

protecting the taxpayer dollar and fulfilling the mission of the agency—particularly in Social Security, Medicare, veterans' benefits, and some others.

The Presiding Officer was the attorney general and the U.S. attorney of the Ocean State, Rhode Island, so he knows about scammers and schemers and that where there is need, there is greed. Where there are large government programs, they are open to waste and particularly to fraud.

I have been an adamant opponent of fraud, and often that is dismissed with comments such as: Oh, everybody says you are against fraud. But what are we doing about it?

Let me say this: As the chairperson of the Appropriations Committee, I was insistent that at every one of my hearings there be an inspector general testifying. I have an inspector general who advises us appropriators, who actually put money in the Federal checkbook, about how we can stop fraud in our own government. I am the first chairman of that committee ever to institute that process where we take the watchdogs of our Federal spending very seriously.

The watchdogs who protect taxpayers' funds are known as inspectors general. They are independently appointed, independently confirmed, and independently do their job. Look at the inspector general for the IRS who brought a national scandal to our attention.

But guess what. In this shutdown the ability of inspectors general to root out fraud and abuse has been severely compromised. We are not catching criminals who are trying to get a quick buck off the back of taxpayers.

I will give an example: The Social Security administration has furloughed 250 investigators and auditors in the Office of the Inspector General. This is crippling the inspector general's ability to investigate allegations of fraud and to detect improper payments in Social Security.

Just recently headlines have made the news about fraud in West Virginia field offices in Social Security where judges and others who were administering the program—administrative judges—were taking kickbacks. Thanks to law enforcement, and the inspector general, we grabbed that.

There were actually people in Federal prisons who used the Internet and created phony identities to get both taxpayer refunds and also Social Security checks. Thanks to inspectors general being on the job, we were able to nip that in the bud.

Each year the Social Security inspector general receives 135,000 allegations of fraud and abuse. Last year the inspector general at the Social Security Administration saved the program \$500 million—a half billion dollars was saved in fraud at the Social Security Administration. But instead of pinning medals on people, we have furloughed them. They are sitting at home waiting and itching to be back on the job be-

cause they are so proud of what they do.

They believe that Social Security is a sacred trust, and anybody who tries to scheme or scam the system, they are going to come after.

During the normal operations, the Social Security inspector general saves \$9 for every \$1 spent in oversight.

Let's look at some of the other agencies, such as the Department of Agriculture. Every minute of this shutdown taxpayer dollars are being lost to fraud. When we look at the Department of Agriculture, we see that last year their inspector general investigated 331 possible frauds. They conducted 76 audits. Guess what it resulted in: 800 indictments resulting from people trying to scam various aspects of the Department of Agriculture, including food stamp fraud. Of the 800 indictments, they got 538 convictions. Guess what. They saved our Federal Government \$1.5 billion. I said \$1.5 billion, 800 indictments, and 540 convictions.

The Office of the Inspector General at the Department of Agriculture is on furlough. A minimum number of investigators are on the job. All of the Department of Agriculture inspector general audit staff is furloughed. That is not a wise use of the taxpayer dollars.

Let's go to the VA. The VA Inspector General's Office has furloughed 70 percent of its staff. The VA operates the largest integrated hospital system in the country, including 152 hospitals and 1,000 clinics. It also operates a mortgage program and an educational voucher program. It operates a disability claims and survivor benefit program. Their inspector general routinely audits this complex system. What do they look for? Possible criminal activity. They look for fraud. They make sure there is no misconduct by senior VA officials, and they are doing their job, but they have been furloughed.

We also have the General Services Administration, which is essentially the real estate arm of the Federal Government. It plays a crucial role. Guess what. Last year they handled 450 cases. They got 3,000 hotline complaints about possible fraud. Their staff is on furlough. So they are not looking out for fraud in real estate, automobile leasing, technology, gaming the system, and furniture. Their cases range from bribery to embezzlement, to kickback schemes. Most—99 percent—of our GSA employees are honest. So are our contractors. But guess what. In just 6 months alone, from October 2012 to March of 2013, they were able to crack down and recover over \$100 million in schemes and scams.

Look at what I have outlined already: a couple billion dollars, including Social Security, Agriculture, GSA. They are on the job.

I could go to agency after agency. Guess what. The very agency that involves us and advises us is the Government Accountability Office. That is Congress's watchdog. That is where we

ask for studies on how we can do a better job and where they identify programs that are dated, duplicative or dysfunctional—dated, duplicative or dysfunctional. If they are dated, goodbye to them. If they are dysfunctional, reform or goodbye. Dysfunctional—dated, dysfunctional, and duplicative, that is our mantra on the Appropriations Committee. We are the guardians of the purse, but we need our tool. The Government Accountability Office, which we rely on, has furloughed 98 percent of its staff.

