

TSA OFFICE OF INSPECTION
ACCOUNTABILITY ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 719, which the clerk will report.

The bill clerk read as follows:

House message to accompany H.R. 719, an act to require the Transportation Security Administration to conform to existing Federal law and regulations regarding criminal investigator positions, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell (for Cochran) amendment No. 2689, making continuing appropriations for the fiscal year ending September 30, 2016.

McConnell amendment No. 2690 (to amend No. 2689), to change the enactment date.

McConnell motion to refer the House message on the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 2691, to change the enactment date.

McConnell amendment No. 2692 (to the instructions) amendment No. 2691), of a perfecting nature.

McConnell amendment No. 2693 (to amend No. 2692), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until the cloture vote on the motion to concur with an amendment in the House amendment to the Senate amendment to H.R. 719 will be equally divided between the two leaders or their designees.

The Senator from Illinois.

Mr. DURBIN. Madam President, Wednesday night is the deadline. On Wednesday night, the authority of the government of the United States to do business ends. The funding for our government ends. It is a scary time. We don't want that to happen—most of us—because we know it will be catastrophic. There will be people who will suffer if we fail to do our job.

Now, this isn't the first time we have been up against a deadline. We have faced them before, and many times we have to buy a little extra time to negotiate the budget. That is understandable. In this circumstance, though, we actually have announced candidates for the Presidency of the United States who are calling for a government shutdown.

What happens when our government shuts down? Well, it is pretty obvious. Agencies stop doing business as usual. What we find, though, is that the impact goes far beyond just that simple statement.

I went back to Illinois this last weekend, and I went for a visit to Scott Air Force Base. It is the largest single employer in the State of Illinois and downstate.

In 2013—the last time we had a government shutdown—the junior Senator from Texas, Senator TED CRUZ, wanted to shut down our government to protest ObamaCare. So he successfully closed down the government and found

other Republicans who would join him in that effort, and it went on for a long period of time.

In 2013, at Scott Air Force Base, one of the most important defense facilities in our country, in Belleville, IL, we saw two-thirds of the civilian workforce—that is about 3,400 people—sent home immediately without pay. Those who were required to report for duty, including all of the base's 5,000 military personnel, would have been given IOUs rather than paychecks. Scott Air Force Base families were forced to limit their spending and stretch their savings while the Senator from Texas gave speeches on the floor about Dr. Seuss. I am not making this up.

This had an impact on the entire region of Southwestern Illinois. Scott Air Force Base has a \$1.6 billion economic impact on the local area, including supporting thousands of indirect jobs. Every part of this regional economy felt the impact of this decision to shut down the government 2 years ago—gas stations, restaurants, small businesses, contractors, everybody.

Now, this brinkmanship goes far beyond flowery speeches on the floor and press attention. The last shutdown hurt the gross domestic product of the United States of America. Consumer confidence drops when the government shuts down. We saw \$2 billion in lost productivity from furloughed employees.

Federal Reserve Chairman Janet Yellen said:

We have a good recovery in place that's really making progress and to see Congress take actions that would endanger that progress, I think that would be more than unfortunate. So to me that's Congress' job.

The CEO of JPMorgan Chase, a man named Jamie Dimon, speaking of the last Republican government shutdown, said, "Washington has really slowed American down." I agree. And if that were the only thing that was happening, it would be bad enough. But there is more.

Today I went to a neighborhood in Chicago, the All Saints Episcopal Church in Ravenswood. They are doing a restoration on this beautiful church built back in the 19th century. I met with the pastor there. We were at the food pantry of this church. This Episcopal Church tries to help neighborhood residents who are struggling to find enough to eat.

We had a little press conference with the local Congressman, MIKE QUIGLEY and JAN SCHAKOWSKY, and people who represented the food pantries of Chicago in that area. They are worried about a shutdown and what a shutdown means to them. How would it affect the All Saints Episcopal Church food pantry and the men and women who go in there on a regular basis to pick up some canned goods to get by? Here is what it means. Many of these people are on food stamps. We call it the SNAP program now. The SNAP program, on average, gives a person food worth \$7 a day, so the notion that peo-

ple are going out for steak dinners on food stamps is not quite accurate.

Sara—and I won't use her full name—who is 81 years old, came up to talk about what life is like for her. She was a hard-working person, stricken with cancer in 2002, which recurred in 2004, and she had to quit working. She has a walker now and she gets around, but all she has is her Social Security check and food stamps. That is how she survives from week to week and month to month.

What happens when there is a government shutdown? They cut off food stamps. Did that happen last time? No. The last time the Senator from Texas shut down the government, it didn't happen because President Obama had a surplus in his recovery fund and he took the surplus and put it in the food stamps so there would be no interruption of service. You see, most of the recipients of food stamps are children. Single moms raising kids and not making enough money supplement their income with food stamps and buy food for their kids. Food stamps are also used by elderly people like Sara who are struggling on a fixed income.

This time is different. If these Presidential wannabes who are determined to shut down the government this time are successful, we are going to have problems right away. It turns out the only surplus left in the food stamp or SNAP benefit fund is about \$3 billion. That will keep the program going for 2 weeks. After 2 weeks, they cut off the food stamps. What does that mean? Well, for a lot of people it means a lot of suffering—primarily for the poorest people among us.

Did anyone notice last week what happened in Washington? The city was transformed by the visit of Pope Francis. Congress was in awe of this man who came and spoke to us in very human terms about what he thinks would be our obligation, not just as elected officials but as human beings. One of his highest priorities is that we have some caring and sensitivity for those who struggle—the poor, the people on food stamps.

So for all the applause and all of the posing for pictures that went on last week with the Pope, here we are this week discussing a government shutdown. Here we are this week discussing whether we are going to cut off food stamps for poor people in America.

It is a sad reality to think of what a government shutdown would do in human terms to those wonderful folks working at Scott Air Force Base in Belleville, IL, or to Sara who will go into the All Saints Episcopal Church food pantry and try to get by, as food stamps are cut off.

Why? Why would we do that? How can we possibly be serving this Nation—this great Nation—by stalling our economy and hurting innocent people and punishing those who are serving our country in uniform and otherwise?

Some think it is a grand strategy—a great political strategy. It may move

them up from the smaller debate to the big-time debate when it comes to running for President. To me it is an indication we have lost our way.

In June, I joined with the other leaders on this side of the aisle in sending a letter to the Republican leader saying: Please, don't wait until the end of September to face this budget reality. Sit down now—back in June—with the President, with the leaders on the Republican side and the Democratic side. Let us compromise in good faith. Let us meet our responsibilities.

Well, that is what we face. As Senator REID said a few minutes earlier, there is a suggestion that maybe as a parting gift to Speaker BOEHNER we will extend the budget temporarily until December 11, 2 weeks before Christmas, just days before the Hanukkah season—that we would extend the budget until then and then, once again, be up against the deadline and the prospect of shutting down our government.

We can do better. We should do better. We need to make certain we keep faith with the people who send us here. We need to make certain we do our job—not just to send a continuing resolution to the President but to resolve this issue. We should not be threatening a government shutdown now or in December when we know how devastating that can be.

I hope Congress gets busy taking care of the work we were sent here to do. I think it is time for those bipartisan budget negotiations. It is beyond time. Now is the time for Congress to act responsibly to develop a budget that allows America to thrive.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, I wish to talk about an amendment I plan to offer in a little while, once somebody comes from our side or the other side because they would like to be here to talk about it with me, as I understand it—maybe even to object to it, maybe to agree with it. But I wish to speak about the amendment, if I could, for a moment.

