

provisions of section 21(a) of title 13, United States Code, as amended by subsection (a).

(2) INTERIM ROLE OF CURRENT DIRECTOR OF THE CENSUS AFTER DATE OF ENACTMENT.—If, as of January 1, 2012, the initial Director of the Bureau of the Census has not taken office, the officer serving on December 31, 2011, as Director of the Census (or Acting Director of the Census, if applicable) in the Department of Commerce—

(A) shall serve as the Director of the Bureau of the Census; and

(B) shall assume the powers and duties of such Director for one term beginning January 1, 2012, as described in section 21(b) of such title, as so amended.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Not later than January 1, 2012, the Secretary of Commerce, in consultation with the Director of the Census, shall submit to each House of the Congress draft legislation containing any technical and conforming amendments to title 13, United States Code, and any other provisions which may be necessary to carry out the purposes of this section.

#### SEC. 4. WORKING GROUP ON STREAMLINING PAPERWORK FOR EXECUTIVE NOMINATIONS.

(a) ESTABLISHMENT.—There is established the Working Group on Streamlining Paperwork for Executive Nominations (in this section referred to as the “Working Group”).

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Working Group shall be composed of—

(A) the chairperson who shall be—

(i) except as provided under clause (ii), the Director of the Office of Presidential Personnel; or

(ii) a Federal officer designated by the President;

(B) representatives designated by the President from—

(i) the Office of Personnel Management;

(ii) the Office of Government Ethics; and

(iii) the Federal Bureau of Investigation; and

(C) individuals appointed by the chairperson of the Working Group who have experience and expertise relating to the Working Group, including—

(i) individuals from other relevant Federal agencies; and

(ii) individuals with relevant experience from previous presidential administrations.

(c) STREAMLINING OF PAPERWORK REQUIRED FOR EXECUTIVE NOMINATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Working Group shall conduct a study and submit a report on the streamlining of paperwork required for executive nominations to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(2) CONSULTATION WITH COMMITTEES OF THE SENATE.—In conducting the study under this section, the Working Group shall consult with the chairperson and ranking member of the committees referred to under paragraph (1) (B) and (C).

(3) CONTENTS.—

(A) IN GENERAL.—The report submitted under this section shall include—

(i) recommendations for the streamlining of paperwork required for executive nominations; and

(ii) a detailed plan for the creation and implementation of an electronic system for collecting and distributing background information from potential and actual Presidential nominees for positions which require appointment by and with the advice and consent of the Senate.

(B) ELECTRONIC SYSTEM.—The electronic system described under subparagraph (A) (ii) shall—

(i) provide for—

(I) less burden on potential nominees for positions which require appointment by and with the advice and consent of the Senate;

(II) faster delivery of background information to Congress, the White House, the Federal Bureau of Investigation, Diplomatic Security, and the Office of Government Ethics; and

(III) fewer errors of omission; and

(ii) ensure the existence and operation of a single, searchable form which shall be known as a “Smart Form” and shall—

(I) be free to a nominee and easy to use;

(II) make it possible for the nominee to answer all vetting questions one way, at a single time;

(III) secure the information provided by a nominee;

(IV) allow for multiple submissions over time, but always in the format requested by the vetting agency or entity;

(V) be compatible across different computer platforms;

(VI) make it possible to easily add, modify, or subtract vetting questions;

(VII) allow error checking; and

(VIII) allow the user to track the progress of a nominee in providing the required information.

(d) REVIEW OF BACKGROUND INVESTIGATION REQUIREMENTS.—

(1) IN GENERAL.—The Working Group shall conduct a review of the impact of background investigation requirements on the appointments process.

(2) CONDUCT OF REVIEW.—In conducting the review, the Working Group shall—

(A) assess the feasibility of using personnel other than Federal Bureau of Investigation personnel, in appropriate circumstances, to conduct background investigations of individuals under consideration for positions appointed by the President, by and with the advice and consent of the Senate; and

(B) consider the extent to which the scope of the background investigation conducted for an individual under consideration for a position appointed by the President, by and with the advice and consent of the Senate, should be varied depending on the nature of the position for which the individual is being considered.

(3) REPORT.—Not later than 270 days after the date of enactment of this Act, the Working Group shall submit a report of the findings of the review under this subsection to—

(A) the President;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Rules and Administration of the Senate.

(e) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) FEDERAL OFFICERS AND EMPLOYEES.—Each member of the Working Group who is a Federal officer or employee shall serve without compensation in addition to that received for their services as a Federal officer or employee.

(B) MEMBERS NOT FEDERAL OFFICERS AND EMPLOYEES.—Each member of the Working Group who is not a Federal officer or employee shall not be compensated for services performed for the Working Group.

(2) TRAVEL EXPENSES.—The members of the Working Group shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Working Group.

(3) STAFF.—

(A) IN GENERAL.—The President may designate Federal officers and employees to provide support services for the Working Group.

(B) DETAIL OF FEDERAL EMPLOYEES.—Any Federal employee may be detailed to the Working Group without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(f) NON-APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Working Group established under this section.

(g) TERMINATION OF THE WORKING GROUP.—The Working Group shall terminate 60 days after the date on which the Working Group submits the latter of the 2 reports under this section.

#### SEC. 5. REPORT ON PRESIDENTIALLY APPOINTED POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term “agency” means an Executive agency defined under section 105 of title 5, United States Code; and

(2) the term “covered position” means a position in an agency that requires appointment by the President without the advice and consent of the Senate.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Government Accountability Office shall conduct a study and submit a report on covered positions to Congress and the President.

(c) CONTENTS.—The report submitted under this section shall include—

(1) a determination of the number of covered positions in each agency;

(2) an evaluation of whether maintaining the total number of covered positions is necessary;

(3) an evaluation of the benefits and disadvantages of—

(A) eliminating certain covered positions;

(B) converting certain covered positions to career positions or positions in the Senior Executive Service that are not career reserved positions; and

(C) converting any categories of covered positions to career positions;

(4) the identification of—

(A) covered positions described under paragraph (3)(A) and (B); and

(B) categories of covered positions described under paragraph (3)(C); and

(5) any other recommendations relating to covered positions.

#### SEC. 6. EFFECTIVE DATE.

(a) PRESIDENTIAL APPOINTMENTS NOT SUBJECT TO SENATE APPROVAL.—The amendments made by section 2 shall take effect 60 days after the date of enactment of this Act and apply to appointments made on and after that effective date, including any nomination pending in the Senate on that date.

(b) DIRECTOR OF THE CENSUS AND WORKING GROUP.—The provisions of sections 3 and 4 (including any amendments made by those sections) shall take effect on the date of enactment of this Act.

#### PROVIDING FOR EXPEDITED CONSIDERATION OF CERTAIN NOMINATIONS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 116, which the clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 116), to provide for expedited Senate consideration of certain nominations subject to advice and consent.

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

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

REMEMBERING SENATOR RICHARD BREVARD RUSSELL

Mr. ISAKSON. Mr. President, I rise for a moment—and I will be joined shortly by my colleague, the senior Senator from Georgia—to pay tribute to a great American who passed this Earth 40 years ago on January 21, 1971. His name was Richard Brevard Russell, Jr. He was one of the handful of Senators everybody and every historian rates as the finest of the Senate. He was a great Georgian with an interesting past.

He was elected to the State legislature in the 1920s and rose to be the speaker of the house of representatives in the State of Georgia. He then went on to be Governor of the State of Georgia from 1931 to 1932. During that time, he served as Governor at the same time another gentleman was serving as the Governor of New York, Franklin Delano Roosevelt. They became good friends.

President Roosevelt even became a constituent of Senator Russell's because, with his affliction, the springs of Warm Springs, GA, were where then-Governor, soon-to-be-President Roosevelt would come to heal and get better and thank his good friend, Richard Russell, for his support. It was that relationship that brought Richard Russell to be one of the first Governors in the United States to come out and endorse Franklin Roosevelt to be President of the United States.

In his career in the Senate, Richard Russell served with Franklin Delano Roosevelt. He served with Harry Truman—8 years side by side with Harry Truman. He served under President Dwight Eisenhower. He served under President John F. Kennedy. He served under Lyndon Johnson. In fact, in just a minute I will explain why he made Lyndon Johnson who he was. He finally passed away under Richard Nixon's first term as President of the United States. But back for a second to Richard Russell and Lyndon Baines Johnson.

Lyndon Baines Johnson became the President of the Senate and later became the President of the United States. In his own works, Lyndon Johnson credits Richard Russell with being the strength of his career as a Senator. In fact, so great was Senator Russell's control of the Senate that in a quote by Powell Moore, his press secretary, a few years ago, he said: When President Kennedy gave advice to newly elected Senators, he said the following:

If you want to learn how to be an effective Senator, you should start by going to see Dick Russell.

That is exactly what Lyndon Johnson did.

So good a friend of Lyndon Johnson was Richard Russell that every Sunday night in their careers in the Senate, Lady Bird would have Richard Russell over at the house to cook him dinner just to thank him for what he had done the week before for Lyndon Johnson. As Lyndon Johnson grew in power, he kept beside him Richard Brevard Russell of Georgia.

Richard Brevard Russell of Georgia is the greatest Senator who ever served from our State. Senator CHAMBLISS and I will be the first to tell you, we are way back in the back of the line when you compare our record to his record. He was a great Georgian. He was a great American.

When I was elected to the Senate and was asked to pick an office, I said: The only requirement I have is it be in the Russell Senate Office Building because I wanted to serve in the same building, named after the greatest Senator ever to serve from our State.

So on the 40th anniversary of his passing, I want to leave this Senate floor by reminding America we had a great Senator from Georgia whose lasting contribution to our country is indelible in the hearts and minds of our people: Richard Brevard Russell, a great American, a great Georgian, and one to whom all of us owe a great deal of thanks and a great deal of credit.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator ISAKSON and appreciate his eloquent remarks on one of the great American public leaders, Richard Russell. I am honored to be in the Russell Office Building myself.

BUDGET CRISIS

Mr. President, I am deeply concerned about where we stand now with the budget crisis we are facing. We have no budget action that has been undertaken in the Senate. We have not done our bit. The House has passed a budget, a 10-year budget that is historic. It is honest. It will actually change the debt trajectory of America. But the Senate has not done anything.

Secret meetings are occurring. We are not told what is going on in those meetings. The deficit is clearly the largest issue facing our country at this time, I believe. Except for matters of war, it is the biggest issue, clearly, in the 14 years I have been here.

We are on an unsustainable path. It cannot continue. Every expert has told us that. But we remain not focused in any public way on how to solve it. Just meetings and leaks are occurring. Admiral Mullen, Chairman of the Joint Chiefs, said that the debt is the greatest threat to our national security. So this extraordinary fiscal crisis is facing us. Yet this Chamber has done nothing about it. We are borrowing 40 cents of every \$1 we spend. In 3 months our gross debt will be larger than our entire economy. Our Nation's staggering debt is already costing millions of jobs because when you have a debt that is

equivalent to 90 percent of your economy, it reduces growth by 1 percent. We are now at roughly 95 percent, going to 100 percent before the year is out.

More than 22 million Americans are out of work. A majority of Americans now fear the next generation will be worse off than theirs has been. In just 5 weeks, we are told we will reach the firm deadline on our Nation's \$14.3 trillion debt. Then major reductions occur unless action is taken.

The Republican House has set forth their plan, but the Democratic Senate has not done so. This year the Senate has not produced a budget, has not met to work on a budget, and has not passed a budget in 791 days. We have not had a budget in 791 days. During that time we have increased the debt of the United States by \$3.2 trillion and have spent over \$7 trillion.

On the Senate floor we spend week after week on bills that have little or nothing to do with this increasing danger to our economy. We name court-houses and post offices, but we do not deal with the gathering financial storm. Now the Senate is scheduled to take a week off, to go into recess to celebrate the Fourth of July, Independence Day. We unite as a nation on that day to celebrate our heritage and way of life—a way that has been earned through hard work, responsibility, and sacrifice.

Before the Memorial Day recess, I presented to the majority leader a letter signed by 46 Republican Senators stating that we should not recess for the Memorial Day week but remain to do the work we need to do on our budget and financial plan.

Rather than face a vote on adjournment the leader opted for a series of pro forma sessions where the Senate gavels in, only to gavel out moments later, having once again not done any work. Rather than vote on it, that is what they decided to do.

So I renew today my request in that letter. We also owe the American people an honest, open debate on the debt limit, the debt ceiling we have. This should not be talks behind closed doors by only a few Senators, Congressmen, maybe the Speaker, the Vice President, or now maybe the President. Are they the ones to decides this? Aren't we all elected to do so?

Then should we be faced with a situation in which this small group, having produced what they consider the perfect deal, brings it to the Congress and demands, in a period of panic and fear, that it must be passed without any significant amendment or the country would have a crisis?

We have seen that before. Is that good business? I do not think so.

It is astonishing that we are so close now to the deadline we have been given without the Nation's President, our Chief Executive, having set forth a proposal on what he thinks we should do and should be included in a debt limit bill. Shouldn't the President tell us

that? He presides over the executive branch. All of the Cabinet people work for him. He has a 500-person Office of Management and Budget. We have a small staff on the Budget Committee where I am ranking member. Shouldn't he be providing some leadership, like Governor Christie, Governor Cuomo, Governor Brown, Governor Bentley in Alabama? Shouldn't we expect that?

The only concrete fiscal plan we have from the President is his February budget, which proved to be the emptiest promise of all, the most disappointing document. We were told by the President that his plan would not add more to the debt. In reality, it would grow the debt, if passed, by \$13 trillion, doubling the entire debt of the United States again in the next 10 years. It would spend more than current spending projections. It would tax more and run up the debt more than current expected expenditures. It is an irresponsible budget.

So it is this kind of rhetoric that makes those of us in the Senate who are working on these issues concerned. We would need to see what the proposal is and have time to evaluate it. So I am calling on the President and the Vice President to make public the proposals they discuss during these secret meetings, including the tax hikes they have proposed. If they believe in these tax hikes, let the American people see them. Let's count up what it really means and let's evaluate them. Maybe there will be enough votes to pass that. I doubt it. Let the Congressional Budget Office provide an estimate of what the spending alterations and the tax alterations will be. Let the Budget Committee meet to address the impact of these proposals. It is time to remove the blindfold.

Since the election in November, the Congress, divided between a Democratic Senate and Republican House, has seen an increasing reliance on closed-door meetings to resolve our greatest public challenges. In so doing, I think Congress has once again ignored the public will. Ultimately, our challenges can only be solved through the Democratic process. Let's hold votes—dozens if necessary. Let's hold hearings. Let's have an open debate. Democracy may be messy. It may be contentious. But it is the best system we have and the only system that works.

The House Republican budget cuts \$6 trillion in Federal spending over the next 10 years—\$6 trillion. Let's hold votes to see whether the Democratic Senate is willing to reduce the spending that much. If not \$6 trillion, than what about \$5 trillion or \$4 trillion?

The simple reality is that the American people expect us to reduce spending the way their cities, counties, and States are doing this very minute. They do not expect us to raise taxes to bail out Washington for reckless spending by raising taxes on the American people. Economic studies show again and again that spending cuts, not tax

hikes, will result in greater growth and more successful debt reduction to make America competitive in the 21st century. We need a smaller, leaner, efficient government, not a heavy, more burdensome Tax Code.

