

Senator COBURN in particular has been a leader in pointing out the need to address this funding shortfall. The legislation that the Senate passed today makes a down payment toward reducing that backlog and does it in a way that brings private resources to the table.

With legislation that passed today, the Senate and House have shown how they can act to accomplish a number of important goals on a bipartisan basis. The bill completely ends a Federal Government program that has outlived its useful life; it ensures a fair return for taxpayer and meets the needs of helium users; it contributes \$90 million to the Treasury for debt reduction; and it fulfills the Federal government's obligations to rural America all without raising taxes or increasing the debt.

I also want to recognize the important contributions of the House Natural Resources Committee and Chairman DOC HASTINGS in shaping the legislation. The final bill was truly a bipartisan and bicameral effort. That is the way the legislative process is supposed to work.

I am pleased that the Senate and House have been able to find a way to achieve all these important goals in one bipartisan, bicameral bill and I hope as the Congress considers other must-pass bills to keep the government open and to raise the debt ceiling, members can work together in the same type of cooperative bipartisan way, that Senator MURKOWSKI and I and the other members of the Energy and Natural Resources Committee have done in passing the helium legislation.

Mr. REID. This is a very important piece of legislation. I wish we could do a lot more like this. This is the Helium Stewardship Act of 2013. It is something we have had in effect since World War II. It is so very, very important.

Today around America 750,000 people will have MRIs conducted to find out how sick they are or if they are hurt or sick. Without this bill passing, the big magnets they have in these machines, which are cooled only by one thing—helium—and the people who depend on this, the high-tech industry would have to go out on the spot market and buy this stuff, which would increase the price of health care delivery, and the making computer chips and lots of other things.

It is a shame it was held up for such a long time for no good reason. Now we have passed it, and I am very happy that everybody allowed this to happen.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—Continued

Mr. REID. Madam President, I am trying to move this along as quickly as possible. I am going to come here a little later and ask consent that we move forward very quickly.

Each day that we don't complete the CR is a day closer to the government shutting down. I want no excuses from

anyone about time. I don't want anyone to say that the majority controls the Senate and that we are doing anything to slow down this bill. I think we should move as quickly as we can. It is to everyone's advantage. If the House wants to take a look at what we have done, let them do that and get back to us as quickly as possible. We have to avoid this shutdown. The American people are afraid of what could happen.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I know we have been involved in a very intense debate, long speeches, time consuming, with an opportunity to bring up issues that are very important, particularly as we see that the executive branch of government has made decisions to delay so many aspects of health care reform. It is very appropriate at this time that we delve into the shortcomings of that great change in health care that the health care reform bill exemplifies.

I was here yesterday, hoping to enter into the colloquies that were going on at that time led by Senator CRUZ and time ran out, so I am here to state some points I wanted to make at that particular time. I will start by quoting our second President, John Adams:

Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence.

The rhetoric surrounding this vote and the underlying issue has become all too hysterical. I would like us all to step back a little bit from the hysteria and focus on the facts.

We have all taken to calling this legislation ObamaCare. Sometimes even the President does. For some people, attaching the President's name to this issue prevents people from paying attention to the facts. But personalizing this issue should not deter us from looking at those facts.

I am not going to talk about shutting down the Government. So much time and effort is being devoted to discussing a government shutdown that people are not paying attention to the facts that we ought to be looking at. Instead, I would like to set aside the hyperbolic rhetoric for a few minutes and focus on those facts. Let's talk about the real-world effects of this Affordable Care Act.

I will start with a few comments directly from my constituents in Iowa. My colleagues yesterday referred to constituents in their respective States. I am only going to refer to three constituent letters.

The first one:

I just want to share with you another downside caused by the Affordable Care Act. Besides teaching for my School District I also work as an adjunct instructor for various community colleges. Currently I am scheduled to teach four online classes at a community college in the summer. I just received notice that because of the Affordable Care Act I am only allowed to teach two classes because more than that would put me over the 75 percent load of a full-time in-

structor. So because of ObamaCare I will lose \$4,200 of income this summer. It will also affect me at another school I teach at during the regular school year. I know there is not much you can do until the Republicans can regain control of the Senate but I just wanted you to be aware of another example of our current administration's lack of foresight of the impact of this law on the average hard-working American.

The second letter:

As superintendent of schools, I would like to express to you the impact of the Affordable Care Act on our local schools. The increase in cost, due directly to the Affordable Care Act will be approximately \$180,000 to offer single health insurance to our non-certified staff. We are a combined school district of 750 students. The affected staff members are essentially, part-time, hourly employees who work 6.5 hours each day, 180 days per year. The only other option is to reduce hours for employees working directly with our highest need students.

Additionally, we are planning on being required to pay an additional \$17,500 in additional fees and taxes associated with the Affordable Care Act in the first year.

Schools in Iowa can't pass that increase cost on to consumers, like private industry. We are budget restricted, so any increase in employee cost means an equal dollar amount reduction in staff, classroom materials/supplies, curriculum materials, field trips, all areas that strike pretty close to the child.

This cost increase associated with the Affordable Care Act will most definitely result in reduced educational opportunities and increased class size.

One final letter:

I am a para-educator. I am writing in regards to President Obama's healthcare initiative.

I've been told by my employer that next year my hours will be cut from full time to 29 hours a week because if I work more than 30 hours a week, they will be required by the new healthcare plan to provide me with insurance.

This bothers me a great deal for a number of reasons: it causes stress, instability, and disruption to the special needs students I work with, I get a smaller paycheck, and it's very unfair. In addition, I'm bothered by the lack of foresight that went into making this law. It seems grossly unfair to me. I do my job well, I'm committed and invested in it, and I want to work, but am now being told that I can't work as much because of a law I didn't ask for and that won't benefit me. I'm sure my employer is not the only one that is cutting hours because of the insurance requirement. It seems that the people that this law was intended to help are being hurt instead.

Please consider any actions you can to stop this law.

My constituents are feeling the impact of this law. This is real. It is not some made-up political stunt. It is happening all over this great country of ours.

Let's start with the grocery store chain, Trader Joe's.

After extending health care coverage to many of its part-time employees for years, Trader Joe's has told workers who log fewer than 30 hours a week that they will need to find insurance on the exchanges next year.

Then there is Five Guys, the national restaurant chain that started here in Washington, DC. The prices of burgers and hot dogs are going to rise to cover

the President's mandated insurance coverage.

Earlier this year, the medical device manufacturer Smith and Nephew announced they were laying off 100 employees. They cited a new Medical Device Tax, a provision of the Affordable Care Act, as the primary cause.

SeaWorld is reducing hours for thousands of part-time workers, a move that would allow the theme-park owner to avoid offering those employees medical insurance under the Federal Government's health-care overhaul. The company operates 11 theme parks across the United States and has about 22,000 employees—nearly 18,000 of whom are part-time or seasonal workers.

It has more than 4,000 part-time and seasonal workers in Central Florida. Under a new corporate policy, SeaWorld will schedule part-time workers for no more than 28 hours a week, down from a previous limit of 32 hours a week. The new cap is expected to go into effect by November.

With the reduced hours, those employees would not be classified as full-time workers under the Affordable Care Act.

Much has been said on the floor by different Members about the Cleveland Clinic. The Cleveland Clinic said it would cut jobs and slash five to six percent of its \$6 billion annual budget to prepare for health reform.

The clinic is Cleveland's largest employer and the second largest in Ohio after Wal-Mart.

It is the largest provider in Ohio of Medicaid health coverage for the poor, the program that will expand to cover uninsured Americans under the Affordable Care Act. The cuts are necessitated by the lower reimbursement they are anticipating.

There is no doubt; the Affordable Care Act is affecting the way business look at their employees.

As one recent report notes, U.S. businesses are hiring at a robust rate. The only problem is that three out of four of the nearly 1 million hires this year are part-time and many of the jobs are low-paid.

Faltering economic growth at home and abroad and concern that the Affordable Care Act will drive up business costs are behind the wariness about taking on full-time staff, executives at staffing and payroll firms say.

Employers say part-timers offer them flexibility. If the economy picks up, they can quickly offer full-time work. If orders dry up, they know costs are under control. It also helps them to curb costs they might face under the Affordable Care Act.

It is not just employers. Let's look at the way major unions view the Affordable Care Act.

Let me quote from a letter from the heads of the Teamsters, Food and Commercial Workers, and UNITE-HERE. This letter was addressed to Representative PELOSI and Senator REID.

When you and the President sought our support for the Affordable Care Act (ACA),

you pledged that if we liked the health plans we have now, we could keep them. Sadly, that promise is under threat.

Right now, unless you and the Obama Administration enact an equitable fix, the ACA will shatter not only our hard-earned health benefits, but destroy the foundation of the 40 hour work week that is the backbone of the American middle class.

Like millions of other Americans, our members are front-line workers in the American economy. We have been strong supporters of the notion that all Americans should have access to quality, affordable health care. We have also been strong supporters of you. That means the President and the Senator and the Congresswoman. In campaign after campaign we have put boots on the ground, gone door-to-door to get out the vote, run phone banks and raised money to secure this vision.

Now this vision has come back to haunt us.

Time is running out: Congress wrote this law; we voted for you. We have a problem; you need to fix it. The unintended consequences of the ACA are severe. Perverse incentives are already creating nightmare scenarios.

On behalf of the millions of working men and women we represent and the families they support, we can no longer stand silent in the face of elements of the Affordable Care Act that will destroy the very health and wellbeing of our members along with millions of other hardworking Americans.

We continue to stand behind real health care reform, but the law as it stands will hurt millions of Americans including the members of our respective unions. We are looking to you to make sure that these changes are made.

That letter was sent to Senator REID and Representative PELOSI to explain why things very definitely need to be done to this legislation. Those are not people with known conservative credentials. They are known for their views of being progressives, liberals, and people looking out for the middle class. They find much fault with this Affordable Care Act, and then some wonder why there is so much concern being expressed by Members of the Senate about why this should be defunded. All of this adds up to what is being said by the people who supported the passage of the health care reform act, which is constituents, employers, and even unions.

Let's take this a step further. Let's look at the economic researchers. In March the Federal Reserve said the 2010 health care law is being cited as a reason for layoffs and slowdown in hiring.

Employers in several districts cited unknown effects of the Affordable Care Act as reasons for planned layoffs and reluctance to hire more staff.

Here is another one: A recent National Bureau of Economic Research study examined the Affordable Care Act's taxes and its impact on labor. Basically, if we want employment to go back to prerecession levels, we must end the Affordable Care Act. The marginal rate increase due to the phaseout of premium subsidy and other implicit taxes in the Affordable Care Act result in a "massive 17 percent reduction in the reward to working—akin to erasing a decade of labor productivity growth

without the wealth effect—that would be expected to significantly depress the amounts of labor and consumer spending in the economy even if the elasticity of labor supply were small (but not literally zero). The large tax increases are the primary reason why it is unlikely that the labor market activity will return even near to its prerecession levels as long as the ACA's work disincentives remain in place."

Isn't it something to have an organization as respected as this organization say that after all the work that went into the Affordable Care Act, its very existence is a disincentive to productivity and employment?

With all of these concerns from constituents, employers, unions, and even the Federal Reserve, we would think that would cause people to pause. But it is also a legitimate reason for all the discussion we have had this week on what is wrong with the Affordable Care Act and the defunding thereof.

On top of that, we keep hearing concerns about the readiness to move forward with the law at all.

In August the Government Accountability Office noted that testing of the government's "data service hub" to support new health insurance market places was more than a month behind schedule. The report said:

Several critical tasks remain to be completed in a short period of time, such as final independent testing of the Hub's security controls, remediating security vulnerabilities identified during testing, and obtaining the security authorization decision for the Hub before opening the exchanges. CMS's current schedule is to complete all of its tasks by October 1, 2013, in time for the expected initial open enrollment period.

It is unclear whether national health insurance plans, which were supposed to give consumers choice and help drive down costs, will be available next year.

Under the health care law, the Office of Personnel Management is supposed to oversee the rates and contracts for at least two national plans in every State. According to news reports, the White House says there will be a national health plan in at least 31 States. Now, that is 31 States, that is not 50 States.

Perhaps the most telling sign that the Affordable Care Act as enacted isn't working is how much the administration has rewritten the law on its own—a highly dubious proposition. The Congressional Research Service recently noted that President Obama has already signed 14 laws that amend, rescind, or otherwise change parts of his health care. He has also taken five independent steps to delay, which he has been able to do on his own. So the Congress has passed or the President has signed into law 14 changes. I say that again for emphasis. Again, the CRS report noted that President Obama—totally separate of Congress—has delayed implementation of parts of the health care law five separate times.

Congress should be focusing our efforts on creating jobs and improving

the economy. Yet the Affordable Care Act is having the opposite effect. Our economy cannot handle any more job-killing regulations from Washington. It has been 4 years since the end of the recession. For a lot of Americans, it is as if the recession never ended.

While the unemployment rate now stands at 7.3 percent, which is bad enough, that only tells half the story. The fact is that this economy is so sluggish that only 63.2 percent of working-age Americans remain in the workforce. The labor force participation rate is at its lowest in 35 years. The unemployment rate is dropping primarily because people have simply given up finding work.

What we should be doing is supporting policies that lead to economic growth and job creation. We should be supporting things like the Keystone XL Pipeline. The initial permit for this job-creating energy project was submitted over 5 years ago. Despite overwhelming support in the Congress for the pipeline, the President has delayed the project for years to appease the extreme left. We have similar job-killing regulations coming out of the Environmental Protection Agency. We should be working to create an efficient progrowth Tax Code, one that rewards success rather than hinders it. We should be focusing on our long-term fiscal problems. We all know we are on an unsustainable path. Yet the longer we delay and kick the can down the road, the harder the job will become. All of the tax, health care, and fiscal uncertainty is acting like a headwind against our economy.

So I will support funding our government and avoiding a shutdown. I will support any effort to repeal the Affordable Care Act. I will support any effort to defund the same act. I will support any effort to delay implementation of that same act. I will support the Vitter amendment and any other amendment that puts 8,000 executive branch employees in the exchange. As I have said again and again, the people responsible for this law should have the opportunity to experience it just as the American people will. Perhaps then they, including this Senator, will then finally pay attention to the facts surrounding the implementation of the Affordable Care Act. I do so not out of personal animus for the President. I do so not to tear down the so-called signature achievement of the administration. I do so because I am looking at the facts. I do so because I am looking at what is happening in health care and with our economy.

Let's not stop thinking simply because someone uses the word "ObamaCare." Let's not talk about shutting down the government. Let's turn down the hysteria and look at what is really happening with the health care and its impact upon the economy.

Just this week a Member of the Senate described our efforts to stop ObamaCare as "insanity." I disagree. A

vote to barrel ahead as though everything is just fine strikes me as far closer to the definition of "insanity." A reasonable person can and should conclude that we should stop moving forward on ObamaCare, and that is how I will be voting this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I see Senator SESSIONS is on the floor. It is my understanding Senator GRASSLEY used some Democratic time that was yielded to him for the beginning of his speech, and I ask that the Parliamentarian recapture that time for the Democratic side.

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

Mr. DURBIN. If Senator SESSIONS is prepared to speak now, I will wait.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank Senator DURBIN and appreciate his leadership and courtesy.

I want to speak for a few moments about the impact of the President's health care law, the Affordable Care Act. Although the law hasn't been fully implemented yet, this massive overhaul—Federal takeover, really—of the health care system is already proving to be anything but affordable.

My team on the Budget Committee, where I am the ranking member, did some research on this issue, and we want to know what the real costs would be and how it will play out in the end. So what I will share with everyone now are some very important facts that all of us need to know.

The President has repeatedly said we have a health-spending problem, but what he hasn't said is that this law will make that problem worse.

Last week actuaries from the Centers for Medicare & Medicaid Services—those are our top Federal health care people, CMS—issued a report, and its findings were unequivocal. This law will lead to higher health care costs. By 2022 the law is projected to increase cumulative health spending by \$621 billion. That is the report from CMS. They basically work for the President of the United States.

Next year growth in the private health insurance premiums—the increases in our own private insurance premiums—is expected to accelerate to 6 percent from 3.2 percent this year, 2013. So the increase in premiums, CMS projects, will go up from 3.2 percent to 6 percent.

The Congressional Budget Office, CBO—they work for us here in the Congress—also released its annual long-term budget outlook last week. It concluded, 1, that Federal health care spending will "grow considerably in 2014 because of changes made by the Affordable Care Act . . ." They say the health care law is by far the single biggest factor driving the growth in Federal health care spending over the next decade—accounting for 53 percent of projected growth.

So our own government agencies are finding—which most Americans knew, despite promises to the contrary that were repeatedly made when it passed on Christmas Eve after it was rammed through this Senate—that this bill can't be done without increased costs, and government agencies are making that statement today. It is not my opinion, it is what our own agencies say.

Democrats have repeatedly complained that the law would bend the cost curve. The President said it would slow the growth of health care costs for our families, our businesses, and our government. That is what he promised. He said it would "slow the growth of health care costs for our families, our businesses, and our government." Democrats—pushing the law, against the wishes of the American people, in 2009—claimed the law would not add to our deficit and would improve our Federal balance sheet, our budget situation. The President promised he would not sign a plan that "adds one dime to our deficits now or any time in the future." That is an unequivocal promise. It sort of reminds me of the promise "read my lips, no new taxes." Surely a colossal misrepresentation of the debt impact of a gargantuan government takeover of health care is a serious matter.

The nonpartisan actuaries at the Centers for Medicare & Medicaid Services, CMS, project that this law will increase health care spending as a share of our total economy. In other words, the law bends the cost curve in the wrong direction. It bends it alright, but in the wrong direction.

We need to understand how the Democrats were able to assert that their plan was financially sound, which they insisted on repeatedly, as we went through weeks of debate on this matter. This is how. This is very important, I say to my colleagues. Senators do not understand this fully and Congressmen do not understand this, and I don't think the American people fully understand it. The Democrats' claims about the fiscal impact of the health care law were based on monumental accounting maneuvers and multiple other gimmicks.

Before the law passed, the Congressional Budget Office warned that the law would "maintain and put into effect a number of policies that might be difficult to sustain over a long period of time."