I could elaborate on agency after agency, but what I wish to show is just this: The consequences of shutdown are affecting people. If they are not on the job, they are not doing the job.

The job of our inspectors general offices—they are independent. They are supposed to come with incredible fiscal background. They are investigators. They are auditors. They are people who have to know how to find a problem, see if it is criminal or civil, whether we can get our money back, so we can make sure it doesn't happen again. Those people want to work. They love their job. It is a calling to them, and we need to call them and say: You are back to work.

So let's reopen government. Let's find a way. Let's fund government at a level that makes sure it can function the way it should. Let's also pay our debts. I do not want our T-bills to become junk bonds. I do not want our T-bills to be so shaky in terms of our ability to pay them back that they arrive at junk bond status. So let's get rid of junk politics and junk talking points. Let's get those clunkers off the road. Let's get America rolling again, pay our bills, honor our T-bills. Let's get government working and let America be America again.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF ANDREA R. WOOD TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

NOMINATION OF MADELINE HUGHES HAIKALA TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA

The PRESIDING OFFICER (Mr. MANCHIN). Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Andrea R. Wood, of Illinois, to be United States District Judge for the Northern District of Illinois, and Madeline Hughes Haikala, of Alabama, to be United States District Judge for the Northern District of Alabama.

The PRESIDING OFFICER. Under the previous order, there will be 30

minutes of debate equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I know it is several minutes past 5. I doubt very much if we will use the 30 minutes. We will probably be able to yield back time so the vote can be at 5:30, although I am not making that request at this point.

Listening to the distinguished chair of the Appropriations Committee, the senior Senator from Maryland, I had to agree with everything she was saying. This is the fourteenth day of the government shutdown, and by refusing to pass a clean continuing resolution to fund the operations of the Federal government, Republicans continue to threaten the critical functioning of all three branches of government.

With this ongoing shutdown of the entire Federal government, a handful of ideologues in the House of Representatives are holding the entire judicial system hostage and this threatens our entire democracy.

One critical problem is that we have more than 90 judicial vacancies, including 39 that have been designated as emergency vacancies due to high case-loads by the non-partisan Administrative Office of the Courts.

While we will vote to confirm two additional judges today, we are moving far too slowly and are not keeping pace with the urgent needs of our Federal judiciary. We must do better.

Both of the district court nominees we are voting on today have been nominated to fill vacancies that were named judicial emergencies by the nonpartisan Administrative Office of the Courts. Andrea Wood is nominated to a judicial emergency vacancy in the U.S. District Court for the Northern District of Illinois. Since 2004, Ms. Wood has served in the Division of Enforcement of the Securities and Exchange Commission, currently as a senior trial counsel and previously as a senior attorney. Before joining the SEC, she spent 5 years in private practice as an associate at Kirkland & Ellis LLP. Following law school, Ms. Wood served as a law clerk for Judge Diane P. Wood of the U.S. Court of Appeals for the Seventh Circuit.

Ms. Wood earned her B.A., with honors, from the University of Chicago, and her J.D. from Yale Law School, where she served as articles editor of the Yale Law Journal. She has the bipartisan support of her home State Senators, Senator DURBIN and Senator KIRK. Her nomination was approved by the Judiciary Committee by voice vote with no opposition to her confirmation expressed more than 2 months ago.

Madeline Haikala is nominated to a judicial emergency vacancy in the U.S. District Court for the Northern District of Alabama, where she has served as a magistrate judge since 2012. Prior to her appointment, she worked at the Birmingham law firm of Lightfoot, Franklin, & White for 22 years, first as an associate and subsequently as a

partner. In addition, Judge Haikala has taught for approximately 7 years as an adjunct professor at the Cumberland School of Law.

The ABA Standing Committee on the Federal Judiciary unanimously rated Judge Haikala well qualified to serve on the U.S. District Court for the Northern District of Alabama, its highest rating. Judge Haikala also has the strong support of both of her Republican home State Senators, Senator SHELBY and Senator SESSIONS. Like the other nomination we are voting on today, Judge Haikala's nomination was approved by the Judiciary Committee by voice vote with no opposition to her confirmation expressed more than 2 months ago.