So let's have the debate. Let's have it out here in the open. And let's allow the American people to participate and help decide. But until we work on a budget, until we work on the debt limit, until we work on the people's business, we do not have a right to go home and adjourn with a looming deadline—supposedly August 2—by which decisions have to be made. I believe to do so would be to fail the public.

This debt is the largest challenge of our generation. We have to meet that challenge. I don't believe it can be met by a small group of people meeting in secret. We need a national discussion about the threats we face. I have seen the studies in China, New Zealand. New Zealand had 22 years of deficits. They have had 16 years of surpluses since they made a national decision to get their finances in order, and the economy has grown far above the world average. That is what we need to be doing here. That is what our States, cities, and counties are doing.

I appreciate the opportunity to share these remarks. We have to rise to the occasion and face the defining issue of our time and put our Nation on a path to growth and prosperity and job creation, not a path to decline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

REMEMBERING SENATOR RICHARD B. RUSSELL

Mr. CHAMBLISS. Mr. President, I rise today to honor the life and commitment of Senator Richard B. Russell to the State of Georgia and to our Nation.

Senator Russell died on January 21, 1971, 40 years ago as of this past winter.

Senator Russell devoted 50 years of his life to public service as a state legislator, as Governor of Georgia, and as U.S. Senator. I take great pride in recalling before this body the lasting imprint on the history of Georgia, the U.S. Senate, and our Nation that Senator Russell left behind. He was a natural-born leader who had the persuasive ability to unite men, a quality which aided in his rapid rise to positions of political power. He will be remembered as the most prominent of politicians of his time.

He began service in public office early in his life, serving in the Georgia House of Representatives at the age of 24. That was in 1921. His composed demeanor and civil nature quickly led to his nomination for Speaker of the Georgia House a few years later. He was the youngest Speaker ever elected in the Georgia House. Under Russell's guidance, the State of Georgia saw drastic improvements in the organization of State government. He went on to win the largest majority in the State's history for the election of Governor in 1931. It was in the midst of our

Nation's most devastating economic downturn, and he was only 33 years old.

Despite all this, he succeeded in guiding Georgia out of the Great Depression. Through his tremendous efforts to promote economic development, he was ultimately able to create a balanced budget for the State.

His time in office is recognized as being one of the most significant eras in Georgia's history, creating economic relief for the State after only 18 months in office.

The powerful economic impact left behind by Senator Russell is still felt in Georgia today through many of the Federal facilities he brought to our State, as well as through the piece of legislation closest to Senator Russell's heart, and to my own: The National School Lunch Act.

He was sent to Washington by Georgians to serve in the U.S. Senate in 1933, making him then the youngest member ever to serve in the Senate. Senator Russell came to be one of this body's most respected members ever. He was looked upon by his colleagues for his leadership, integrity, equality and intellect. His colleague from Mississippi, Senator John Stennis, was once approached by a tourist, who told him he would like to see the Senate and asked him how to go about it.

At that moment, Stennis spotted Russell walking down the other end of the hall. Stennis told the tourist he could go to the Capitol to see the Senate Chamber, but if he really wanted to see the Senate, he should take a look at the man walking down the hall. "He represents the living embodiment of United States Senate," Senator Stennis said.

During his time in office, his powerful position as chairman of the Senate Armed Services Committee aptly rendered him the label of "Mr. Defense," a role for which he will continue to be remembered. He was known as one of the Nation's leading experts on military and defense policy, acting as adviser to six Presidents, valued for his knowledge and judgment. He was called "a great patriot who never failed to facilitate the United States when its security was an issue" by President Nixon.

In a dedication speech given on this very floor 15 years ago, Senator Sam Nunn recalled Senator Russell's "strong belief in the independence and co-equal role of the Congress of the United States" and his "insistence that he had not served under six Presidents, but rather served with six Presidents, a real difference."

Russell later served as this body's senior Senator, becoming President pro tempore of the Senate, putting him fourth in line to the succession of the Presidency. But beyond all of his accomplishments, what truly set Senator Russell apart from other men was his commitment to civility. He demonstrated his fair and conscientious nature on many occasions, most notably as he presided over the 1951 dismissal hearings of GEN Douglas McArthur, a

time in which his judicious handling of such a volatile event did much to diffuse an explosive situation. He effectively navigated the bipartisan barriers of the Senate through his unrelenting civility and trustworthiness, and, of course, his humor.

Once, when he was in need of a tailor, he asked his good friend, then-President Johnson, for a recommendation. Johnson gave him one, so Russell sent his suits over to the man. When the bill arrived, he just stared at it, dumbfounded. "No wonder this country is going to hell if the President is willing to spend this much just to fix his suits!" he exclaimed.

When I was first elected to the Senate in 2002, the Dean of the Senate at that time was Senator Robert Byrd, who sat right on the aisle across the way.

I will never forget that the first day, as I was sworn in, I went over and introduced myself to Senator Byrd, who was so well respected by everybody on both sides of the aisle and is without question the greatest historian within the Senate that the Senate has ever had, and he looked up at me and said, "You hold Senator Russell's seat." I said, "Yes, sir. That's right." He said, "My favorite Senator was Senator Richard Russell."

From then on, every time I would walk by Senator Byrd's seat when he was there, he would stop me and he would give me another anecdote about Senator Russell, about their close relationship, and about what a huge impact Senator Russell had on our Nation and on this institution during his 32 years of service.

Senator Russell devoted his life to public service with only one desire: to be remembered as an honorable man. We can all agree that his legacy more than fulfills that objective. His name lives on in our own Russell Senate Office Building and throughout the State of Georgia, giving evidence to the amount of honor deservedly bestowed upon this great man. His leadership skills, his honest dealings, and his fairness to both sides in an argument created a remarkable representative for the people he served. He was an unflinching champion in Washington, and a revered statesman of Georgia for more than 38 years.

The epitaph on his tombstone, at his home place in Winder, GA, is a simple carving: "Richard B. Russell, Jr.—Senator from Georgia—1933–1971." Mr. President, that says it all.

There is only one Member of our body today who served with Senator Russell; that is, Senator INOUE. Senator INOUE has again, just like Senator Byrd, given me very many fond memories of Senator Russell.

It is a pleasure to serve with Senator INOUE. I wish I had the opportunity to serve with Senator Russell because he truly was a great patriot, a great American, and a great champion for this institution.

I believe all of us here today can learn from the life of one of the great-

est Senators in this body's 200 year history.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Montana.

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

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

#### MONTANA FLOOD HEROES

Mr. BAUCUS. John Wooden, the legendary UCLA basketball coach who has won more Division I NCAA championships than anyone else, once said, "Do not let what you cannot do interfere with what you can do." It takes teamwork to win 10 championships. I rise today to recognize the remarkable teamwork, championship level teamwork, that we are seeing back home in Montana during these floods.

This is the third time I have come to the Senate floor to share stories about the remarkable actions taken by regular folks across Montana. Their teamwork is making a huge difference. John Wooden would have been proud to coach this team. This is a championship team. And we need this kind of teamwork. Flooding continues to damage property and disrupt lives across Montana. The President has issued a major disaster declaration. Warm weather threatens to unlock water stored in record levels of mountain snowpack. The whole time I was at home, I had never seen anything like this, so much snow, yet melting so quickly.

The chart to my left is part of Wolf Point, MT. Wolf Point sits along the mighty Missouri River on the Fort Peck Indian Reservation. Floodwaters hit hard and hit fast, forcing 40 families from their homes. Many are still unable to return.

Darrin Falcon, pictured here, is the director of the Roads Department. He has used his expertise as an engineer to help his neighbors on projects of every scale. He constructed berms and dikes to prevent floodwaters from damaging more homes. He delivered sandbags to residents to protect major public infrastructure.

In one instance, an elderly neighbor was stranded; 300 feet of roadway around his home was underwater. Falcon went right to work and helped build a new road so his neighbor could spend that night at home. Falcon's work ethic and willingness to help make him a real Montana hero and is something to observe.

The Milk River has been dumping water into Glasgow for weeks. Floods have washed out roads and damaged bridges all across Valley County. County roads supervisor Rick Seiler and Wayne Waarvik have worked endless hours to keep roads open and residents safe after the Milk River burst its banks.

In a crisis such as this, roads are lifelines. Roads mean access to a doctor. Roads mean groceries and fresh water. Rick and Wayne, teaming up with the whole Valley County road crew, went above and beyond to keep these vital lifelines open.

Meanwhile, across town, Tanja Fransen, a meteorologist for the National Weather Service, was taking extraordinary steps to help her friends and her neighbors.

This is Tanja.

She would never abandon her post. She served as the voice of the National Weather Service across northeastern Montana. Tanja knew her neighbors; she knew they depended on her for the latest weather reports. Beyond that, of all things, Tanja, despite a broken leg in a cast, spent hours filling sandbags to protect homes along Cherry Creek. She went above and beyond the call of duty to make sure her friends and neighbors were equipped with the information they needed to stay safe throughout the disaster.

Tanja, I might say to you: Take some time out and let that broken leg heal.

Tanja asked that the entire team at the National Weather Service in Glasgow be recognized. That is just how generous she is. She did not want recognition for herself—it is her team. Working together, they helped Glasgow weather these difficult floods.

In Billings, MT, floods have left dozens of families without homes.

In a normal week, Jeff Rosenberry spends his time as assistant director for housing and student life. He makes sure students at MSU-Billings have a safe and comfortable place to stay during the school year.

This month, Jeff had extra work—work he very much enjoyed doing. Jeff stepped to the plate. He converted a resident hall into a home away from home for displaced families. I saw it and was very impressed. Jeff worked 15-hour days to make sure everyone felt welcome. He delivered food and water to hungry families. He also made sure everyone had the latest information about the floods. Ask anyone on the team helping these families, and they will tell you Jeff was the team captain. His hard work and generosity will long be remembered. The families who needed a place to sleep, of course, will never forget Jeff and his efforts.

Finally, the teamwork between our local disaster and emergency services coordinators and crews has been extraordinary. DES coordinators are the go-to leaders to help their communities respond to and recover from floods. They are the first to be called to help and the last to leave.

Montana's disaster and emergency services teams have been working non-stop. They are a model of public service. I hope Montanans everywhere will reach out and shake their hands, e-mail or write a letter and thank these heroes for their service. These remarkable Montanans remind us that sometimes it is all about teamwork. We are the strongest when we work together.

I am proud of these stories. I am asking Montanans to share their stories of ordinary folks doing extraordinary things for friends and neighbors, whether on Facebook, call my office—whatever works. We want to hear these inspiring stories because we want to help bring Montanans even closer together, showing we are working together.

Someone once observed that Montana is a big State, big geography, but not a lot of people. Montana is really one small town. We know each other—one or two degrees of separation. We know each other, and we are there to help each other. We are spread out in space but together in spirit.

In closing, I would like to share a humble thank-you for all Montanan heroes back home. I don't know what we would do without you. Thank you so much for your service.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. 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 NATIONAL DEBT

Mr. BLUNT. Mr. President, I am pleased to have a chance to talk about the work I think we should be doing this week and surely will do in the weeks to come. We are really discussing who we are going to be as a country, what model we are going to follow. Are we going to continue to be a country that believes we need to help create opportunity or are we going to be a country that believes the government needs to continue to accept more and more of the challenges of life?

Our debt today is over \$14 trillion, and apparently that is not enough, so every discussion in Washington, including some that you are in, is focusing around the idea of how do we get even more ability to borrow more money so we can pay off the money we have already borrowed. There are 13 million Americans out of work today, looking for a job, and during that process we continue to spend money we don't have for things we don't have to have.

I think we ought to be focused totally on two things domestically right now. At the top of every list should be what do we do to create more private sector jobs and how do we get Federal spending under control. The Federal Government doesn't create private sector jobs in very many instances.

By the way, if we are going to have something we are going to be paying for 30 years, I hope we are investing in something that will last for 30 years.

But the most the Federal Government can do that impacts jobs is create an atmosphere that takes all the uncertainty out of the decisionmaking process. There are enough risks in creating jobs without having the addi-

tional risks of how fast can the utility bill go up, how high will the taxes be, and what new unknown regulations are you going to have to deal with. Frankly, those are the wrong messages in all three of those areas right now if you hope to be focused on the idea of how do we create jobs for those 13 million Americans who are looking for jobs and better jobs for the Americans who have jobs. What are we doing to encourage private sector job creation for the future?

We are now spending at the Federal level almost \$1 out of \$4, right at \$1 out of every \$4 that the economy can create in goods and services. The number for 40 years, ending in 2008, was \$1 out of \$5. There is a lot of difference in an economy—who competes for that dollar that the Federal Government is now spending that for 40 years was available for somebody else to get their hands on and use to create opportunity for somebody else? We have to get that under control.

The Cochairs of the President's own fiscal commission say we are looking at the most predictable economic crisis in the history of the country. There is a train moving down the track to a destination nobody wants to go, and it continues to move at that same speed. It is totally predictable. It is something we have to do something about, and we cannot continue to spend somewhere between \$3.7 and \$3.8 trillion in this spending year and collect \$2.2 trillion.

I have said on this floor before that I am not sure anybody really has a good grasp of what \$3.8 trillion is. But we do know that if you are making \$22,000 and you are spending \$38,500—oh, and you have already borrowed all the money anybody really should have ever loaned you—you have a problem you cannot deal with for very long without changing behavior.

That behavior has to change. It has to change in ways that look at the programs where we, up until now, have just been able to define who benefits from the programs without any real controls over how that money is spent. This year, the \$2.2 trillion that I mentioned the Federal Government collected, that all was spent by the programs that we normally do not even appropriate money for because we have defined who gets that money. For the first time ever, those programs exceeded all the money that came in.

Most of those programs, of course, are the big programs we want to be sure are there as safety nets for people who have been told they need to rely on them. I think about 80 percent of that side of the budget is Medicare and Medicaid and Social Security. We need to see what we can do so those programs continue to work. But if all of that side of the budget spent all of the money, that means every other penny the Federal Government spent for an air traffic controller; for somebody to open the gates to a national park; sadly, for somebody to put on a mili-

tary uniform or to put a gallon of jet fuel in a plane or to buy a gallon of paint for a ship—that was all done with borrowed money. We are defending the country on borrowed money. The No. 1 obligation of the Federal Government is just that. We have to figure out what to do to structurally begin to define how we spend the money that comes in and to make sure we don't spend more money than comes in.

That is why I am supporting the balanced budget amendment. I think we need to spend a lot of July talking about what we do to get this budget back in balance, how long it takes, and I look forward to that debate being the principal debate of the next month.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I have been listening very carefully to the remarks of my friend about what we have to do, what is in front of us. Of course, he is speaking for the Republican Party for a balanced budget amendment to the Constitution.

Let me say this: I want a balanced budget. That is what I want. I don't need an amendment to the Constitution to get me to vote for a balanced budget. What I want is for all sides to come together—that is what I want—and write a balanced budget. I want us to do it in a way that is responsible and do it in a way that is fair and do it in a way that protects our middle class, protects our kids, and stimulates economic growth by making smart investments and cutting out spending in areas we don't need it.

So all this yak about a balanced budget amendment—and I call it that, and I apologize if it sounds as though it is a derogatory term—it is just so much talk. Let's get to it.

I think we ought to go back to the people and the party that was the only party and the only people to balance the budget in 40 years. I hate to break it to my Republican friends, but that is the Democratic Party. We are the ones who did it. We did it when Bill Clinton came into office. We did it after hard work. We did it after painful cuts. We did it with smart investments. We did it with everybody paying their fair share, and we didn't need a balanced budget amendment to the Constitution to do it. It is a gimmick. We need a balanced budget, not a balanced budget amendment.