That is careful language from our accountants at the Congressional Budget Office. I am sure they were pressured not to say that. At that time, both Houses of Congress were controlled by our Democratic colleagues, with 60 votes in the Senate. They warned us that the law would "maintain and put into effect a number of policies that might be difficult to sustain over a long period of time." Isn't that true.

CBO and the CMS Actuary also highlighted that hundreds of billions of dollars in Medicare savings were double counted.

We need to understand this. This is a key point we need to understand. I made an inquiry to them. I made an inquiry to them late in December 2009. I got the letter from them the night before the Christmas Eve vote in the Senate to pass ObamaCare—on December 23—and I wanted and insisted that we get a clear answer on the question involving approximately \$500 billion in Medicare savings, which I contended was double counted.

They were claiming they were going to use this money to strengthen Medicare and they were also claiming the money was available to fund ObamaCare. Can we do both with the same money? If we are confused about that issue, if we can't understand that issue, now we can begin to understand why this country is in such disastrous financial shape.

This is what the CBO responded by saying on the night of December 23:

The key point is that savings to the HI trust fund—

that is Medicare—

under PPACA—

that is the Affordable Care Act—

would be received by the government only once, so that they cannot be set aside for future Medicare spending and, at the same time, pay for current spending on other parts of the legislation or on other programs."

How simple is that?

They go on:

To describe the full amount of HI trust fund savings as both improving the government's ability to pay future Medicare benefits and financing new spending outside of Medicare would essentially double-count a large share of those savings and thus overstate the improvement in the government's fiscal position.

Right before the vote, they said, in effect, you are double-counting this money and you can't use the money simultaneously to benefit Medicare, which is where the money is, as well as use the money to fund ObamaCare, or a new health care plan, or any other policy. This is so basic.

The next spring, in March of 2010, CBO estimated that without this double counting, the health care law increases the deficit over the first 10 years and the subsequent decade. Under the conventions of accounting, it would appear we could have this health care plan, at least for 10 years, and it would appear that it reduces the Federal deficit, but that is because of the conventions of a unified budget accounting. The money that comes into Medicare—the money that is saved by cutting Medicare providers—is Medicare money. It is not the Treasury's money to spend on a new health care program. It is Medicare's money.

So because it looks as though in the short run we have an advantage, they were able to count it and say, Well, money coming in is equal to the money going out, but they forget that all of the people paying into Medicare off their FICA and off their checks each week are going to draw that out in the long run from this trust fund. Every-

body who is paying in is going to draw out all of that money, and more, because it is unsound actuarially.

If my colleagues want to see other gimmicks, look at the CLASS Act Program which they counted on to produce \$70 billion in premium revenue over its first ten 10 years as enrollees began paying premiums into the system. The program was so actuarially unsound that the Secretary of HHS had to notify Congress, as she was required to do, that there was "no viable path forward" to implement the CLASS program. With that decision, and a lot of pressure from some of us in Congress, nearly 60 percent of the Democrats claimed deficit reduction in the first 10 years disappeared. We had to eliminate that. So that amounted to 60 percent of the so-called surplus that would be produced by the legislation. Those savings from the CLASS program were not real and should never have been counted in the first place.

The Wall Street Journal called the CLASS Program "a special act of fiscal corruption." One of our Democratic Members—actually, the chairman of the Budget Committee at the time, Kent Conrad—said it was a Ponzi scheme. In the first 10 years, the numbers looked good, but over a period of time the money drawn out was going to be far greater than ever was put in. They claimed to produce \$70 billion in assets for America when over the lifetime of the program it was a devastating, unsound program that if a private insurance company had tried to offer it and promote it in that fashion, I am sure someone would have gone to jail. Absolutely unsound financially.

Eventually, Congress had no choice but to repeal the CLASS Act, this bankrupt entitlement program, as part of the fiscal cliff bill at the end of last year. But the case of the CLASS program is but a sign of what is to come under the rest of the health care law.

While the American people always knew this health care bill would never pay for itself, they did not fully understand how the President and his supporters could insist otherwise. I wish I had been able to better explain at the time. I tried, but at the time I was not successful in penetrating the media and the administration's view that the bill would create a surplus for America. Maybe we could have stopped the legislation from being rammed through Congress if we had been more effective on that point. But the facts are crystal clear now.

A report issued by the Government Accountability Office—that is our independent GAO—in February of this year, at my request, revealed that under a realistic set of assumptions, the health care law is projected to increase the Federal deficit by 0.7 of the entire GDP over the next 75 years, an amount that is equivalent to \$6.2 trillion in today's dollars. So it would add \$6.2 trillion in unfunded liabilities to the United States of America over the lifetime of the program, over the next

75 years. This estimate excludes debt service or interest on the debt caused by the shortfall.

This is an enormous sum, \$6.2 trillion. Let's put it into context. We all know Social Security is financially unsound. We are in a desperate effort now to figure out ways to find the money to make Social Security sound so retirees can know they are going to get their benefits in the future. We all know it must be fixed. At the time this health care law was enacted, the 75-year unfunded liability for Social Security was \$7.7 trillion. In passing this bill, we add almost as much unfunded liabilities over the next 75 years to the U.S. Government as Social Security. Instead of putting Social Security on a sound path, this bill added another \$6.2 trillion in unfunded liabilities to our debt that is almost as large as Social Security's liabilities.

It is a monumental problem we have created for ourselves. We have dug the hole deeper financially, which is the worst thing we could be doing. The first thing we should do is stop digging.

This finding seems to strike a nerve with some supporters of the law, so much so that they tried to attack me and argue with the GAO, but attacking the messenger doesn't change the facts. The GAO report is crucial. It clearly answers the question. It sank any validity to the President's claim that his plan would not "add one dime to our deficits now or at any time in the future, period."

Health care economist Christopher Conover at Duke University explained that the Government Accountability Office's report did not "cook the books" or use "wacky assumptions." According to Professor Conover, GAO's assumptions in this more plausible scenario are a "carbon copy of those used by the Congressional Budget Office, the Medicare trustees, the Treasury Department, and the Medicare Actuary in their own independently derived long-term budget projections."

Independently derived long-term budget projections are the techniques that were used in the GAO report, and they found \$6 trillion added to our debt.

So despite what we were told by the proponents of this law, the truth is that the President's health care law will further increase the cost of health care, it will add to our already unsustainable deficits and debt, and, if fully implemented, would forever alter the relationships not only between patients and their doctors but between the American people and their government. Period.

It has been 3½ years since its passage, and every day we learn more about how the law is harming Americans. Here are some of the important facts: Jobs. Part-time is the new normal. Seventy-seven percent of the jobs that have been created over the last year have been part-time.

The Investor's Business Daily has kept a running list of employers who

are cutting hours and staff levels because of ObamaCare. Currently, the IBD tally of businesses, including large firms, affected by ObamaCare is 313. This list includes the University of Alabama, which announced it was capping the number of hours students could work for the university because of ObamaCare.

Remember, I just indicated 77 percent of the jobs created this year, since January—and it hasn't been that large a number—are part-time jobs, and every economist tells us without any doubt that the President's health care law is driving those decisions by businesses. It is unprecedented. We have never seen this kind of trend.

The president of the United Food and Commercial Workers Union, Joseph Hansen, an original supporter of the law, recently said that ObamaCare would have a "tremendous impact as workers have their hours reduced and their incomes reduced."

ObamaCare penalizes hard work.

According to a new paper by Casey Mulligan, an economics professor at the University of Chicago—a premier economics department—the marginal tax hikes included in ObamaCare add up to a 17-percent reduction in the reward for working for median income families. This penalty American workers will take will essentially, he says, erase all gains in labor productivity made over the last decade.

This health care law has also led to the loss of health insurance coverage.

On Wednesday, the Wall Street Journal reported that the largest security guard provider in the United States—Securitas—will stop offering health insurance because of ObamaCare.

We hear that over and over again. This report is in addition to other major companies that employ millions of Americans. These companies include Darden Restaurants—owner of Olive Garden and Red Lobster—Home Depot, and Trader Joe's.

Small businesses and their workers will be penalized.

Democratic colleagues have claimed that most firms are not subject to ObamaCare tax penalties because they have less than 50 workers and are therefore not subject to the employer mandate penalty. But it is not an accurate statement. ObamaCare includes a nondeductible fee on insurance providers that the CBO has warned will get passed back to small business owners who pay for the health insurance of their employees. It is another tax on companies that provide health care to their employees.

I recently received a letter from a small business owner in Wetumpka, AL, Leesa Williams of Lee's Auto Repair, to let me know she is already being subjected to this tax even though her business has only 11 employees. She wrote to warn me that if the fee continues, she will be forced to reevaluate the offer of insurance to the small number of people at her repair company.

Costs are increasing, premiums are rising, and millions of Americans will lose the coverage they have today. Workers are having their hours—and their paychecks—reduced. Its countless regulations are stifling job creation and adding uncertainty to the already fragile economy.

The State director of NFIB/Alabama—a small business group in Alabama—says that Washington is doing a "lousy job" of keeping small businesses informed about the law and it will do real damage to them.

So where will it end? When will we save ordinary Americans and the American economy from this oncoming train wreck?

The administration has taken five steps already to delay the implementation of important parts of this law pertaining particularly to powerful interest groups that are pushing for delays and changes and relief. Many of them are getting it—but not John Q. Citizen. Big businesses unilaterally have been given a break from the law for at least 1 year. The Administration is considering a carve-out for Big Labor.

We need to be considering the overall impact of the law on our economy, on jobs, on the length of hours that Americans are working. We need to consider that.

The President's health care law will worsen, not improve, our fiscal outlook. That is clear. It is hurting our economy right now. It is clear. It is harming millions of Americans right now, and it is growing the size and scope of government in a huge leap forward.

Congress must permanently repeal this unworkable law and start over with health care reform that will actually reduce costs and not hurt everyday Americans in a way that is in the classical American tradition of responsibility and limited government.

I wish through this budget and continuing resolution process we could have forced a real debate on this health care law. It is absolutely clear that the leadership in this Senate is stonewalling and refusing to even acknowledge these problems, will not allow amendments or legislation to be brought up and voted on that would fix this law and make it better and help the American economy.

So this has been an effort by Senator CRUZ and others, and I think everybody on our side is committed to engage in this and to force changes because it will not be, it looks like, accepted voluntarily. There is no consensus that we should even talk about it. Indeed, it is the position of the majority that we will not allow a full and open debate about the way to fix the problems with this law.

So the American people, I hope, will continue to relay their views to the Members of this body, and as time goes by we are going to confront this legislation. We are going to be able to force the ability of the American people to have their voices heard in this body.

I thank the Chair and yield the floor.
The PRESIDING OFFICER (Ms. BALDWIN). The majority leader.

Mr. REID. Madam President, as I have indicated for the entire week, each day that goes by, each hour that goes by, each minute that goes by, we are that much closer to a government shutdown. I have been told that the House needs more time to work on this. They are saying that maybe what we need is an extension of the CR.

The stock market, the financial community, the Business Roundtable, the U.S. Chamber of Commerce—all of America—80 percent of the American people, including 75 percent of Republicans, think what is going on, not taking care of the finances of this country, is absolutely wrong. There is no reason to stall this.

So I ask unanimous consent that at 6:30 p.m. today there be 1 hour of debate, with the first 40 minutes equally divided between proponents and opponents of the motion to invoke cloture and the last 20 minutes reserved for the two leaders, with my having the final 10 minutes, and Senator MCCONNELL would speak before me, if he so chooses; that upon the use or yielding back of time, the Senate proceed to vote on the motion to invoke cloture on H.J. Res. 59; that if cloture is invoked, all postcloture time be yielded back; the pending Reid amendment No. 1975 be withdrawn; that no other amendments be in order; that the majority leader be recognized to make a motion to waive applicable budget points of order; that if a motion to waive is agreed to, the Senate proceed to vote in relation to the Reid amendment No. 1974; that upon disposition of the Reid amendment, the joint resolution be read a third time and the Senate proceed to vote on passage of the joint resolution, as amended, if amended; finally, that all after the first vote in this sequence of votes be 10-minute votes and there be 2 minutes equally divided between the votes.

I will alert everyone, if we get this agreement, it means we would have up to four votes starting around 7:30 this evening. The House would get the bill probably tonight or in the morning, as soon as it can be processed.

There would be a vote on cloture on H.J. Res. 59, a motion to waive budget points of order, the Mikulski-Reid amendment No. 1974, and passage of H.J. Res. 59, as amended, if amended.

That is my request.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, if we were to vote tomorrow, if we were to have these votes tomorrow, that would represent the product of waiving two separate 30-hour periods—one in connection with the motion to proceed, the other in connection with the cloture vote on the bill.

The American people are paying attention to this. The American people

are watching this. A lot of them have expected this might occur Friday or Saturday.

So I ask the question, would the majority leader be willing to modify the request slightly, with the same provisions in place but with the votes to occur during tomorrow's session of the Senate?

The PRESIDING OFFICER. Does the majority leader so modify his request?

Mr. REID. Madam President, I appreciate my friend's request to modify my unanimous consent request. But my response to that—reserving the right to see if I would accept that—is this: Everyone in America—everyone—knows what the issues are before this body.

The Mikulski-Reid amendment we are going to be required to vote on is pretty simple. It says there will be nothing dealing with ObamaCare. We have changed the date to November 15 from December 15, and we have gotten rid of the “pay China first.” That is it. These so-called anomalies—I have met with the Republican leader. Staffs have gone over that—no problems with that.

So this is an effort to stall, and I do not know why—an effort to stall. It is absolutely unfortunate because, I repeat, every minute that goes by is 1 minute closer to a government shutdown. Because when we finish this, we then have to have the American people focus on whether we are going to have a debt ceiling, whether we are going to again crash the economy, as we did the last time that threat came.

Maybe someone thinks they can come with their great speaking ability tomorrow and change people's minds. Everybody in this body knows how the votes are going to go. This is going back to the House of Representatives. The House of Representatives has said—they have said publicly and they have said privately—they are going to send something back to us.

I want to make sure, if they do that, we have time to process it. Stalling until tomorrow means they are not going to get it until Sunday. We would try our utmost to get it to them tonight, Friday, rather than sometime late Saturday or even maybe—well, we could get it to them sometime Saturday. They need time. Is this some kind of a subterfuge to close the government, because that is what is going to happen. We are not the House of Representatives. We have rules here that take a while for us to get places. I understand my friend from Utah says that we have two 30 hours and now we are moving this more quickly than the rules require.

Madam President, what the American people see in the Senate—this new Senate—is everything is a big stall: Never do your work now. Wait until tomorrow. Maybe I will give this great speech that will turn the world around.

This is senseless. How many times do we get the American people—80 percent of them—agreeing on anything? They think what is going on in this big stall is bad for the country—and it is.

So I do not accept the modification. If there is an objection to this, if there is an objection to my request, I will work it out with the Republican leader as to what time we are going to do this.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, we have been willing to compromise. The offer that was made by my colleague, the junior Senator from Texas yesterday, from the floor represented a significant compromise. Significantly, I believe it was the Senator from Nevada, the majority leader, who objected to a unanimous consent request made yesterday by the Senator from Texas to proceed with having these votes tomorrow.

This still represents a significant compromise offer—a compromise offer that consolidates, collapses two separate 30-hour periods required by the rules. This is not an unreasonable request. Moreover, I am not understanding what it is about having a vote tomorrow morning instead of tonight that would make a difference between being able to get something to them tomorrow, if we pushed it out, versus Sunday.

Mr. REID. Madam President, I am not going to dwell on this because I want to yield to the Senator from Tennessee, but I do wish to say this. It is as obvious to me—and it is as obvious to me as it is to a kindergarten student—they did not want a vote yesterday. The big speeches we heard about how if you voted for cloture, you would vote to extend ObamaCare—they turned around and voted for it.

This is a big charade that is not getting them where they need to go. They want to stop ObamaCare. They want to do everything again. They did not even want a vote on cloture yesterday. Of course, they wanted to skip that and just go a couple days so they could talk longer.

People are tired of talking. They want us to get something done. The government is near the time that it will close. As I said this morning, a woman who works for the U.S. Park Service came to an event I had. She lives in Boulder City, NV. She and everybody who works there are afraid they are going to lose their jobs. They know what happened last time. They were laid off for 29 days and did not get paid for it.

So I yield to my friend from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I wonder if it would be appropriate if I were to ask the Senator from Utah a question, if he would take a question.

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

Mr. CORKER. This has been a rather confusing week, I know. I do not think

ever in the history of the Senate have we had a 21-hour filibuster and then the persons carrying out the filibuster voted for the issue that they were filibustering.

I do not think that has happened in the history of our country. I just want to make sure I understand. I was just over at the House. I talked to Members of leadership there. They would like to get the piece of legislation from the Senate over there as quickly as possible so they could respond.

I think all of us on this side would like to see some changes to the CR, changes that we believe to be good policy. Over on the House side, we have a majority of Republicans. I know they would like to send back to us some changes that I think many of us would support.

In talking earlier with the Senator from Texas, it is my understanding that the reason he does not want to send the bill over to the House, which could possibly put in place some very good policies for us here, is that he wants the American people and the outside groups that the Senator has been in contact with to be able to watch us tomorrow.

I am just asking the question: Is it more important to the Senator from Texas and the Senator from Utah that the people around the country watch this vote or is it more important to us that we have a good policy outcome from our standpoint and actually have a body that has a majority of Republicans to be able to react and send back something of good policy?

This is confusing to me because I know the leadership there wishes to be able to respond as quickly as possible. But I am understanding the reason we are waiting is the Senators have sent out press releases and e-mails and they want everybody to be able to watch. It does not seem to me that is in our Nation's interest, nor is it, candidly, in the interests of those who want to see good policy on the conservative side come out of the CR. I wondered if the Senator would respond to that.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Since the Senator from Tennessee has made reference to me, I ask unanimous consent that I might engage in a colloquy with the Senator from Tennessee and the Senator from Utah.

The PRESIDING OFFICER. Is there objection?

Mr. REID. We need a reasonable time. I would be happy to, but this is not going to be another long performance.

The PRESIDING OFFICER. How long do the Senators wish to engage in a colloquy?