Right now, we are debating the continuing resolution. This would be to continue a level of spending from now until December 11. There are a bunch of changes in that from last year's spending, but it is basically a continuation of the previous year until we can work out our differences. It is not the way to govern around here. What we should be doing instead is having individual spending bills come up. There are 12 different appropriations bills.

The ideal way to handle this is the way it used to be done, which is that

the Appropriations Committee and its subcommittees deal with these individual spending bills. For instance, one is for Commerce, the State Department, and the Justice Department. One is for the Department of Health and Human Services, and one is for the Department of Defense. When we do that, what happens is we have oversight hearings, and we have Congress playing its rightful role of saying: Are these agencies doing the right thing? Are these programs working or aren't they working? We might increase spending with a program that is actually working well, decrease spending from another program, and eliminate a third program that is not working well at all. That is what Congress is supposed to do. That is our job here.

Under the Constitution, Congress was given the power of the purse, meaning that every dime has to be appropriated by the Congress. What has happened over the years—particularly in the last several years—is that Congress has not moved forward on these appropriations bills because they have been blocked. In this case, this year we have been trying to bring up appropriations bills and the other side, the Democrats, have been blocking even considering an appropriations bill.

We have had this debate here on the floor. Many of us have heard it. But the bottom line is the committees have actually done their work and reported out 12 different appropriations bills. So 12 bills are ready to come to the floor. By the way, most of these bills have been reported out with huge bipartisan majorities. I saw one the other day. It was 24 to 3, for instance. I know the Presiding Officer has been involved in some of these issues over the years. It is typical, actually, that appropriators do their jobs. Senator MIKULSKI, Senator COCHRAN, and others work out the differences, but we simply can't get them voted on on the floor.

People may say: Why can't you? Well, because it requires 60 votes. We have to overcome a 60-vote hurdle in order to even proceed to the legislation. So we haven't been able to vote on a single appropriations bill before September 30, which is the fiscal year-end and which is coming up this week. It is no way to run a railroad, much less a government—by the way, the government that has the biggest budget of any government in the world, the government of the greatest nation in the world. We can't even bring these individual spending bills up here for a debate and a vote. It is just wrong.

Again, when we don't do that, what we don't have is the oversight. I would think both sides would want to have oversight over these agencies and departments so we understand what is working and what is not working and so that those tax dollars are spent wisely. That is the kind of stewardship that we are responsible for. As taxpayers, as representatives of taxpayers, we should want to be sure those dollars are spent in a way that is most effective.

Yet, without having these appropriations bills, it is just impossible to do. Instead, we are faced with this possibility of on September 30 not having any of what is called discretionary spending, which is not all of the spending of government, but it is the spending that Congress appropriates every year, and having the possibility of parts of government actually not being able to operate because September 30 is the fiscal year-end. It is just the wrong way to do business.

So the amendment I am going to offer later this afternoon is an amendment that simply says: Let's adopt a new bill, new legislation that says: Let's end government shutdowns.

How would we do it? We would say that as of September 30, if there is any bill that is not passed, any one of the 12—remember that this year none of the 12 were passed—none of them. But on any year, if any one of those were not passed, then we would simply continue the spending from the previous year, but there would be a reduction in that spending over time. After 120 days there would be a 1-percent reduction, giving 120 days to work with the Appropriations Committee to say: OK, we know you don't want to see the spending cut, and we know you have priorities you would like to fund, but it is going to be cut 1 percent after 120 days, then 1 percent after the next 90 days, 1 percent after the next 90 days, and 1 percent after the next 90 days. So we get to a point where we have to see a reduction in spending every year, which is not necessarily a bad thing because Congress spends more than it takes in every year. But if appropriators and others here in Congress don't want to see that, they would have to get their act together and actually pass appropriations bills. Once an appropriations bill is passed, the End Government Shutdowns Act would not apply.

This seems to me to be a really logical bipartisan commonsense solution to the problem that we are facing here. Again, the problem is Congress is not doing its work. We are not getting these appropriations bills done. It is not for lack of work in the committees this year. Again, all 12 bills were reported out of committee. I believe the same is true in the House. Yet we cannot get here on the floor of the Senate the 60 votes needed to come up with the ability to proceed to these appropriations bills. It is called a filibuster. They are being filibustered. We are not even debating them. This is just wrong. I think, again, the way to get around that is to say: OK, if you want to try to block these bills, what is going to happen is we are going to have automatic spending from last year with no increases—in fact, decreases—and decreasing more over time, until Congress gets its act together and actually passes this legislation.

This idea is so commonsense that when we had a vote on it a couple of years ago, when I was able to bring it

up for a vote—and we will see tonight whether I am permitted to do that—we actually had 46 Senators support it. Now, not everybody supported it on the Appropriations Committee. Some of them obviously had concerns about it. Not every Republican supported it. There were a few Republicans who didn't support it. By the way, one Republican who didn't support it last time is now a cosponsor of the legislation because she has looked at it, she has understood the system is not working, and she has been persuaded it is the right way to go. It was bipartisan last time. Senator TESTER and I were the two cosponsors of it.

So I hope I will have the opportunity to offer that amendment here this afternoon because I think it makes all the sense in the world. As we are debating a continuing resolution again, the so-called CR—which is the wrong way to govern—let's also pass as part of that a new discipline, a new idea, a new approach that says: Let's not do this again. Let's not ever have the threat of a government shutdown hanging over us. Instead, come September 30, if an appropriations bill isn't done, fine, continue the spending from last year, with a slow ratcheting down of that spending. I think that makes all the sense in the world. It takes away this political football that is being thrown back and forth. It takes away the specter for our economy, for our businesses, and for our families of not knowing whether they are going to have this government operation continue after September 30 in whatever area is affecting our economy or those businesses or those families. I think it makes a lot of sense, and I think it provides an incentive for Congress to get its work done. And Congress should be doing every year all 12 appropriations bills—doing the oversight that goes into that, deciding what gets more money, what gets less money, what gets thrown out altogether. It doesn't make any sense.

In the huge bureaucracy of the vast Federal Government, not every program is perfect. Let's be honest; a lot of them need reform. If we don't have this process of the power of the purse—the leverage of the power of the purse to be able to say “Prove this program is working,” and when it doesn't, “We are going to pull the funding away”—you lose the ability for Congress to be an effective partner with the executive branch and the judicial branch the way our Founders set it up.

Again, Congress alone has the power of the purse. Every dime has to be appropriated by this Congress, and Congress is not doing its job. This amendment, if we put in place this new practice, would be a tremendous help to get Congress back on track. It wasn't too long ago that this happened. I have been here almost 5 years now or 4½ years. We haven't had a single year where all the appropriations bills were done. In fact, very few appropriations bills have been voted on at all. This year not a single appropriations bill—

zero—has come to the floor of the Senate because they have been blocked. They have all come out of committee now, but not a single one is allowed to get voted on here in the Senate.

I do hope that my own leadership on the Republican side will keep bringing these bills up. At least then we have an opportunity to talk about them—what is in the bills and why it is a good idea for us to have the oversight. Again, the reforms to these programs—the spending cuts, the spending increases for programs that are working well, the elimination altogether of programs that aren't working—we should at least have the opportunity to discuss them and talk about it.

I was hopeful we would see a colleague from the other side of the aisle show up or a member of the Appropriations Committee. I was told I could give this little talk at 5, and I had the opportunity to offer this amendment. I will have to come back later and offer it again.

I don't know if my colleague from Iowa is planning to speak—

Mr. GRASSLEY. No.

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

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

The Senator from Ohio.

Mr. PORTMAN. Mr. President, earlier I had the opportunity to talk a little about the amendment I am about to offer. This is an amendment to the underlying bill, which is a continuing resolution. The amendment has to do with a piece of legislation called the End Government Shutdowns Act.