Let's look at what we did the last time this country ever had a balanced budget. Lucky for us, it wasn't that long ago. Lucky for us, a lot of us are still here who made that fateful vote. We didn't have one Republican voting for that budget, and when they came to the floor—I have all the quotes, chapter and verse—they said: This is horrible. It will never balance the budget. This is going to lead to a depression. This is the worst thing. But we know what happened. We not only balanced the budget, but we had a surplus. We not only had a surplus, but the debt

was going down so fast we thought we would never have to have Treasury bonds again. On top of that, we created 23 million jobs.

So I hope the public understands, when they hear Republican colleague after Republican colleague come to the floor saying we need to stay in all through July—fine with me. I will stay here through August. I will spend the night in the cloakroom, I don't care. Let's not talk about a balanced budget amendment to the Constitution. Let's talk about doing the hard work of balancing the budget. The way we do it, again, is to follow the lead of the plan that was laid out by President Clinton and which worked in the most amazing way beyond our greatest expectations.

What did we do? We looked at this deficit and we said: This is unacceptable. We went after programs that made no sense and we cut them. We either eliminated them or we cut them back. Then we asked: What are some investments we could make that would actually stimulate the growth of the private sector? I thought my friend, Senator BLUNT, was right. That is what we need to do. We need to stimulate growth in the private sector. At that time, the investments were on the high-tech side—high tech, biotech. Today, clearly, it is clean energy. That is what the whole world wants. That is where we ought to be leading. That is what our President knows. So we cut out programs that don't make sense. We invest where it makes sense to create jobs and then guess what we do. We make sure we have enough revenues coming in to pay for the priorities.

I have news for my Republican friends. It is not that hard. Go after the billionaires. They can't get themselves to do it, can they? Go after the billionaires and the millionaires, the people who aren't paying what they should be paying. But when the House had its chance, what did it do? It allowed the biggest tax breaks ever to continue for the billionaires and the millionaires and they killed Medicare. Medicare is gone. It is becoming some kind of a voucher program, where we can imagine some 90-year-old woman who is suffering from disease has to now go out and try to find out where she can buy an insurance plan. Tell me who is going to cover her, A; and, B, tell me if she has the strength to do that; and, C, her Medicare benefit no longer goes to her. Who does it go to? It goes to the insurance company. That is the plan the Republicans passed in the House, and they cut everything that is near and dear to the hearts of the American people. In addition to Medicare, they cut education. They cut funding for clean air, clean water. Highways they cut by a third, and here they talk about jobs on the other side, private sector jobs. The highway bill creates thousands and thousands and thousands of jobs in the private sector. They cut that bill by 36 percent.

So when I hear my Republican friends talk about the importance of

balancing the budget and they are talking about a balanced budget amendment to the Constitution—why don't they show us their balanced budget? Because the one they showed us from the House was such a disaster that they lost a congressional seat they held for eternity. It is easy to talk about a balanced budget amendment. It is harder to balance the budget the fair way, and that is what we have to do.

My friend, Senator BLUNT, also talked about the importance of jobs. He is so right. I just ran for reelection. Jobs, jobs, jobs, the top three issues. Guess what. My Republican friends have filibustered every single jobs bill we brought to the floor. The last jobs bill is one I am very familiar with because it is a bill that came out of my committee. The whole committee voted, with one dissenting vote, for the Economic Development Administration to give seed money to areas in the country that need job creation and attract \$7 of funds for every \$1 of Federal money. It would have created 1 million jobs over 5 years. They filibustered it. They added amendments about the prairie chicken. They added amendments about things that had nothing to do with it, just to bring it down. They didn't even have—what is the word I am looking for? They didn't even speak against it when they voted against it at the end of the day. They didn't even come to the floor because they had nothing to say because it is a jobs bill, because it has passed every Congress since the 1960s. The last time it passed, it passed without a dissenting vote in the Senate in 2004 because the last President who signed it was George W. Bush. It is a jobs bill. They said no. Why? I go back to what their leader said. His top priority? Beating President Barack Obama. So we have to figure they are bringing every jobs bill down so this economy gets worse.

Let me tell my colleagues, it is not going to go down easy at home. It is not going to go down easy at home.

They killed a bill that MARY LANDRIEU brought out of her committee unanimously, a small business bill. It would have created thousands of small businesses. They voted it down. That bill was written by Warren Rudman, a Republican Senator. They voted it down. They filibustered it and voted it down. Why? They say jobs are their top priority. Why would they vote down a bill that was written by a Republican, that is passed without objection year after year after year? Why would they vote down another bill that was last signed by George W. Bush without a dissenting vote in the Senate? Why? Two jobs bills. Why? We have to ask ourselves why. Maybe they are willing to sacrifice jobs for political reasons. That is all I can come up with. I put that together with what MITCH MCCONNELL said.

Now their big push is a balanced budget amendment to the Constitution—a lot of talk. Balance the budget,

folks. We know how to do it. End the wars. That is \$1 trillion over 10 years. Go after the millionaires and the billionaires who don't pay their fair share. That is another \$1 trillion over 10 years. That is \$2 trillion, right there. Go after the people who never pay their taxes. Go after the oil companies that are ripping us off at the pump and taking the highest profits ever. It is not hard to do. Yes, we are willing to cut some things that don't make sense. We could have a \$4 trillion package pretty easily if we are willing to look at it in a fair way.

I heard our President today speaking to the Nation through a press conference, and he was very sweet about this issue. I was saying to Senator DURBIN, as I watched him, he is explaining it to the people. Everybody has to give up something. If we want bipartisanship, that doesn't mean we all get what we want and somebody gets nothing. It means I give up some of the things I want and they give up some of the things they want. But we have declarations by the Republicans: We will never ever agree to any new revenues. Why? They just voted to eliminate the ethanol subsidy. That brings revenues. So why would they not take that to the table? How can they believe it is fair that billionaires sometimes pay less in terms of the effective tax rate than a secretary or a teacher or a nurse?

Come on. Come to the table. Don't come to the table with a balanced budget amendment to the Constitution. That doesn't do anything to balance the budget. It is a lot of talk. Balance the budget. Put a little faith in the people who know how to do it who did it before.

I was proud to vote to balance the budget. I was proud to vote for a fair budget. I was proud to be here when we saw 23 million jobs come. That didn't happen because we just said: Cut, cut, cut, cut, cut. End Medicare as we know it. It came because we were willing to look at what was working, what wasn't working, where to make the investments, where to make the cuts. We have to come to the table with everything on it. We have to say we are willing to listen to the other side. We need a fair plan. We have that as Democrats. We are not going to end Medicare. We are not going to hurt working people. We are going to do this in a fair way.

I hope the American people will put this together and connect all the dots. We have a Republican leader who has said on more than one occasion the most important thing is to defeat Barack Obama. We have a Republican Party that says it is for jobs and filibusters every single jobs bill that in the past they have broadly supported. We have Republicans walking out on the Vice President, taking their little teddy bear and their blankies and walking out of the negotiations because they didn't like the way the discussions were going. They walked out. Then, my friends on the other side—

and I thought Senator BLUNT was very eloquent on the point. He said we need two things. We need to work on job creation in the private sector—and I just showed that despite the language, they voted everything down—and then we have to take uncertainty out of the equation. That was his big point. He is so right. How do we take uncertainty out of the equation? Do not play politics with the debt ceiling. Do not play politics with it. Because I have read what economists say, that if we do not do this right, and we do not agree, and the debt ceiling becomes a victim of this partisanship, Treasury bonds of the United States of America will be junk bonds—will be junk bonds.

So you want to play games? Go home, go on the corner, and I will play you a game. But do not bring it in here. It is too serious. This is the greatest country there ever was.

My parents, one of whom was born outside of this country, told me that I should kiss the ground of America. And how proud I am that I am here. But I will tell you, if I see people who are willing to turn U.S. Treasury bonds into junk bonds, I am going to do everything I can in my life to make sure those who have done this will not be nameless or faceless. It is too important.

The fact that we are even playing these games is ridiculous. The fact that we cannot come together and shake hands and say this budget deficit is terrible, we are going to deal with it, we are going to deal with the debt, we are going to do what we did under Bill Clinton, we are going to balance the budget, we are going to create a surplus—we can do this. You shake hands on it. You have the parameters of the deal. You pass a debt ceiling that is clean. You send a message to the market.

I used to be a stockbroker. When the President would sneeze, the market would go down 200 points. That is how the market responds to these things. We do not have to be playing with the stock market, with the full faith and credit of the United States of America.

It is pretty simple if everything is on the table. If all you want to do is destroy Social Security and Medicare, it is not simple. But if you are willing to talk to us, to have a fair taxation system, where the Warren Buffetts of the world are at least paying as much in an effective tax rate as a nurse, there is something to talk about here. But do not go walking out of discussions and going home because you did not get 100 percent of what you want. Life does not work that way.

I speak as a mother, a grandmother, a Senator from the largest State in the Union when I say this: You do not get everything you want in a negotiation. The Republicans control the House. The Democrats control the Senate. The Democrats control the White House. Correct me if I am wrong: two-thirds Democratic. In a fair world, we would get two-thirds of what we want. But we

are going to give up more. It ought to be a 50-50 deal. That is how you negotiate.

This is a tough time. If the other side thinks a balanced budget amendment to the Constitution balances the budget, it does not. You have to do the hard work of balancing the budget. You have to sit down in this tough time, in a tough, fragile economic recovery.

Remember when President Obama took over, we were bleeding 800,000 jobs a month. He had to handle two wars, unpaid for by George W. and his friends; a tax cut, unpaid for, to the richest people in America. He had to deal with a banking system that was frozen solid. He had to deal with an automobile industry that was going out of business. We had to work, and a few brave souls from the other side of the aisle worked with us, thank God, or who knows where we would be today.

And now, when we are finally moving out of this nightmarish economy—not quickly enough—we have Republicans filibustering jobs bill, then coming down here and saying how important jobs are, and saying how important it is there is certainty, when they are playing games with the debt ceiling.

I am an optimist. That is why I stay in this world I am in, and I thank the people of California for giving me the chance so many times. But there is a saying back home: Are you on the level? Are you on the level when you are in negotiations? Do you want to have a deal? Do you want to fix it? Do you want to work with us? I do not know when I see them filibustering jobs bills, when I see them walking out on the Vice President, when I see them saying: Oh, that is off the table, and this is off the table, and that is off the table, when they do not run this country. They run the House. I wonder: Where are we going?

When I hear people saying: What is the big deal if we do not pay our bills, if we do not lift the debt ceiling and we cannot pay our bills, what people have to understand is, lifting up the debt ceiling is not about the future payments, it is about payments due.

I said we had a balanced budget under Bill Clinton—and a surplus. We went into deficit mode when George Bush took over and did the tax cuts for the wealthiest among us, and did not pay for it, and did a prescription drug benefit and never paid for it, did two wars and never paid for them, and we got into big trouble.

What is the solution of my friends on the other side? We are walking out of the negotiations because we cannot talk about taxing billionaires or taking away corporate welfare from oil companies. God forbid. It makes me wonder, really, who is on the level.

We can do this. We did it before. It is not that hard. We just need people of good will. I will say to my friends on the other side: Forget the reelection of Barack Obama. Forget the next Presidential race. You will have your candidate and we will have ours, and that

is for another day. Right now we are in this Chamber. We are talking about how to have a credible plan to get this deficit down, to get this debt down, to strengthen our economy, to strengthen job creation, to keep the middle class vibrant.

I hear some Republicans now on the Presidential trail talking about doing away with the minimum wage. Can you imagine going back to the days when the minimum wage was \$4 an hour? I remember when it was 50 cents an hour. It dates me a bit. That is what we hear from the other side. Their vision is not a good vision for the young people of this country who are looking forward to a life at least as good as that of their parents.

In conclusion, this is not a time to play games or reach for a political advantage. This is not a time to hold the future of this country hostage to some ideological agenda or some pledge that somebody signed to some political person outside of this Chamber. Pledges signed—it is not about that. It is about putting America first. It is about putting our families first. It is not about amending the Constitution with a balanced budget amendment. It is about balancing the budget in a fair way.

The Republican plan that passed the House that started with PAUL RYAN did not balance the budget for 40 years. That is not a plan. We have to do better. But when you are willing, as they are, to say to millionaires and billionaires and trillionaires: You do not have pay your fair share, the revenues do not come in. What happens as a result, they have to kill Medicare—which they did in the House budget—they have to hurt education, make the Environmental Protection Agency a shadow of its former self.

I go out and look at polls. Eighty percent of the people want the EPA to stay out there and clean up the air and make sure we have safe drinking water. They want food inspections. They want air traffic controllers on the job. They want a next-generation air system.

This is the greatest country in the world. We do not have to walk away from our dreams. We just have to have everybody paying their fair share. If that happens, we can do this. And we need to end those wars that are so costly in so many ways. If we do those two things, we are on our way to a balanced budget. We are on our way to surpluses.

We can do this. The only thing standing in our way is politics. That is what it seems to me. If people think that more important than fixing this budget crisis is bringing down a President politically, we have a problem.

We take the oath of office, and we raise our right hand, we put our hand on the Bible, to be loyal to this country, to do right by this country. That is what we should be doing now.

If people want to stay in July, August, September, October, through Christmas, that is fine with me. But we have to have a plan that is fair. If we have a plan that is fair, we balance the

budget. We do it over time. We do it wisely. We create jobs. Interest rates remain low. We can do it because we did it before. The only people who have ever balanced the budget in the last 40 years have been the Democrats. That is a fact in evidence.

We have the path lights showing the way. It is fairness on spending; cut the things that do not work; fairness on taxation; make sure billionaires pay their fair share. We follow that path. We bring home our troops. We are golden. I think that is a pathway I would like to support.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Nebraska.

Mr. JOHANNIS. Mr. President, I rise today to speak in favor of the balanced budget amendment.

Let me offer a thought or two as I get started today.

I had the privilege at one point in my political life to serve as the Governor of a great State, the State of Nebraska. I served in that capacity for 6 years. In that capacity, as in virtually every other State, we had a provision in our constitution, and it was not a gimmick at all. It was a very serious statement. It said, in a very straightforward way: Thou shalt have a balanced budget. It was as simple and as straightforward as that.

The other interesting thing about my State of Nebraska is that in addition to having that constitutional provision—and keep in mind, part of my oath of office, as Governor, was to uphold that constitution—but part of that was a requirement, a mandate, that we could not borrow money. In fact, I think the limitation, if I am not mistaken, was \$50,000 or \$100,000.

I would say to people back home, when I was Governor, that probably was a pretty handsome sum of money more than a century ago when that constitution was passed, but, in effect, today what that meant was that when we got down to the business of balancing our budget, as required by the constitution, I did not have the ability as Governor to issue bonded indebtedness to go out and borrow against the full faith and credit of my State to balance that budget.

In fact, I will tell you today, I am not even certain the State of Nebraska has a bond rating because it is unnecessary. Very simply, we followed a philosophy that we would not spend money we did not have. So we did not issue bonds to build highways. If we did not have the money in the bank and planned for where the money would come from in the years ahead—if it was a multiyear project—we did not do it. We did not build them.

Many who may be listening to this will say: Well, my goodness, how would that work? Here in this country we have \$14 trillion worth of debt. Where would we be without all of that borrowing? In this last economic recession, the unemployment rate of Nebraska never rose over 5 percent.

Today the unemployment rate in our State is 4.1 percent.