Mr. CRUZ. I cannot imagine it would extend beyond 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CRUZ. Madam President, I appreciate the comments of the Senator

from Tennessee supporting the majority leader.

Mr. CORKER. I am supporting the House of Representatives.

Mr. CRUZ. I know the Senator from Tennessee is learned on Senate procedures. I know he must have made a misstatement when he, moments ago, suggested that those of us who participated in the filibuster the other day somehow changed our position in voting for the motion to proceed.

A reason I know the Senator from Tennessee is mistaken is because during the course of that filibuster, I explicitly stated I support the motion to proceed. I stated that 1 week before the filibuster, repeatedly. I have always stated that the vote on the motion to proceed, the vote on cloture to the motion to proceed was going to be unanimous. Indeed, I would note I offered a unanimous consent request during that filibuster that we vitiate the cloture and all agree to proceed because everyone in this Chamber—I said I expect the vote to be unanimous—everyone in this Chamber wants to proceed to this bill.

The Senator from Tennessee being learned in Senate procedure knows that there is a big difference between that vote on Wednesday, which I might note, when the vote tally was done there for Republicans, I put my—not only did I vote yes early, but I put my recommendation for every Republican to vote yes because, of course, we should get on the bill.

The vote tomorrow on cloture on the bill is a very different bill. I know the Senator from Tennessee is quite aware of that. The vote tomorrow is a vote to cut off debate on the bill. So as I said during the filibuster 2 days ago, as I have said for weeks, it is the vote tomorrow, cloture on the bill, that matters because anyone voting tomorrow in favor of cloture is voting in favor of granting the majority leader the ability to fund ObamaCare.

I know my friend from Tennessee understands that. So I am sure his statement suggesting that the vote on the motion to proceed meant anything other than what it obviously meant, I know that was a statement in error.

Mr. CORKER. Actually, I appreciate this opportunity. What we have before us is a bill that defunds ObamaCare. It is the bill the House has sent over. So the Senator is right. Tomorrow's vote is a vote to end debate in support of exactly what the House of Representatives has sent over. That is confusing to a lot of folks, but you are exactly right. The House has sent over here policy that I actually support; that is, defunding the health care bill because of the damage it is creating to our country.

I wish the CR number was a little number. I wish it was at 967 instead of at 988. But that is exactly right. So we are going to be cutting off debate on a bill that the House Republicans have sent over to us. So the Senator is exactly right. That is an important vote.

That is a vote in support of the House. Something in addition. Supporting the House would be getting whatever we are going to do back over to them so they are not jammed. But it is my understanding again, relative to this vote tonight happening tomorrow instead, is that my two colleagues whom I respect have sent out e-mails around the world and turned this into a show, possibly, and, therefore, they want people around the world to watch maybe them and others on the Senate floor, and that is taking priority over getting legislation back to the House so they can take action before the country's government shuts down and, by the way, causing them possibly to put in place again some other good policy.

Mr. CRUZ. I appreciate the comments of my friend from Tennessee. I would note that he suggested this is confusing. I guess I do not think it is all that confusing. The Senator from Tennessee says a vote in favor of cloture is a vote in favor of the House bill and in favor of defunding ObamaCare. If that is the case, then the question I would pose to my friend from Tennessee: Why is majority leader HARRY REID going to vote the same way you are proposing to vote? Why is every Democrat in this Chamber going to vote the way you are proposing to vote? If this is a vote in favor of defunding ObamaCare, is it the suggestion of the Senator from Tennessee that the majority leader and the Senate Democrats are confused about this vote?

Mr. CORKER. I would respond that after a 21-hour filibuster yesterday, the Senator voted in favor of the thing he is filibustering and Senator HARRY REID joined the Senator in that too. So it seems to me they are very similar.

Mr. CRUZ. Does the Senator from Tennessee dispute that the vote Wednesday was a vote to take up the bill; whereas, the vote tomorrow will be a vote that will do two things—if there are 60 votes. If enough Republicans cross the aisle and join majority leader HARRY REID and the Democrats, it will, No. 1, cut off all debate, and it will—No. 2, what makes the vote tomorrow so significant is the majority leader has already filed an amendment.

That amendment guts the House continuing resolution and funds ObamaCare in its entirety. Given that that amendment is pending, and if cloture is invoked that amendment can be passed with 51 votes. Does the Senator from Tennessee disagree that once cloture is invoked, HARRY REID, the majority leader, will be able to fund ObamaCare with 51 votes?

Mr. CORKER. I agree the Senate rule that is in place allows postcloture votes. That 51-vote majority has been there for decades and generations. It is the same rule we have operated under for decades.

Let me just ask this question: We have a bill before us that I support, I think the Senator from Texas supports, the Senator from Utah supports, I

think. So my question is: We have a bill that we support. The rules of the Senate have been here for decades, for generations, and for centuries, in many cases. Is the Senator thinking the House of Representatives would like for us to vote against cloture on their bill?

If you think that is what they wish for us to do, why is it that they are already developing language and legislation to send back over? It seems to me they have already indicated they view this strategy as a box canyon because they understand the Senate rules. It looks to me as if they are already developing language to send something back over because even though we are in the Senate—I know all three of us are relatively new—somehow or another they knew the Senate rules before they sent it over.

So I am a little confused. Tell me what happens if the Senate were not to invoke cloture on a bill that we support? What then happens? I would like to understand.

Mr. CRUZ. I appreciate that question from my friend from Tennessee. There are several pieces of it. One, he asked: Would the House Republicans like for us not to invoke cloture? I can tell the Senator this morning I spoke to over a dozen House Members who explicitly said: It would be fantastic if Senate Republicans could show the same unity we did and vote against cloture because Majority Leader REID has filed an amendment to gut our language.

I would also note the Senator from Tennessee keeps expressing confusion. I have to admit, I do not think the American people are confused. I would ask the Senator from Tennessee, you agreed a moment ago, if I understood you correctly, that if 60 Senators vote in favor of cloture, majority leader HARRY REID will be able to fund ObamaCare in its entirety.

Let me ask the counterpart. If 41 Republicans stood together and voted against cloture, because we said we do not support the amendment that Majority Leader REID has filed to fund ObamaCare—when we told our constituents we opposed ObamaCare we meant it. So we are not going to be complicit in giving HARRY REID the ability to fund ObamaCare.

Would majority leader HARRY REID be able to proceed and fund ObamaCare if 41 Republicans stood together against cloture?

Mr. CORKER. The thing is, I think the Senator from Texas may be confused. We are not going to be voting on the amendment. We have the chance to vote on the amendment after the vote on cloture. The vote on cloture tomorrow is a vote on ending debate on a bill we support. The amendment that the Senator is talking about—

The PRESIDING OFFICER. The time for the colloquy has expired.

Is there objection to the unanimous consent offered by the majority leader?

Mr. LEE. Madam President, reserving the right to object, I requested to

modify the request made by the majority leader and he turned that down. In light of the fact that he turned it down, I object.

The PRESIDING OFFICER. Objection is heard.

The assistant majority leader.

Mr. DURBIN. Madam President, what we just witnessed was an effort by Senator HARRY REID to move the votes—the critical votes—on keeping the government open to this evening. What we have just heard from the Republican side of the aisle is they want to stall and delay this even more.

It is not just a matter of losing a legislative day in the Senate—

The PRESIDING OFFICER. The time is still under the control of the Republicans.

Mr. DURBIN. How much time—I know there was time yielded by Senator REID to the Republican side for Senator GRASSLEY. How much time is remaining at this point on the Republican side?

The PRESIDING OFFICER. The alternating time occurs at 4:30 p.m.

Mr. DURBIN. At 4:30, then the Democrats are recognized?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. What time is it now? Would the Chair take notice?

The PRESIDING OFFICER. It is 4:29. Senators are reminded to address each other in the third person, not by their first and last names.

The Senator from Tennessee.

Mr. CORKER. Madam President, if I could, I would just like to say in response to my good friend from Illinois, it is not the Republican side asking to stall. We only have two Republican Senators who are wanting to push this off.

So I do not want that to be mischaracterized. If I could, I wish to say it is my understanding that the reason we are putting this off is because they would like for people around the country whom they have notified to be able to watch. So it is that process of making sure everyone watches that I think is slowing this down. It is not the entire Republican side. I think most Republicans—I know all Republicans other than two would actually like to give the House the opportunity to respond in an appropriate way.

I yield the floor.

The PRESIDING OFFICER. The next hour is controlled by the majority.

The assistant majority leader.

Mr. DURBIN. Let me start by acknowledging what the Senator from Tennessee just said.

I have worked with Senator CORKER on so many issues, bipartisan issues, and I salute him for his efforts to try to find bipartisan solutions. What he said is indicative of the problem we face now.

Two Senators—and it is their right under the Senate rules—the Senator from Utah and the junior Senator from Texas, have decided that they wish to

delay this another day. They want to stall this another day. It isn't only losing a legislative day; it is more.

Look how long it took us to bring up the House continuing resolution. If I am not mistaken, they voted on it last Friday. We are thinking about voting on it tomorrow, 7 days later.

It tells you that the Senate rules, even at their best, with one Member objecting, can mean that measures take a long time. Ordinarily, it means we waste time, but this time it is critically more important because the government will not be funded.

Tuesday morning, all across America we will not fund the government because of the actions just taken on the floor of the Senate by Senator CRUZ of Texas and Senator LEE of Utah. They are trying to slow this down and create a political crisis.

They are playing high stakes poker with other people's money. The victims of this political crisis will not be the Senators and House Members. It will be a lot of innocent people, a lot of workers across America, who only want to get up and do their work for the government to make this the greatest nation on Earth.

Some of them are risking their lives in uniform. They will be paid, but their paychecks will be delayed. What it means is they have to contact their wives and spouses back home Tuesday—if this delay by Senator CRUZ and Senator LEE continues—they will have to contact them and say: Honey, it may be a little difficult this pay period. It doesn't look like we are going to get a paycheck because Congress has shut down the government.

There are others too, all across America, thousands of them, doing their work for this government at the FBI and at intelligence agencies that will go dark. Why have we reached this point? Why do these two Senators—two Senators—think this is in the best interests of the United States of America?

We have heard reports from economists, this cannot help our Nation, shutting down the government and failing to extend the debt ceiling. We are going to find ourselves in a position where this economy is going to start to stall.

People will start searching their savings accounts and notice their investments are going down in value. Why? Because two Republican Senators insisted that we couldn't speed up this vote and move this process forward to solve this problem.

The best explanation they can give us is they have notified their friends in the media and those on the e-mail to stay tuned for Friday. Friday is going to be the big day, their big day in the Sun. So they are delaying our actions here for a full day so that they can get adequate publicity for what they are about to do.

This is not in the best interests of the Senate and it is surely not in the best interests of the United States of America.

I listened to Senator REID. He made an effort to come forward and expedite this process. There are people outside this door who warned us not to do that. They said: If you send this back to the House, it gives them time to do something.

Senator REID has said from the start: We will not be party to delaying this critically important decision. There is too much at stake. We are going to move this through as quickly as we can, and we have.

At this point now, it is on the shoulders of those two Senators, those two tea party Republican Senators, who have decided that they want to close down the government or at least come closer to running the risk of closing down this government.

That isn't in the best interests of dealing with the issues that face America.

My job on the Senate Appropriations Committee is to be the chair of one of the most important subcommittees, the Defense Appropriations Subcommittee. I never dreamed I would have this responsibility. But with the passing of a genuine American hero, Daniel Inouye of Hawaii, this mantle fell on my shoulders. Almost 60 percent of all domestic discretionary funds spent by the Federal Government go through this one subcommittee.

There is a lot of hard work involved in putting the appropriation together. But when you consider the responsibility we have, it is even more substantial. This appropriation supports our men and women in uniform and the Nation's intelligence agencies that keep our country safe.

I wish to state what a government shutdown is going to mean to them. A government shutdown is going to mean a lot of hardship. I mentioned earlier uniformed troops calling their spouses to say: We are not going to get our paychecks on time this month. Try to make do if you need it.

This is something totally necessary and something brought on by an action on the floor of the Senate just minutes ago by Republican Senators.

There are more than 700,000 civilian employees in the Department of Defense, and half of them will be sent home immediately Tuesday morning—sent home.

Men and women who work at military installations and in the Pentagon will be sent home from work. Over 80 percent of Department of Defense civilians work outside of the Pentagon, including 12,000 of them who work in my State. They will be given notice on Tuesday morning: You have to go home. Why? Because there was a promise made for some publicity on Friday by a couple of Senators.

That is unacceptable.

A substantial number of these hard-working men and women are going to be furloughed. They already face furlough because of a sequester. If we allow this government to shut down, once again, they will have to figure out

how to make ends meet. Men and women who were trying to keep us safe in this country, many of them risking their lives, are now going to be pawns in this political game. It is an unconscionable breach of faith.

The risk to national security imposed by a shutdown is not confined to the military. It will cripple our intelligence community. These men and women serve as our country's first line of defense. We rely on these agencies to warn us of threats, to prevent terrorist attacks, and inform leaders making critical, national security decisions.

The intelligence community workforce, overwhelmingly made up of civilians, the greatest portion of them will be furloughed because of a government shutdown, a government shutdown that is totally unnecessary brought on by the House Republicans and two Senate Republicans. This shutdown will be quick, and the principal agencies will largely go dark within 4 to 8 hours of a shutdown order.

In America, these intelligence agencies that keep us safe are going to go dark because of this political strategy. If the government shuts down, all DOD work will stop on weapons and equipment maintenance not directly related to war. Bases will not be maintained, but you will see a degradation of facilities. We will see massive disruptions all across the country.

The Rock Island Arsenal in my State is a critical arsenal that supports more than 54,000 Active, Reserve, and retired military. The arsenal is the largest employer in the Illinois-Iowa region with more than 7,500 employees and more than 70 Federal and commercial tenants. The facility adds \$1 billion to the local economy, supporting 14,000 jobs in the region.

A government shutdown will throw production schedules at Rock Island into chaos as orders get cut back and civilians sit at home under furlough. I cannot imagine going to these men and women and saying: The reason you have had this furlough and can't come to work is because two Senators decided they needed some publicity on Friday. Putting the arsenal's capabilities at risk degrades the defense industrial base. It jeopardizes our national and local economy.

The same thing is true at Scott Air Force Base. In a shutdown, its 5,000 civilian employees would experience the same loss of pay as everybody else. Scott's 5,500 active duty military personnel and their families would have to get by on savings and reserves while they wait for reimbursement with later paychecks.

When we go through these lists—and the lists are long—one thinks how totally unnecessary it is. Senator REID has come to the floor repeatedly to tell you what the American people think. Eighty percent of the American people think this is foolish and wasteful. Seventy-five percent of Republicans have given up on this strategy.

Yet a handful of willful Members of the House and Senate decided they are

going to keep going down this road. I hope they will have some revelations in the next few minutes or hours, maybe overnight. I hope they will reconsider what they have done, the risk they are putting this country in.

It is not appropriate, it is not fair. I have listened to them try to explain how they can have a filibuster for 21 hours and then turn around and unanimously vote for the next item up on business. It may be an argument that the Senator from Texas thinks he understands clearly. Most Americans don't understand what he was saying for 21 hours and then turning around and voting overwhelmingly to move forward on the bill.

I wish to make one thing clear before we go any further. ObamaCare as we know it is already funded. Senator HARRY REID is not going to be funding ObamaCare; it is already funded, and it will be. It will be under appropriations bills that we pass in CRs. This notion that he is going to somehow do something sinister—let me remind critics that we brought this to a vote in the Senate, one of the most historic votes, painful votes.

Senator REID may remember when our colleague Senator Ted Kennedy was brought here on the floor of the Senate to vote for the Affordable Care Act. The man was literally dying of cancer, but this meant so much to him that he came down here for the vote at great personal risk and sacrifice. It was great to see his smiling face come through that door again, but we knew we would never see him again and we didn't.

That is the kind of sacrifice that was made. The votes were taken. Then in the next presidential election there was a referendum for ObamaCare. The American people were clear. They re-elected President Obama. They rejected Governor Romney's promise to repeal ObamaCare.

These Members, at least two of them, can't accept the verdict of history. They continue to want to fight this battle. As I have said, they are fighting it at the expense of a lot of innocent people across America, at the expense of some of the best workers in the world. Those in military uniform and those in the civilian capacity do a great job for us every single day.

Picking on them, deciding to make them the object of this political exercise, is beneath us as a great institution.

Let me close by saying this. I will give credit to Senator CRUZ when he was doing his 21 hours. I asked him point blank: So you want to eliminate the protection in ObamaCare that says that health insurance companies can't discriminate against children and families that have preexisting conditions?

He said: Yes, I do. I want to eliminate all of them.

I said: You want to eliminate the provision that says you can't limit the coverage in health insurance policies so people will have enough money for

serious illness, cancer therapy and surgery?

I want to eliminate it all, he said.

You want to eliminate that protection for families to keep their kids on their own health insurance policies up to age 26—young people looking for jobs who may not have health insurance—you want to eliminate that too?

I want to eliminate every bit of it.

He was consistent—consistently wrong—because he fails to understand what working families across America face every single day, what 50 million uninsured Americans face with no protection, no peace of mind.

God forbid he ever spends a moment as the parent of a sick child without health insurance. I have been there. You never want that experience in your life for yourself or anybody else.

I asked Senator CRUZ to tell us about his own personal health insurance since he decided he is going to be the arbiter on health insurance for the rest of America and for Congress. He won't give me a straight answer on how he has his own health insurance for his family. I think he owes that to us. He has told us a lot about his great family—and there are some wonderful stories—but when it comes to this issue, he ought to tell us.

Where does he get his health insurance? Who pays for it? What is the employer's contribution? What is the tax deduction taken by your employer, if any, for your health insurance? These are legitimate questions.

He has raised these questions about millions of families across America. He said: They are just fine. We can do without ObamaCare.

Let us hear his explanation of how he protects his family when it comes to health insurance. I don't think that is an unreasonable question. After all, he is the one who raised the issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. I wish to speak for a moment about manufacturing. As you know, I am passionate about manufacturing, about the good-quality jobs manufacturing brings to our communities.

