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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

God of grace and love, You guard our lives with Your peace. Help us to not attempt to build a relationship with You on the basis of our merit and goodness.

Give our lawmakers the wisdom to make Your grace the foundation for their living. May Your righteousness that comes from faith energize them to dare more boldly, attempting to accomplish great things for Your glory. Lord, grant that their childlike trust in You will free them to serve others, inspired by Your love.

Oh God, You are our help and hope. Thank You for Your gifts of liberty and grace, unconditional love, and generous mercy.

We pray in Your marvelous Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

### NUCLEAR AGREEMENT WITH IRAN AND GOVERNMENT FUNDING

Mr. REID. Mr. President, in one week Congress will host one of the world's great faith leaders, His Holiness Pope

Francis. Every Member of Congress is looking forward to the Pope's historic address.

Since beginning his papacy, Pope Francis has been admired for his humility and honesty. Rather than shirk responsibility from important and controversial global challenges, he has confronted them. While he and I don't agree on everything, his statements on climate change, immigration reform, and income inequality have challenged world leaders, and that is an understatement.

Yesterday His Holiness and the Vatican stated their support for the nuclear agreement with Iran. A spokesperson for His Holiness told the International Atomic Energy Agency that this agreement "will be a definitive step toward greater stability and security in the region." That is certainly the truth.

Supporting the nuclear agreement between the permanent five members of the U.N. Security Council, Germany, and Iran is the best way to ensure that Iran does not get a nuclear weapon. That is what the agreement is all about. That is why last week the Senate clearly stated the agreement will stand. No matter how you talk about all these other things, the agreement is to stop Iran from getting a nuclear weapon. That is what it is all about.

Last night the Senate again rejected the Republican attempt to derail the nuclear agreement. Now for the second time, the Republican leader is refusing to accept the reality that, in fact, it is going to go forward. He is doubling down and committing the Senate to vote on other issues.

We have seen this strategy before. It never works, whether it was with homeland security, ObamaCare or all the other issues. All it does is waste time that we cannot afford.

When the Republican leader tried this approach on homeland security, remember what JOHN MCCAIN, the Senator from Arizona, said: It was the "definition of insanity." What he was

talking about was what Albert Einstein said, that if you keep doing the same thing over and over, knowing you will get the same result, it is insanity.

Today a news report described the Republican leader's strategy as "the second kick of a mule," and said "it's not working."

It is unbelievable what the Republican leader is trying to do. We have 7 working days before a shutdown of the government. Why? Because we won't have any money. The Senate will take no votes today. If the Republican leader has his way, all the Senate will do this week is take yet another failed vote on Iran. At this rate the Senate will end this week with nothing to show for our time but two failed votes—nothing dealing with the most important issue facing this country, and that is, how to fund the government.

We have seen Republicans manufacture crises before. This one truly is embarrassing. The government runs out of money in a matter of days. Republicans have no plans to avoid a shutdown, and we have almost twoscore of Republicans in the House who said they will vote for nothing unless it defunds women's health care. We have a number of Senators saying if there is nothing in this to stop the funding of Planned Parenthood, they will vote against it.

The government runs out of money in just a few days. To do nothing, with no plans to avoid a shutdown, when we are standing around waiting for something to be done on the budget is unwise and wrong, and it is an insult to the American people.

Last Thursday's vote is not going to change. Last night's vote will not change. The Republicans lost those votes. What are their future plans? They will not prevent President Obama and his administration from implementing the Iran agreement.

There is precious little time left before a government shutdown. It is time

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



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for the Republican leader to get serious about keeping the Federal Government open and funded. Are we just talking about something that is nonexistent as a problem? Two years ago the government was shut down for almost a month. I think it was 21 days that the government was shut down. It is very disturbing.

In 1 week, as I have indicated, the Pope will be here, and it is time that we make sure that we follow some of the advice and counsel that he has given us.

#### NOMINATION OF GAYLE SMITH

Mr. REID. Mr. President, the goodwill and humanitarian efforts of the United States are needed all across the world. Victims of civil wars, disease outbreaks, and natural disasters depend on the aid and compassion of the American people. To our credit, we try our best to help as much as possible.

Take one example. The Syrian refugee crisis is the worst humanitarian crisis since World War II. Four million Syrians are now refugees because of the country's civil war, and thousands and thousands are fleeing to any place they can go. Most of them are winding up in Europe to escape the violence.