It never occurred to me that I should ever argue to the people of that great State that if they were successful, they should be punished for that success. Very much the opposite. I said: I want you to come to Nebraska, I want you to create your jobs here, and we are going to do everything we can to be your partner in that effort.

The current Governor has followed that same philosophy, and we often hear about those Governors who are doing a great job. I know of one; his name is Dave Heineman. He is the Governor of the State of Nebraska. He has balanced his budget, he has not borrowed money, and he has, during one of the toughest economic times since the Depression, under 5 percent. It is 4.1 percent today. He was my Lieutenant Governor.

At the national level, we did not follow that philosophy. I believe we are now at a crossroads because for decade after decade Washington has promised too much. It has said over and over again we can be all things to all people. But the real truth of it is, it never said how it planned to pay for it. The result is, we face a financial crisis unlike any financial crisis that maybe our Nation has ever seen. Do not believe my words. This is being studied by the hour, by the minute, by the second.

A recent Congressional Budget Office report confirms the assertion. Last week the CBO released its latest economic forecast. It is kind of a report of where we are headed as a nation, and it is grim by even the most liberal economic point of view.

The Congressional Budget Office now predicts that debt held by the public will exceed 100 percent of our gross domestic product by 2021, if we continue the current policies. Twelve months ago, when they released the report, it was equally as grim—well, I should not say equal because the number I have just cited got worse by 10 percent in just 12 months. Our debt is rising exponentially, exceeding 200 percent by 2037, and at that point we might as well just stop making the projection. Just think about this: Our great Nation in 25 years will have so much debt that the Congressional Budget Office cannot compute it.

Erskine Bowles has said many times before that this is a crisis that is predictable. He was one of the Chairs of the President's own deficit commission. CBO went on to say that "growing debt also would increase the probability of a sudden fiscal crisis during which investors would lose confidence in the government's ability to manage its budget and the government would thereby lose its ability to borrow at affordable rates."

It is Erskine Bowles who has said this crisis is so predictable. CBO also found that in the next 25 years, Federal health spending will increase by 50 percent as a share of GDP while Social Security spending will increase by 20 percent. What is happening is predictable.

My generation—I am right in the middle of the baby boomers—is starting to access all of the promises that have been made. It is no longer an option for us to just simply say: A little nip and a little tuck here, and we all give a little, and it all works out. There is a mountain of debt clearly ahead of us, and we can either do course corrections or, believe me, we will perish.

I have no qualms about saying that both parties made mistakes over the years. This is a bipartisan problem. But for some to advocate even more stimulus spending—which we heard in the last couple of weeks, repeating the misguided policies of the last 2 years, adding more debt on more debt on more debt—defies logic and common sense.

If stimulus spending were the answer, our economy would be firing on all cylinders today. But, unfortunately, even with that massive spending plan, that stimulus plan of \$1 trillion when we add the interest, it has not yielded the results.

Remember the President's promise: We will keep unemployment under 8 percent. We just have to bite the bullet and spend all of this money. And here we are today with unemployment almost locked down at 9.1 percent. Just look at where our country was 2 years ago.

In January 2009, the debt was \$10.6 trillion. I would argue that was far too much 2 years ago. Today, it is over \$14.3 trillion and growing exponentially. We are talking about a 35-percent increase in our Nation's debt in 2 short years.

To put these numbers into perspective, today each U.S. citizen would have to pay \$46,000 to pay off our national debt. That is \$11,000 more than 2 years ago. Each American family—and I hope you are sitting down when you are listening to this—each American family would need to write a check for \$127,000 just to square up the books, just to get the debt paid off. That is not even addressing the spending that is out of control today.

Looking at unemployment, in January 2009 the unemployment rate was absolutely unacceptable at 7.8 percent. Today, after almost \$1 trillion of stimulus spending, unemployment has grown 17 percent, with almost 2 million more Americans who cannot find work notwithstanding their best efforts.

Maybe somebody is going to come down here and say: But there is other news you should be looking at. Well, I looked at some other news regarding health care costs. Contrary to the proponents of the health care overhaul, health insurance premiums for the average family have gone up 19 percent since 2009.

Put simply, doubling down on deficit spending has failed our economy. It has failed our American people. In fact, the President's plans have made it worse. So why would we want to repeat the same mistake? I thought raising the



\$14 trillion debt limit was actually about reducing spending. Why would we arrange for a stimulus plan in order to raise the limit? Why would we be arguing for larding it up with more stimulus spending? When will we learn this hole we have dug for this great country requires us to quit digging?

There is no doubt that our debt problem is the defining issue of our time. I see two paths. We can continue to run up trillion-dollar deficits, operate the government with no budget—which has been standard fare for the last 790 days—double down on failed policy objectives that did not make any sense 2 years ago and have not improved with time, or we can be frank and candid and honest that we have promised more than our economy can afford to generate.

I have heard the arguments: Just tax those rich people some more. In fact, I spoke about that soon after I came to the Senate. There was this idea that if a person made over \$250,000 a year, then they should be taxed more.

So I said: OK, if that is going to be the new mantra around here, just to balance the budget for a year, what would the effective tax rate have to be for everybody making over \$250,000 just to balance the budget? I am not talking about paying off the deficit, just to do what Nebraska has done for years and years, balance the budget without borrowing money.

I spoke about this on the Senate floor. The rate would have to be 90 percent. That was 2 years ago. It is probably worse now. If does not make any sense. Is that the kind of encouragement upon which our Nation was founded? That is not a pathway to solvency; that is a pathway to destroying a great nation. Only one path will provide future generations what I grew up with, which was a land of opportunity, an America that my parents believed if you just worked hard and stayed out of trouble you could do just about anything, two dairy farmers who caused their kids to believe that they could experience greatness in this great country.

Well, let's be up front and honest about the road that we need to travel as a nation. We can get there. Our Nation has such a proud history. It has faced so many challenges. It has looked adversity in the face, and it has forced it down. Each and every time our great Nation has risen to the challenge.

So as we reflect and pay homage to the history of this great country in the days ahead, let's use this as an opportunity to work toward a solution to this challenge of our time, our debt crisis.

As the CBO report indicated:

Waiting to address the long-term budgetary imbalance and allowing debt to mount in the meantime would make future generations worse off—

That is your children and your grandchildren—

although some current generations could receive a benefit from that delay.

So am I to tell my children and grandchildren, so that I can benefit from just pushing this down the road, kicking this can down the road, that my kids and grandkids will pay the price for this? They will have their own wars to fight. I wish they were not going to, but they will. They will have their own new pandemics to deal with, and on and on.

But, you see, I started my adult life with our Nation owing \$380 billion. In 5 years our Nation will owe \$20 trillion. It will not be canceled at my death. It will be owed by those next generations.

My hope is that we can come down here, that we can be honest about the overpromises that have occurred, that we can speak candidly about the need to put in place forever a requirement that says to every Senator who follows me that, as hard as it is, we must balance the budget. The only way we can do that is by doing what our States have historically done—including my great State—and that is what it says in the Constitution.

It is not accidental that this proposal gets so much support in our country because, to the average family, it is what they do every day. We in Washington must come to grips with this and do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, may I inquire of the Chair what the status is on the bill? Are there pending amendments?

The PRESIDING OFFICER. Currently, there are no amendments pending.

#### AMENDMENT NO. 521

Mr. COBURN. Mr. President, I call up amendment No. 521.

The PRESIDING OFFICER. The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself, Mr. UDALL of Colorado, Ms. COLLINS, Mrs. MCCASKILL, Mr. BURR, Mr. PAUL, Mr. BROWN of Massachusetts, and Mr. MCCAIN, proposes an amendment numbered 521.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prevent the creation of duplicative and overlapping Federal programs)

At the end of the resolution, insert the following:

#### SEC. —. PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS RESOLUTION.

(a) SHORT TITLE.—This section may be cited as the “Preventing Duplicative and Overlapping Government Programs Resolution”.

(b) REPORTED LEGISLATION.—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking “and (b)” and inserting “(b), and (c)”;

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

“(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.”.

(c) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

“(b) The analysis and explanation required by this subparagraph shall contain—

“(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

“(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

“(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of a significant disruption to Senate facilities or to the availability of the Internet or a bill or joint resolution is designated as ‘emergency.’”.

Mr. COBURN. Mr. President, about 3 months ago, one of the results of the last time we raised the debt limit was a report by the Government Accountability Office. Ninety-seven Senators in this body voted to put that in the last debt limit extension. What was that? That was a requirement for the Government Accountability Office over the next 3 years to list every program for us in every area so that we knew what we were doing.

The purpose for that amendment was—and that happened to have been my amendment. I went to the CRS and the Government Accountability Office and I said I want to know every program in defense, education, et cetera. They told me: It is impossible; we cannot do it. So collectively, as colleagues, we said that you will do this. It has been a big job. They have done a fantastic job on it thus far. I cannot wait until we get the second and third part.

One of the results in the first report the GAO gave to us showed close to \$200 billion worth of duplication. Those are my numbers, not theirs, in terms of looking at it. Let's say I am twice wrong, and say it is \$100 billion. The fact is, what we found in just the first third of looking at the Federal Government is that we have multiple duplicative programs that do exactly the same thing; they are just in different agencies or across agencies. In a moment, I will talk about what those are.

The response to that report was the greatest response GAO has ever had to any report they have ever listed. The curious thing about that is that 95 percent of what they reported was a culmination of reports I had asked for over the last 6 years put together, which means we had the information, as Members of Congress; we just would not use it. In other words, it didn't get up to the level of being recognized. When we saw it together, we all of a sudden started seeing the magnitude of the problem of duplication.

The purpose of this amendment—it is very straightforward—is that on average the Senate considers, in a session of Congress, in a Congress over 2 years, about 700 pieces of legislation. The Congressional Research Service now writes a report on each one of those and advises us about the legislation, what it does, what it doesn't do, and what is out there. But the one thing they don't do is tell us where it duplicates.

The purpose of this amendment is that with each of those bills, we would have the knowledge the GAO has put out there, which the CRS will then go and get and say: Here is what is out there, and you need to consider that as you consider, why do we need another program to do something we are already doing? What is wrong with the programs we have now that are not accomplishing this?

This great transparency is not just for us but for the American people. We add duplicative programs every year. It raises the question, where is the oversight?

The motivations here are wonderful. The motivations are to try to solve problems. Too often, we lack the information and the knowledge with which to make a great decision. The reason we lack that is because we fail in our duty to do oversight. So this information which would be provided becomes powerful. More importantly, it creates tremendous transparency for the American public in saying, for example, if we are going to create another job-training program—we have 47 of them right now that are funded by the Federal Government across 9 different government agencies. None of them are coordinated and all but three overlap each other. If we create another job-training program, maybe we ought to know what all these others are and why we need to create another one rather than make the ones we have now work. I would actually question

why we have 47 job-training programs. But the problem is big.

Let me spend a moment and put some highlights into the RECORD. These are just highlights. This represents less than 10 percent of what the findings were of the last GAO report.

We have 101 programs for surface transportation. They are run across four different agencies.

We have 82 teacher quality improvement programs—82 separate programs across 10 different agencies, and they are not in the Department of Education. There are 10 different agencies—9 of which are outside of the Department of Education—that have teacher training programs.

We have 88 economic development programs run by 4 agencies costing \$6.5 billion a year—88 separate economic development programs.

We have 80 programs to provide transportation for the disadvantaged, across 8 different agencies. We spend \$314 million on it. That is a good cause, and it is something we can do, but 80 different programs?

We don't know what we are doing. So the purpose of this amendment—and it will require a rules change to have it—is to ask CRS to show what we are doing and what is there already, just as they analyze every other aspect of a bill before it comes to the floor. This won't be required on emergency legislation or required on committee reports or required on the filing of bills; it will only be mandated if a bill comes to the floor for consideration by my colleagues.

Let me finish.

We have 56 programs for financial literacy from 21 different agencies. Based on the talk we just heard from the last two Senators, we are the last people who ought to be teaching anybody about financial literacy when we are running the kind of deficit and debt we have and have the kind of duplication we have. Nobody who knows financial literacy would run 88 separate economic development programs and pay for the overhead of all of those through all these different agencies; rather, they would have 2 or 3 and have a concentrated program and direct the emphasis of that economic development program.

We have 21 programs for homeless assistance.

We spend \$62 billion on 18 different food and nutrition assistance programs. We only need 2 or 3, not 18. We need to have metrics measuring whether we are effective in helping people with food and nutrition.

We have bureaucracy after bureaucracy, and each of them doesn't know what the other agencies are doing. There is no coordination, and there is no measurement of the effectiveness of what we are doing.

CRS claims they don't have the manpower to do this. They have 350 analysts who do nothing but analyze legislation. This would require one analyst, one time a year, to look at the duplica-

tion on a bill coming to the floor—one analyst, over a period of a year, one time, looking at it.

CRS is a great resource for me, and I want them to have the resources they need because the only way we get out of the bigger problems the Senator from Nebraska was talking about is having the knowledge of what we are doing today.

I hope my colleagues will consider this not as a partisan amendment but one to give us the information that gives us the power to make the best decisions for our country. We need to be making better decisions.

The final thing this will do is help us not create duplication again. It will let us know what we need to do; that is, before we pass it into legislation. I am so concerned as I look at bringing forward some options for my colleagues to look at in terms of solving our financial problems because everywhere I go, as we dig deeper into this, we see the duplication and inefficiency, the lack of direction, and the lack of pointed purpose to get an end result in program after program in the Federal Government. Some of those truly aren't our role, but on those that are our role, that we are responsible for constitutionally, it is the responsibility of the U.S. Congress and the U.S. Government—we ought to know what we are doing, and we ought to know what is being done out there already. We operate in a vacuum when we don't have this information.

It is my hope that my colleagues will support this in a way to give us information. There is nothing political about it. It is, how do we make better decisions and how do we do this in a way that will cause us not to create more duplication in the future, and it will cause us to ask the smart questions about legislation. You see, those questions don't get asked unless somebody goes and does the digging now.

My hope is that we would all be empowered by having greater knowledge over what we are doing. It is very simple and straightforward. It is my hope that we can accomplish that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from Oklahoma on his remarks and participation in this debate.

Before long, we should have—when ever the majority leader decides—a vote on the Coburn amendment. We are in a position on this resolution that relevant amendments are in order. At the moment, we don't have any others. If we don't have others, then we will proceed to the final bill later this afternoon when the majority leader decides we should do that. We passed the bill this morning with 79 votes. I will have more to say about this resolution in a moment.

I wish to say something that is directly relevant to what the Senator from Oklahoma talked about. We keep

talking about duplication, which is an important part of our oversight responsibilities. Sometimes that leads to the elimination of government bureaucracies, which is a rare event.

Ronald Reagan once said a government bureau is the nearest thing to eternal life that we will ever see on this Earth. I had an example of that this morning. I say to the Senator from Oklahoma, in a Rules Committee hearing. The purpose of the hearing was to review the qualifications of three excellent men and women who were nominated by the President to serve on the Election Assistance Commission. But what I said at the hearing and what I would like to say on the floor—with all due respect to those excellent nominees—instead of considering the nominees, we should be abolishing the Commission because it doesn't have anything to do. It has finished its work and it ought to be abolished.

The Election Assistance Commission was commissioned in 2003. Since then, the Rules Committee didn't have one single oversight hearing on the Commission. My predecessor asked for an oversight hearing, but we didn't have one. I asked for one earlier this spring, and we didn't have one. At a time when we are borrowing 40 cents out of every \$1 that Washington spends, we should not have been there this morning considering new appointments to a commission that is out of work. We should have been there considering recommending to this body that the Commission cease to exist.