What I am also passionate about is that this body needs to stop manufacturing crisis.

What we just heard in the last few minutes was an exchange between my friend, the Senator from Tennessee, and two of his colleagues, the Senators from Texas and Utah, that summarized that what has happened in this Chamber today is the extension of a manufactured crisis, a purely artificial extension that is continuing, as the Senator from Illinois said in great detail and with great insight, to put at risk our recovering economy, our men- and women-at-arms, and our Nation's standing in the world. This is a wholly manufactured crisis without purpose.

It seems to me in the 3 years I have been here in the Senate—it feels an awful lot like Groundhog Day. I was

sitting in that very chair presiding over this body as we were closing in on a government shutdown when I had only been here for a few months.

I have never forgotten getting a message from a constituent at home. Her husband was at that very moment serving our Nation flying Medevac missions in Afghanistan. I got a simple note:

Is it possible that because you all can't do your jobs that my husband and I won't be getting a paycheck next week while he does his job for our Nation overseas?

We have, in the 3 years I have been here, seen needless fights, a near default on our Nation's debt, a near defunding of our Federal Government's operation. Today we see not a difference of meaning but a difference purely of substance and style—purely of superficial style.

As the Senator from Tennessee pointed out, the objection to the majority leader's request that we proceed now to a vote was purely for the convenience of two Senators who have sent out a lot of press releases and who want more attention. We can't continue to play chicken with the American people, the American economy, and continuing the services of the Federal Government.

I know my colleague, the Senator from Louisiana, who is one of the leaders from the Appropriations Committee, is here to offer some insight and comments about the value of appropriations, about the great work our chair Senator MIKULSKI has led us in this year.

There are so many other ways that this manufactured crisis is just the latest in a series of disappointing failures to lead by a few of our colleagues. The chair has allowed us to go through subcommittee markups and full committee markups on 11 appropriations subcommittee bills. If those bills could be taken up and passed on this floor, we could fix a lot of the things that challenge our Nation.

I yield the floor to the Senator from Louisiana so she might inform this body about some of the important work that she, in her subcommittee on the Appropriations Committee, on which I am honored to serve, has been able to do this year.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Senator for yielding for a question. I appreciate his leadership as an appropriator.

Senator MIKULSKI was on the floor earlier today, the leader of our committee and the debate about how much to spend and what we should spend our money on. Does the Senator understand that that could be done and it is done in the appropriations process? And if we could just get past this manufactured crisis we could actually accomplish what many Senators want to do, which is to discuss the level of spending? We can't even get there because we are stuck in a manufactured crisis by the Senator from Texas.

Is that the sense of my colleague as to where we are?

Mr. COONS. That is absolutely my understanding. My friend the Senator from Louisiana knows better than anyone that the role of the Appropriations Committee and its subcommittees is to perform oversight, to weed through programs in the Federal Government, and to strengthen and support those that are effective and making a difference, but to narrow or shut down or trim those that aren't. If we continue to lurch from crisis to crisis, from short-term continuing resolution to continuing resolution, we will never get that good work done.

Madam President, I welcome any further comments my colleague would like to make about what the Subcommittee on Homeland Security of the Appropriations Committee has made possible, and why that matters, what difference that makes to the people of Louisiana and of our country.

Ms. LANDRIEU. I thank the Senator, and let me, if I could, Madam President, say a few words about the bill I have the privilege and the responsibility of chairing—the Homeland Security bill. This is a \$42 billion appropriations bill. I am very proud to say I have worked with my Republican colleague, the Senator from Indiana DAN COATS over the last 6 months to draft and fashion a bill.

In many public meetings, in public forums at the appropriations subcommittee level and at the appropriations full committee level, our bill was negotiated in good faith—Republicans and Democrats compromising over important issues such as: How many border agents should we have, how many security agents should we have on our border, how many detention beds can taxpayers afford, how many do the Republicans want, how many do the Democrats want, what are some of the important aspects of immigration reform and how do we build a technologically superior border that allows trade and commerce but keeps out terrorists and people who are undocumented and who do not have the proper certification to come into the country.

That is what we, who ran for public office, wanted to get here to work on, not to sit in an empty Chamber with people who, because they can't get their way 100 percent of the time, all the time, want to shut down the process.

So as chair of the Subcommittee on Homeland Security, I most certainly can add my voice to the appropriators and to Members who say: It is time to move on. So let us do so.

But before I get into the specifics, I wanted to say a word about an issue that is critical to Louisiana and to States such as Texas—Senator CRUZ's home State. You would never know this, because I don't think he said a word about this issue in the 22 hours he was on the floor, but I know a little something about Texas, my neighboring State. I know a lot about Mississippi, Alabama, and Florida, from the gulf coast. I have represented my

State for now almost 18 years in the Senate and grew up along the gulf coast.

I want to make sure everybody understands that in 14 days there are going to be over 1 million people in the United States—many in Texas, many in Louisiana, many in Florida, some in Massachusetts, et cetera, et cetera, et cetera—who are going to basically see the value of their home, the equity in their home, go poof—poof. Whether their equity might have been \$200,000 this week or \$400,000 or \$600,000 or \$2 million, this is an equal opportunity destroyer.

This is because last year Congress passed the Biggert-Waters bill, which was supposed to fix the National Flood Insurance Program. It was supposed to fix it—make it sustainable, make it go from the red to the black, make the deficit go away, help the program to be more sustainable. I understand that. The problem is the way the bill was passed it is going to, in a few days, literally go poof for people who thought they had equity in their home because of a provision in the Biggert-Waters flood insurance bill.

That provision basically says this: When you put your home up for sale—when you sell your home—the grandfathered rate that was attached to your home for flood insurance is immediately dispensed with. So anyone selling their home who happens to have a subsidized flood insurance rate, which is lower than the private market, for good reason—which I will explain in a minute—their house becomes valueless.

Let me repeat this. This is not about flood insurance going up, this is not about losing your job, it is not about not being able to show up for work because the government shuts down, which is a big problem. But this is a real big problem for 1 million families because the house they have paid for, that they have lived in and thought they had some equity in so they could retire on that equity or send their kids to college is, poof, gone.

I would like to focus on fixing that problem. I know there are many people in Texas who would like it fixed as well, because when I go over there, I hear from them. When I go to Louisiana, and Mississippi, and Florida, I hear from people. But we can't even get to a flood insurance bill because we are on the floor talking about an issue that is completely manufactured.

This is not manufactured, ladies and gentlemen. The flood insurance issue is real. The flood insurance bill is a bill that actually passed and we have only 14 days to fix a part of it.

At 5 o'clock, in 5 minutes, I am going to a meeting in Senator MERKLEY's office, who is chair of a subcommittee, and we are going to try and work on this. But to do this we need cooperation. We need cooperation from all of our Members to say: Well, that might not be a problem in my State, but I can understand what Senator LANDRIEU is

saying and I can understand what some of the Republicans are saying. Let's see what we can do to fix this so people's equity does not vanish into thin air and cause lots of pain and suffering.

But as I say, we can't even talk about real issues because we have to talk about a manufactured crisis.

I see some of my colleagues on the floor, and I know they understand the chairman asked us to come and talk for a few minutes about our appropriations bills, so I will try to do this in 4 minutes, because when Senator MIKULSKI asks you to do something, you need to go ahead and do it. So I need to put this in the RECORD for my Homeland Security bill.

As I understand it, this government shutdown could happen because, as has been explained, we have two or three or four or five—not many—Senators who have decided to manufacture a crisis about the continuing resolution and paying our bills, which we owe.

Every responsible, nondeadbeat person in the world pays their bills, and I don't know why we can't. But anyway, because of that, the Homeland Security bill we have worked on, which has been negotiated, may I say, without disagreement—I mean, this is kind of unheard of. Let me say, we had disagreements, but we worked them out. There were different views but we worked them out. We had big things to work out, such as this big new project being built in Kansas. I was not very supportive of it, but I had to listen a lot, I had to think, I had to negotiate, and I ended up putting a big project in this bill that I didn't 100 percent go along with, but I was convinced by colleagues for different reasons—and the White House weighed in, and others—to compromise.

The bottom line is I have a \$42 billion bill that supports our borders, that keeps commerce going, and that keeps FEMA going. We have a terrible flood to deal with in Colorado, and I see the Senator from Colorado and the Senator from Minnesota are both here, and they absolutely know what floods are all about. FEMA is trying to operate there. What do we tell people there on Monday? Sorry, we can't come help you get back into your home, get your children in school, get this hospital built again?

We have phones to answer, we have people to serve, we have borders to secure, we have trade to move next week, and shutting down the government is simply not what we should be doing. We should be fixing it, making it more efficient, saving money where we can, and serving the 350 million people in this country and around the world who depend on the American government to function.

In conclusion, let me say this. I had Marriott Corporation tell me today—Marriott, an excellent company, but conservative leaning from their top—Senator, would you please say, when you can, that the government is our biggest customer? When people think

of government, they think only of government jobs. The Federal Government is the largest customer of Marriott Corporation, one of the largest corporations in the country. We buy a lot of goods and services from them. When we shut down, when we hesitate, when we don't operate with confidence, it affects every business in the world. If Marriott is going to take a big hit, imagine the hit smaller companies take, that can't take that hit or that break?

So on behalf of Marriott and on behalf of other companies that are going to get hit, please realize the government has a lot of impact on the private sector, and it is not fair to hurt our economy or any business—large, small, conservative, liberal, or moderate.

Last week, Mark Zandi of Moody's testified that a 3-4 week shutdown would reduce real GDP by 1.4 percent. This would be a devastating step backwards. In the second quarter of 2013, our GDP grew by 2.5 percent, more than doubling the 1.1 percent growth in GDP in the first quarter of 2013. And numerous studies have reported that, based on past experience, "turning out the Federal government's lights" would cost us \$100 million each day. The hostage-taking approach of the House majority threatens such a shutdown and puts our economic viability at risk. We must do better.

A government shutdown would have devastating consequences on hundreds of thousands of people in Louisiana. Of the 31,000 Federal employees in my State, 18,000 would be temporarily furloughed by a shutdown. That is 58% of the Federal employees in my State that would be out of the job. More than 24,000 active Louisiana military and civilian personnel and 320,000 Louisiana veterans could see much needed paychecks and benefits delayed.

Social Security services would also be significantly disrupted, which would have major implications for the 860,000 social security beneficiaries in Louisiana. New claims wouldn't be processed and the social security help line, which many of our seniors rely on, would not be able to take calls.

In just 4 days during the 1995 shutdown, 112,000 claims for Social Security retirement and disability benefits were not taken and 800,000 callers were denied service on the Social Security Administration's 800 number. Constituents of mine, like Susan Crandall, rely heavily on the Social Security Offices in Louisiana. Ms. Crandall uses the Social Security Office in Alexandria as a lifeline. A government shutdown would force her to search for help elsewhere. For her and others living in my State, this just isn't feasible.

A shutdown would also harm Louisiana students. More than 7,800 Louisiana students rely on work-study programs and 4,600 receive Federal loans to help pay for school. If there is a government shutdown, colleges and universities across Louisiana would not be able to disburse these funds to students.

The Small Business Administration would stop processing new loans, preventing nearly 420,000 small businesses in Louisiana from getting the credit they need.

The Federal Housing Administration has helped almost 10,000 mortgage holders in Louisiana thus far this year. If we allow a shutdown to happen, the FHA would not be able to process new loans, leaving aspiring homeowners out in the cold. Many potential homeowners in Louisiana are already hesitant to purchase because of the fear of flood insurance going up, and this will only add to their stress.

One of the core missions of the Appropriations Committee—and of Congress at large—is to make sure our Federal government continues to operate soundly. By adopting the continuing resolution that the House passed last week, with its poison pills that defund the Affordable Care Act and play favorites with which bills we pay, we would be failing the American people. We need to do our work to make sure the Federal government remains open and continue to fund implementation of the Affordable Care Act. It is the law of the land. Anything less is ill conceived.

And let me just say this. Operating the government on continuing resolutions is a failure in itself. I am disappointed, as I know Senator MIKULSKI is too, that we find ourselves in this position. When we pass CRs, we put the Nation on autopilot and fly blindly. Instead of passing the 12 appropriation bills that set priorities and invest in America's future, we fund yesterday's priorities instead.

As the chairman of the Homeland Security Appropriations Subcommittee, I hear every day * * * firsthand how important it is to keep our country safe and secure are at stake. Within the past year, our Nation has experienced a substantial rise in diverse attacks. If DHS continues to be funded at the 2013 post sequester level, we would not be able to adequately address or respond to these events. For example:

While we were all horrified by how simple, homemade explosives could wreak such havoc at the Boston marathon this year, we saw how critical it was that law enforcement and first responders have the proper training and equipment to respond to these incidents.

Years of robust grant funding for our first responders paid off in this instance. However, under sequester, grant funding would be at the lowest level since DHS was formed 10 years ago. If a government shutdown were to occur, all activity intended to help build State and local resiliency would cease.

Our cyber networks are under constant attack. There are 6 million probes or attacks on U.S. government networks each day, and among the attackers are 140 foreign spy organizations. Let me share some recent examples. Earlier this month the Syrian

Electronic Army defaced the Marine Corps website and hacked into numerous print media websites. We also heard news reports of large-scale espionage acts perpetrated by a group of highly sophisticated hackers for hire operating in China. Cyber attacks breach our government, military, and private networks to steal information, including valuable corporate secrets. All of our combined Federal resources are needed to strengthen safeguards on our data and detect these malicious efforts before they can disrupt critical government and financial networks. Without the \$108 million increase requested in fiscal year 2014 for cybersecurity, DHS would defer implementation of the intrusion detection system for civilian Federal programs, known as Einstein, by 1 year; and delay expansion of cyber-attack information-sharing with States, leaving 19 without access to timely data. A shutdown or continued sequester will threaten progress in this area.

In the wake of serious chemical plant incidents in West, TX and in Ascension Parish, LA, this summer, we are reminded that chemical safety and security is imperative, for citizens and first responders. In the hands of terrorists, chemical attacks could cause widespread devastation and loss of life. The DHS inspection program to prevent wrongdoers from gaining access to harmful chemicals has reduced risk by 40 percent. But there are still 4,300 facilities for which DHS has the responsibility to ensure a security program is completed and maintained. We cannot afford to delay this important work by underinvesting in it, but that is exactly what would happen under a sequester level.

The existence of thousands of poorly secured commercial radioactive sources globally poses an ongoing challenge to our national security. We continue to face the threat of a weapon of mass destruction or dirty bomb being detonated in one of our cities or ports. A radiological attack would incite mass panic, shut down our major transportation systems, and cause severe economic damage. We cannot afford to stand meekly by. The Department of Homeland Security program called Securing the Cities, which is a partnership with State and local governments, is designed to detect and prevent a nuclear attack in our highest risk cities. New York has been the test bed for this program over the past few years; but it is now expanding to other major cities—Los Angeles being the next location. We need to ensure that this expansion is funded, not suspended.

For 4 years in a row, the Department of Homeland Security has had to tighten its belt and operate with reduced funding. The impacts of sequestration have made it worse. Let me highlight just a few examples of why sequestration has been harmful and why it will be particularly damaging to DHS under a long-term continuing resolution:

The Coast Guard has operated its surface and air assets 25 percent below

planned levels under sequestration. This has resulted in 35 percent reduction in drug seizures and a 22 percent reduction in interdiction of undocumented migrants.

Customs and Border Protection would not be able to hire any of the new officers for our air, land, and sea ports of entry requested in the fiscal year 2014 budget. This is bad for travel and trade. Travel volume to the U.S. is up 12 percent since 2009, and is expected to grow 4-5 percent in each of the next 5 years. In 2011, international travelers to the U.S. generated a trade surplus of \$43 billion—that set a U.S. travel and tourism record. Without these new officers, we could once again see spikes in wait times during the spring at gateway airports such as New York, Los Angeles, Houston, Chicago, Dallas, and Miami. In fiscal year 2013 under sequester, wait times for arriving passengers at these airports rose over 4 hours on multiple occasions. We must ensure the United States is open for business, or else travelers will take their business elsewhere.

Similarly, CBP would not be able to sustain current operations in fiscal year 2014 because the agency will not have access to \$110 million in fees collected under the Colombia Free Trade agreement. Without these funds, CBP would have to, No. 1, rely on furloughs of up to 16 days per employee to close the gap; No. 2, likely be forced to commence an agency-wide hiring pause for front-line personnel; and No. 3, fall below the Congressionally mandated staffing levels for CBP officers and Border Patrol agents. This will have the negative impact of longer lines at our ports, slower processing and inspection of food and other products entering our country, and fewer illegal aliens being apprehended and removed at our borders.

DHS would not be able to implement safeguards to prevent unauthorized release of classified information. Vulnerabilities in the existing system were highlighted in the Wikileaks releases and the more recent disclosures by Edward Snowden. There was no funding in fiscal year 2013 for this type of activity so DHS's classified data will not be adequately protected without fiscal year 2014 funding.

Critical infrastructure protection efforts would be hindered. For example, without the \$34 million above the fiscal year 2013 sequester level, inspections of chemical plants to prevent weaponization by terrorists will be delayed. Funding to better coordinate Federal chemical programs—in the wake of the West, Texas facility explosion—will not be provided. Increases to prevent catastrophic impacts to critical infrastructure during manmade or natural disasters will be eliminated.

And lastly, on the administrative side, just last week DHS Undersecretary for Management, Rafael Borras, testified in front of the House Homeland Security Subcommittee on Oversight and Management about the dif-

ficulties of managing multiyear acquisition programs under a never-ending string of continuing resolutions. While I agree that is challenging, what is worse than a short-term spending bill at sequester levels, would be a government shutdown. Even a short lapse in funding has the potential to drive up costs across the entire DHS acquisition portfolio.

Because of these impacts, it is critical that we conference our fiscal year 2014 Senate bills with our House counterparts that we can address the weaknesses that continuing to operate at sequestration levels would entail. A conference would also ensure a necessary delay to flood insurance rate increases since the House and Senate Homeland Security bills contain identical language on this issue. Time and time again, Senators have heard from their constituents about the skyrocketing increases in flood insurance rates. Many homeowners throughout the United States will see their rates rise to unaffordable levels. For example, up to 2.9 million policies nationwide could see their previously grandfathered rates become absolutely unaffordable. While data for each homeowner is still incomplete, one resident in my State of Louisiana could see rates increase from \$633 to over \$20,000 per year. That makes homeownership unachievable for many Americans and traps others in houses that they cannot sell.