Excuse me.

Mr. President, I ask unanimous consent to be able to speak for 5 minutes in order to finish the conversation that we started earlier this evening.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I talked about the fact that here we are, once again, without the appropriations bills done and forced to do a continuing resolution from now until December 11, and that is because later this week, on September 30, when the fiscal year ends and comes to a close, we will not have done the appropriations bills. It is not that we haven't done one or two or three; we haven't done any of them, and there are 12 of them.

I think it is time for us to take a new approach; that is, to have an end government shutdowns discipline put before this Congress which says: Any time you get to this point with any of the appropriations bills—including now where we have all of them—that we instead have a continuation of last year's spending but that it ratchets down

over time to provide an incentive for all of us in Congress—Democrats and Republicans alike, the Appropriations Committee, and all of us—to get our work done and to do our job under the Constitution. The power of the purse is exclusively delegated to the Congress. It will help us to get our job done if we had this by having the end government shutdowns discipline in place.

Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 2702, the end government shutdowns amendment.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, if I understand the Senator's suggestion correctly, his amendment would create an automatic continuing resolution to fund the Federal Government in the event an annual appropriations bill is not enacted by the time the fiscal year expires. That may sound harmless enough, but what we are saying is that not only is the power of the Senate suspended and put on hold but the obligations of the committee system are put under a threat—that unless you complete action on legislation that is referred to the committee of jurisdiction by a certain time, you are out of business, and whoever wants to offer an amendment as a substitute gets to offer that and pass it on a majority vote. We are already required to have three-fifths of the Members vote to cut off debate in order to be sure that all Senators—not just a bare majority—get to decide the decisions of the Senate and get to actively participate in the process by offering amendments.

My friend's amendment abolishes offering any other alternatives for a full debate—unlimited debate—which is why the Senate is here, to cool down the passions of the moment. A Senator might have a good idea and want to change a law, repeal a resolution, deny access to Federal funds for this, that or the other that goes to a State that is very important, and their interests are just as important.

This is a terrible amendment, and it ought to be rejected. I hope the Senator will withhold offering the amendment. We can have hearings on this and see what other Senators may think about it, but at first blush, this seems like this is an amendment whose time has not come. We are not ready to dismantle the rules of the Senate piece by piece. Well, we have the right of unlimited debate, and Senators can talk as long as they wish to. We don't have to go through a rules committee to get permission or get permission from any other Senator. These are direct responsibilities of individual Senators selected by their States to stand up for their interests, not to go to Washington and cave in on something that might be a good-sounding amendment

or might have the passions of the moment behind it so that there appears to be a wave of support, but until you have a chance to seriously consider the individual issues involved, until three-fifths of the Senate decides to cut off debate—I strongly object to this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate the comments of my friend and my colleague, the chairman of the Appropriations Committee. I look forward to talking to him more about this. As I said earlier, 46 Senators supported this in the past, including all but two or three Republicans, by the way, and one of them is now a cosponsor of the legislation.

Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to today's cloture vote.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object. I wish to have 1 minute in order to debate the matter that is before us.

The PRESIDING OFFICER. Is there objection?

The Senator from Illinois.

Mr. DURBIN. Mr. President, I stand with the Senator from Mississippi. We may be from opposite political parties, but I certainly agree with him that the suggestion by the Senator from Ohio does not serve the best interests of this country.

Imagine if his proposal went through and we were faced with inadequate funding for medical care for our veterans. I am sorry to say the Senator from Ohio has suggested that we would have last year's level of funding with potentially a 4-percent cut. It would be the same for fighting fires and the National Institutes of Health. There would be a 4-percent cut in medical research.

I think what we are doing, if we accept this approach, is giving up our responsibility that the taxpayers sent us to carry out; that is, to make careful choices when it comes to budgets.

I just want to be on the record supporting my colleague from Mississippi.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I hadn't planned to have a debate on this, but I am happy to have one. Let me just be very clear. This is about putting the Appropriations Committee in business, not out of business. This is not about cutting spending; it is about forcing Congress to get its work done.

Here we sit about to pass a continuing resolution because none of the 12 appropriations bills has been voted on because each of them has been blocked in the Senate. The committee has done its work. Yet we can't get

them to the floor. Yet we have the other side saying: Gosh, this would somehow hurt the process.

How can the process be hurt any worse? We want the process to work, and that is why 46 of us, on a bipartisan basis, have supported this idea. What it says is, if at the end of the day, on September 30, appropriations bills have not been passed, then we would simply continue the spending from last year, and, yes, over time we would ratchet it down, giving 120 days for the committee to get its act together that it did not in the previous year when it was supposed to, to get these bills done, to do the oversight, and to make the decisions about NIH, as the Senator has said, and to make the decisions about our veterans.

If we truly want to help our veterans, a CR is not the way to do it. The way to do it is to let the VA bill come to the floor, have a debate, and take the committee's good ideas—and, by the way, it came out of committee with a large bipartisan vote. That is how we should be legislating. That is our job. The power of the purse resides exclusively with us. Yet once again this year we are not doing our job. It is not that we are just doing a couple of appropriations bills; we are not doing a single appropriations bill. I think it is time for us to change course and that is what this legislation is about. I am simply saying that in the process of passing the CR, which we now have to do, set up a discipline for the future that provides an incentive for us to get our work done so the good work being done by Senator COCHRAN and others—including Senator MIKULSKI—in the Appropriations Committee can come to the floor for a vote, and we can get back to governing.

I yield back.

The PRESIDING OFFICER. Is there objection to the request to waive the mandatory quorum?

Mr. DURBIN. No objection.

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 719 with an amendment, No. 2689.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Pat Roberts, Johnny Isakson, Michael B. Enzi, Cory Gardner, John Barrasso, Lindsey Graham, Lamar Alexander, Thad Cochran, Chuck Grassley, Kelly Ayotte, Susan M. Collins, Deb Fischer, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the

Senate amendment to H.R. 719 with amendment No. 2689, offered by the Senator from Kentucky, Mr. McCONNELL, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Tennessee (Mr. CORKER), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Florida (Mr. RUBIO).

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

The yeas and nays resulted—yeas 77, nays 19, as follows:

[Rollcall Vote No. 271 Leg.]

YEAS—77

Alexander	Flake	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Perdue
Bennet	Grassley	Peters
Blumenthal	Hatch	Portman
Booker	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Hirono	Roberts
Burr	Hoeven	Rounds
Cantwell	Isakson	Sanders
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Kirk	Stabenow
Cassidy	Klobuchar	Sullivan
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Cornyn	McCain	Tillis
Donnelly	McCaskill	Udall
Durbin	McConnell	Warner
Enzi	Menendez	Warren
Ernst	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Fischer	Murkowski	Wyden

NAYS—19

Boozman	Inhofe	Scott
Coats	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Toomey
Cruz	Paul	Vitter
Daines	Risch	
Heller	Sasse	

NOT VOTING—4

Blunt	Graham
Corker	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 19.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls.

The Senator from Texas.

VOTE ON AMENDMENT NO. 2690

Mr. CRUZ. Mr. President, I move to table the McConnell amendment No. 2690 for the purpose of offering my own amendment No. 2701, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

The question is on agreeing to the motion.

The motion was rejected.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, there is a reason the American people are fed up with Washington. There is a reason the American people are frustrated. The frustration is not simply mild or passing or ephemeral; it is volcanic. Over and over again, the American people go to the ballot box. Over and over again, the American people rise and say: The direction we are going does not make sense; we want change. Over and over again, the American people win elections—in 2010, a tidal wave election; in 2014, a tidal wave election. Yet nothing changes in Washington.