This is why. It was created by the Help America Vote Act in 2002. It was authorized for 3 years and given certain tasks. The primary task was to distribute Federal payments to the States to help them upgrade their voting systems. We appropriated \$3.2 billion for these payments. That has been distributed. Given our current financial situation, it is very unlikely that any more Federal payments will be forthcoming. We don't have any more money for that purpose. President Obama seems to agree with this, since in his last two budgets he has requested no funds for this purpose.

The Commission was also directed to develop voluntary voting system guidelines and a testing and certification program for voting machines. The actual work involved in this process is performed by another agency, the National Institute of Standards and Technology, which develops the guidelines, and the independent laboratories that conduct that testing. So in the spirit of Senator COBURN's comments, we don't need two agencies assigned the same responsibility.

Finally, the Commission was to act as a clearinghouse to collect and distribute information on best practices in election administration. Yet the intended beneficiaries of this service don't seem to have much use for it. The National Association of Secretaries of State—every State has one—a bipartisan organization made up of our

country's chief State elections officials, has twice voted in favor of a resolution calling for abolition of this agency, the Election Assistance Commission.

So here we have a classic example of: I am the government. I am here to give you help you don't want. As a former State official myself—I was Governor of Tennessee—I have a little bit of a bias. I don't see the need for a Federal clearinghouse of best practices for secretaries of state. I don't know why the secretaries of state themselves can't do that. When I was a Governor, I didn't need a Federal agency telling me the best practices of the Governor of Oklahoma so I could use them in Tennessee. We had regular Governors' conferences, and we got to know each other pretty well. If Governor Graham of Florida had a good idea about education, I borrowed that. If I had a good idea on education, Governor Clinton borrowed that, and it worked pretty well. We didn't have to fly to Washington to have a clearinghouse.

So the tasks of this Commission have either been completed or can be performed by more appropriate entities. This is in the spirit of Senator COBURN's amendment. The Commission did its job. We should thank the Commission and their staff for their service.

But if the completion of their appointed task isn't enough of a reason to close it down, the Commission also appears to have a serious management problem or two. Though its mission has dwindled, its staff has grown. It has less to do but has more people doing it. The Commission had a staff of 20 in 2004. Last year, it had three times that many. It had 64 people—more staff needed for less work.

I am sure there are some very good people there. There must be, because the average salary—according to Congressman GREGG HARPER of the House of Representatives—for all the members of the Election Assistance Commission is over \$100,000 a year. This year's budget submission from the Commission proposes spending \$5.4 million to manage \$3.4 million worth of programs. Does that make any sense, when the cost of overhead and staff salaries exceeds the programs they have to administer? Clearly, something is wrong.

That is precisely the kind of small thing in the big picture we are dealing with that adds up and up and up and creates an environment in which we seem to be content in spending more and more and borrowing 40 cents of every \$1 we spend.

Finally, the Commission has an unfortunate history of hiring discrimination. The Office of Special Counsel found they engaged in illegal discrimination when, during the search for a general counsel, an employment offer was made and then withdrawn when the Democratic Commissioners discovered the applicant was a Republican. This resulted in a substantial financial

settlement being awarded to the applicant; thereby forcing taxpayers to bear the cost of the illegal acts of Commissioners. Amazingly, it has been reported that in a subsequent interview with another applicant for the same position, one of these Commissioners again tainted the hiring process by asking the applicant what the Department of Labor has termed "inappropriate questions about his military service."

Apparently, the Commissioner didn't want Republicans or members of the military working at the Commission. The Department of Labor has reportedly found the applicant's claim of discrimination to be meritorious and, if not resolved, this case may be referred to the Office of Special Counsel.

I said this morning that the three men and women whom President Obama nominated seem to have exceptional backgrounds, and they are not to blame for any of these incidents. But what I also said was, since they seem to be exceptionally good nominees, maybe we should find a commission where there is something for them to do, instead of a commission that has finished its job and where we are just perpetuating it with employees who, on average, make \$100,000 a year in salary, according to Congressman HARPER.

Even if we were to assume these nominees before us could right the ship and correct the problems, the question remains: Where would the ship sail, and why would they make the trip? Do we need the Commission, with its main job completed? Couldn't any remaining duties be better performed somewhere else? Can a government program ever be terminated?

As I said at the beginning of these remarks, Ronald Reagan once said: A government bureau is the nearest thing to eternal life that we will ever see. Shouldn't we try to use this opportunity to prove that Ronald Reagan was, in that case, wrong?

I congratulate the Senator from Oklahoma for his work on duplication. This isn't the first time. This is one of the many times he has spoken and acted on the subject. I offer this example of the Election Assistance Commission as one small step we could take in the right direction by, in the appropriate way, canceling the Commission instead of confirming three new nominees to it.

I thank the Chair and I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Oklahoma.

**MR. COBURN.** Mr. President, I failed to mention the cosponsors of this amendment, and they are Senator UDALL of Colorado, Senators COLLINS, MCCASKILL, BURR, PAUL, BROWN of Massachusetts, and Senator MCCAIN.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Florida.

AMENDMENT NO. 514

**MR. NELSON** of Florida. Mr. President, I ask unanimous consent that the

Toomey amendment No. 514 be considered as having been adopted before the managers' amendment to S. 679.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

#### ALLEGED PASSPORT FRAUD

Mr. NELSON of Florida. Mr. President, I wish to quote from a publication.

Days after working at Guantanamo Bay prison in Cuba, a U.S. Navy veteran found himself behind bars—where he could remain for a decade—for alleged passport fraud.

I had to read that article—from CNN's Web site—twice. I couldn't believe it. But that is what it said.

Former U.S. Army SPC, now Navy reservist, U.S. PO2 Elisha Leo Dawkins—a 26-year resident of Florida—was arrested in April and has spent now more than 2 months behind bars in a Federal detention center in Miami, and a Federal indictment says the serviceman failed to acknowledge he had once applied for a passport when filling out a new application, something the prosecutors call passport fraud, but his public defender calls an innocent oversight. Petty Officer 2nd Class Dawkins now faces up to 10 years in prison if he is convicted.

Remember John Dillinger? He was sentenced not to 10 years but to 8½ years on a conviction for assault and battery with the intent to rob and conspiracy to commit a felony.

We all recognize that falsifying information on a passport has grave implications for our national security, and we want our government to be vigilant and to crack down hard on those who would attempt to sneak in here and do us harm. Zero tolerance. Zero. But according to Petty Officer Dawkins' Guantanamo naval base work evaluations, his superiors praised his work ethic and performance. He was a military photographer who, because of what he was photographing, had to have a secret clearance. By the way, he had that secret clearance when he was an Army photographer in Iraq. When he went into the Naval Reserves, they—and this is according to the U.S. Navy—gave reciprocity for the secret clearance for him to go into the Naval Reserves.

As the Miami Herald reports in today's edition, he took 7,500 photos during the 7 months of his service at Guantanamo, and this was after his 8 years in the Army, where he was in Iraq.

His evaluation right before this unexpected arrest by the U.S. Navy says that Dawkins "always" lived up to the core Navy values of "honor, courage, and commitment." Honor, courage, and commitment, and he had that secret clearance while he was at Guantanamo. This morning's Miami Herald chron-

icles the sensitive photos he took of detainees at Guantanamo.

In one evaluation report that was obtained by CNN, a superior lauds Dawkins as "a team player with a strong work ethic and a desire to learn" and recommends him for promotion. It goes on to say:

Dawkins is eager to tell the military story and to further the image and success of U.S. servicemembers.

That was written by fellow PO1 Sally Hendricks.

Let's see: honor, courage, commitment, and a team player. I have sought explanations. I have been on the phone. I have talked to government high-ups in person. I have talked to the highest levels in the U.S. Navy, the Army, and Homeland Security. I have just been on the phone with very high levels of the U.S. State Department. I want to know: Does the military stand by the evaluations they made of this fellow? Is Petty Officer Dawkins suspected of other misdeeds? If so, they better get it out. How did they give him a secret clearance while he was named in an old deportation order? Was this case part of an ongoing State Department diplomatic service crackdown on passport fraud?

Does the State Department have any additional information they are not telling us? From time to time they have intimated that there is something more, but they are not saying. Well, did the U.S. military believe him to be a citizen during all those years of service in the Army in Iraq and now in the Navy in Guantanamo?

This case raises lots of questions, and we need to get to the bottom of it. I have taken an interest in this case because when I read these stories on CNN, the Miami Herald, the New York Times, and now it has gone all over the country on Associated Press, there seems to be a disconnect in government agency coordination. One hand doesn't seem to know what the other hand is doing—and a Floridian, with honorable service in two services of the U.S. military, has been in jail being held on a \$100,000 bond. He would have to produce a \$10,000 bail, which he obviously doesn't have, and he has been there for over 2 months.

I didn't call the U.S. Attorney's Office because I respect the independence of the prosecutorial rule. But let me just quote for you this morning's Miami Herald. Carol Rosenberg is the reporter. She disclosed that a Federal judge has now said that the U.S. Attorney's Office has made a secret offer to resolve this passport prosecution.

The judge revealed the offer of a pre-trial diversion in a conference that set a July 12 trial date for Petty Officer Dawkins. The idea, according to the Herald, is to give someone facing charges an opportunity to avoid prosecution through a program such as doing community service or perhaps taking a civics class. The judge was so taken aback by hearing this secret offer that the judge said she was left

speechless, and she was quoted in this morning's Herald story as saying it appeared to reflect "a kinder, gentler" approach to prosecution.

So whether the petty officer is released from jail tomorrow or whenever it is, we will have to see, are there further things? If it has to do with his immigration status; according to his public defender, whom we have talked to, he came to this country from the Bahamas when he was a kid. He still is not a citizen, but he has served this country for years and years.

In conclusion, if the facts of this case are, as we have been told in the scratching and scraping, with some reluctance on the part of agencies to talk—if it is as it has been reported to us, wouldn't it be interesting if the DREAM Act were in fact law? The DREAM Act would have prevented something like this from happening in the first place because the DREAM Act says, if a kid has been brought here illegally as a child but that child grows up and wants to go into the U.S. military, as Dawkins has for almost a decade already served, then that legislation would grant legal status through a green card to that undocumented young person who wanted to serve the country.

We ought to pass the DREAM Act. Every day we have examples of children who came here through no fault of their own, but who are unjustifiably having the law come down on their heads.

I want to close by reading a letter to the editor in the Herald from Sandra Wallace of Miami. This is what she writes.

Elisha Dawkins served 7 years in the military in both Iraq and Guantanamo, where he was awarded medals for his behavior, yet he's being held in Federal lockup awaiting deportation to the Bahamas. This man thought he was a U.S. citizen because his relatives told him he was when he came here as a young child. Our military was certainly glad to consider him a citizen.

Mr. President, the DREAM Act would allow the U.S. Government to consider as a citizen someone who, like Elisha Dawkins, was brought here as a child and wants to serve this country.

Mr. President, I yield the floor.

#### BIPARTISAN TAX REFORM

Mr. WYDEN. Mr. President, millions of Americans are hurt economically. Yet so much of the debate on the Senate floor seems to be Democrats and Republicans fighting with each other or rehashing old arguments. It seems almost as if there is a default strategy: either pound on the other party or recycle some of the stale positions that have been repeated again and again.

Senator COATS and I believe that none of this really does anything to help the millions of Americans who are out of work or get the economy moving again. The two of us have been coming to the floor of the Senate, and will continue to do so in the days ahead, to talk about what really works, what really works to get the American economy moving again.

An example would be tax reform, tax reform like the sort of tax reform that was passed when Democrats and Ronald Reagan teamed up. That tax reform effort helped to create 6.3 million new jobs in the 2 years after it was enacted. No one can say there is any one factor that alone creates millions of new jobs, but it certainly didn't hurt. Certainly, it helped to set the economic climate, Democrats and Republicans coming together. According to the Bureau of Labor Statistics, in the 2 years after that kind of bipartisan effort, the country created 6.3 million new jobs.

It is not going to be possible, of course, to pass comprehensive tax reform between now and August 2. But Senator COATS and I have said that as part of these budget negotiations, as part of the effort to deal with the budget in a comprehensive way and to deal with the debt ceiling issue, it ought to be possible to lock in for consideration in the fall and in the remainder of this Congress the kind of bipartisan effort that we saw a quarter of a century ago that represents an idea that really works; an idea with a proven track record of working to boost the economy that has been bipartisan, where Democrats and Republicans, instead of spending their time pounding on each other, say: Let's come together and eliminate some of these ridiculous special interest tax breaks which are limiting our ability to grow and create family-wage jobs.

Senator COATS and I are going to spend a few minutes this afternoon talking about the impact of real tax reform on jobs and economic growth. I would just like to start by thanking my friend from Indiana. He has been a pleasure to work with. But his reaction to that kind of approach, where we focus on really what works, especially between now and August 2 in these budget negotiations, Democrats and Republicans having an opportunity to look at spending and look at growth to make sure that out of those negotiations by August 2 there is a way to lock in for the fall and the remainder of the Congress the effort to promote bipartisan tax reform and get our economy growing again—I would be interested in hearing my colleague's reaction to that.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank my friend from Oregon for helping to organize this colloquy. We have worked together to try to fashion a comprehensive tax reform package that we think makes a lot of sense. Just about every analyst or economist or budget expert that I have talked to and listened to over the past several months has said we are not going to successfully address our current debt and deficit situation unless comprehensive tax reform is part of the package.

Senator WYDEN and I have had the opportunity to sit down and talk about this. We, obviously, have been encouraging the Congress for several months

to go forward and address this. We realize that such an effort cannot successfully take place before we reach the point in August where we have to make a decision on raising the debt limit and whatever package is brought before us relative to what kind of changes we can make in our financial structure to put us in a better fiscal situation.

Nevertheless, knowing the importance of comprehensive tax reform to create success for what we ultimately want to achieve, we would like to encourage all those negotiating these packages and all those Members and our colleagues to look carefully at the proposal, as my colleague said, to lock in to whatever package is before us a commitment—a hard commitment, an enforceable commitment—to take up comprehensive tax reform; not to wait until after the next election but take it up this fall as a one of the follow-ons to the package that we ultimately will have to address, debate, and vote on coming up in the next several weeks.

I couldn't agree with my friend more that doing so now can be a very important component of addressing the serious fiscal situation which is facing our country and which is one of our biggest challenges.

Mr. WYDEN. Mr. President, I thank my friend. We are going to talk through some of the specifics of why this is important as a way to boost the economy. In the beginning, what I would like to just lay out is that as we have seen these discussions go forward over the last couple of months about boosting the economy, invariably the fight comes down to the question of whether we ought to spend more in order, particularly in a consumer-driven economy, to create jobs and put our folks back to work.

What Senator COATS and I have described is an opportunity and a way that is deficit neutral. As my friend from Indiana knows, this has been demonstrated by our analysis from the Joint Committee on Taxation. This is a deficit-neutral strategy for putting our people back to work because by eliminating some of these special interest tax breaks—and thousands and thousands of them have gotten into the Tax Code over the last quarter century—we can take those foolish tax breaks off the revenue roles and use those very same dollars to create what we call red, white, and blue jobs to put people back to work in the manufacturing sector in Indiana. Of course, the President and I know how deep the hurt is in our home State.