Exacerbating the damage caused by irresponsible funding levels under the sequester is the looming threat of a politically-motivated Federal government shutdown. While most—about 84 percent—Department of Homeland Security employees are deemed mission-essential during a shutdown, because they are military or law enforcement personnel or deal with critical safety or security issues, DHS like all other Federal agencies would be operating at a greatly reduced capacity. For example:

The Department of Homeland Security would not be able to maintain and operate E-Verify, the Internet-based system that allows employers to voluntarily determine the eligibility of prospective employees to work legally in the United States.

Vital research and development would be delayed. For example, funding to develop next generation screening technology for TSA would dry up. This means funding for the development of technologies to improve detection, lower false alarms, and decrease wait times at airports would end. Funding would also end for the development of countermeasures to biological and nuclear threats.

Preventative measures and preemptive planning efforts with State and local governments for natural and man-made events with FEMA and critical infrastructure experts will cease. This leaves communities less able to respond to catastrophic events in the middle of hurricane season, not to mention for no-notice events like

earthquakes or bombings such as those at the Boston marathon. A lack of preparedness will cost the Federal government more money in recovery efforts and lead to unacceptable and unnecessary loss of life.

Under a shutdown, law enforcement training would cease, including training conducted through the Federal Law Enforcement Training Center and the Secret Service's J. Rowley Training Center. This would impact CBP, ICE, Secret Service, the Federal Air Marshal Service, and would delay their ability to bring new officers and agents into operational service.

And as I noted earlier, while the majority of the frontline law enforcement personnel such as CBP's Border Patrol, Immigration and Customs Enforcement's investigative and detention officers, Transportation Security Administration aviation passenger screeners, FEMA disaster response personnel, and the U.S. Coast Guard will continue working under a shutdown, many of these employees live paycheck-to-paycheck. Since their biweekly paychecks would be stopped during a Federal funding hiatus, these women and men may not be able to pay their rent or mortgage or may have to reduce purchases of food or medicine for their families. An unnecessary government shutdown breaks faith with our heroes on the front lines, adversely impacting their morale and distracting them from their important and often dangerous duties. No one wants that.

We need to get our work done. We need to pass a clean continuing resolution that keeps the Federal government open and fully funds the Affordable Care Act. After that is done, we need to move to the harder task at hand—agreeing on a budget for fiscal year 2014 and finalizing bills so that our agencies have the appropriate funding for their critical missions—instead of lurching from one funding crisis to the next.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, I want to thank the Senator from Louisiana for her leadership of the Appropriations Subcommittee on Homeland Security.

We just heard a detailed description of how the Senator has worked in a bipartisan, thoughtful, and in a detailed and decent way—in a way that crafted a bill where there was compromise, where there was give and take, and where ultimately the bill that has moved through that subcommittee and full committee and should be ready for action on this floor meets the real needs of our Nation, of our homeland.

That bill provides resources and support whether for the State of Colorado, the State of Minnesota, the State of Delaware, or all over this country. And shutting the government down over a needless manufactured crisis between now and Monday is the height of irresponsibility.

Madam President, if I might, I will now yield for the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I will be brief. I want to thank the Senator from Louisiana while she is here, not just for her words and for reminding us this isn't about who can scream the loudest on cable television, it is about the work that actually needs to get done in the Senate on behalf of the American people, but I also want to thank her for all the work she has done over the years with FEMA. It has made a big difference in my State already. They are working well with our local and State officials. We have a long way to go, and the last thing we need to worry about is whether the government is going to shut down.

Fortunately, because of the work the Senator and others did around here, the emergency part of this is going to continue to carry through, even if there is a shutdown. But there is a lot of uncertainty that is related to that. So while Senator LANDRIEU was here, I wanted to thank her for that.

I am sorry the Senator from Delaware has left the floor for a moment, because he has been holding it down and I wanted to ask him a question about his previous work. He was a county executive in Delaware before he was here. I was a superintendent of schools. I worked for the mayor. Senator KLOBUCHAR, who is here from Minnesota, was a district attorney. I think every one of us is completely perplexed by the hostage taking that is going on around this place.

I ask the Senator from Delaware, he was the county executive of a county in Delaware?

Mr. COONS. I was.

Mr. BENNET. I say through the Chair, does the Senator think that any county executive or mayor or local official in the Senator's State wouldn't be run out of town if they threatened the credit rating of their community for politics?

Mr. COONS. Absolutely. I might say to my friend from Colorado, I had direct experience with this. In the State of Delaware, folks expect us to balance our budgets and pass them on time, to deliver good services, but also to defend our credit ratings. The city and county and State in which I lived and served all enjoyed triple-A credit ratings. The folks in my communities understood that meant we could borrow money for building sewers, building roads, and building schools less expensively and sustain the quality of our community. Our business leaders and civic leaders understood that to put that at risk was reckless and irresponsible.

Yet for a manufactured crisis by a few Senators, we are facing the shutdown of this Federal Government a few days from now—and, I am afraid, just a few weeks later the possible default on the sovereign debt of the United

States. No responsible elected official where I am from would do that.

Mr. BENNET. That is my point. I think we are dealing with something that is so far outside of the mainstream of what political actors, at least in my State who are elected who are Republicans or Democrats, would support. I think it is important for us to call attention to that because that is what we are dealing with.

I see the Senator from Minnesota is here, so my last observation. If one of us represented a State government that opened and closed its doors or threatened to open and close its doors every single year, I can assure you that businesses would look to do business in some other State, not in the State in which we work.

That is what we are doing to the United States of America right now. We have so much going for us. The innovators are out in the economy innovating. Natural gas is cheaper than it has ever been. We could build this economy if only a few actors in Washington would get out of the way.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I would first like to acknowledge Senator COONS of Delaware for his leadership, and Senator MIKULSKI, the powerful head of the Appropriations Committee, who has put together a group this hour to talk about public safety and infrastructure, and what a government shutdown would mean and what sequestration means when it comes to the progress of this country.

We heard from Senators from different parts of the country. Senator LANDRIEU from the great State of Louisiana talked about the importance of FEMA. No one knows better than she does after Katrina what a government shutdown would mean for Louisiana.

Senator BENNET of Colorado was here, where right now they are experiencing the horrible aftermath of these floods.

Then we look at what happened in the State of Massachusetts with the Boston Marathon. What would have happened there if we were in the middle of a government shutdown and didn't have the resources we needed?

Do we want the head of the FBI worried about who he can lay off and who he can't? Or the head of the Alcohol, Tobacco, and Firearms that investigated that bombing in Boston—do we want them off looking at what are we going to do if we have a shutdown in the middle of that bombing? That is not what we want happening. That is not how this country runs.

I sat and watched the last hour of this debate, and I saw Senator CORKER come to the floor and do a fine job of explaining that it is not every Republican in this Chamber who is trying to slow this vote down so we don't even have it today. He focused on two Republicans who were doing that, and I think it is very important for the

American people to know that the Senate has tended to work in a bipartisan way. We want to move forward, we want to get this bill voted on, and we want to give a chance for the House to come back. No more delays. We need to get this done.

Much of the focus has oftentimes been: I want to shut down Washington. But my job today is to talk about what it means in our States. As someone who spent 8 years as the chief prosecutor for Minnesota's largest county, I know the pain of this shutdown would be felt by State and local officials, by State and local people, right down the line, and, not least of all, by the first responders and law enforcement officers who rely on Federal funding for everything from crime prevention to community corrections programs to drug courts, and to simply keeping cops on the beat.

There are some who are willing to hold these first responders hostage, there are some who are willing to hold our country hostage, to score political points. The fact is a government shutdown would be painful and it would be expensive. These men and women go to work every day protecting the people. While most people may run away from disasters, calamities, and tragedies, they bravely run toward them, and they do it selflessly—not because they are looking for fame or glory but because they are simply doing their jobs.

We in Washington have a responsibility to do our jobs. We have a responsibility to ensure that our cops and firefighters and EMTs have the tools to protect the public safely and effectively. We have a responsibility to pass a resolution that prevents the government from shutting down.

We simply can't afford another self-inflicted wound to our economy, as Senator BENNET was pointing out, especially not at a time when things are finally turning around. At 7.3 percent, our national unemployment rate is at its lowest point since December of 2008. In my State, it is at 5.1 percent. The housing market is bouncing back. Retail sales are up. So far this year we have added 1.5 million private sector jobs. We are not where we need to be, but we are headed in the right direction and we need to keep moving forward and not move backward. Yet here we are again, facing another manufactured crisis that threatens to shut down the government.

Last week, House Republicans sent us a continuing resolution they knew had zero chance of passing the Senate. When House Republicans passed a budget tied to defunding the Affordable Care Act, they decided they were willing to risk shutting down the government just to relitigate a law that both the House and Senate passed, the President signed, and the Supreme Court upheld.

Will there be changes to that law going forward? I am sure there will. There always are with large bills. But the answer is not to defund it on a must-pass bill.

Even Members of their own party agree this is the wrong thing to do. Senator MCCAIN has called defunding the health care law as part of the CR the height of foolishness and not rational. Even a poll conducted by the conservative Crossroads GPS, headed by Karl Rove, found that Independents overwhelmingly oppose shutting the government down to defund ObamaCare on a margin of 58 percent in opposition to 30 percent. That is Independent voters in a poll conducted by Karl Rove's group.

In the short term, a government shutdown lasting more than 1 week would have an immediate effect on economic growth, as the Federal Government would suspend all nonessential spending. Shutting down the government for 3 or 4 weeks would reduce real GDP by 1.4 percentage points in the fourth quarter. And a shutdown longer than 2 months would likely precipitate another recession.

My colleagues in the House like to talk a big game about reducing the deficit and doing what is fiscally responsible. Yet they are willing to mortgage our economy on a political gamble? Pardon me, but that is not how we define fiscal responsibility in my State.

Here is something else Minnesotans don't call fiscally responsible: closing our national parks, which generate billions of dollars in tourism revenues every year. If the government shuts down, so will all 368 National Park Service sites.

And how about the visa processing centers? During the 1996 government shutdown, more than 500,000 visa applications and 200,000 passport applications were put on hold. We might say, why would that affect me? It does. It affects jobs in the United States of America. In a State such as Minnesota where tourism is our fifth largest industry and the source of 11 percent of our private sector jobs, we simply can't afford to let that happen. We simply can't afford for this critical industry to be hamstrung by political posturing on the other side of the aisle in Washington.

In addition to the impact on our tourism sector, a government shutdown would also have serious repercussions for industries such as medical technology, something that Minnesota and Massachusetts share.

Without funding to keep the lights on at the Food and Drug Administration, the process for approving medical devices and other biotech products would grind to a standstill.

These are just a few examples of the industries that would be hurt by a government shutdown.

If we use the 1996 impasse as a guide, we can also expect to see delays in the Small Business Administration financing, a suspension of Federal Housing Administration insurance for people buying new homes, new patients denied access into clinical research trials at the National Institutes of Health. You heard correctly. If we can't reach a

compromise, we will all feel the negative results.

Now I want to get back to the focus of my earlier remarks, and that is law enforcement programs. We must be willing to do the right thing for the safety of our people. When it comes to homeland security, counterterrorism, and Federal law enforcement, rest assured those protections will continue. But in the event of a shutdown, the Federal officers who continue going to work protecting the public from violent crimes, gangs, and terrorists won't be getting a paycheck. Instead, they will be getting an IOU. Basically what we will be saying to these people is: Thanks for putting your lives on the line. We can't pay you right now. And if you are lucky, maybe you will get backpay when Congress sorts this all out. Is that what we want to say to the people who showed up first at that Boston Marathon bombing, We have an IOU for you? I don't think so.

The strain on a shutdown on law enforcement would come at a time when agencies are already struggling to make ends meet in the wake of sequestration.

The new head of the FBI just talked about how sequestration would put him in a position to lay off 3,000 FBI agents. I don't think that is where we want to be in this country. These are cuts to some of the most successful crime prevention and crime-fighting programs out there.

Even more frustrating is that Chairman MIKULSKI and the Senate Appropriations Committee worked across party lines to draft spending bills for 2014 that would provide additional resources for grant programs important to law enforcement.

Under sequestration, the COPS Program has been reduced by \$22 million compared to the funding level the Senate approved. Funding for drug courts has also been slashed, despite the fact that drug courts actually save money to the tune of \$6,000 per person. For every \$1 spent on drug courts, more than \$3 is saved on criminal justice costs alone. And when you factor in other things such as costs to victims and health care, they can save up to \$27 per person.

Local law enforcement also relies on Byrne grants, which have been cut by \$20 million due to sequestration.

As a former prosecutor, I have always believed that the No. 1 job of government is to protect people. It is to keep people safe. It is to have safe roads and bridges. If we continue to cut, to delay, and deny critical funding for programs such as COPS and Byrne grants, we will be failing in this most basic duty, and I refuse to let that happen.

Instead of threatening critical services and our economy with poison pill partisanship, we need to focus on real solutions. This means agreeing to go to conference committee on the budget. For many months Senator PATTY MURRAY, the head of the Budget Committee, has been asking permission to

simply bring our Senate-passed budget to conference committee, where it can meet up with the House budget and where we can at least try to work out a long-term solution. Senator McCAIN and Senator COLLINS have joined us in this call to be allowed to bring a long-term budget to a conference committee, but we have been met every step of the way with opposition from the other side. That is where we should be working these things out. Instead, we are on the floor today to try to end the brinkmanship on simply keeping the government going.

Secondly, we have another problem, and that is that our country will hit its legal borrowing limit as soon as mid-October. When this happens, we will be asked to do what Congress has routinely done 70 times over the past 50 years, and that is to pay our country's bills.

Let me be clear. This is about making good on commitments we have already made. This is about doing what regular Americans do every month when they pay their credit card bills.

As vice chair of the Joint Economic Committee and the chair on the Senate side, last week I held a hearing and released a report examining the economic impact of this brinkmanship. The results aren't pretty and they are based on history. Let's remember what happened the last time when we had a showdown on the debt ceiling in the summer of 2011: The United States experienced the cost of protracted brinkmanship on the debt ceiling. As Congress struggled with this issue, the Dow Jones dropped more than 2,000 points, and Standard & Poors downgraded the U.S. credit rating. Consumer confidence fell, and we were out over \$1 billion in borrowing costs. That is on the backs of the taxpayers of this country. That is what happened in 2011.

If we face another impasse this year, there could be very real ramifications for businesses and for people. Interest rates could rise on everything from credit cards and home mortgages to borrowing costs for businesses, putting a real strain on families and small business owners, and stalling the economy just as we are at a time when we can expand it, just when we are at a time when we are starting to see that stability grow to real growth.

Our country cannot afford to keep lurching from crisis to crisis. It is time for both parties to come together and focus on real solutions.

Do you know what I learned the last 24 hours, the last 2 days, watching what was going on on this floor? That there are a few of my colleagues who see this place as a battleground. I see it as a place to look for common ground, and that is what we are supposed to be doing on behalf of the American people. The battleground has to give way. We need to do the work for the American people, find that common ground, work together. We are going to pass a good, clean bill so that we can continue the U.S. Government and move on to

work out the details of the budget. That is what we need to do for our first responders, for our police, for our firefighters, for those people who put their lives at risk every day. That is what we need to do for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, any discussion of the national security impacts of a long-term continuing resolution or a potential government shutdown would be incomplete without including the potential impact on America's 22.3 million veterans.

The good news is that under any scenario, veterans would still be able to receive health care thanks to advance funding for 2014. The bad news is that most other VA programs would be shortchanged under a CR and crippled by a government shutdown. The VA budget would be impacted by the funding shortfalls or stoppages, but America's veterans would be the victims.

VA advance funding does not extend to such important programs as disability claims processing, hospital and clinic construction, or VA cemetery operations, to name but a few examples. Given the gravity of backlogs in the VA claims processing program, the Senate CR includes a provision funding claims processing at the 2014 budget request level. But it does not include a package of reforms and initiatives in the 2014 Senate MilCon/VA bill intended to improve productivity, accuracy, and accountability. For claims processing, a CR is less than optimal. A government shutdown could be catastrophic.

The current backlog of VA disability claims stands at 435,000, an improvement over the high water mark of 632,000 just 6 months ago.

But the strides VA has made in addressing the backlog problem would suffer a severe setback under a government shutdown. Currently, the VA processes 5,500 to 6,000 claims a day, a massive improvement in productivity that would be stopped in its tracks by a government shutdown. The longer the shutdown, the more severe the impact.

Think of a fender-bender in the middle of a busy freeway. Traffic behind the accident backs up quickly, and the backup extends farther and farther as cars pile up behind it. Once the cars are towed away, the backup does not magically disappear. It takes time for traffic to return to normal.

The same holds true for an interruption in VA claims processing. The VA estimates that for every week that claims processing would be halted under a government shutdown, it would lose a month of progress in processing claims. Our Nation—our veterans—cannot afford this delay.

Claims processing would not be the only VA program imperiled by a government shutdown. If the government shuts down, funding for payment of

mandatory VA compensation, pension, and education benefits would run out by the end of October, denying a lifeline of support to thousands of veterans.

For anyone who cares about America's veterans, the notion of forcing a government shutdown is unthinkable.

Passage of a clean CR through November 15 is imperative to give Congress time to negotiate a way forward to fund government operations, agency by agency, through 2014.

My subcommittee also funds the Defense Department's military construction program. A government shutdown would have serious consequences in this area. The furloughing of civilian personnel overseeing construction contracts could not only disrupt and delay ongoing projects, but could provoke contract interruption and increase project costs. A CR prevents new starts so regardless of the level of funding, no new MilCon projects could be undertaken in 2014 under a CR. A CR and government shutdown would bring DOD's MilCon program to a screeching halt.