I would like to share with the Presiding Officer and the American people the real story of what is happening in Washington, why it is that our leaders cannot stop bankrupting this country, cannot stop the assault on our constitutional rights, cannot stop America's retreat from leadership in the world. It is a very simple dynamic when you have two sides allegedly in a political battle, one side that is relentlessly, unshakably committed to its principles and the other side that reflectively surrenders at the outset. The outcome is foreordained.

I will give President Obama and the Senate Democrats credit. They believe in principles of Big Government. They believe in this relentless assault on our constitutional rights. They are willing to crawl over broken glass with a knife in between their teeth to fight for those principles. Unfortunately, leadership on my side of the aisle does not demonstrate the same commitment to principles.

How is it, you might wonder, that a preemptive surrender is put in place? Well, it all begins with a relatively innocuous statement: There shall be no shutdowns. That is a statement leadership in both Houses—Republican leadership in both Houses has said: We are not going to shut the government down.

You can understand—to folks in the private sector, folks at home, that sounds pretty reasonable, except here is the reality in Washington. In today's Washington, there are three kinds of votes. No. 1, there are show votes—votes that are brought up largely to placate the voters, where the outcome is foreordained, where most Republicans will vote one way and most Democrats will vote the other. Republicans will lose, and the conservatives who elected Republican majorities in both Houses are supposed to be thrilled that they have been patted on the head and given their show vote that was destined to lose.

We had a vote like that in recent weeks on Planned Parenthood. Leadership told us: You should be thrilled. We voted on it. What else do you want?

We voted on it in a context where it would never happen. Indeed, it did not.

The second kind of vote is a vote that simply grows government, dramatically expands spending, and expands corporate welfare. Those votes pass because you get a bipartisan coalition of

Republican leadership and Democrats, both of whom are convinced that career politicians will get reelected if they keep growing and growing government and in particular handing out corporate welfare to giant corporations. Oh boy. If you have the lobbyists on K Street pushing for something, you can get 60, 70, 80 in this Chamber because Republican leadership loves it and Democrats are always willing to grow government.

Then there is the third kind of vote—votes on must-pass legislation. In an era when one side—the Democratic Party—is adamantly committed to continuing down this path that is causing so many millions of Americans to hurt, must-pass votes are the only votes that have real consequence in this Chamber. They typically fall into one of three categories: either a continuing resolution, an omnibus appropriations bill, or a debt ceiling increase. All of those three are deemed must-pass votes. If you actually want to change law, those are the only hopes of doing so. But, as I mentioned before, you have one side who has preemptively surrendered.

Republican leadership has said they will never ever shut down the government, and suddenly President Obama understands the easy key to winning every battle: He simply has to utter the word “shutdown” and Republican leadership runs to the hills. So President Obama demands of Congress: Fund every bit of ObamaCare—100 percent of it—and do nothing, zero, for the millions of Americans who are hurting, millions of Americans who have lost their jobs, who have lost their health care, who have lost their doctors, who have been forced into part-time work, the millions of young people who have seen their premiums skyrocket.

President Obama: You can do nothing for the people who are hurting.

Senate Democrats say: We don't care about the people who are hurting. We will do nothing for them.

Here is the kicker. President Obama promises: If you try to do anything on ObamaCare, I, Barack Obama, will veto funding for the entire Federal Government and shut it down.

Republican leadership compliantly says: OK. Fine. We will fund ObamaCare.

President Obama then understands he has got a pretty good trump card here he can pull out at any time. So next he says: OK. Republicans, fund my unconstitutional Executive amnesty. It is contrary to law. It is flouting Federal immigration law. But you, Republicans, fund it anyway or else, I, Barack Obama, will veto funding for the entire Federal Government and shut it down.

Republican leadership says at the outset: OK. We will fund amnesty.

Now we turn to Planned Parenthood. Barack Obama—this will surprise no one—says: Fund 100 percent of Planned Parenthood with taxpayer money.

Mind you, Planned Parenthood is a private organization. It is not even

part of the government. But it happens to be politically favored by President Obama and the Democrats.

Planned Parenthood is also the subject of multiple criminal investigations for being caught on tape apparently carrying out a pattern of ongoing felonies. In ordinary times, the proposition that we should not be sending your or my Federal taxpayer money to fund a private organization that is under multiple criminal investigations—that ought to be a 100-to-0 vote. But, as I mentioned before, Barack Obama is absolutely committed to his partisan objectives. He is like the Terminator. He never stops. He never gives up. He moves forward and forward and forward.

So what does he say? If you don't fund this one private organization that is not part of the government, that is under multiple criminal investigations, I, Barack Obama, will veto funding for the entire Federal Government and shut it down.

What does Republican leadership say? Well, it will surprise no one. Republican leadership says: We surrender. We will fund Planned Parenthood.

You know, President Obama has negotiated a catastrophic nuclear deal with Iran. Republican leadership goes on television all the time and rightly says: This is a catastrophic deal. The consequences are that it is the single greatest national security threat to America. Millions of Americans could die.

I would suggest that if we actually believed the words that are coming out of our mouths, then we would be willing to use any and all constitutional authority given the Congress to stop a catastrophic deal that sends over \$100 billion to Ayatollah Khamenei. Yet President Obama says he will veto the entire budget if we do, and, to the surprise of nobody, Republican leadership surrenders.

You know, I will draw an analogy. It is as if at a football game, the beginning of the football game the two team captains go out to flip the coin. One team's coach walks out and says: We forfeit. They do it game after game after game right at the coin flip.

Leadership says: We forfeit. We surrender. We, Republicans, will fund every single Big Government liberal priority of the Democrats.

If an NFL team did that over 16 games, we know what their record would be; it would be 0 and 16. You know, I am pretty sure the fans who bought tickets and who went to the game would be pretty ticked off as they watched their coach forfeit over and over again.

You want to understand the volcanic frustration with Washington? It is that Republican leadership in both Houses will not fight for a single priority we promised the voters we would fight for when we were campaigning less than a year ago.

You know, this past week was a big news week in Washington. The Speaker

of the House, JOHN BOEHNER, announced he was going to resign, and there was lots of speculation in the media as to why the Speaker of the House resigned. I am going to tell you why he resigned. It is actually a direct manifestation of this disconnect between the voters back home and Republican leadership. Speaker BOEHNER and Leader MCCONNELL promised there will be no shutdown. Therefore, they will fund every single priority of Barack Obama.

We are right now voting on what is called a clean CR. I would note it is clean only in the parlance of Washington, because what does it do? It funds 100 percent of ObamaCare, 100 percent of Executive amnesty. It funds all of Planned Parenthood, and it funds the Iranian nuclear deal. It is essentially a blank check to Barack Obama. That is not very clean to me. That actually sounds like a very dirty funding bill, funding priorities that are doing enormous damage.

In the Senate the votes were always there for a dirty CR, a CR that funded all of Barack Obama's priorities. The Democrats will all vote for it—heck, of course they will. They have the other side funding their priorities. Of course, every Democrat will vote for that over and over and over and twice on Sunday. The simple reality on the Republican side is when leadership joins with the Democrats, about half of the Republican caucus is happy to move over to that side of the aisle. So the votes were always preordained.

The motion I made just a moment ago was a motion to table the tree. You remember filling the tree. It is something we heard a lot about in the previous Congress. HARRY REID, the Democratic leader, did it all the time.

Senators on this side of the aisle stood over and over and said: It is abuse of process. In fact, we even campaigned with our leadership saying: We are going to have an open amendment process. Yet what has happened here is that Majority Leader MCCONNELL has taken a page out of Leader REID's playbook and filled the tree. I moved to table the tree, and what you then saw was leadership denying a second.