I wanted to begin this by way of making sure that folks saw last month's job report as a wake-up call that would indicate that current economic policies are not creating the jobs our citizens and our economy need and would specifically be willing to look at new approaches, new approaches in the sense that they be genuinely bipartisan but proven in the sense that they have a track record.

The Bureau of Labor Statistics puts the national unemployment rate at 9.1

percent in May. As the distinguished Presiding Officer knows, we have parts of rural Oregon with unemployment that probably, if you were to calculate the real rate of unemployment, is over 20 percent. So the economic hurt is enormous. The Bureau of Labor Statistics found that of almost 14 million Americans who want to work but cannot find jobs, almost half of them have been out of work for 27 weeks or more. Of the employed, 8.5 million have to settle for part-time jobs. Among the hardest hit are young people, the people who are trying to get in the workforce, are anxious to show that they have good work habits and discipline but cannot find work.

We lost 8.5 million jobs between the worst of the fiscal crisis and the end of 2010, and only a small portion of those jobs has been created. Moreover, many of the new jobs that have been created do not pay as much as the jobs that were lost, in particular, the loss of manufacturing jobs. So many of our citizens, when they can get alternative employment, end up with wages far less than what they made in manufacturing. In addition, income inequality is growing because high school graduates have a jobless rate twice that of college graduates.

With millions of Americans struggling to find jobs, Senator COATS and I wish to spend a few minutes to talk about how we can come together, and talk about ways to grow the economy. I have mentioned there is a proven track record in terms of tax reform helping. Because of the historic tax reform in 1986 between populist Democrats such as former Congressman Dick Gephardt and the late President Reagan, we had 6.3 million new non-farm jobs created in the 2 years after that law was passed. I believe it can happen again.

The Manufacturers Alliance forecasts that Senator COATS and I, with our legislation, might have the opportunity to create nearly 2 million new jobs. The Heritage Foundation came in with the same sort of analysis.

We can never lose sight of the need to create jobs in an economy such as this. I wish to bring my colleague into the discussion at this point because he has done so much work, not just in Indiana—where they have, to their credit, focused on a manufacturing strategy for our country—but as part of this bipartisan effort, and get his sense of why the approach we are advocating today could be an economic boost for our country.

Mr. COATS. Mr. President, I cannot help but agree with my friend. It is a sad situation that we have in this country as our economy is kind of limping along, and so many young people graduating from school recently are unable to find meaningful jobs and work; so many middle-age Americans trying to raise a family and save money to send their children to school are out of work and cannot find employment, not only at the level they

were previously used to but even at a lower level. It is a situation that requires Congress enacting policies that will do everything we can to stimulate this economy and get America back to work.

As I said earlier, comprehensive tax reform has been described by about everyone who has looked at this situation as an essential component of the kind of reforms necessary to get us back to fiscal health.

As the Senator from Oregon said, one of the components of the tax reform plan, the Wyden-Coats plan, is that we want to maintain revenue neutrality but at the same time we want to go after those tax exclusions and exemptions and subsidies that favor a few but do not have broad application. They have been added over the years, particularly since 1986 when we had our last comprehensive tax reform. Over these last 25 years, a number of special breaks, special subsidies, special exemptions have been added totaling hundreds of billions of dollars. What we are trying to do here is look at those in a comprehensive way, reduce or eliminate many of them, and then use the money saved from those eliminations to lower tax rates.

Let's look at the corporate tax rate. Out of the 36 countries with which our country competes most directly for sales around the world, the United States ranks 35. We would be 36 except the Japanese deferred lowering their rate based on the tsunami and the aftereffects of that, but they already had in place plans to lower their rate. We literally are at the highest corporate rate of any major industrialized competitive country in the world.

Senator WYDEN and I in our bill agreed that we would take the money that was saved from eliminating a lot of those special breaks for special interests and lowering the corporate tax rate to make the United States more competitive, to bring that rate down to the mid-twenties or perhaps even lower. In doing so, it will stimulate our industries here, stimulate our exports, and put our companies in a much better position to expand and grow and compete across the world and ultimately that translates into jobs.

If we look at small businesses alone, the real job creators, under our plan we allow those businesses, almost all small businesses, to expense their equipment and inventory costs in a single year. We also incorporate a provision for reciprocity, so those companies that do have overseas sales and entities producing and selling their products, we allow the earnings gained there to be brought back to the United States without being taxed twice, they can be brought back over a 1-year reciprocity period at a very low rate—again to encourage investment in plant, equipment, and employment here in America.

At a time when consumer consumption is very weak—consumers do not have money to spend—we believe com-

prehensive tax reform and particularly some of the ideas outlined in our plan will help stimulate the economy, will help bring about growth and ultimately put people back to work.

I would kick this ball back to my colleague, Senator WYDEN from Oregon, for his further thoughts on that as we continue this colloquy.

Mr. WYDEN. Mr. President, I am glad Senator COATS made that last point, especially because it is getting hardly any discussion here in the Senate, and that is with respect to the weak consumption we are seeing in our country, particularly middle-class folks who have the sense that there is not going to be economic security right now. They do not have as much money in their pockets as they would like. They have suffered huge shocks that have caused them to pull back from some of the purchases they would otherwise make.

The Presiding Officer of the Senate has done outstanding work with respect to trying to protect middle-class people who lost all this equity in their homes. That usually serves as some kind of collateral for folks with a need to get a loan. That has not been there. We have had folks underemployed in much of the workforce.

What we see is that in our economy, which has always been consumer driven, as Senator COATS has pointed out, we are not seeing the kind of demand from middle-class folks for goods and services. They are not going out and buying the refrigerator they might wish to have for their family. They cannot get a computer for their child. They are not able to make the purchases that are so important in a consumer-driven economy.

What Senator COATS and I are saying is that as Democrats such as Dick Gephardt and former President Ronald Reagan said a quarter century ago, they want to come together and put money into people's pockets. They want to make sure the middle-class folks—who are just getting clobbered, as we have seen for months now—would be in a position to get back into the economy and start demanding some of those goods and services that are so important for long-term economic well-being.

Senator COATS and I have sought to put more money into people's pockets by repealing the alternative minimum tax. We had an excellent hearing in Chairman BAUCUS's committee yesterday on simplification.

Get this. The middle-class person is now essentially going through bureaucratic water torture on this alternative minimum tax. They have to fill out their taxes twice on two separate systems. What Senator COATS and I have said is let's repeal it. That will put some money back into the pockets of middle-class folks. As Senator COATS has pointed out, middle-class folks won't have to spend all that money paying out for accountants and all kinds of other people, trying to fill out

all those alternative minimum tax forms. We will put some money into the pockets of the middle class that way.

Senator COATS and I also advocate nearly tripling the standard deduction for all our taxpayers, which again can be a real boon for the middle-class consumer, which can help us spur consumer demand and, with that, job creation.

I am very glad Senator COATS has zeroed in on the question of the consequences of underconsumption by consumers.

I think I would next probably like to have my friend go through some of the benefits we wish to provide to small business. We all know that small business is the job creator, the job engine of our economy.

If Senator COATS would outline some of the benefits that on a bipartisan basis we ought to be zeroing in on with respect to small businesses, I think that would be very helpful.

Mr. COATS. As the Senator from Oregon has said, small business is hit particularly hard these days. Because many choose not to incorporate, there is a passthrough, a passthrough of taxation rates as if these small businesses were individuals. They are taxed at that rate.

As my friend from Oregon knows, at the end of 2012 that tax rate is scheduled, under current law, to rise from 35 percent to 39.6 percent. Small businesses, which currently are having trouble getting credit and making ends meet, are facing a tax increase—within a relatively short period of time. That is a deterrent to making decisions relative to expanding the business and hiring new people, because they know the taxes they have to pay out of their earnings flow through directly to them so they are going to have to be paid at the highest rate.

Again, the Coats-Wyden bill prevents that from happening. It keeps those rates at the current level. Also, as my friend from Oregon has said, simplification is a major underlying principle of the Wyden-Coats tax reform bill. It is a nightmare for individuals, as the Senator from Oregon said, to try to figure out how to do this. In fact, about \$6 billion is spent each year to hire professionals to fill out tax forms because it is virtually impossible for many individuals to figure it out and work through this, as my friend said, bureaucratic water torture of a process.

The thousands of hours, hundreds of thousands—millions of hours spent filling out tax returns based on the complexity of the current Tax Code is a detriment to small businessmen who do not have the privilege of having an accountant in the back room or hiring somebody who is an expert in taxes as big businesses can do. They either have to go outside and hire one or they have to spend a great deal of their own time complying with the Tax Code when they ought to be on the floor selling their product or running their business. So whether it is tax rates or

whether it is simplification or whether it is incentives for small businesses which provide the bulk of the hiring in the United States—in fact, from 1995 to 2005, between 60 and 80 percent of all new jobs were those created by small businesses—our comprehensive tax reform bill ensures that not only individuals but small business people will have a much simpler, easier way of reporting their taxes and complying with the Tax Code. They also will not be facing a tax increase under our bill because the current law is due to expire at the end of 2012.

I will, once again, kick it back to my friend to wrap this up. I agree with him that together in 1986 Ronald Reagan and congressional Democrats, including Senator Bill Bradley, Congressman Dick Gephardt, and Congressman Jack Kemp, worked on a bipartisan basis to pass comprehensive tax reform. It did many good things and stimulated the economy and brought about a lot of new jobs. It has been 25 years since then. That code has now become evermore complex. I think we need to move ahead.

As I said at the beginning of all of this, fundamental tax reform is one of the best tools in the economic tool shed, and it is time we use it. We know it will not be easy, but we know it has been done before and we can do it again. Working together, I believe we can take on the special interests that benefit from the Tax Code and create a much more business-friendly tax system.

I conclude on that point. I would like my colleague to wrap up. I thank him for his inspiration and leadership on this effort. He started this more than 2½ years ago with Senator Gregg, in a bipartisan way. Senator Gregg retired at the end of the last Congress. I have the privilege of not only being a close friend of Senator Gregg's and an admirer of his understanding and depth of knowledge about financial issues, but I inherited all the hard work that he and Senator WYDEN put together to bring this comprehensive tax bill to fruition.

We have made some adjustments in debates and discussions between the two of us. We think it can be the primary vehicle for moving forward. Are we locked in stone? No. Are we open to suggestions to make it better? Yes. But, clearly, there is an agreement between the two of us that is unbreakable, which is that this is an essential part of dealing with our current fiscal crisis, and without this we will come up short.

Just about everybody who has looked at this situation has come to this conclusion, and we are hoping we can in these next few weeks get a commitment from our colleagues and all those engaged in the process of trying to put together the package that can put us back on the right fiscal track and get our fiscal situation in order, that they will incorporate into this plan, incorporate it into what is brought before us, a commitment, locked in, to go for-

ward with comprehensive tax reform. And we believe the Wyden-Coats plan is the place to start.

I thank my colleague for his efforts, and I will turn it back to him to conclude this colloquy.

Mr. WYDEN. Mr. President, I thank my friend from Indiana. He makes a number of important points we want to make sure are considered as the discussion about taxes goes forward. For example, Senator COATS pointed out on this question of changing just the corporate tax alone—what are essentially C corporations—the reality is the vast majority of businesses in this country are not C corporations; they are partnerships, limited liability corporations, sole proprietorships. They are about 80 percent of the businesses in this country. So Senator COATS has made the important point that to bring about tax reform, we can't just go with corporate taxation. We have to get at the needs of millions and millions of these small businesses.

Chairman Bernanke was asked about this in the Budget Committee, and he said specifically that it was important to do comprehensive reform in order to generate the best opportunity for economic growth and job creation rather than corporate reform alone. Senator COATS also makes an important point, as we wrap up, about the temporary nature of our Tax Code and how frustrating that is to American businesses that need to have some capacity to predict what is ahead to generate jobs.

The Wall Street Journal reported the other day that the only thing permanent about the American Tax Code is that it is temporary, and we have more than quadrupled the number of temporary provisions in the Tax Code in just the last few years. That uncertainty discourages businesses from investing in growth and hiring, as Senator COATS has noted, and that is why it is going to be important to look at the Tax Code in a comprehensive way, both for individuals and corporations, so that going forward, all our taxpayers have some sense of predictability and certainty about what their tax treatment will entail.

My last point is, I recently had a chance to talk to one of the veterans of the 1986 tax reform debate, and we visited about some of the circumstances involved in that historic reform and some of the challenges ahead. When he was done, he said: What in the world is holding people up from getting going on this? What is really holding everybody up? We know what we need to do. There have been commissions, a whole host of them. President Obama had an excellent one that agreed with much of what we have talked about this afternoon. President George W. Bush had a commission that was chaired by several of our former colleagues. I thought much of their proposal was on point. That is why what one of the veterans of that 1986 reform legislation had to say to me about "what is holding people up" is so important.

As Senator COATS noted, we are not going to do comprehensive tax reform between now and August 2. Everybody understands that. But there is absolutely no reason—in order to come together in the Senate with an approach that doesn't add to the Federal deficit, with the proven track record of helping to advance economic security—that between now and August 2, as part of these budget negotiations, there is no reason in that agreement we shouldn't lock in a strategy for getting on to tax reform in the fall and in the remainder of this Congress.

So I thank Senator COATS. He mentioned Senator Gregg. I feel so fortunate to have had two colleagues—and we were in the House together—having an opportunity, Senator COATS and I, to work together on this in the Senate. I think we have always believed that we ought to focus on what works rather than the default strategy of rehashing old arguments and just having these partisan fights. So I thank Senator COATS. We will have our eye on the effort between now and August 2 to make sure tax reform gets the place it deserves for the fall and the remainder of the Congress.

I thank my friend from Indiana.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Maryland.

#### ISRAELI-PALESTINIAN CONFLICT

Mr. CARDIN. Mr. President, last night, S. Res. 185, a resolution that was cosponsored by about 90 percent of the Senate, passed the Senate by unanimous consent. I am very grateful to my colleagues for their help in developing this resolution. This resolution expresses the strong support of the United States for our closest ally in the Middle East: Israel. I was joined in this effort by my good friend, Senator SUSAN COLLINS from Maine. The two of us worked together to draft this resolution, and we are grateful that so many of our colleagues joined us in the process and that it has now passed the Senate by a unanimous vote.

This resolution first and foremost expresses our strong support for Israel. It recognizes that these are extremely challenging times. It expresses our support for peace between the Palestinians and the Israelis and recognizes that the only way we are going to be able to move forward on the peace process is through direct negotiations between the Israelis and the Palestinians. That is the only way we can resolve these longstanding issues in order to achieve peace in that region.

The resolution also reaffirms our opposition to the inclusion of Hamas in any Palestinian unity government unless it is willing to accept peace with Israel and renounce violence. An entity cannot negotiate with those sworn to bring about its destruction; therefore, Hamas' inclusion in the Palestinian Government is a nonstarter for any possibility for peace.

Any unilateral attempt by the United Nations to establish a Palestinian State is detrimental to any final peace agreement. A permanent and peaceful settlement of the Israeli-Palestinian conflict can only be achieved through direct Israeli-Palestinian negotiations. Any Palestinian effort to gain recognition of a state outside of direct negotiations demonstrates their lack of a good-faith commitment to peace negotiations. The Senate is now firmly on record that this kind of action would be directly counterproductive to peace. If the Palestinians pursue this, it may well have implications for the continued U.S. participation with the Palestinians.