The CR before the Senate today buys time, without any extraneous riders or political histrionics. There is a time and a place for everything. The place for political statements is elsewhere. The time for keeping the government operating until a comprehensive appropriations bill can be crafted is here. I urge my colleagues to support the clean CR pending before the Senate.

I yield the floor.

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. 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.

Mr. REID. Mr. President, I am sorry that we are going to have to vote tomorrow and not today. The House is waiting for us to do something, to finish this, but we have two Senators who will not allow us to do that. We established that an hour or two ago. That is unfortunate.

I ask unanimous consent that following leader remarks on Friday, September 27, the time until 12:10 p.m. be equally divided between the proponents and opponents of the motion to invoke cloture on H.J. Res. 59; that the time from 12:10 p.m. until 12:30 p.m. be reserved for the two leaders, with the final 10 minutes under the control of the majority leader; that at 12:30 p.m. the Senate proceed to vote on the motion to invoke closure on H.J. Res. 59; that if cloture is invoked, all time postcloture be yielded back; that the pending Reid amendment, No. 1975, be withdrawn; that no other amendments be in order; that the majority leader be recognized to make a motion to waive applicable budget points of order; that if a motion to waive is agreed to, the

Senate proceed to vote in relation to the Reid amendment, No. 1974; that upon disposition of the Reid amendment, the joint resolution be read a third time and the Senate proceed to vote on passage of the joint resolution, as amended, if amended; finally, that all after the first vote in this sequence be 10-minute votes and there be 2 minutes equal divided between the votes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. This agreement means we will have four votes tomorrow beginning about 12:30: cloture on H.J. Res 59; motion to waive budget points of order; amendment No. 1974; and passage of H.J. Res. 59, as amended, if amended. I think we will come in tomorrow about 9:30, and the time will be allocated from that time until 12:10.

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.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, so ordered.

Mrs. FISCHER. Mr. President, I rise on behalf of the millions of middle-class families across America who feel they have been left behind. Too many of these people are decent, hard-working folks who are unemployed or underemployed. Too many have adult children stuck living at home because, despite graduating from college, they are struggling to find work. And now, because of ObamaCare, these same young adults—many of whom are older than 26—will be forced to pay more taxes or purchase costly government-defined health insurance.

In spite of the administration's best salesmanship, the law remains extremely unpopular. A poll conducted by the Omaha World-Herald last fall showed 55 percent of registered voters still favored the full repeal of ObamaCare. Recent national polls indicate a similar disapproval rating for the law all across the country. Part of the reason for the public's continued opposition is the harm that ObamaCare is causing our economy.

Let me share a story of one woman, a small business owner named Eileen Marrison. I had the pleasure of meeting Eileen in August when I was traveling my State, and I visited with her in Papillion, NE. The Marrison family owns and operates Two Men and a Truck. Those are franchises in Omaha and Lincoln, NE. They have 30 employees in Lincoln and 76 in Omaha. The Marrisons provide paychecks for local families, and they have earned the respect of their communities.

Eileen Marrison, the matriarch of the family, presently offers health insurance to full-time employees—36 individuals working 35 to 45 hours per

week. She foots more than half the cost of that coverage. Since ObamaCare changes the definition of a full-time employee, lowering the threshold to 30 hours per week from 40 hours, Eileen now employs 76 full-time equivalents, triggering the employer mandate. Now she must offer affordable coverage as defined by ObamaCare. She has to offer that to all of her employees working 30 hours or more.

Eileen has been taking care of her employees for years, and she wants to continue to do so. However, ObamaCare's mandate is now placing additional burdens on this family business which will require Eileen to make tough decisions or incur those harmful costs.

I received thousands of phone calls, e-mails, and letters echoing Eileen's concerns and urging me to repeal all or pieces of the law.

Another constituent, a 61-year-old retired schoolteacher from Beatrice, NE, recently wrote me to share that he had just received a letter from his insurance carrier. The news was that premiums were set to spike 60 percent, to \$939 a month. That is half of his monthly pension check. He says, "We are dismayed and disappointed."

Another Nebraskan, Roger from Hartington, NE, wrote:

I just wanted to let you know I got my letter from Blue Cross of Nebraska. My premium went up \$160 per month and my total out-of-pocket risk increased from \$5,000 to \$12,700.

Roger continued:

On the positive side, my menopausal wife and I now have maternity, drug, alcohol, pediatric, dental, and vision care!

President Obama promised our costs would go down and we could keep our insurance if we liked it. I liked my old plan. I want it back!

We no longer have to rely on these testimonials to prove that ObamaCare is driving up the price of insurance premiums.

Yesterday, the Federal Department of Health and Human Services released its long-awaited report on ObamaCare premium prices offered on the exchanges. The numbers for Nebraska proved that premiums will rise dramatically. In its analysis of the data, Forbes magazine published an article noting there was a 279-percent increase when comparing the cheapest plans offered to Nebraska men. For Nebraska women, there was a 227-percent increase when comparing the cheapest plans. That is more than triple the current rate. Those numbers are absolutely staggering. The average premium for a 27-year-old for the most basic plan, the bronze plan, is \$159 before tax credits. Currently, that same 27-year-old can find a premium for \$68 in Nebraska. So we are looking at a significant increase in costs.

Based on a Manhattan Institute analysis of the report:

ObamaCare will increase underlying insurance rates for younger men by an average of

97 to 99 percent, and for younger women by an average of 55 to 62 percent. Despite these rates, the plan includes fewer in network doctors and hospitals than current plans. And many of the lowest-cost plans will likely carry high deductibles.

One insurer found that "for the cheapest bronze plans, the average deductible was \$5,000." How is that possibly affordable?

In August the administration announced another major delay, this time to the part of the health care law limiting patients' out-of-pocket expenses. Rather than capping costs for individuals and families, as required by the law, the delay of this key provision guarantees ObamaCare will be anything but affordable.

Of course, there are many other problems with the law beyond the increases in premiums, which is why I have been promoting the complete repeal of the law, and I support defunding it.

For example, there are serious concerns about possible identity theft for those participating in the new health exchanges. Why? Because the administration failed to independently test the security for its Federal Data Services Hub, which will store huge amounts of people's private, personal information.

The report released by the Department of Health and Human Services inspector general stated:

Several critical tasks remain to be completed in a short period of time, such as the final independent testing of the hub's security controls, remediating security vulnerabilities identified during testing, and obtaining the security authorization decision for the hub before opening the exchanges.

The administration has until this Tuesday to complete these critical tasks. I, for one, remain skeptical that these tasks will be completed in time, opening up security risks for individuals who do participate in the exchanges.

Today the administration tacitly admitted once again that ObamaCare is not ready for prime time when it announced another delay. This time they are postponing online enrollment in some of the small business exchanges scheduled to open on Tuesday.

The irony, of course, is that news of this latest delay broke as the President was delivering a speech criticizing Republicans for their effort to defund or delay the law altogether. It seems reasonable to ask: Where is the delay for the American people? Where is the delay for middle-class citizens such as the 61-year-old retired teacher from Beatrice, NE? Is that an extreme position? I certainly don't think so.

In short, this law remains fatally flawed. The American people deserve better than selective delays, unfair treatment, and broken promises.

For me, the fight over ObamaCare has nothing to do with politics or with ideology. It has to do with standing for small business owners such as Eileen Marrison. It is about standing for middle-class families who aren't asking government for a hand up, they are just asking that the government stop holding them down.

We are a country that looks to build a brighter future for our people. We are a country that looks to help and lift up people. That is what America is all about. It is about giving voice to millions of Americans—those middle-class families who are feeling left behind—who would rather have the Federal Government focusing on ways to create jobs so they can bring home a decent paycheck.

Let me be perfectly clear: I have no intention of standing down in this fight. It is why I was sent here, and it is what Nebraskans expect from me. It is the only way we will ever be able to turn our economy around and build that brighter future for all Americans. I yield the floor.

THE PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I come here this evening with no notes, so hopefully I will be able to communicate my feelings and concerns from the heart and from the brain about the tasks we are about. We have been focused so much on the Affordable Care Act, or ObamaCare, and rightfully so. I consider it one of the most damaging pieces of legislation ever to pass a Congress and be signed by a President.

I want to start by pointing out something that is receiving, in my view, inadequate attention. We are back on the Senate floor with a continuing resolution. It is almost as if passing a continuing resolution has become the norm, and has almost become a way of life.

I have the privilege of serving on the Appropriations Committee. Our task—and what I would consider a very basic task—is to pass a budget. This is the first time the Senate in 3—almost 4 years—has passed a budget. The House passed a budget. Yet there is no reconciliation and no success in the effort to conference that bill, and so we have no budget framework to go by. The other requirement—again, one that ought to be so basic—is to pass appropriations bills within that budgetary framework.

We are here—almost on September 30—and I would remind my colleagues that not 1 appropriations bill out of the 13 appropriations bills that should be passed by September 30 has passed the Senate. It seems to me that it is important to highlight the fact that this place, once again, is failing to do its job. There has not been 1 appropriations bill out of 13.

Why is passing a continuing resolution important? Without it—or if we just do it at will—the Appropriations Committee and the Senate, on behalf of the American people, are never required to prioritize our spending. Does anyone not think the priorities of this Congress should have changed from last year to this year? Have things not changed in our country, in which, if we were doing our work, we would decide how much money each program should receive based upon its effectiveness, its efficiency, whether it is a proper role

for the Federal Government, the changing nature, the economic environment of our country? Yet, no, one more time we are here to pass a continuing resolution.

The thing that troubles me perhaps the most about this topic is that it is just a given. We are not complaining about the passage of a continuing resolution; we are focused on a very significant provision in that continuing resolution that very well may be removed tomorrow when the Senate acts.

The Appropriations Committee needs to work. Just as we always raise the debt ceiling every time the debt ceiling is met, if we always agree to raise the debt ceiling, what is the effect of a debt ceiling? If we always, every year, pass a continuing resolution, why have an appropriations process in which we are to establish priorities on behalf of the American people as far as how their tax dollars are spent? We are failing miserably, once again, the American people, and it is just happening as if it is of no consequence.

I want the appropriations process to work. I want to eliminate funding for some programs that aren't our business, that the Federal Government should never have been involved in in the first place. I want us to establish the amount of money we can afford to spend on programs within the Federal agencies and departments. It may be true that there are some things on which we might want to spend more money.

I would remind our colleagues that, in my view, the primary responsibility of the Federal Government is to defend our country, and what we do in regard to defense spending has a huge consequence upon our ability to fill that vital mission, that constitutional responsibility. We take on too much to deal with.

I have always believed the view that if the 10th Amendment to the U.S. Constitution had ever been enforced in the way I or most Kansans would consider its words to mean, our Federal Government and our lives—more importantly, our lives—would be so much different in the United States. The 10th Amendment says that all those powers not specifically granted to the Federal Government are hereby reserved to the States and people. Yet government continues to grow, and we have an appropriations process that has failed to do anything about curbing that spending.

The issue that is front and center is the President's health care reform measure that passed 3 years ago and is being implemented on October 1, when many of its provisions will kick in, become viable, and the American people will begin to feel the consequences even more so than they have to date. There is no question the Affordable Care Act, as I said earlier, is the most damaging piece of legislation passed, certainly in my time in Congress. Not a surprise: I voted against it. Perhaps not a surprise: I offered the first legis-

lation to repeal the Affordable Care Act after it was passed.

The House is often criticized for time and time again passing legislation to repeal or to defund the Affordable Care Act. Yet, if one believes it is so damaging to the country, isn't it our responsibility to do everything within our power to change the policies of Washington, DC?

We have before us tomorrow the opportunity to defund the Affordable Care Act. Those who count votes around here say that is not going to happen, that it is a lost cause. But it is important for us to do everything we can to make certain the consequences that are so damaging to America and to Americans are avoided.

For most of my time in the House of Representatives and now the U.S. Senate, I have chaired the Rural Health Care Coalition. I care about the access to health care by citizens across our country who happen to live in rural areas and core centers of cities and urban centers of our country—high Medicare populations, high Medicaid populations. Yet I have no doubt that with the passage and implementation of the Affordable Care Act, hospitals who serve rural communities will be greatly damaged and we will lose many hospitals. When we lose a hospital, we lose the doctor, the pharmacy; we may lose the nursing home or the assisted living center—huge consequences to people who have paid taxes all of their lives through their employment to support Social Security and Medicare. Yet, because they choose to live in a rural community, the chances of them being able to access the health care that to a large degree they pay for disappears.

It seems to me that the stories being told on the Senate floor—and I listened to the Senator from Nebraska moments ago talk about examples within her State and her constituents, describing the problems created by the Affordable Care Act. We all have those examples. I have no doubt that Democrats hear the same stories Republicans hear. Yet we can't seem to be responsible enough to make the changes. We will have the opportunity to repeal—to defund, I guess is the better way of saying it—the Affordable Care Act, and we ought to do it.

The focus today and yesterday and the day before has been on Republicans and the strategy of how to defund the Affordable Care Act. It is pretty irrelevant in the overall scheme of things how we do it; it is whether we get it done. And we ought to be expecting Democratic Senators, my colleagues from the other side of the aisle, to be just as helpful in trying to change, defund, repeal, alter the Affordable Care Act on behalf of our country.

The focus ought not to just be on how we do it among Republicans; it ought to be on questioning my colleagues about whether they are willing to step forward and admit there are problems with legislation they supported. It is

not just a Democratic problem. I remember legislation that I voted against that was supported by Republicans overwhelmingly—in fact, broadly supported. After it passed—I was on the losing side, a very small minority—I spent my next few years trying to get it amended. No one likes to admit it when they vote for a bill and then it is a problem. But who would be surprised? What American would not think—Americans have great common sense and judgment. What American wouldn't think that the passage of a bill with thousands of pages late at night by the slimmest of margins, with no bipartisan support, wouldn't have some problems that need to be addressed?

I talked about how our process here is dysfunctional when it comes to the appropriations process. I heard colleagues earlier this afternoon saying we ought to work together and come to the floor and offer amendments. Here is the problem: There will be no opportunity for any amendment to be offered other than the amendment offered by the majority leader. So we are saying that we could maybe cooperate to find some solutions to the problems that come from the Affordable Care Act, but, oh, by the way, the only amendment that is really going to be made in order is changing the expiration date of the continuing resolution and removing the provision that provides for no funding for ObamaCare.

This is one of the most important votes I will ever face—or one of the most important issues, is probably a better way of saying it, I will ever deal with as a Member of the Senate. How we deal with the health care of millions of Americans has a huge consequence—economic, their health, their well-being, their family, their ability to get a job. Yet we are going to dispense with this issue in a matter of minutes tomorrow with one vote on an amendment to remove the defunding of the Affordable Care Act.

Wouldn't the Senate and wouldn't America be better served if we were given the opportunity—again, if there are Senators on the Democratic side who agree there are problems, aren't there issues we could raise that would allow us to have a debate and a vote and determine where we could find some way to get rid of the ominous, threatening nature of the Affordable Care Act?

The Senator from Nebraska talked about her examples. Time and time again we hear about the amount of money the Affordable Care Act is going to cost, about the premiums going up. We have seen the numbers that have just been released. For my State of Kansas, there will be significant increases in the premiums for anyone who is participating in the exchange.

I have talked to business folks. I am certainly a rural Kansan, and I care a lot about rural America. I have always tried to explain to my colleagues that where I come from, whether or not

there is a grocery store in town determines in many ways the future of the community. Many of my urban colleagues have their issues and don't necessarily understand what happens in a rural community if we lose a grocery store. But the conversation with the grocer just within the last month or so was this: The neighboring town is losing its grocery store. They have asked me to come in and buy it. I have looked at it. I could make money. It would work. I could save the grocery store in the neighboring town, but I am not going to do that because that would put me over 50 employees and the Affordable Care Act would kick in.

A competitor who is across the street decided to in a sense quit competing—at least in one aspect of their business—and share employees so that people now work part-time at one business and work for the competitor the other half of the day to avoid the consequences of the Affordable Care Act.

Educators, our teachers, our school superintendents, our enterprises that come together and create co-ops for our schools to provide special education to our students, funding is very difficult in education across our country. State legislatures struggle with their budgets. Yet the amount of money necessary to comply with the Affordable Care Act means there are going to be fewer paraprofessionals in the classroom assisting students with disabilities because they no longer can afford to have an employee considered a full-time employee and provide their health care.

This legislation is damaging to the country. It is damaging to our country's future. It is damaging to the American people. It reduces the opportunity that I believe Americans always have had to get the best health care among countries in the world.

The Affordable Care Act, ObamaCare, needs to be defunded. I would say to my Republican colleagues, we then have a responsibility to have a solution, a plan. Our health care system is not perfect. We have the opportunity to present better ideas, but that can't happen in a Senate that doesn't allow an amendment to a bill that deals with health care because of the House amendment. We won't have the opportunity to present our ideas or offer amendments that will make a difference.

One could say: Well, this isn't the place. The continuing resolution is not the place to have a debate about health care and how to replace the Affordable Care Act.

OK. I ask my colleagues, the leaders of the Senate, when is? When is the last time we have had a bill on the floor that would give us the opportunity to offer an amendment, to have a debate, to offer ideas about how to fix health care? It hasn't happened. I predict, based upon the Senate's schedule in the time I have been here, we are not going to have that opportunity. We ought to as Republicans. We ought to

as Senators. It doesn't have to be partisan. There ought to be commonsense solutions. There are. It is not that there ought to be; there are. We all have ideas about how to fix our health care system as it was before the passage of the Affordable Care Act, and we need to defund the Affordable Care Act to give us a chance to go back and do it right, do it better.

Again, I would encourage my colleagues, the next time we have the opportunity, and perhaps that will—I hope this is not true, but perhaps it is only true if we have Senators who are different from the Senators we have now. One would think that regardless of one's party affiliation, a U.S. Senator ought to be willing to deal with this most significant, important issue—the lives of Americans. It doesn't matter about one's party affiliation. If one cares about people—well, in this Senate, apparently, if the vote counters are right and no Democrat will vote to defund ObamaCare, then there will be no opportunity for us in the future to put our ideas, their ideas, all of our ideas on the floor for consideration by Senators and by the American people.