What does "denying a second" mean? Denying a recorded vote. Why is that important? When you are breaking the commitments you have made to the men and women who have elected you, the most painful thing in the world is accountability. When you are misleading the men and women who showed up to vote for you, you don't want sunshine making clear that you voted no. A recorded vote means each Senator's name is on it.

Now, why did I move to table the tree? Simply to add the amendment that I had, which, No. 1, would have said that not one penny goes to Planned Parenthood, and No. 2, not one penny goes to implementing this catastrophic Iranian nuclear deal unless and until they comply with Federal law—the administration complies with

Federal law—and hands over the full deal, including the side agreements with Iran. What you saw was that Republican leadership desperately does not want a vote on that.

Tomorrow I intend to make that motion again. And when I make that motion again, I would encourage those watching to see which Senators are here to give a second or not and to vote yea or nay.

I would note that when you deny a second, which is truly an unprecedented procedural trick—it used to be that was a courtesy that was afforded to all Senators. Indeed, in the opposing party routinely over and over when a Democrat or Republican asked for a second, everyone raised their hand. But leadership has discovered: We can do this in the dark of the night.

But I would encourage those watching to see, No. 1, when this motion is offered again, who shows up to offer a second and who either doesn't raise his hand or just doesn't come to the floor.

One of the ways you avoid accountability is you are somehow somewhere else doing something very important instead of actually showing up for the battle that is waging right here and now.

But I would also encourage people to watch very carefully what happens after that. After that you have a voice vote. A voice vote is still a vote. Let's be clear. Standing on the floor, there were two Senators—Senator LEE and I—who voted aye, who voted to table the tree and take up the amendment barring funding for Planned Parenthood and barring funding for this catastrophic Iranian nuclear deal.

The remaining Senators on the Republican side—Leader MCCONNELL, Whip CORNYN, Senator ALEXANDER, and Senator COTTON—those four Senators loudly voted no. It is still a vote, even though it is not a recorded vote. It is a vote on the Senate floor.

So why did Speaker BOEHNER resign? Well, I mentioned to you that the votes were always cooked here. The Democrats plus Republican leadership and the votes they bring with them ensure plenty of votes for a dirty CR, a CR that funds ObamaCare, that funds amnesty, that funds Planned Parenthood, that funds this catastrophic Iranian nuclear deal. But the House was always the bulwark.

The Presiding Officer will remember in 2013 when we had a fight over ObamaCare. The Presiding Officer was serving in the House at the time. In that fight we never had the votes in the Senate. Actually, the Senate was under control of the Democrats. They were going to do everything they could to defend ObamaCare regardless of the millions of people who were hurt.

But the House was the bulwark in that fight, and in particular there was a core of 40 or 50 strong, principled conservatives who cared deeply about honoring the commitments they made to the men and women who elected them. That was always the strength we had in that fight.

You know, it has been interesting reading some of the press coverage, speculating that there would be some magic parliamentary trick that would somehow stop this corrupt deal. Well, in the Senate there are no magic parliamentary tricks. When you have the Democrats plus Republican leadership and a chunk of the Republicans, those votes can roll over any parliamentary trick you might use. Even with the Blood Moon we just had, there are no mystical powers that allow you to roll over them.

But in the House we still have those 30, 40, 50 strong conservatives. So how is it that Speaker BOEHNER and Leader MCCONNELL could promise there will never, ever be a shutdown? Because, I believe, Speaker BOEHNER has decided to cut a deal with Leader NANCY PELOSI, the leader of the Democrats, that this dirty CR is going to be passed out of the Senate and is going to go to the House. The Speaker is going to take it up on the floor and pass it with all the Democrats—just as Leader MCCONNELL did—and a handful of Republicans who will go with Republican leadership. A very significant percentage of Republicans will vote no. But here is the problem: Speaker BOEHNER has done that more than once. In this instance, there were too many Republicans who were tired of seeing their leadership lead the Democrats rather than lead the Republican Party.

I believe if Speaker BOEHNER had done that—had passed a dirty CR funding Planned Parenthood, funding this Iranian nuclear deal—he would have lost his speakership. A Member of the House had introduced a motion to vacate the Chair because House Republicans were fed up with their leader not leading—at least not leading their party, leading the Democratic Party.

So Speaker BOEHNER faced a conundrum. If he did what he and Leader MCCONNELL promised, which is to fund all of Barack Obama's priorities, he would have lost his job. And so what did he do? He announced that he is resigning as Speaker and resigning as a Member of Congress. That is unsurprising, but it also telegraphs the deal that he has just cut. It is a deal to surrender and join with the Democrats. Notice he said he is going to stay a month. He is going to stay a month in order to join with the Democrats and fund Barack Obama's priorities.

Now let's talk about some of the substantive issues that we ought to be talking about. Let's start with Planned Parenthood. In the past couple of months, a series of videos have come out about Planned Parenthood. To some of the people watching this, you may never have seen the videos. Why is that? Because the mainstream media has engaged in a virtual media blackout on them: ABC, NBC, CBS, the last thing they want to do is show these videos.

If you watch FOX News, you can see the videos. But the mainstream media, in the great tradition of Pravda, wants

to make sure the citizenry doesn't see what is in these videos. I would encourage every American—Republican or Democrat—regardless of where you fall on the right to life, even—and, in fact, especially—if you consider yourself pro-choice—to just watch these videos. Go online and watch them and ask yourself: Are these my values? Is this what I believe?

These videos show senior officials from Planned Parenthood laughing, sipping chardonnay and callously harvesting and selling the body parts of unborn children over and over and over. One senior official was caught on video laughing and saying she hopes she sells enough body parts of unborn children to buy herself a Lamborghini. Again, I would suggest to just ask yourself: Are these my values?

In another video a lab tech describes a little baby boy—unborn, aborted, about 2 pounds, his heart still beating. She was instructed to insert scissors under his chin to cut open the face of this little boy and harvest his brain because the brain was valuable. Planned Parenthood could sell the brain.

This is something out of "Brave New World." These are human beings. That little boy had a heart that was still beating, had a brain that was being harvested. He had a soul given to him by God Almighty. He was made in the image of God.

We are now a nation that harvests the body parts of little baby boys and girls. It is the very definition of inhumanity to treat children like agriculture, to be grown and killed for their body parts, to be sold for profit. There is a reason that the media and the Democrats don't want these videos shown, because anyone watching these videos will be horrified.

But they are not just horrific; they are also prima facie evidence of criminal activity. There are multiple Federal statutes—criminal statutes—that Planned Parenthood appears to be violating, perhaps on a daily basis. The first and most direct is a prohibition on selling the body parts of unborn children for a profit. Federal criminal law makes that a felony with up to 10 years of jail time.

Now these videos show them very clearly selling body parts. They also show them bartering a price. They will argue it wasn't for a profit. But you watch these videos. You watch the undercover buyer saying: How much will you give me for them? And you see the Planned Parenthood official saying: Well, how much can I get? I don't want to bargain against myself.

On its face, that is evidence of bargaining for a profit. If you want the highest price you can get, it is not tied to your costs. It is tied to whatever dollars, whatever revenue you can bring in. Planned Parenthood is the largest abortion provider in the country. As another one of these videos reflects, it is a volume business—Planned Parenthood—taking the lives of unborn children and then selling them—appar-

ently for profit. It is also a Federal criminal offense to alter the means of an abortion for the purpose of harvesting the organs of the unborn child. That is a separate criminal offense. On video after video, you see Planned Parenthood officials saying: OK. What parts would you like? We can perform a different abortion depending on what parts you want us to harvest. On the videos they essentially admit to this crime. They are filmed in the act.