Israel has always been willing to come to the peace table for direct negotiations. Quite frankly, it has been the Palestinians who have been dragging their feet for many months, refusing to have direct negotiations between the parties, which is the only way it can be accomplished. Lasting peace can only come through direct negotiations that settle all outstanding issues to the satisfaction of both sides. Obviously, there is going to be give-and-take. There has to be give-and-take. There has to be mutual respect and security, and that requires active participation in the peace talks.

The two sides can achieve a peace agreement only when they acknowledge each other's right to exist. That is pretty fundamental. This is particularly critical now for the Palestinians and their unity government that includes Hamas. Unless Hamas fully renounces violence and acknowledges Israel's right to exist, it cannot be a partner of peace and their inclusion in the Palestinian Government is a major obstacle.

As Prime Minister Netanyahu stated so well in his speech before the joint session of Congress in May:

I will accept a Palestinian state. It is time for President Abbas—

President Abbas, of course, is the head of the Palestinians—  
to stand before his people and say: "I will accept a Jewish State."

It is clear it is in the interest of all parties for there to be two states—the Jewish State of Israel and the independent Palestinian State—living side by side with secure borders in peace.

Let me again acknowledge what I think Prime Minister Netanyahu said. Israel is prepared to acknowledge a Palestinian State. It is time for the Palestinians to acknowledge the Jewish State.

Difficult negotiations need to take place. There are critical issues such as security, power, and water concerns, as well as larger issues of historical, religious, and territorial matters still to be decided. That must take place through direct negotiations between the Israelis and the Palestinians. This is precisely why it is so important to discuss, negotiate, and ultimately resolve these issues rather than taking unilateral action that would leave

them unsettled and unsustainable. Real and lasting peace will only occur at the peace table, and I am grateful the Senate has strongly and unanimously gone on record to affirm this approach.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### THE BUDGET

Mr. WHITEHOUSE. Mr. President, I rise today to join again in the debate occurring in Washington on bringing our Federal budget into balance and facing up to our looming debt limit.

Our Nation right now is like an overburdened ship wallowing in the seas. We are in danger as a nation of foundering if we don't sort this out. As former Comptroller General David Walker testified to us in the Budget Committee over a year ago, we face "large, known and growing structural deficits that could swamp our ship of state."

To get the ship in trim, we need to make adjustments. We need to reduce the deficits and ultimately reduce the debt.

We agree on a lot. We need to cut spending. Democrats and Republicans agree on that. We need to protect ordinary families who enjoy ordinary levels of income from tax increases. Democrats and Republicans agree.

The disagreement here in Washington is whether we also need to raise some revenues for our Nation in other areas to help balance our national budget—areas such as oil and gas and ethanol subsidies that we could close and contribute to fixing our budget deficit, closing corporate tax loopholes, bringing to an end high-income, tax-dodge schemes.

The Republicans are threatening that they would rather sink the boat than raise revenues in those areas. Just this week, Senate Republican Leader MITCH MCCONNELL called on President Obama to take any revenue raisers "off the table" and to focus only on spending cuts. In an opinion piece on CNN.com, the Republican Leader, Senator MCCONNELL, proclaimed "tax hikes can't pass the Congress."

Let's start with the fact that, as I said a minute ago, we are not talking about tax hikes on ordinary Americans. When Leader MCCONNELL is talking about tax hikes, he is talking about the rates that the wealthiest Americans pay in taxes, often lower than ordinary American families, believe it or not, gas and oil and other subsidies that go to big industries, and tax loopholes that generations of corporate lobbyists have wangled into the Tax Code. That is what they are talking about when they talk about tax hikes in this context.

Let's take a specific look at what the Republicans are fighting so hard to protect.

Last month, Republicans filibustered a measure that would have ended \$21 billion in unnecessary tax subsidies for

the largest oil companies in the Nation—companies that have enjoyed record multibillion-dollar profits and do not need continued support from the American taxpayer. When we tried to break the Republican filibuster, Republicans voted to protect those big oil subsidies, even though they add to the deficit. That happened right here on the Senate floor a short time ago.

To keep our American ship of state afloat, the Republicans are demanding that we cut early childhood education while at the same time they fight to protect big oil subsidies.

Here is a building in the Cayman Islands. It is called Uglund House. This nondescript building does not look like much, but over 18,000 corporations claim that this building is their place of business. Mr. President, 18,000 corporations claim this building is their place of business. It gives a whole new meaning to the phrase "small business" to imagine 18,000 corporations fitting into that little building.

As Budget Committee Chairman CONRAD has pointed out, the only business going on down there in the Cayman Islands is funny business, monkey business with the Tax Code. It is corporations getting out of paying their responsibilities to this country by hiding behind phony shell corporations down in the Cayman Islands. It is estimated to cost us as much as \$100 billion each year to put up with this offshoring tax shelter of income.

To keep our ship of state afloat, the Republicans are asking us to cut investments in science and technology that will cure disease for Americans and for mankind, and at the same time they are fighting to protect corporations that hide in offshore tax havens so the honest American taxpayer has to carry the burden in their place.

Here is another building with a story to tell. This is the Helmsley Building on Park Avenue in New York City. We remember Leona Helmsley who famously said: Taxes are for the little people to pay. Well, we know something about the Helmsley Building and its taxes because this building is large enough to have its own ZIP Code. The IRS compiles tax information by ZIP Code. So we know from IRS actual information what the wealthy and successful individuals and corporations that call this building home pay in Federal tax each year.

Guess what we know. We know that in the last year that was recorded, for which this has been pulled out—which was 2007—the occupants, together, of this building—the Helmsley Building—paid a 14.7-percent total Federal tax rate. They actually paid 14.7 percent. The average American taxpayer, the average middle-class American, pays far higher than that.

We hear a lot of talk about how high tax rates are for wealthy Americans. In real life, when you go to actual examples—14.7 percent, how does that compare, for instance, to the people who work in that building, the average New



York City janitor or doorman or security guard? Well, far, far lower. They all pay tax rates in the 20 to 25-percent range, even higher in some cases, on average—far higher than the high-income occupants of the building.

It is not just because this is the Helmsley Building that this is true. This is not some anomaly. Each year, the Internal Revenue Service publishes a report that details the taxes paid by the highest earning 400 Americans. I spoke earlier this year on last year's report, which was based on that same year's data, 2007. In that year, these superhigh income earners, earning nearly a third of a billion dollars—with a "B"—in income in 1 year, 2007, on average—all 400 of them in that year—the superhigh income earners paid a lower tax rate than an average hospital orderly, who is a single filer, pushing a cart down the hallways at midnight, of a Rhode Island hospital. They paid a lower tax rate on their income than that hospital orderly.

In May, the IRS published data on the top 400 taxpayers for 2008. Let's take a look at what happened in this most recent year they have categorized.

In 2008, the top 400 took home an average of \$270 million each—more than a quarter of a billion dollars each. We can and do applaud the success of these individuals. It is the American dream to make more than a quarter of a billion dollars in a single year. But, on average, these 400 extremely wealthy Americans paid an average Federal tax rate of 18.2 percent.

We spend a lot of time around here debating whether the top income tax rate should be 35 percent or 39.6 percent. Folks, that is not what they paid. The Tax Code is filled with special provisions that tend to exclusively or disproportionately benefit the wealthy, so the top 400 income earners paid an average of 18.2 percent.

A single filer, at \$39,350 of income, pays the same tax rate. Mr. President, \$39,350, that is where you hit 18.2 percent and match the rate people making a quarter of a billion dollars pay. Those of us who are in between the truckdriver and those "uber" billionaires pay far, far higher rates. The average truckdriver in Rhode Island, according to the Bureau of Labor Statistics, is paid \$40,200, which means the average truckdriver is paying as high or higher rate than these top 400 income earners earning over a quarter of a billion dollars.

To keep our ship of state afloat, the Republicans are asking us to cut employment and training support at a time of record joblessness while they continue to fight to make sure people making a quarter of a billion dollars a year pay lower Federal tax rates than middle-class American families.

When all is said and done, everyone agrees that there needs to be cuts, and everyone agrees there should be no tax increases on middle-class American families making up to \$250,000 a year.

That is already agreed to. Those concerns are not an issue.

What is at issue is that the Republicans are willing to sink the ship of state to defend tax rates for billionaires that are lower than those paid by regular, hard-working Americans.

The Republicans are willing to sink the ship of state to defend special interest loopholes in the Tax Code won by big corporate lobbyists, in effect earmarks—earmarks that happen to be in the tax side of the budget rather than in the spending side of the budget.

The Republicans are willing to sink the ship of state to defend offshore havens for corporations and high-income earners to dodge taxes. That is where they have chosen to stand and fight. That is where the disagreement is—not for the middle class that is the backbone of our Nation but for the special interests, the big corporations and the ultrarich. When you say that revenues cannot be on the table, that is who you are protecting. That is just a fact.

They say it is tax increases they are protecting against. The question Americans should ask, when they hear that, is: Tax increases for whom? For the corporate lobbyists who drove down corporate taxes to the point where significant numbers of American corporations do not pay a dollar in taxes? Yes, there should be tax increases there. We should close those loopholes. Tax increases for people making more than a quarter of a billion dollars, who pay less than the average working-class family as a rate? Yes, there should be tax increases there. But that is just in the spirit of fairness.

It is simply inexcusable that our tax system permits billionaires to pay lower tax rates than truckdrivers and allows some of the most profitable companies in the world to pay little or no taxes to support our Nation. Even if we had no budget deficits, fairness and equality would demand that we address these inexcusable discrepancies.

Our budget crisis, however, brings new urgency to the problem. As we continue to debate ways to close the budget gap, I hope the Republican leadership and the Republican Conference will revisit the potential to significantly cut the deficit by addressing the tax loopholes, tax gimmicks, and, frankly, outright injustice to the ordinary taxpayer that they are now defending.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to proceed for a few moments as in morning business.

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

MEASURE READ THE FIRST TIME—S.J. RES. 23

Mr. MCCONNELL. Mr. President, if this week has shown us anything at all, it is that the American people cannot wait on Democrats to do the right thing when it comes to spending and debt and putting us on a path to balance. So today Republicans are begin-

ning the rule XIV process on a balanced budget constitutional amendment.

A balanced budget amendment would require that lawmakers stop spending money we do not have. When we return from the Fourth of July break, we will fight for an opportunity to vote for it.

We have had a chance this week to see how Democrats in Washington want to deal with the fiscal mess they have helped create—by forcing the taxpayers and the job creators to actually bear the burden. Well, Republicans think it is about time Washington bears the burden, for a change. Let Washington find a way to balance the books on its own. The American people have paid enough of a price over the past few years for Washington's recklessness. Republicans are not going to allow Democrats to make them pay even more.

Speaker BOEHNER has already committed to a balanced budget vote in July, so the Speaker and I are united in this effort. Americans can expect all 47 Republicans in the Senate to support this amendment. It is time to put the American people back at the helm of our ship of state. And if that is what the vote achieves, then the debate we are having will have been well worth it.

If Washington is forced to finally reform its ways, then we will all look back and say the American people, indeed, won this debate. And we will say the balanced budget amendment was just the thing we needed to get our house in order.

Broke or balanced, that is the choice.

Mr. President, I am going to rule XIV the proposal. I do not think the Presiding Officer has it yet. The Chair should have it momentarily. It has miraculously appeared.

I understand there is a joint resolution at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the resolution by title for the first time.

The bill clerk read as follows:

A joint resolution (S.J. Res. 23) proposing an amendment to the Constitution of the United States relative to balancing the budget.

Mr. MCCONNELL. Mr. President, I now ask for a second reading, and in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. BARRASSO. Mr. President, I come here today to compliment the minority leader, Senator MCCONNELL, for his resolution in our effort to put a balanced budget amendment onto the Constitution of the United States.

I come here today to tell you a little story about a friend of mine from Douglas, WY. I was in Douglas on Memorial Day. Every year on Memorial Day in Douglas, they have sunrise ceremony services in the cemetery where they raise the flag, go through the names of all the veterans from Converse County who have passed in the last year, put the flag back at halfstaff, 21-gun salute, and a time for people to come together and think about this great Nation and honor those who have given their lives.

After the ceremony this year, people were leaving the ceremony. My friend Bernie Seebaum stopped me and said: You know, Senator—we have known each other a long time. He is on Medicare now, Social Security, has lived a long life, contributed to the community. He said: I don't care if you do a number of things—if you raise taxes, cut Medicare, take away Social Security—as long as you use it to pay off this debt, this \$14 trillion debt.

I said: Bernie, the problem is, if Congress ever does something like that, they are going to get the money and they are just going to spend it.

The first thing we need to do is amend the Constitution so that we actually balance the budget. Then you can start talking about ways to pay off this incredible debt we have.

Here in Wyoming, we live within our means, balance the budget every year. It has paid huge dividends for our State.

You know, you think about the Constitution, and our Founding Fathers produced the greatest governing document, in my opinion, ever conceived. It was written at a time when our country's future was in serious doubt, when our country faced countless threats from abroad, threats that were becoming increasingly difficult to confront, and when the Federal Government lacked both the structure and the foundation to do anything about it. But there we had the Constitution, written in part as a response to those challenges of the day, and it has endured till this day. So amending the Constitution is not something to be undertaken lightly. The Constitution is the highest law of this great land. It has been amended, but infrequently and almost always at a time of crisis. Now, I support a balanced budget amendment to our Constitution because now is just such a time.

When the Constitution was written, they had to decide what the future would bear, so when it was written, as that time came, we now have to decide what sort of future we want for our country. Do we want a future where our children and grandchildren are overburdened by debt, where the U.S. dollar is backed by nothing more than worthless promises, or do we want a future where the only thing we can afford to spend money on—what we are facing right now—is entitlements and interest on our debt. Do we want a future where our country goes broke and a future

where Washington lacks the political will to do anything about it or do we want a future with less spending, lower taxes, and more accountability?

Facts are stubborn, and the numbers do not lie. This month, the Congressional Budget Office released a report saying that the outlook of America's debt is growing grimmer. The Hill newspaper put it best when it said that the new CBO report numbers are "much worse than last year's outlook." To anyone who does the math, this is not a surprise. Every day, Washington borrows \$4.1 billion more—borrowed over \$4 billion yesterday, \$4 billion today, and we will do it again tomorrow. That is over \$2 million a minute, every minute. Washington did that yesterday, it is doing it today, and it will do it tomorrow. Of every dollar Washington spends, 41 cents of it is borrowed. Much of it is borrowed from China. Every American child born today and tomorrow and the next day is born with an incredible debt of over \$45,000. Next year, of every dollar Washington spends, 68 cents will go for Social Security, Medicare, Medicaid, and interest on the debt.

If we as a nation continue down this path, Washington will spend all of what it takes in on these items alone. Everything else, from defense to education, will be paid for on a budget of borrowed money. So you may ask, where is the money going to come from, and how will we ever pay it back? Well, a lot of it is going to come from other countries, countries that do not always have our interests, America's best interests, at heart.

John Kennedy stood outside this building in 1961, 50 years ago. He said:

Ask not what your country can do for you. Ask what you can do for your country.

Well, a few years from now, that may change. It may change to: Ask not what your country can do for you. Ask what your country must do for China.

So consider this. When John Kennedy was President, America's total debt was just over \$300 billion, and we only owed 4 percent of our debt to foreign countries. Today, our total debt is over \$14 trillion. And debt isn't just a disaster for the distant future; our current debt is irresponsible and it is unsustainable. Even our military leaders have condemned it. The Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, has said, "The biggest threat to our national security is our debt." The debt is the threat. We do not and we should not take the biggest threat to our national security lightly.

