dozens of times, signed into law by the President, and ruled constitutional by the Supreme Court, will finally make it possible for tens of millions of uninsured Americans to obtain affordable health insurance, including those with pre-existing conditions.

House Republicans and a handful of tea party Senators don't like it, and they have used all kinds of scare tactics to try to derail it. Yet, millions of Americans who know better, who want to protect their families, have already shown that they want to sign up.

Unyielding in their opposition, tea party members of Congress, for whom "compromise" is a dirty word, are on a crusade to hold the Federal government hostage until the Affordable Care Act is repealed. It is a form of extortion that has no place in a democracy.

Then, after a couple of days of angry phone calls from outraged constituents, in an attempt to blunt the criticism, the House Republican leadership abruptly changed course and decided to pick and choose which government agencies and programs to fund.

This latest ploy is revealing for what it says about tea party Republicans. It is as if they suddenly learned for the first time that the Federal Government

is comprised of millions of hard-working Americans, in every State, who perform countless tasks the rest of the country depends on.

Did they not realize that many of the people who sent them to Washington depend on the Federal Government for their monthly pay checks? That every American depends on the Federal Government to inspect the safety of the food they eat, the water they drink, and the air they breathe? That America's students and farmers depend on loans from the Federal Government?

That countless needy families depend on Federally funded Head Start programs? That the Department of Health and Human Services pays for the vaccines that protect American children from polio, measles, and other diseases?

It has been interesting to hear the Speaker of the House. He wants the President to, "sit down and have a conversation."

President Obama has shown time and again he is willing to compromise, sometimes more than some would like. He sat down with the Speaker last week. But no President should negotiate the terms of keeping the Federal government operating. And no Member of Congress should recklessly toy with the United States defaulting on its debt payments for the first time in history, and when the world is finally recovering from a devastating global recession.

The Senior Senator from Maryland, the Chairwoman of the Appropriations Committee, has done an excellent job of explaining what is at stake—not only for American families but for the reputation of the United States, the world's oldest democracy. Senators should be aware of the impact of the shutdown on thousands of American companies that depend on financing from the Federal Government to export their products and invest overseas.

During this shutdown, the Export-Import Bank and the Overseas Private Investment Corporation cannot provide new loans or insurance to U.S. companies. This means that every month those companies—U.S. companies—lose \$2 to \$4 billion in revenues, jeopardizing some 30,000 American jobs.

If the shutdown continues, the Department of State, which conducts all kinds of services for Americans and programs overseas, will be severely affected. In fiscal year 2011, when the Federal Government came close to shutting down, the Department estimated that 70 percent of its Washington staff would be furloughed.

Do our Tea Party friends think these Federal workers just sit idly at their desks doing nothing? That they are some kind of luxury we cannot afford? Wait until one of their constituents is falsely arrested and imprisoned overseas, or robbed, or badly injured, and there is no one at the State Department to help them. Almost 800,000 children under the age of 5 die of diarrhea annually, mostly due to unsafe drink-

ing water and poor sanitation. Those deaths are entirely preventable. A prolonged government shutdown would mean curtailing water and sanitation programs for millions of people in the world's poorest countries—programs that have always had strong bipartisan support.

Malaria causes half a billion deaths a year, 90 percent of them children. A continued shutdown would force the U.S. Agency for International Development to stop funding malaria prevention programs, putting tens of thousands of lives at risk.

Speaker BOEHNER is right. Shutting down the Federal Government is "not a damned game." But what the House is doing is playing Russian roulette with the U.S. economy and people's lives. There is no excuse for it, and the Speaker has two choices: stop it, or continue to roll the dice with the U.S. economy and the lives of millions of American families and programs that protect our Nation's security.

At the State Department, the shutdown has already forced the cancellation of International visitors programs that enable future foreign leaders to experience this country first hand. Instead of seeing what a great country this is, they see our political system in disarray. It is embarrassing for our embassies and should be embarrassing to all of us.

Despite the shutdown, the State Department still must ensure the health, safety, and welfare of nearly 10,000 academic exchange participants in the United States and abroad. Either those students and scholars will have to return home, or the organizations and universities that are responsible for implementing the exchanges continue operating without knowing if, or when, their costs will be paid.

We have heard about the impact of the shutdown on the U.S. national security establishment, including the Department of Defense and the intelligence community. But the shutdown may also affect the State Department's anti-terrorism programs that support law enforcement and border controls in countries highly vulnerable to terrorist threats, such as Iraq, Afghanistan, Yemen, Kenya, and Niger.

The shutdown has halted trade talks between the EU and the United States on the Transatlantic Trade and Investment Plan. This deal would harmonize U.S. and EU regulatory standards, and eliminate trade barriers. It would bring real benefits to the U.S. economy. Yet the Tea Party shutdown has prevented U.S. trade officials from traveling to Brussels to negotiate with their EU counterparts. Instead, EU diplomats remain at the ready to talk to nobody.

Because of the shutdown, President Obama had to cancel his trip to Asia this week. We hear quite a bit about the Administration's "pivot to Asia," but it is hard to pivot in another direction if you can't even get one foot out of your own country.

Who made it to the Summit instead? China's President Xi filled President