There is the third criminal offense that provides that you cannot harvest the organs of an unborn child without informed consent from the mother. Yet again these videos seem to indicate that Planned Parenthood treats informed consent as a technicality that is sometimes complied with and sometimes ignored.

Now, I will say as an aside that ordinarily, when a national organization is caught on film committing a pattern of felonies, the next steps are predictable: The Department of Justice opens an investigation; the FBI shows up and seizes their records. Everything on those videos suggests those felonies are still occurring today.

What does it say about the Obama Justice Department that no one on the face of the planet believes there is any chance the Justice Department would even begin to investigate Planned Parenthood? What does it say about the most lawless partisan Department of Justice that there is this group that is a political ally of the President, so that is apparently all that matters. If it is an ally of the President, it doesn't matter that they are videotaped committing a felony. The Department of Justice will not even look at it.

I am an alumnus of the U.S. Department of Justice. I was an Associate Deputy Attorney General. I spent much of my adult life working in law enforcement. The Department of Justice has a long, distinguished record of remaining outside of partisan politics, of staying above the partisan fray, of being blind to party or ideology and simply enforcing the law and the Constitution. I am sorry to say that under Eric Holder and Loretta Lynch, the Department of Justice has completely besmirched that tradition.

No one remotely believes the Obama Justice Department will even begin to investigate this pattern of felonies. You don't see Democrats suggesting it. No one in the media suggests it. And by the way, if this were a Republican administration and the entity that admitted to a pattern of felonies was a private entity that supported Republicans, you would see on CBS, NBC, and ABC an indictment clock every night. You would see the anchors saying: When will this investigation be opened? When will they be indicted? Instead, the media pretends these videos don't exist.

In the face of what appears to be a national criminal enterprise, we are faced here with a much simpler question: Will we continue to pay for it?

Will we continue to pay for it with your and my tax dollars? Will we send \$500 million a year to a private organization to use to fund this ongoing criminal organization?

What is the position of the Democrats? Hear no evil, see no evil. They do not care. What Democrat do you see calling for the enforcement of criminal laws against Planned Parenthood? What Democrat do you hear saying, at a minimum, let's not send taxpayer money to fund this? Not one. Not a single Democrat stood up and said that.

Let me ask you, Mr. President, what happens if Planned Parenthood gets indicted? Because even though the U.S. Department of Justice under President Obama has become little more than a partisan arm of the Democratic National Committee, there are State and local prosecutors who are investigating Planned Parenthood right now. If Planned Parenthood is indicted, will the Democrats maintain their wall of silence and say: We are going to continue to fund them under indictment. By all indications, that answer is yes. We haven't heard a single Democrat say: Well, if they are indicted, then we will stop.

The response from our leadership is that we can't win this fight. That is their response. They say: Well, we can't win the Planned Parenthood fight. Why? Because we don't have 60 votes; because we don't have 67 votes. If that is the standard, then the Republican leadership standard is that we will do only what HARRY REID and NANCY PELOSI approve of. That is what it means.

You want to understand why the American people are frustrated? We were told: If only we had a Republican House of Representatives, then things would be different. In 2010, millions of us rose up in incredible numbers and won an historic tidal wave election. The Presiding Officer was a youth pastor, called to minister, yet he stood up and said: My country is in crisis. I am going to step forward and serve. The 2010 election was historic, yet very little changed.

Then we were told: OK. We have a House of Representatives, but the problem is the Senate. As long as HARRY REID is majority leader, we can't do anything. Over and over again Washington gray beards would go on television, and in gravelly tones they would say: You cannot govern with one-half of one-third of government. The House of Representatives is not enough, but if we had the Senate, then things would be different. The problem is HARRY REID.

The Presiding Officer will recall during the fight over ObamaCare a number of Members of this body—Republicans—said: No, no, no, no. We can't fight on ObamaCare. We have to wait until we have a Republican Senate to fight. So the American people obliged. In 2014, millions of us rose up for the second tidal wave election in a period of 4 years. We won nine Senate seats.

We retired HARRY REID as majority leader. We won the largest majority in the House of Representatives since the 1920s.

It has been now over 9 months since we have had Republican majorities in both Houses, and I ask: What exactly have those Republican majorities accomplished?

I have asked that question all over the country in townhalls. I have never been at a townhall where the response, spontaneous, was not absolutely nothing. That is true in every State I visit.

And sadly, my response over and over again is: You know, it's worse than that. I wish the answer were absolutely nothing. It would have been better if the Republican majorities had done absolutely nothing because what, in fact, have they done? Well, the very first thing that happened, right after that election in November, is we came back to Washington, and Republican leadership joined up with HARRY REID and the Democrats and passed a trillion dollar CR omnibus bill that was filled with pork, corporate welfare, and grew government, grew the debt.

Then Republican leadership took the lead in funding ObamaCare. Then Republican leadership took the lead in funding Executive amnesty. Then Republican leadership took the lead in funding Planned Parenthood. And then, astonishingly, Republican leadership took the lead in confirming Loretta Lynch as Attorney General.

Now, I ask: Which one of those decisions is one iota different from what would have happened with HARRY REID and the Democrats in charge of this Chamber? Those decisions are identical.

And I would note, by the way, with Loretta Lynch, the Republican majority could have defeated that nomination. The Senate majority leader could have done so. She looked at the Senate Judiciary Committee, and she looked at the Senate, and when asked how she would differ from Eric Holder's Justice Department—the most lawless and partisan Justice Department we would ever see—and she said: No way whatsoever. When asked to point to a single instance in which she would be willing to stand up to President Obama to stop his lawlessness, to stop his abuse of power, she could not identify any circumstance in which she would ever stand up to the President who appointed her. Attorneys general from both parties have done that, for centuries.

Now, with Eric Holder, the Senate could be forgiven because his lawlessness manifested primarily after he was confirmed. With Loretta Lynch, she told us beforehand. She looked us in the eyes and said: Hey, I am going to do exactly what my predecessor has done. And Republican leadership confirmed her anyway.

Is it any wonder the American people are frustrated out of their minds? We keep winning elections, and the people we put in office don't do what they said they would do.

Now, some people across the country ask me: Is Republican leadership just not very capable? Are they not that competent or are they unwilling to fight? Mr. President, it is neither. They are actually quite competent, and they are willing to fight. The question becomes what they are fighting for.

There is a disconnect right now. If you or I go to our home State and to any gathering of citizens and we put up a white board and we ask the citizens in the room to give the top priorities they think Republican majorities in Congress should be focusing on, and we wrote the 20 priorities that came from the citizens of Oklahoma or the citizens of Texas or, for that matter, the citizens of any of the 50 States, those top 20 priorities—at least 18 of them—would appear nowhere on the leadership's priority list.

On the other hand, if you drive just down the street in Washington to K Street—K Street is the street in Washington where the lobbyists primarily reside, where their offices are—and you get a gathering of corporate lobbyists that represent giant corporations and ask them their top priorities, the list that comes out will not just bear passing similarity but will be identical to the priorities of the Republican leadership. That's the disconnect.

Do you know why we are not here fighting on this? Because not giving taxpayer money to Planned Parenthood is not among the priorities of the lobbyists on K Street, so leadership is not interested in doing it. That is the disconnect.

Leadership does know how to fight. Just a couple of months ago, in dealing with the Export-Import Bank, we saw leadership in both Chambers go to extraordinary lengths with Herculean procedural steps to reauthorize a classic example of corporate welfare—hundreds of billions of dollars of taxpayer-guaranteed loans to giant corporations. Now, for that, leadership is incentivized because those corporations hire lobbyists and those lobbyists distribute checks, typically by the wheelbarrow.