Common sense tells us that we would fix the health care system a piece at a time and do it with commonsense, free market principles that would create a greater opportunity for more Americans to be able to afford health care. Health care is expensive. Health care insurance is expensive in this country, no doubt about it. The issue of pre-existing conditions needs to be addressed. It affects people in their lives and in their jobs on a daily basis. But, no, we are going to cast one vote that gives us no opportunity to solve, to address, to deal with piece by piece the broken system that now the Affordable Care Act provides us.

The implementation of this act has been a disaster. No one can objectively look at what has transpired and think this is the way it should be done. No one could look at the consequences of the Affordable Care Act and say: This is a great thing. It is perfect. We don't want to make any changes.

Every Republican will vote tomorrow to defund—at least if the prognosticators are true; I expect it to be the case—every Republican will vote to defund the Affordable Care Act. We are united in that. We need colleagues from the other side of the aisle to join us in the effort to make sure Americans have access to affordable health care and the Federal Government operates within the limits of the Constitution in providing the environment in which that occurs. These are serious issues. The Affordable Care Act needs to be defunded. And the Senate needs to operate in a way that then allows all of us to come together in a manner that allows us to help Americans better afford health care for themselves and their families.

This system is broken. The Senate does not function right. Mostly what I

knew about the Senate before I came here was what I read in history. This place does not work the way it has for centuries during the life of our country.

The issues we face are serious. It is not about politics. It is not about posturing. It is about whether every American is going to have the ability with the Affordable Care Act to take care of themselves and their families in the way they want to.

Promises that were made—easily forgotten, apparently; certainly not kept. You will be able to keep your health care insurance if you want. I have seen so much evidence to the contrary. Your premiums will not go up. We know that is not true. Time and time again, the promises that were made about the Affordable Care Act are broken. Yet there is no will on the part of the U.S. Senate to change course.

It is time to admit it was a mistake. It is time to admit the bill is significantly flawed. It is time to admit the Federal Government is involved in issues that are not well-handled by the Federal Government in one broad sweep. It is time to admit that not one sized solution fits all problems, that not everyone in the United States is the same, that my colleagues who come from other places are different and their constituents are different and their health care delivery system is different than it is in my home State of Kansas.

I would make the appeal on behalf of most Kansans to give us the chance to set the record straight, to do it right, to begin again. I ask my colleagues tomorrow to vote to defund the Affordable Care Act. It is time for ObamaCare to come to a conclusion.

I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, I rise to speak to an amendment I filed on H.J. Res. 59, the continuing resolution. It is a pretty simple amendment. It simply prohibits that funds be used for a government contribution for the health insurance of Members of Congress and their staffs under ObamaCare.

Now, you might ask, well, why would I, as a former employer, want to prevent an employer from contributing to health plans for Members of Congress and their staffs?

Well, the simple reason is, because of the passage of ObamaCare, it expressly prohibited funds from being contributed by the Federal Government to Members of Congress and their staffs health care plans.

I do not believe the President has any legal authority and I certainly do not believe the Office of Personnel Management has the authority to circumvent the Affordable Care Act.

I am exactly on board with Senator MORAN in certainly wishing that we could repeal the health care law in its entirety, that we could defund it, that we could do anything we could to limit

the damage. But the fact is, it is the law of the land, and we need to respect the law of the land.

I have looked through the legislative history of the passage of the Patient Protection and Affordable Care Act. It seems very clear what the intent of Congress was.

Back on September 29, 2009, as this was being debated by the Senate Finance Committee, Senator GRASSLEY offered an amendment that was adopted without objection that would require Members of Congress and their staff to “use their employer contribution . . . to purchase coverage through a state-based exchange, rather than using the traditional selection of plans offered through the Federal Employees Health Benefits Plan.”

Again, that amendment was adopted without objection. Apparently, Members of Congress at that point in time thought that the State-based exchanges were going to offer such fabulous health care that they wanted to make sure that Members of Congress and their staff could avail themselves of that opportunity.

So on October 19, 2009, that Grassley provision was incorporated into the Finance Committee’s America’s Healthy Future Act. But there was an addition to that amendment made that basically provided for an employer contribution. Section (B)(ii) says:

the employer contributions may be made directly to an exchange for payment to an offerer.

So at that point in time it was the express will of Congress that the employer—the Federal Government—could actually contribute to the health care plan purchased through the exchange.

The problem arises, however, that when Senator REID actually offered the language for the Patient Protection and Affordable Care Act on November 18, 2009, it specifically said:

the only health plans that the Federal Government may make available to Members of Congress and congressional staff with respect to their service as a Member of Congress or congressional staff shall be health plans that are one—

(1) created under this Act (or an amendment made by this Act); or

(11) offered through an Exchange established under this Act (or an amendment made by this Act).

There was absolutely no provision made whatsoever for an employer contribution to those health care plans.

On December 24, 2009, Christmas Eve, the Senate passed that bill making no provision for an employer contribution to those plans purchased through an exchange. It was passed on pure party lines, 60 to 40.

On March 21, 2010, the House passed the exact same legislation. But then there was a debate in terms of reconciliation, and Senator GRASSLEY once again offered an amendment that would have provided an employer contribution to those plans purchased through the exchange. It was explicitly stated that employer contribution

could be made. But that amendment was voted down. It was voted down. The vote was 43 to 56. All but three Democratic Senators voted no. In the end, the health care law was passed. That reconciliation was passed on March 25, 2010.

Now, it happened recently—on July 31, 2013—that President Obama came over here to the Hill and met with Democratic Senators because, as NANCY PELOSI famously stated, we have to pass this health care law before we can figure out what is in it, before we know what is in it. Well, once Senators found out what was in it—that they were going to have to purchase their health care through an exchange and the Federal Government could not make any payment for those health care plans—they panicked and they asked President Obama to please correct that. So President Obama heard their plea and directed his Office of Personnel Management to propose a rule that would allow the Federal Government to pay or make a contribution to those State-based exchange plans.

Now, I would argue that the OPM—President Obama—has no legal authority whatsoever to make those contributions, which is the purpose of my amendment. There will be millions of Americans who will lose their employer-sponsored health insurance for various reasons but because of the passage of the health care law. Once they have lost that coverage, they—every other American—will have to purchase insurance either in the open market or through a State-based or Federal exchange. Their employers will be barred. They will not have the opportunity to make an employer-contribution to help pay for those health care plans.

The only way a normal American gets to have any subsidy in those exchanges is if their income qualifies them for a subsidy under the Affordable Care Act. The only Americans who now—because of this OPM ruling—will actually have their employer be able to make a contribution are Members of Congress and their staffs. That is simply wrong. That is special treatment. It really should not stand.

So my amendment basically acknowledges that this is the law of land; that President Obama—the Office of Personnel Management—has no legal authority to have that contribution take place. So it simply prohibits funds to be used for a government contribution for the health insurance of Members of Congress and their staffs under ObamaCare.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to discuss the House-passed continuing resolution now pending before the Senate.

Once again the Senate is considering a last-minute continuing resolution rather than regular-order appropriations bills. Handling the annual appropriations process in this way is a bad

deal for the American people, and it is a deal we have gone through for the last 4 years now without passing appropriations bills and having to deal with a continuing resolution or an omnibus, which is simply a terrible way to run this government.

Congress should be passing appropriations bills in regular order instead of waiting until the eleventh hour. I know the chairman of the Appropriations Committee and the ranking member are very much in favor of doing that and are ready to come to the floor to do that. But yet once again we are seeing the majority leader not let them come to the floor with those bills. This only creates uncertainty in the financial market and hampers America's economic recovery.

Unless we come to an agreement, the government is going to shut down Monday night because Congress failed to pass a bill that would fund the government for only a few months. And to what end? We will find ourselves back in this position in either November or December, when we will have to pass yet another continuing resolution. This is a foolish way to run the U.S. Government.

I was here in 1995 during the last government shutdown. It cast a pall on the American people, seeded distrust of government, and unnecessarily harmed our economy. It was not a pretty sight from either a political standpoint on either side of the aisle or from the standpoint of the American people or the government employees. No one wins when the government is shut down, least of all the American people.

We are all aware of the issues that have thus far slowed down the progress of this bill. While there may be differences of opinion on our side of the aisle about tactics, let me tell you—let there be no doubt—we are all unified in believing that ObamaCare should be stopped and should be defunded.

I was here on this floor a few years back when we fought tooth and nail to stop passage of ObamaCare. I believed it to be the worst piece of legislation I had seen in my now going on 19 years of serving in the U.S. Congress. And it still is the worst piece of legislation and the most damaging piece of legislation to the American people that I have seen in those 19 years.

As the October 1 enrollment date nears, President Obama's signature law continues to face several significant problems. Employers are cutting jobs and slashing employees' hours; businesses and labor unions are unhappy and want to be exempted from the law; families are confused, and insurance premiums for people who cannot afford them in the first place are now skyrocketing. In my home State of Georgia alone, our insurance commissioner has warned us that we could see premium increases as high as 198 percent on middle-income families. Other States have reported similar increases. So it is no surprise that a majority of Americans believe ObamaCare should be repealed and should be replaced.

I remain as committed as ever to dismantle and defund this law before it has a chance to further damage our economy and to replace it with a meaningful reform of our health care system.

The continuing resolution delivered by the House of Representatives to the Senate funds the government while defunding ObamaCare. It is what the American people want, and it is a bill I support. I will oppose any attempt by Majority Leader REID to strip defunding language from this bill.

However, while I believe ObamaCare is a serious threat to the future of our Nation's economy, allowing a prolonged government shutdown would be counterproductive. My priority has always been the well-being of Georgians, as well as the American people, and I cannot support a strategy that could cause Americans to suffer unnecessarily. Further harm to our already fragile economy is not a course we should pursue, nor should it be a price our friends on the other side of the aisle are willing to pay just to uphold the President's signature law.

This fight is long from over. It is something Republicans have been fighting since 2009, since we first tried to stop ObamaCare from becoming law. I am grateful that this debate has brought the problems with this law back into the spotlight and look forward to repealing and replacing this law at the end of the day.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. BURR. Mr. President, a lot has been said in the last few days. I guess the issue is not everybody has said it. I am not sure that two people have been closer to the progress and the process of the Affordable Care Act than Dr. TOM COBURN and myself. We were in it in committee along with other Members.

The fact that I am not embracing a strategy to close down the government is real important. It is because at the end of the day and we open the government, the way the statute is, there is the Affordable Care Act. It is still there. I did not come to Washington to embrace strategies that do not achieve solutions. I came to find solutions to big issues so the next generation can benefit from them.

Do not misunderstand me. There is no bigger critic in Washington, DC, than the Senator from North Carolina. As a matter of fact, in the committee, I counted 58 votes on 58 amendments where we voted to kill the health care bill. I think my record stands for being opposed to this legislation.

Senator COBURN and I have introduced more health care proposals than the rest of the Congress combined—options, replacements. We have stood on this floor hour after hour on the Affordable Care Act and shared with the American people why this was a bad move. We have quoted individuals who lead the Centers for Medicare and Medicaid Services.

Their Chief Actuary told us, before we passed this bill in this body, that this will close community hospitals, it would increase premiums, it would deprive people of health care. But the Congress of the United States and the President of the United States signed this law into statute.

There is only one way to kill a law once a law is in statute; that is, to pass a bill that is signed by a President that reverses that. To some degree, this is civics 101. It is an understanding of the legislative process. It was not the first time I disagreed with something this body had done. Let me assure you, it will not be the last time. But I also understand the way that we change this. It is not the way we are attempting to do it right now.

So what have we seen in the short period that we have gone through this? As we move up to October 1 and these new exchanges are rolled out, we have seen premiums go up. We have seen doctors retire. We have seen health care professionals move from rural America to urban areas. We have seen the health care infrastructure scared to death of what is around the corner. We have seen premiums rise.

If there is anything that is wrong, it is the title of the bill, the Affordable Care Act. We have made health care less affordable for more Americans. Let me say that again. This act has made health care less affordable for more Americans. It has tripled, at a minimum, the cost of a health care premium for somebody 30 years or under—tripled, at a minimum.

This is a group who is targeted for enrollment. They would not enroll when the premium was one-third of the cost it is today. We have heard people say that Members of Congress are trying to protect their own subsidy. Members of Congress are not going to take the subsidy. We passed legislation, but at the end of the day, the public pressure will be such that no one up here will take the subsidy.

But if we are going to treat Federal workers one way, then treat all of them the same way. Do not pick and choose who—the ones who work on the Hill, the ones who work in our offices, not ones who are in committees, not ones who work at the FDA, the EPA or whatever. Let's include everybody.

If we want an exchange to work, then we have to enroll as many people and we have to have robust competition. The way this is set up we are going to have low enrollment. The way insurers have responded to the exchanges—in my State, we have one insurer that has

entered the exchange to insure the entire State and one insurer that is representing 10 counties out of 100. That is not competition. That is almost a monopoly. I do not blame the one that is in all by themselves. I blame what we designed, where we did not empower States to actually design things that fit their health care infrastructure and their State, where individuals could buy insurance based upon their age and their income and their health condition.

We said, no, if you do not buy this plan, then you are going to pay a penalty. We have heard a lot of debate about the process, but we have not heard as much debate about the specifics of this legislation. It is bad for the American people. Regardless of the outcome of tomorrow's votes, this legislation is still going to be in statute. It is still going to be implemented on October 1.

I hope all of the thousands and hundreds of thousands of people who have responded to the request to call—and they don't always know why, except they do not like this health care plan—when tomorrow's vote is over, do not go away. The pressure has to be on this institution to make the changes.

Most Americans do not know that we are going to start taxing—or we are already taxing the manufacturers of medical devices 1.5 percent. They pay a surcharge to fund ObamaCare. We are going to charge, in the exchanges, at 2.3 percent, I believe, a health insurance premium tax for every person who purchases health insurance.

We have to ask ourselves: If we are going to tax devices and we are going to tax the insurance premiums, how in the world can the price of health care go down? It cannot. This is common sense and math matched up. It has to force health care costs up. That is, in fact, what every American sees.

Even your employer's insurance, if you are lucky enough to still have an employer that is providing it, your health care premium is going up next year. If you are in an exchange, your premium cost is going up next year. Who does it benefit? It benefited maybe people who had preexisting conditions and they could not purchase insurance. You know what the first act of the Affordable Care Act was? It was to create a national pool of individuals with preexisting conditions and they would all be offered insurance.

What happened? When about 20-some-percent of them got enrolled, the fund ran out of money and the one population that this bill was sold to protect, almost 80 percent of them, were left out in the cold with no options. It has failed since the first step.

What I hope is that American people will not leave this debate and say we have done our best. We have not done our best. The Nation is betting on us to continue on this. Our children deserve whatever it takes for us to accomplish it.

But as I started, let me say to the body, our strategy to get here was

flawed. I know it sounded good, but it does not work. The only way to eliminate a bill that is in statute is to pass a bill and have it signed by a President that reverses that statute.

I am glad we have had this debate. I am glad the American people are now engaged in it. I do not think this will be the last discussion we have on the Affordable Care Act. I will assure you that as I have been before, I will be again on this floor debating my colleagues as aggressively and fairly as I can about what is wrong with this bill and why it should be reversed and why it should be replaced.

I thank my colleague from Alaska.

I yield the floor.

The PRESIDING OFFICER (Mr. TESTER). The Senator from Alaska.

Mr. BEGICH. To my colleague from North Carolina, thank you for the part about explaining the process. Some people think by tomorrow if there is a vote on defunding, suddenly something happens. Thank you for pointing out the issue of the statute. We may not agree on the total picture, but I have presented lots of ideas on how to fix the health care act. I would be anxious to work on that as we pass by tomorrow. I thank the Senator for his comments.

I know in the last 48 hours or longer we have been talking about a lot of issues. We have been talking about health care, and I can read all kinds of stories about people who called me, such as the 50-year-old male from rural Alaska who was self-employed. He had lung cancer. Today, because of ACHIA and the ability to get into that high-risk pool, he now is living a good life, healthier, and running his business.

I can go through all kinds of stories, but I don't want us to forget the big issue that is facing us Tuesday; that is, the risk of a government shutdown and what that means. We can talk about health care for a long time. We will for generations, and they have done it for generations before I even got here. We need to focus on the big issue that faces us; that is, this shutdown that is potentially in front of us.

The inability of Congress to pass a budget, pass annual appropriations bills, address these harmful automatic budget cuts known around here as sequester, because of true political brinksmanship, is honestly shameful and not why I came to Congress. When the budget passed, I didn't vote for it, but it passed.

The House has a budget, it passed. Now for some reason we can't get people from the minority to sit down and let us move to a conference committee to figure this out. To me, it is amazing. It is a simple thing.

For the time I have been here, 3 years at minimum, we have been hearing there is no budget passed. There is one passed. I didn't vote for the one that passed—it had too many taxes—but it did pass.

Let's get on with the conference committee and figure it out. The Presiding

Officer, my colleague from Montana, and I are on the Appropriations Committee. We passed bills out of the Appropriations Committee and most of them passed in some form of bipartisanship—not 100 percent but in some form. Bringing those forward would be helpful. It would help us to do the job we were sent to do on an annual basis; that is, to get our budget moving forward.

I came to get the job done. I came to Washington to represent Alaska. I didn't come to participate in this back-and-forth showmanship that has to go on in order for someone to get some highlight on TV or be able to get some byline on TV or whatever it might be. These games that are being played and played on the Senate floor are affecting our national homeland security.

Think about it. What is it like for a Federal employee today as they watch these shenanigans that go on. If you are one of the 5,000 dedicated Department of Defense employees in Alaska, you didn't get paid for 6 days already this year because of sequestration. Now you are wondering if you are going to get a paycheck on time or face more furloughs because this institution may not be able to pass a clean continuing resolution.

For those who are watching, the continuing resolution says the budget we have is going to continue for a short time while we try to get our appropriations bills to the floor so we can move those forward. It is not complicated. It keeps the government running, and it is the way we move this system forward, but it is not the right approach. We need to have regular order for our appropriations bills and get rid of the sequestration issue once and for all. Don't be confused about the issue. I know people like to complain about the Federal Government. We are the largest service provider in the country. We provide services.