While I am pleased that we are finally getting to vote on these nominees, there remain far too many judicial vacancies. Because of the government shutdown, we have been unable to hold hearings, process, and approve nominees in the Judiciary Committee for the last two weeks. It does our country a serious injustice when we fail to provide our Federal courts with the resources it needs. Let us end this shutdown now so we can do what we were elected to do and carry out business on behalf of the American people.

Let me tell my colleagues another thing that has happened. This afternoon, I got a call from the chief judge of the District of Vermont, the Federal district court. She wanted me to know they are going to run out of funds on Thursday. She is very worried about the growing opiate crisis in Vermont. If the courts run out of money, they are not going to be able to monitor and test those awaiting trials in serious drug trafficking cases.

Judge Reiss made it very clear that we are going to hear this from courts all over the country. We forget there are things our courts have to do and should do to keep the Presiding Officer safer and me safer, as well as everybody else. But we are saying, sorry, we are having this little political snit and we are not going to give you the money.

I have always been proud of being a member of the Vermont bar. I have been proud of that membership during the time I was in private practice and during the time I was a prosecutor, but throughout it all, we always relied on the courts to do their work. We expected that if after *Gideon v. Wainwright* it was necessary to appoint counsel for a criminal defendant, the counsel would be there. We expected that if one had a case they wanted heard, there would be a court that could hear it. That is not going to happen. We are going to have criminal cases that are going to get backed up because we don't have the personnel there, and behind those criminal cases are going to be people—Republicans, Democrats, Independents—who are going to have legitimate civil cases that they need to bring to court to be resolved and they are not going to be heard for years and years and years.

Some of the handful of ideologues who are holding up our ability to fund the government go down and have a disturbing and disgraceful rally on the Mall, where they ridicule the President of the United States. They distort their own roles in how they closed down the government, and then they try to use brave veterans as pawns, do they know what they are doing to the image of the United States?

I see the distinguished Senator from Illinois on the floor. One of these judges is from his state. I don't know if he wishes to speak.

I would say once more, all Americans who rely on our court and our judicial system know our system of justice is facing a great danger not because of anything the courts have done but because of a small group of ideologues in the House of Representatives who are holding this budget hostage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. I ask unanimous consent to yield back all remaining time.

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

The PRESIDING OFFICER. Hearing no further debate, the question is, Will the Senate advise and consent to the nomination of Andrea R. Wood, of Illinois, to be United States District Judge for the Northern District of Illinois?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Madeline Hughes Haikala, of Alabama, to be United States District Judge for the Northern District of Alabama?

Mr. MERKLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. McCASKILL) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea.”

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 217 Ex.]

YEAS—90

Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Grassley	Nelson
Begich	Hagan	Paul
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Cantwell	Hoeven	Rockefeller
Cardin	Johanns	Sanders
Carper	Johnson (SD)	Schatz
Casey	Johnson (WI)	Schumer
Chambliss	Kaine	Scott
Chiesa	King	Sessions
Coats	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Landrieu	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Toomey
Crapo	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCain	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden

NOT VOTING—10

Alexander	Inhofe	Rubio
Burr	Isakson	Vitter
Coburn	McCaskill	
Graham	Moran	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Vermont.

MORNING BUSINESS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate

proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONTINUING NEGOTIATIONS

Mr. REID. Mr. President, we know this has been a difficult time for everyone, and Senator MCCONNELL and I have been working diligently over the last few days trying to arrive at the culmination of efforts that have been ongoing for quite some time now. We have made tremendous progress. We are not there yet, but tremendous progress, and everyone just needs to be patient.

We will have no more votes tonight. We hope, with good fortune and the support of all of you, recognizing how hard this is for everybody, that perhaps tomorrow will be a bright day. We are not there yet, but we hope we will be.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, if I may echo the remarks of the majority leader, we had a good day yesterday. We had another good day today. I think it is safe to say we have made substantial progress, and we look forward to making more progress in the near future.

Mr. REID. Mr. President, I would just close by saying this: We are doing our best to make everybody happy, but everyone knows we are not going to be able to do that. So, everybody understand that we are doing the very best we can with all of the frailties we have as people and legislators.

ADDITIONAL COSPONSORS

S. 1306

At the request of Ms. COLLINS, her name was added as a cosponsor of S. 1306, a bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes.

ORDERS FOR TUESDAY, OCTOBER 15, 2013

Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 15, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, Senators be permitted to speak therein for up to 10 minutes each, and that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:11 p.m., adjourned until Tuesday, October 15, 2013, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 14, 2013:

THE JUDICIARY

ANDREA R. WOOD, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

MADELINE HUGHES HAIKALA, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.