There is no incentive greater in this body than getting reelected, and the view of leadership is that you get reelected by raking in the cash. How do you think we have gotten an \$18 trillion national debt? Because the way you reach bipartisan compromise in this body today, in the broken world of Washington, is you grow and grow and grow government, and you sit around in a room and say: I will spend for your priority, your priority, your priority—another trillion dollars and we are done.

The only people to lose are your children and mine. The only people to lose are the next generations who find themselves mired deeper and deeper and deeper in debt. I think of my little girls Caroline and Catherine. They are 7 and 4. If we don't stop what we are doing, your children and my children will face a debt so crushing they will

not be able to spend in the future for the priorities of the future—for their needs, for their wants, for whatever crises come up that the next generation confronts. They will spend their whole lives simply working to pay off the debts racked up by their deadbeat parents and grandparents. No generation in history has ever done this to their children and grandchildren. Our parents didn't do it to us. Their parents didn't do it to them. The reason is the corruption of this town, and it boils down to a simple proposition: The Democrats are willing to do anything to push their priorities, and the Republicans, the leadership, are not listening to the men and women who elected us.

But it is actually an even deeper problem than that. On the Democratic side, the major donors that fund the Democratic Party, they don't despise their base. The billionaires who write the giant checks that fund President Obama, Hillary Clinton, and the Democrats on that side of the aisle don't despise the radical gay rights movement or the radical environmentalist movement or all the people who knock on doors and get Democrats elected. The simple reality is a very large percentage of the Republican donors actively despise our base—actively despise the men and women who showed up and voted you and me into office. I can tell you, when you sit down and talk with a New York billionaire Republican donor—and I have talked with quite a few New York billionaire Republican donors, California Republican donors—their questions start out as follows. First of all, you have to come out for gay marriage, you need to be pro-choice, and you need to support amnesty. That is where the Republican donors are. You wonder why Republicans will not fight on any of these issues? Because the people writing the checks agree with the Democrats.

Now mind you, the people who show up at the polls who elected you and me and who elected this Republican majority—far too many of the Republican donors look down on those voters as a bunch of ignorant hicks and rubes. It is why leadership likes show votes.

It wasn't too long ago when the Washington cartel was able to mask it all with a show vote or two, and they told the rubes back home: See, we voted on it; we just don't have the votes.

When I was first elected to this body, many times I heard more senior Senators saying some variation of the following: Now, TED, that is what you tell folks back home. You don't actually do it.

Here is what has changed. The voters have gotten more informed. They now understand the difference between show votes and a real vote. They understand the vote we had 1 week ago on Planned Parenthood was designed to lose, to placate those silly folks who think we shouldn't be sending taxpayer funds to a criminal organization that is selling the body parts of unborn children. But on the actual vote that could

change policy, leadership has no interest in fighting whatsoever.

In the past couple of weeks, one of my colleagues sent me a letter that really embodied the leadership message. This letter said: "Explain to me how you get 67 votes to defund Planned Parenthood. If you can't produce 67 votes, I won't support it." If that is our standard, then we should all be honest with the men and women who elected us: We do not have 67 Republican votes in this Chamber, and there is no realistic prospect of our getting 67 votes any time in the foreseeable future. If the standard is, unless we get 67 votes, Republican leadership will support no policy issue, then each of us when we run should tell the voters: If you vote for me, I will support whatever policy agenda HARRY REID and NANCY PELOSI decide because that is my standard. If I don't have 67 votes—do you ever recall HARRY REID and the Democrats saying: How can we get Republican votes? No. Their side is absolutely committed to their principles. You don't see them holding back at all.

If the standard is, how do we get 67 votes, name one thing that leadership will fight for. Well, the answer I mentioned, the three types of votes are they will fight for big government, they will fight to grow government, and they will fight to expand corporate welfare. Well, that can indeed get 67 votes. But I have never been to a town-hall once where citizens said to me: The problem is we don't have enough corporate welfare. I need more subsidies for Big Business. If 100 percent of the agenda of Republican leadership is more subsidies for Big Business, what the heck are we doing in the Senate in the first place? That certainly wasn't why I ran, and I know it wasn't why you ran either. You don't have to win every fight, you don't have to fight every fight, but you do have to stand for something.

Let's look beyond Planned Parenthood for a minute. Let's look to Iran. Of all the decisions the Obama administration has made, there may be none more damaging than this catastrophic Iranian nuclear deal. If this deal goes through, there will be three consequences: No. 1, the Obama administration will become, quite literally, the world's leading financier of radical Islamic terrorists. Now, when I said that a couple months ago, President Obama got very, very upset. He said it was ridiculous that I would say such a thing, but despite attacking me directly, President Obama didn't actually endeavor to refute the substance of what I said.

So let's review the facts: Fact No. 1, Iran is today the world's leading state sponsor of terrorism. That fact is undisputed even by this administration. Fact No. 2, if this deal goes through, over \$100 billion will go directly to Iran to the Ayatollah Khamenei. Fact No. 3, if that happens, billions of those dollars will go to Hamas, to Hezbollah, to the Houthis, to radical Islamic terror-

ists across the globe who will use those billions to murder Americans, to murder Israelis, and to murder Europeans.

It is worth remembering, 14 years ago this month, the horrific terrorist attack that was carried out on September 11. Osama bin Laden hated America, but he never had billions of dollars. He never had \$100 billion. The Ayatollah Khamenei hates America every bit as much as Osama bin Laden did, and this administration is giving him control of over \$100 billion. Imagine what bin Laden could have done. Look at the damage he did with 19 terrorists carrying box cutters. Now imagine that same zealotry with billions of dollars behind it. The consequences of this deal could easily be another terrorist attack that dwarfs September 11 in scale, that kills far more than the roughly 3,000 lives that were snuffed out. Who in their right mind would send over \$100 billion to a theocratic zealot who chants "Death to America"?

A second consequence of his catastrophic deal is that we are abandoning four hostages—four American hostages—in Iranian jails: Pastor Saeed Abedini, an American citizen whose wife Naghmeh lives in Idaho. I have visited with Naghmeh many times. Pastor Saeed has two little kids who desperately want their daddy to come home. Pastor Saeed was sentenced to 8 years in prison for the crime of preaching the Gospel. Just last week was the 3-year anniversary of Pastor Saeed's imprisonment. Reports are that he is being horribly mistreated, that his health is failing, and yet President Obama cannot bring himself to utter the words "Pastor Saeed Abedini"—\$100 billion to the Ayatollah Khamenei, and Pastor Saeed Abedini remains in prison.

Also in prison is Amir Hekmati, an American marine the President has abandoned. Also in prison is Jason Rezaian, a Washington Post reporter—I note to the reporters in the Gallery, a colleague of yours—abandoned by President Obama in an Iranian prison, thrown in jail for doing his job, reporting on the news—and Robert Levinson, whose whereabouts remain unknown.

Why is the President refusing to even utter their names?

The third consequence of this deal is this deal will only accelerate Iran acquiring nuclear weapons.

The administration claims the deal will prevent Iran from acquiring nuclear weapons. Why? Because they promised not to do it. We have learned from Iran, they break their promises over and over and over again. And what we do know is that they will have an extra \$100 billion to develop nuclear weapons. Now, I will say the administration laughingly suggested: Well, they will use that on infrastructure, to rebuild their roads, to rebuild their energy industry. Right now they are sending vast sums to Hamas and Hezbollah, funding terrorism across the world, and they have those same infra-

structure needs. With another \$100 billion, you don't think they are going to funnel an awful lot of it to developing nuclear weapons?