We don't make widgets. We produce service. We build roads. We are out there taking care of forest fires when they are happening. We are taking care of our veterans. We are making sure we are protected in the homeland as well as across the world with our national defense. The list goes on and on. We are a service company.

As I stand here, I am honestly stunned we are on the verge again. I don't know how many times we have been on the edge, just hanging over the edge of what might happen. Will we close down the government?

I am not here to do that. As painful as these days are in going through the process, we need to move forward. We cannot delay military members' paychecks, leaving them wondering if they are going to get paid again or if they can pay their bills on time, knowing we will face the same situation again and again in a few months. We need to finish this so we can move on to the annual Department of Defense bill to continue to fund this Federal Government.

Many of our military members are also wondering if they will be training,

waiting for the missions we call them out to do. Commanders can't plan a training exercise now, such as the Red Flag-Alaska, which is a critical training program, not only for our military but our allies. They don't know how much money they will have in the next fiscal year to plan. They can't just decide on a Thursday, Friday, and the next week we are doing a massive military mission. It takes months of planning, but they can't plan if they don't have the resources.

Military leaders are not only losing sleep over the rogue nations such as Iran and North Korea, they are losing sleep over not having the funds to pay their workforce and breaking faith with their troops as we ask them to do so much. We are asking the one organization we rely on to be ready 24 hours a day, 7 days a week, 365 days a year, and to stay ready amidst uncertainty and potential shutdowns.

We are asking its members to carry on without expecting pay or money to train. It is unrealistic, it is unreasonable, and it is risky for our national security.

Our Nation's veterans—and we have 77,000 veterans in Alaska—are wondering what the shutdown means for the claims they are waiting for. They are wondering if the process will create even lengthier delays in an already unacceptably slow process. I know the Presiding Officer and I have worked to try to streamline this process to get these claims resolved after hundreds of days of delay.

Our Nation's homeless veterans are wondering if they will be able to get their housing vouchers or lose them in budget cuts or if they will have to sleep on the streets after serving our country because we can't pass a continuing resolution and a budget.

In Alaska, let me tell you what that is like in October, moving into November and into December. Sleeping on the streets is not a comfortable situation. Sleeping on the streets, period, is not a comfortable situation. But when you are in those cold situations, it is even worse.

We are hurting local economies and stifling potential job growth. We have \$202 million of military construction that will be delayed in Alaska because we haven't passed an annual Military Construction and Veterans Affairs bill. We passed it in appropriations, we are ready, and we want to do it, but this back-and-forth of 1 week, 1 month, 2 months, continuing resolution again delays the regular order so we can create certainty—certainty with our ability to provide for businesses in this country but also for the business community, construction companies. In Alaska you cannot just start a project in December and say, well, we are going to start doing the foundation work. It is a little cold. The ground is a little frozen. You have to be doing this in the summer. You have to be planning for this in the winter and late spring.

For us to delay these projects, all we do is hurt the private sector jobs related to it, the families who depend on this, the veterans, and the military that depend on these important construction projects.

When the funding comes too late, the project is delayed, costs go up. It is not complicated.

For the Senate, I have learned over time it is almost irrelevant. Some people don't care about it. They don't care what it costs. They don't even want to know, because they know when they hear it, it will be an unbelievable cost that we have to bear because of this delay and these tactics.

I get it. We are not going to always agree on everything, but we have to compromise and solve these problems.

As an appropriator, that is what we do in appropriations. It is not always easy. Some things I want to have happen, we can't have. It is the same thing on the other side, but at the end of the day we find common ground.

Sequestration also has hurt the Coast Guard. In Alaska, the Coast Guard is the lifeblood of our oceans for the fishing industry, oil and gas industry, our recreational industry, our cruise ship industry. I can go through the list. They have lost \$200 million from their operating expenses because of sequestration and an inability for some people to come to the table to solve this problem. That means about 30 percent fewer cutters and aircraft doing things such as enforcing fishing laws.

We have a reduced presence in the Arctic. They had to cut back on patrols to stop drugs coming from South America into this country.

When you think about it, the impact is significant. It spreads throughout this whole country. As the drugs come in and the jobs in the country go out, millions of Americans are watching to see what Congress does. We have created a situation where not only are we unable to budget for this country, but Americans can't budget for their future. They can't even budget for the holiday season. It is unbelievable.

We need to complete this work on this short-term continuing resolution, move right into our annual appropriations bills, address sequestration once and for all, and finish the budget. We owe it to the American people. We owe it to them to ensure they have certainty, and we owe it to our business community to make sure they know. Look at last week in the market. It wasn't a deep slide, but it was a slide.

If you read the Wall Street Journal today or last night, there is a commentary and some articles because they weren't sure what the House was doing. The House was playing these games back and forth: Let's tie this to it; let's tie that to it. They are playing with an economy that has come back from the depths of a great recession.

Is it a perfect economy? No. Is it better? Absolutely. Do we have a fragile moment that we need to continue to build on this? Yes.

I am not sure if those folks on the other side care about making sure our economy is strong. In some ways, I think they want it to falter so they can go into an election and say: See those guys, they caused the economy to go bad so vote them out. That is all this seems to be.

I was presiding earlier and one of my colleagues on the other side mentioned a story about Alaska. I was appreciative that he recognized Alaska and understood we had some issues in Alaska. Then he mentioned three other Senators and their States—all the ones, to be frank with you, who are being targeted by groups as the ones most at risk this election cycle.

I get it, but that is not what people are here to do. If you want to have that conversation, let's go outside this building. Run those ads. Do everything you need to do. Do whatever you want on the campaign trail. Do whatever you need to do.

To play these games and try to pretend you are doing the government's business is very irresponsible. That is not what is going on. What is going on is picking people and trying to pigeon hole them so they can run commercials against them in campaigns. I get that. I think the American people are fed up with it. They are outraged by it. I hear it every time I go back to Alaska. I hear it when I talk to people around the country.

We have to do the work we were sent to do. The work here is to get our business done. Setting policy is part of it and passing appropriations bills. We should be doing these on an annual basis, doing a budget. Again, we passed one out of the Senate. I didn't support it because it had too many taxes, but we passed it. The House passed it. Let's get on with doing the work.

Every day I know some sit around and they say: Well, we have to do it this way. This is the only way it works.

You don't understand. The Senate is complicated.

Hey, life is complicated, get on with it. The public expects us to do our job. Quit using process, rules, and gobbledygook to try to get away from your responsibility in the Senate. It is time we sit down and deal with it.

There will be some in my party, and there will be some in their party who—guess what—aren't going to get what they want. That is the way it works. Compromise, find your balance, and move forward.

I would love 100 percent of everything. I will try it every day, but that is not how it ends up all the time. Compromise and try to find a middle ground, that is what we should be doing.

As an appropriator, that is what I want to do. This is what I tried to do as a member of the Appropriations Committee, and that is what we should be doing on this floor.

I get it. There are a couple on each side. It happens. We saw one who stood out here for 21 hours or whatever the

heck it was. I get it. He is passionate. It is important to him to make his point, but I also see what else is going on.

Focus on your job. We are Senators. We are not candidates for some other office. We are Senators. We are here to do the job. It is time to get busy and do the job. The American people want it. Alaskans tell us every day they want us to do this.

Let's figure this out and get on with the show.

I yield the floor, and 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. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

Mr. TESTER. Mr. President, as we inch closer and closer to potentially shutting down this government, I rise to remind my colleagues what a shutdown would mean for our constituents. I also want to remind my colleagues it doesn't have to be this way.

Budget battles and debt ceiling debates are the norm in Congress right now, but there was a time—there was a time—when both parties worked together and the American people benefited.

It hasn't always been rosy. The budget battles of the mid-1990s shut our government down for nearly 1 month. Personal insults here in the world's greatest deliberative body used to be common. And back in the 1850s, a Senator was beaten on the Senate floor. But through it all, Americans trusted their government to meet its constitutional responsibility and keep the lights on. After all, if we couldn't agree on anything else, at least we could agree on keeping the lights on.

Today, constant political brinkmanship and grandstanding replace commonsense compromise and actual governing. This is taking a toll on all Americans, and Montanans are no exception.

With a government shutdown once again a real possibility, America's frustration is reaching new heights. For some folks a shutdown is another opportunity to shake their heads and bemoan the state of affairs right here in Washington, DC. They are the lucky ones. For others, a shutdown will hurt their health, their wallets, and their bottom lines.

I am talking about a veteran—a veteran who could be anywhere in this country—whose disability case appeal could and probably will be delayed if we have a government shutdown; a senior citizen waiting for a Social Security check; a small business owner waiting to get a potential contract that could fix a decaying road infrastructure.

Hotels and other businesses around our national parks, which would be

closed if we have a government shutdown, are also holding their breath to see what we are doing here these days. If the parks close because of a government shutdown, the money coming in and out of the wallets of those businesses and those folks who not only drove to the park in anticipation of being able to utilize it but the businesses around the park would be impacted very negatively.

Everybody knows about the Bakken oil plate that is driving the economic growth in North Dakota and eastern Montana. But if the government shuts down, the Bureau of Land Management's permitting office would be shut down too. That means wells would be delayed and the jobs that come with it.

Since the House Republicans have been unwilling to begin negotiations on a new farm bill, farmers and ranchers are going to have a lot of questions come October 1. On that day, not only will the government shut down but the farm bill will expire as well. So not only could some folks lose critical nutrition assistance, but farmers and ranchers would have no place to go to get their questions answered about the fact there is no more farm bill for a commodity type; no more ability to get questions answered about conservation, which needs to be planned far ahead of time. Why? Because their local farm service agency office will be closed. Like the other government offices, nobody is going to be there to answer the phone.

In Montana, Washington now is shorthand for uncertainty, Congress is shorthand for dysfunction, and faith in government is being eroded because some folks around here are more concerned about raising money on C-SPAN than the people of this great country and the American economy. It needs to stop.

The American people expect Members of Congress to make smart, responsible decisions based on the best information we have. That means advocating for issues that matter but compromising to get something done. That means giving a little and getting a whole lot in return. It is called governing. That is a lesson some folks around here need to learn.

I would have thought flirting with a government shutdown and costing taxpayers billions of dollars in 2011 would have been sufficient enough a lesson or maybe coming within a few hours of falling off the so-called fiscal cliff in 2012 would have been a sufficient lesson. I would have thought that causing an unprecedented credit downgrade 2 years ago by threatening not to raise the debt ceiling would have knocked some sense into some folks. And I would think the American people's overwhelming desire not to shut the government down come October 1 would cause my colleagues on the other side of the aisle to use common sense. But here we are, playing politics once again as regular Americans twist in the wind.

There is a way forward, and it doesn't have to start with political games at the eleventh hour. It starts with working through the regular budgets and appropriations process and not proposing amendments just to slow the process down.

But funding the government is the easy part. In less than 1 month, we will once again be reaching a debt ceiling—a much more serious issue. If we don't raise it before then, we will not be able to pay our bills and the economy will be devastated. Crashing into the debt ceiling will cause our credit rating to drop, increase the interest rates not only on our government debt but for anybody who has debt.

If you don't believe a farmer from Big Sandy, MT, maybe you will believe a guy by the name of Mark Zandi, an economist who has advised Presidents, Presidential candidates, and Fortune 500 companies. He said that failing to raise the debt ceiling will hurt consumer and business confidence, force businesses to stop hiring, and raise borrowing costs for average Americans.

He is far from alone. Former Republican Senator Judd Gregg says failing to pay our bills would "lead to job losses and more debt." He calls failing to raise the debt ceiling a "terrible policy that would produce difficult times for people on Main Street."

Senator Gregg, whom I had the opportunity to serve with, spent 18 years here in the Senate. He knows as long as Congress fails to provide the American people with political and economic certainty by funding the government and raising the debt limit, we will not be able to tackle other important issues, such as replacing the sequester the Senator from Alaska talked about, and replacing it with smart budget cuts or striking a long-term budget agreement that will put this Nation on solid economic footing.

A government shutdown would be irresponsible and it would be unnecessary. Congress needs to do its job by finding a way to responsibly keep the government running. We cannot keep holding businesses, seniors, working families, veterans, students, and our military men and women hostage to the political whims and aspirations of a select few.

When I was a member of the Montana Senate, my colleagues and I knew what we had to get done every session. Passing a budget was at the top of the list. Even if we didn't agree where to cut or where to spend, we worked together to figure it out. And just like my former colleagues in Montana did this spring, we passed a budget and kept the State government running. Here in Washington there are a lot of pressures we don't face at the State level. There are news channels that give any Senator a chance to get on TV, and every issue has an advocacy group fighting for its share of the pie. But real leaders make tough decisions. Real leaders work together to find common ground and move our Nation forward. Real leaders put their constituents first.

It is not too late. It is not too late for us to regain the trust of the American people. But it is going to take some work. We won't be able to do it right away, but we ought to start this week, and we can start by responsibly funding the government, providing our economy and our Nation with the confidence they need. That is what we did in Montana, and that is what we need to do here in Washington.

The American people are calling for an end to the brinkmanship and an end to the gridlock, and it is time we start to listen to them.

I also want to thank Senator MIKULSKI, the chair of the Appropriations Committee, for agreeing to end a special-interest provision that was included by the House of Representatives in last year's government funding bill a few months ago and the one that was sent over here recently.

A few years ago the committee voluntarily agreed to match the House's earmark moratorium, and I think it is interesting our friends in the House make very serious statements about the need to get rid of earmarks, then stuffed a few items in the spending bill last year that directly benefited a couple of the biggest multinational businesses in this country. I spoke to Chairwoman MIKULSKI about this issue this spring and she was very gracious and listened to my concerns. I am pleased to see she and Senator REID have eliminated one of those corporate earmarks, and I want to thank them for that. It will make this bill a lot cleaner.

In closing, I know there are people in this body who want to work together to make this country all it can be. I also know there are people in this body who would love to see a government shutdown because they might be able to pad their own PACs or political coffers. And maybe it would take a government shutdown to make them understand how bad this would be for the American people, its businesses and its working families. But I certainly hope that doesn't happen. The American people don't deserve it. This country doesn't deserve it, as it comes out of one of the worst economic times since the 1930s. Quite frankly, being a businessman myself, I look at what goes on in Washington, DC, and all the challenges businesses have in this country, and the biggest challenge we have right now is Washington, DC.

Let's start moving the country forward by working together. Let's fund the government. Let's not shut it down. And let's do what is right when the debt limit debate comes around.

Mr. President, I yield the floor, and 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. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. TESTER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

RECOGNIZING THE EMPLEO PROGRAM

Mr. REID. Mr. President, I rise today to recognize the Southern Nevada Employment Education Outreach, EMPLEO, program for their decade of commitment to fair and just working conditions for all workers.

In 2003, EMPLEO piloted a toll-free hotline for immigrant workers to report alleged discrimination, and other wage, and workplace abuses in Nevada. The hotline number was created in partnership with the U.S. Department of Labor, Wage and Hour Division, OSHA, EEOC, the Mexican Consulate of Las Vegas, and other private and public agencies.

Today, EMPLEO partners with more than 17 different government agencies that share the same common goal of providing access and awareness to employers and employees. EMPLEO staff and volunteers are diligent in their outreach to help educate workers about their labor rights. Through its work, EMPLEO has grown the number of workers it services, and in some instances, has helped workers acquire back wages. As a trusted source in the community, EMPLEO is bridging the relationship between employees and employers.

I commend EMPLEO and its many community partners for their commitment to workers' rights and safety. I also extend my gratitude to Southern Nevada District Director, Mr. Gaspar Montanez, for his leadership and commitment to the mission of EMPLEO along with the Department of Labor, and staff at the Office of the Mexican and Salvadorian Consulate. I look forward to the continuation of EMPLEO's services and education to workers and those who employ them.

ADDITIONAL STATEMENTS

ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT

• Mr. BOOZMAN. Mr. President, Arkansans are well aware of the damage that Mother Nature can cause. We have seen the devastating impact of tornadoes, flooding, ice storms, and other natural disasters.

This devastation can be overwhelming. Surveying the damage sometimes reveals the need to rebuild parts of the community, infrastructure, and neighborhoods. Oftentimes this causes difficulties for families who may be displaced from their homes or even their jobs.

Time and again when we are faced with these catastrophes, the Arkansas Department of Emergency Management has been there to activate the resources necessary to protect people and communities and provide them with the basic needs as rebuilding efforts occur.

This year we recognize the 60th anniversary of the agency tasked with responding to emergencies. No matter how big or small, the men and women of the Arkansas Department of Emergency Management are ready to respond at a moment's notice and support recovery efforts.

The agency has developed since 1953 from an office in the Arkansas State Capitol with one surplus military radio to today's state-of-the-art facility.

We appreciate the hard work, dedication and commitment of the Arkansas Department of Emergency Management as the agency continues to improve and seek new and innovative ways to prepare us all for the unexpected.●

MISSING IN AMERICA PROJECT

• Mr. HELLER. Mr. President, I wish to acknowledge the Missing in America Project's Veteran Recovery Program, which has coordinated a ceremony during which 18 Nevada veterans of the Vietnam and Korean wars will be laid to rest. On October 1, these fallen heroes who never received a military burial will finally be given full military honors at the Northern Nevada Veterans Memorial Cemetery in Fernley, NV.

These heroic Nevadans who will finally receive the honorable recognition they so rightly deserve, gave all that they could give in order to defend liberty and the American way of life. They were willing to put on a uniform, answer the call of duty, and sacrifice their very lives on the altar of freedom. There is no higher virtue than that which was displayed by these 18 brave Nevadans, and the thousands of others with whom they served. And although years have passed since these American warriors gave their lives, their selfless sacrifice is not forgotten, but lives on in the hearts of those whom they died to defend. The very least we can do is express our profound gratitude and appreciation for these heroes by giving them an honorable military burial.

We can never thank our veterans enough for the immeasurable sacrifices they and their families have made on our behalf. As a member of the Senate Veterans Affairs Committee, I can personally attest to the importance of providing every available resource and benefit to America's veterans. I applaud the Missing in America Project for helping to advance this effort by working diligently to ensure that lost veterans receive the honorable burial they deserve. I invite my colleagues to join me in thanking this organization for its efforts, and I join my fellow Nevadans in remembering the 18 heroes