There are almost another 8 million who are internally displaced within war-ravaged Syria. A lot of them are in cities and can't go anywhere. If they try to leave, they get killed. Tragically, 5½ million of these poor individuals are children. The United States is trying to help. We are the single largest donor of humanitarian aid to the Syrian crisis. There is not a close second.

The U.S. Agency for International Development, known as USAID, is one of the principal organizations by which the United States administers civilian foreign aid. This Agency plays an essential role in administering our Nation's foreign policy. Yet, while all these events continue to unfold before the world's eyes, Senate Republicans are blocking the next Administrator from taking her place.

Gayle Smith was nominated by President Obama 5 months ago. We had hearings weeks and weeks ago—now into months. It was right to nominate her. She is an experienced leader in administering international humanitarian assistance and global development, serving on the National Security Council at the White House.

During her time at the White House, Gayle Smith has worked on major typhoons in Asia, the Ebola outbreak in West Africa, and ongoing conflicts in Syria and Iraq. She has extensive experience in African affairs, both from her time at the National Security Council and from her work as a journalist covering international affairs for more than two decades. During her time as a journalist, she spent time in active war zones and other conflicts.

Gayle Smith's credentials are impeccable, and her hearing in the Foreign Relations Committee in June reflected

that. In September she was voted out unanimously in a voice vote. Yet here we are post-June—that is an understatement. Her nomination was reported favorably, and we still have no confirmed Administrator.

With all the news accounts we watch every day of these thousands and thousands of lost people, the United States is being hampered in its ability to help because we don't have anyone running the Agency. It is just the latest example of Republican obstruction for obstruction's sake.

According to the Congressional Research Service, the current Republican Congress has confirmed far fewer nominees than any Congress in memory. Why?

What are Republicans accomplishing by preventing a qualified nominee such as Gayle Smith from leading the U.S. Agency for International Development? They are doing it, and in so doing they are undermining U.S. foreign policy. They are undoing decades of admirable American humanitarian efforts. But even more unsettling is that Republicans are impeding our ability to assist those around the world who need help.

It is time for the Republican leader and his Senators to change course and stop this blockade of the President's nominations.

I look forward to the Senate Republicans releasing their obstruction on the Gayle Smith nomination and working with Democrats to confirm her as the next Administrator of USAID immediately. All the Republican leader has to do is bring it to the floor. We will vote on it. If someone doesn't want to vote for her, don't vote for her. But it is really wrong to have our great country at a time of this huge humanitarian crisis having no one leading the Agency that does more to alleviate the problems these people face than anyone we have in our government.

Would the chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from South Dakota.

#### MEASURES PLACED ON THE CALENDAR—S. 2035 AND H.R. 36

Mr. THUNE. Mr. President, I understand that there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2035) to provide for the compensation of Federal employees affected by a lapse in appropriations.

A bill (H.R. 36) to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

Mr. THUNE. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceeding, en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. THUNE. Mr. President, back in May, Congress passed and the President signed legislation guaranteeing Congress the chance to take an up-or-down vote on any nuclear deal with Iran. It was widely debated here in the Senate and in the House of Representatives. Votes were held, and in the Senate, 98 Senators on both sides of the aisle agreed that we should pass legislation requiring that Congress have a voice—and through Congress the American people have a voice—in something that is so important to America's national security interests.

Yet here we are 4 months later, and the same Democrats who voted for that at the time and joined Republicans—98 Senators voted for the American people to have their voice heard on this—these same Democrats have now chosen to stifle the voices of the American people by refusing to allow an up-or-down vote on the President's nuclear agreement. Twice now, when we attempted to move to a final vote on the deal, only four Democrats broke ranks with their colleagues and stood up to the President. That is a deeply disappointing result, especially given the stakes on this agreement.

I would have to say that in some ways I suppose if you are trying to protect your President from having to make a decision about whether to sign or veto this legislation—maybe they were pushed into that position by the administration—but the fact is, this is something that was voted on in the Senate, in the House of Representatives, overwhelmingly supported, and sent to the President. The President of the United States reluctantly signed it into law, but the understanding was from that point forward that when this was actually brought to the floor of the Senate, there would be an open debate and there would be a vote. All that I think is simply expected by the American people is an opportunity to be heard from, in the form of an up-or-down vote, through their representatives in the Senate.

I would think that even if Democrats in the Senate object to the vote that we would have on a resolution of disapproval and want to support the President's position, that they would allow it to be voted on and let it go to the President. If the President is so