I would point out, it is not by accident that the Ayatollah Khamenei refers to Israel as the Little Satan and America as the Great Satan. This is the one threat on the face of the Earth that poses a real possibility of millions of Americans being murdered in the flash of an eye.

Everything I am saying the Republican leadership has said over and over again. Yet Republican leadership refuses to enforce the terms of the Iran review legislation—Federal law that the administration is defying by not handing over the entire deal. I have laid out a clear path, a detailed path that leadership can follow to stop this deal, and leadership refuses to do so. Instead, we had a show vote that was designed to lose, and it did exactly what we expected. The Democrats, by and large, put party loyalty above the national security of this country, above standing with our friend and ally the nation of Israel, above protecting the lives of millions of Americans.

If we truly believed what so many of us have said, that this poses the risk of murdering millions of Americans, is there any higher priority? The most powerful constitutional tool Congress has is the power of the purse. If we had the ability to stop this deal—and we don't—and millions of Americans die, how do we explain that to the men and women who elected us?

I am not advocating that we fight willy-nilly. I am advocating that we fight on things that matter. Don't give \$500 million to Planned Parenthood, a corrupt organization that is taking the lives of vast numbers of unborn children and selling their body parts, in a criminal conspiracy, directly contrary to Federal law. Don't give \$100 billion to the Ayatollah Khamenei, who seeks to murder millions. In both instances, those are defending life. Yet Republican leadership is not willing to lift a finger. If only all the people who might be murdered by a nuclear weapon could create a PAC in Washington and hire some lobbyists, maybe leadership would listen to them. But the truck-driver at home, the waitress at home, the schoolteacher at home, the pastor, the police officer, the working men and women—the Washington cartel does not listen to them.

I will note where this deal is headed. In December, when this dirty continuing resolution expires, leadership is already foreshadowing that they plan to bust the budget caps. Why? We talked about it at the beginning. Barack Obama has discovered that when he says the word "shutdown," the Republican leadership screams, surrenders, and runs to the hills. Obama, understanding that quite well, says: If you don't bust the budget caps, I will shut the government down.

In this bizarre process, Republican leadership will blame whatever Obama

does on other Republicans. You noticed how much energy leader McConnell devotes to attacking conservatives? You notice how much energy Speaker BOEHNER devotes to attacking conservatives? Just yesterday the Speaker of the House went on national television, and on national television he directed an obscene epithet at me personally. He is welcome to insult whomever he likes. I don't intend to reciprocate. But when has leadership ever shown that level of venom, that level of animosity to President Obama and the Democrats who are bankrupting this country, who are destroying the Constitution, who are endangering the future of our children and grandchildren, who are re-treating from leadership and the world, and who have created an environment that has led to the rise of radical Islamic terrorists?

One of the dynamics we have seen in fight after fight is that HARRY REID and the Democrats sit back and laugh. Why? Because it is Republican leadership that leads the onslaught, attacking conservatives, saying: No, you can't, and we will not do anything to stop ObamaCare. No, you can't, and we will not do anything to stop amnesty. No, you can't, and we will not do anything to stop Planned Parenthood. No, you can't, and we will not do anything to stop Iran from acquiring nuclear weapons.

If Republican leadership really believes we can accomplish nothing, then why does it matter if you have a Republican House or Senate? Every 2 years come October, November, we tell the voters it matters intensely. To paraphrase the immortal words of Hillary Clinton, what difference does it make if the standard for Republican leadership is, anything that gets 67 votes we will support. That means HARRY REID and NANCY PELOSI remain the de facto leaders of the Senate and the House.

I would note, by the way, if leadership goes through with their suggestion to bust the budget caps, they will have done something astonishing. Historically, the three legs of the conservative stool have been fiscal conservatives, social conservatives, and national security conservatives. Between Planned Parenthood, Iran, and the budget caps, leadership will have managed to abandon all three. No wonder the American people are frustrated. No wonder the American people do not understand why leadership isn't listening to them.

The PRESIDING OFFICER. The Senator's postcloture time has expired.

Mr. CRUZ. Mr. President, I ask unanimous consent that my time be extended.

The Democrats are objecting to my speaking further, and both the Democrats and Republican leadership are objecting to the American people speaking further.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of calendar Nos. 196 and 197 and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE COAST GUARD

The following named officer for appointment in the grade indicated in the United States Coast Guard as a member of the Coast Guard Permanent Commissioned Teaching Staff under title 14, U.S.C., section 188:

To be lieutenant commander

Brian J. Maggi

The following named officers of the United States Coast Guard for appointment as members of the Permanent Commissioned Teaching Staff and appointment in the grades indicated under title 14, U.S.C., section 188:

To be commander

Anna W. Hickey

To be lieutenant

Kimberly C. Young-McLear

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN783 AIR FORCE nomination of Kyle J. Weld, which was received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN804 AIR FORCE nominations (3) beginning KATHLEEN E. AKERS, and ending SAIPRASAD M. ZEMSE, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN806 AIR FORCE nominations (11) beginning PAUL R. BREZINSKI, and ending THOMAS E. WILLIFORD, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN809 MR FORCE nominations (30) beginning DWAYNE A. BACA, and ending LIANA LUCAS VOGEL, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN812 AIR FORCE nominations (45) beginning RENI B. ANGELOVA, and ending GRANT W. WISNER, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN813 AIR FORCE nominations (101) beginning DAVID R. ALANIZ, and ending DEVON L. WENTZ, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN814 AIR FORCE nomination of John M. Gooch, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN815 AIR FORCE nomination of Herman W. Dykes, Jr., which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

IN THE ARMY

PN785 ARMY nominations (259) beginning JONATHAN S. ACKISS, and ending D012659, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN786 ARMY nominations (357) beginning MICHAEL H. ADORJAN, and ending G010310, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN787 ARMY nominations (420) beginning MATTHEW T. ADAMCZYK, and ending D012593, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN788 ARMY nomination of Gregory I. Kelts, which was received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN789 ARMY nominations (8) beginning STEPHEN H. COOPER, and ending DAVID G. WORTMAN, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN790 ARMY nomination of Lesley A. Watts, which was received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN818 ARMY nomination of Kirby R. Gross, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN819 ARMY nomination of Franchesca M. Desriviere, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN820 ARMY nomination of Jerry L. Tolbert, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN821 ARMY nomination of Christopher R. Forsythe, which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN822 ARMY nomination of Francis G. Maresco, Jr., which was received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN851 ARMY nominations (258) beginning DAVID S. ABRAHAMS, and ending D012627, which nominations were received by the Senate and appeared in the Congressional Record of September 16, 2015.

PN852 ARMY nominations (176) beginning STEPHANIE R. AHERN, and ending G010384, which nominations were received by the Senate and appeared in the Congressional Record of September 16, 2015.

PN853 ARMY nominations (115) beginning CHRISTOPHER W. ABBOTT, and ending D011026, which nominations were received by the Senate and appeared in the Congressional Record of September 16, 2015.

PN854 ARMY nomination of Neil I. Nelson, which was received by the Senate and appeared in the Congressional Record of September 16, 2015.

PN855 ARMY nomination of Benjamin J. Bigelow, which was received by the Senate and appeared in the Congressional Record of September 16, 2015.

IN THE NAVY

PN791 NAVY nominations (7) beginning ENRIQUE R. ASUNCION, and ending TIMOTHY J. SAXON, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN792 NAVY nominations (38) beginning CHRISTIAN J. AUGER, and ending CHESTER J. WYCKOFF, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.