The amount of debt we owe right now, today, is so high that it is hurting our employment at home. Experts tell us that our current debt is costing us 1 million jobs in America. Spending like this makes it harder for the private sector to create new jobs. Because of this, it is harder for American families to buy gas, to buy groceries, to buy cars, homes, to pay tuition for the kids to go to college. And it is harder to create jobs for those kids who will be

graduating this year and next year and every year until we get the spending under control. Everyone in this body claims to understand that the situation is irresponsible and is unsustainable.

Back in February 2009, the President called experts to the White House for what he called a fiscal responsibility summit. In his opening remarks, this is what the President had to say:

Contrary to the prevailing wisdom in Washington these past few years, we cannot simply spend as we please and defer the consequences to the next budget, the next administration, or the next generation.

Well, I agreed with the President. He was right. So my question to the President is, What have you done about it? Well, one thing he has done is he has called together a debt commission. Late last year, the debt commission released their report on America's fiscal situation, and the findings were sobering. According to the report, they said: The problem is real. The solution will be painful. There is no easy way out. Everything must be on the table. Do you know what else they said? They also said: Washington must lead.

Washington has not led. Instead, this administration has offered nothing but empty promises. As the White House makes promise after promise and speech after speech with no action—no action to back it up—it is clearer than ever that spoken promises have become broken promises.

This persistent push to put our fiscal crisis off until tomorrow is unacceptable and must end now. The first step toward doing that should be to pass an amendment to our Constitution requiring Washington to balance its budget. A balanced budget amendment would require Washington to spend no more money than it takes in each and every year. Such an amendment would force Washington to live within its means. We cannot afford to continue to mortgage our children's future to pay for Washington's fiscal failures. Such an amendment would transform the kind of irresponsible spending that goes on today in this very body into an impeachable violation of every legislator's constitutional oath of office.

The American people have overwhelmingly spoken on the wisdom of this approach. A recent poll conducted by Sachs/Mason Dixon showed that 65 percent of Americans support a balanced budget amendment to our Constitution, and 45 percent said they would be more likely to vote for a candidate who did so. Of those, 68 percent of them were Independents, but there is support for this among Republicans, among Independents, and among Democrats. When the American people call for Washington to lead in numbers this big, it is time for Washington to listen. Every single member of my party on this side of the aisle agrees. That is why all 47 Republican Members of this body have cosponsored the balanced budget amendment. The American people are behind us, and they want us to act.

Meanwhile, the administration and its allies on the other side of the aisle have offered nothing but more empty rhetoric, more of the same tax-and-spend policies that made this economic situation worse. You take a look at where we are and where we have been, they have made it worse.

I am reminded of a quote from Ronald Reagan. He said:

If the big spenders get their way, they'll charge everything to your taxpayers' express card and believe me, they will never leave home without it.

The big spenders can get away with charging everything to the American people's taxpayer express card because no one—no one is forcing them to look at the bills. Now those bills are coming due, and this administration and its liberal allies want a new taxpayer express card and a blank check. They want a blank check to spend as they desire, and they are not going to get it from me, not without specific reforms that will introduce accountability into this broken Washington process.

A balanced budget amendment will not solve every problem, but it is a critical step in the right direction. It would ensure that Washington is constitutionally obligated to avoid the reckless overspending of the past.

Our debt crisis did not surface overnight. It certainly will not be solved without a great deal of additional work.

Before any of that work can be done, Washington has to learn to live within its means the way families all across this great country do. It is time we show the American people they can trust their government with their money again. It is time we lead today instead of deferring leadership until tomorrow. It is time we show the same courage our Founding Fathers did when this country was on the verge of financial collapse. It is time for a balanced budget constitutional amendment.

Then I can go back to my friend Bernie and his wife Sally, in Douglas, WY, and say: Bernie, finally, in Washington, they got it right. They realize, as we do in Wyoming, we have to live within our means. We have to balance our budget every year and then start working on paying off this incredible debt.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I believe Senator HARKIN is coming in the next few minutes. In the meantime, I thought I would comment on the legislation that has been before the body since late last week—to reduce the number of Senate confirmations of Presidential nominations, so the Senate can exercise its constitutional duty of advice and consent more effectively.

This all goes back to our U.S. Constitution, article II, section 2, which says that one of the most important duties of the Senate is "its advice and consent responsibility." That is one of the well-known functions of the Sen-

ate. Many have written about advice and consent.

The Constitution says the President shall nominate, with the advice and consent of the Senate, ambassadors, ministers, judges, and other officers of the United States. Today, there are about 1,400 of those officers. When President Kennedy was President, there were about 286, more or less. Under President Clinton, there were about 914, more or less. It continually goes up. This includes a large number of part-time advisory positions, such as the Library Advisory Board and a variety of other boards. That is why the Founders put into the Constitution another provision, which says Congress may, by law, vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, and heads of departments.

It is up to us to make sure we don't trivialize the constitutional responsibility we have, so we define the number of men and women whom the President nominates, who require advice and consent, and we define the ones who don't. We have not done a good job deciding which ones did not. Over the last few days, the Senate has decided to remove 169 of the 1,400 nominations from the advise and consent requirement. It is debating, right now, removing another 272 full-time or part-time positions and putting them in an expedited process, so we will have affected 450 or so of the 1,400 nominations, either by removing them from advice and consent or speeding up the process. This will permit us to focus more attention on the job we are sent to do, which is to do a good job of evaluating the most important offices.

Just one indication of how we have been trivializing the responsibility to decide who does deserve advice and consent and who doesn't is that only about 3 percent of all the Presidential nominations in the last Congress actually were deemed important enough to have a rollcall vote on the floor of the Senate. Ninety-seven percent were deemed not important enough. Of course, they were not. They were valuable people, but they were part-time advisory board members who were part of a board where an executive director, for example, already reported to someone who was confirmed by the President.

We had examples of positions being confirmed by the Senate who reported to someone, who reported to someone, who reported to someone else—all of them confirmed by advice and consent. So we made a modest step in the direction of helping us execute and exercise our Constitutional duty under article II, section 2, in a more effective way.

This resolution we are debating, unlike the bill this morning, does not remove one single person from the right of advice and consent. It expedites it in the following way: The President's nomination would come to the desk

here—and this is after the President has done all his vetting—and then the relevant committee, say, the Finance Committee or the Judiciary Committee, would go through its usual exercise of asking the nominee to answer questions and provide all that information. When that nomination first comes here, that information is listed on the Senate Executive Calendar that we Senators and staffers read. Then, when the information is all gathered by the relevant committee, that is indicated. Then there is a full 10 days for all of us to look at that. If a single Senator says he or she would like for this nominee to go on to the committee for a hearing and then for the traditional markup, that happens. But if all 100 Senators say they looked at the information and it is not necessary to go to that extra time, expense, and delay, then it moves to the Executive Calendar, and the majority leader can bring it up whenever he or she wishes.

What we have done is, in approximately 450 cases, we have affected the 1,400 nominations that are subject to advice and consent. We have either eliminated the requirement or we have expedited the process and made it possible for us to focus more attention on those deserving the most important attention.

One other aspect—and I see the Senator from Oregon here and perhaps he wishes to speak, so I will conclude my remarks with this. There is one other important aspect that we deal with here. It may be the most important thing we can do. The first one I discussed was slowing down the trivialization of the Senate's advice and consent constitutional duty. That is what the first part of what we are doing does. The bill did that, which we have already passed. The resolution does that, which we are now debating.

The second aspect that was dealt with in the bill this morning is dealing with the phenomenon of what I call innocent until nominated. We have developed a practice in this town of making or having the President select an otherwise unsuspecting distinguished citizen from Sioux City or Nashville or Bangor or Sacramento and after going through an FBI check and other things, nominated that person for some position deserving of advice and consent. By the time that person makes his or her way through all the executive vetting process, by the time people pore over the tax returns and answer multiple questions—often the same question asked in different ways—they have likely got an inaccuracy in there somewhere. Then their name is sent up here and the committee investigates them and asks them many of the same questions and they might have an inconsistency. Then they show up for a publicized hearing with their family and, all of a sudden, they are made out to be a common criminal because they made a mistake trying to decipher these forms.

A former majority leader of the Senate, Howard Baker, and his wife,

former Senator Nancy Kassebaum, went to Japan a few years ago as President George H.W. Bush's nominee as Ambassador to Japan—Senator Baker was. All of us knew Senator Baker. He was voted by the Senate the most admired Senator by the Democrats as well as the Republicans when he was here. All the Senators who were here at the time knew Senator Kassebaum, his wife. Yet Senator Baker told me he had to spend \$250,000 in legal and accounting fees just to make his way carefully through the nomination process, with all the executive vetting and all the vetting the committees did, just so he would not make a mistake and just so he would not be subject to this “innocent until nominated” syndrome.

The bill we passed this morning simply establishes a process. If the bill should pass the House and be signed by the President, then we would have a working group of people appointed by the Senate—people appointed by the executive branch—and we would work together to try to simplify the executive forms and the congressional forms that we use to see if we can have a smart form, a simple form that perhaps we could all use; and then at least, for the most part, a nominee, when nominated by the President, could fill out a single form, which could then be used by all of us who need to know basic information, such as what was their income last year. We can ask the question: Do we need to know every single residence address they ever had in their life if they are going to be on an advisory board, for example, for the United States?

That practice will have to be done with respect to the constitutional separation of powers. The executive branch will have to create its own documents. The Senate will have to create its own. If we work together and create a smart form—and Senator COLLINS and Senator LIEBERMAN have made important contributions to the process of how candidates are vetted, and the forms—we will not only have slowed down the trivialization of the Senate's duty of advice and consent by doing a better job deciding who not to confirm, we will also have reduced the phenomenon of innocent until nominated, which has not only made it difficult for Presidents to staff the government, delayed their ability to form a government, but unnecessarily harassed otherwise honorable men and women who are asked to serve their government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

#### ORDER OF PROCEDURE

Mr. MERKLEY. Madam President, I ask unanimous consent that I be recognized for up to 10 minutes and that Senator COLLINS be recognized for up to 10 minutes following my remarks; further, that following Senator COLLINS' remarks, the Senate recess until 5:30 p.m.

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

Mr. MERKLEY. Madam President, I ask unanimous consent to speak as in morning business.

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

#### THE BUDGET

Mr. MERKLEY. Madam President, we have had a lot of discussion on the floor of this Chamber about the challenge of our deficit and our debt, and these are indeed very important issues.

It is important to remember exactly how we got here because it was only one decade ago that we were running large surpluses at the conclusion of the Clinton administration. In fact, these surpluses were so large that economists were starting to argue over just what would we do if we paid off our entire debt. Didn't there need to be instruments of last resort, of great security, such as Treasury bonds? Didn't we need to preserve some deficit or debt in order to have that instrument available to stabilize society?

Well, would it not be great to have that debate now? I remember being absolutely thrilled that we were going to turn over a debt-free America to our children. But what ensued? President Bush had a different view. He said: You know what. Let's spend these surpluses we are generating and do breaks for the best off in our society. Let's take and establish a new, major program—Medicare Part D—and not pay for it. Let's embark on wars around this planet and not raise funds to pay for them.

The result of that was that those tremendous surpluses were reduced to huge deficits in short order.

Indeed, the 10-year projection went from a \$5 trillion surplus to a \$5 trillion shortfall. It is why some folks call President Bush the \$10 trillion man—because he managed to do \$10 trillion worth of damage to our economy. But that was only the beginning because then there was deregulation of the mortgage industry which resulted in predatory lending, liar loans, teaser rates that exploded after 2 years, and kickbacks allowed to the originators so that they didn't even have any sort of fair presentation to families negotiating the most important financial instrument in their lives—their home mortgage. The meltdown that came from that extraordinary regulatory abuse resulted in another \$5 trillion in debt. So that is how we got there.

Now we have a certain pattern we see on this floor in which Members of this Chamber—many of the Members across the aisle stand up and say: We want to protect the programs for the best off, but we want to cut the basic programs that serve working Americans in our Nation. Quite frankly, I think they have it exactly backward, and if you think I am making this up, let's just review recent history.

The December deal on the continuing resolution—this increased our debt by \$½ trillion, and virtually every Member across this aisle voted for it. I voted against a \$½ trillion increase. And a big chunk of that \$½ trillion in-

crease in our debt was there because of the insistence on providing the continuation of the President Bush breaks for the best off in our society. Now, I don't know how one can rise and talk about cutting our investment in infrastructure in America. I don't know how one can rise and talk about cutting support for those who are needing to get food from food banks and at the same time be defending bonus breaks for the very best off in our society.

The December deal wasn't an anomaly because it has happened repeatedly. We had a vote on oil and gas subsidies for the most powerful five companies in our economy, five very large oil and gas companies. Instead of getting rid of an anachronistic provision that was put there when the cost or the value of a barrel of oil was very low and the oil industry said it needed to have some support, instead of cutting that, many in this Chamber voted to continue it, continue this break for the most powerful corporations, a break that was designed for a very different period of time when oil wasn't \$100 a barrel but was a fraction of that—\$20 a barrel.

No, these aren't the only two recent cases. We have the attack on Medicare. Indeed, we have the plan that has been widely supported by my colleagues across the aisle, both in this Chamber and across the building, in which they say: Let's end Medicare as we know it because we need to save money, and we are going to do it on the backs of seniors, but we are not going to take a look at the breaks we voted in over the last quarter century for the best off in our society.

Well, this systematic plan works like this because these breaks for the best off have been done through the Tax Code, and every American understands that whether you give somebody \$5,000 in the Tax Code or you give them a \$5,000 grant, it is exactly the same thing. We had that debate over the ethanol subsidies just recently. Everyone understands it is exactly the same thing, but by putting these programs for the wealthy and well-connected in the Tax Code, now my colleagues are rising to say: We will not touch those programs because they are in the Tax Code. Now, if they were in the appropriations bill, then we would be willing to talk about it, but because we were clever enough to put them in the Tax Code, no, they are off limits.

This is a sophisticated way of saying that the programs for the wealthy and well-connected in America are off limits, but the programs for working families are the ones we are going to cut. It is those programs for the hungry, it is those programs for the unemployed, it is that health care program for our seniors, it is the investment in infrastructure that will build America—those are the ones we will cut.

My colleagues and citizens of the United States, we must have a national debate, a debate that doesn't employ this type of smoke and mirrors to try to protect the programs written for the

wealthy and well-connected while attacking the programs for working families. That is unacceptable, and I and others will rise on this floor and point it out time and time again, that using that simple ruse by saying only the appropriations bills on the table but not the tax bill is unacceptable.

I am going to tell you that it must not be that we make our kids' education more expensive by diminishing Pell grants, that we make our parents' health care more expensive by obliterating Medicare as we know it, that we impoverish the future of this Nation by not investing in our infrastructure, while continuing to defend the programs that were developed for the best off, the wealthy, and the well-connected over the last 25 years and saying those are off the table. They must be on the table. We must fight for an America that works for working Americans.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to speak as if in morning business.

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

#### PALESTINE

Ms. COLLINS. Madam President, last night, the Senate unanimously approved S. Res. 185, a resolution I introduced with my colleague from Maryland, Senator CARDIN. Our resolution sends a clear message to the Palestinian Authority that any effort to seek unilateral recognition at the United Nations will have serious consequences for future American aid to the Palestinians.

The United States provides nearly \$550 million each year in bilateral assistance to the Palestinians. This aid is not an entitlement, particularly at a time when we have an unsustainable debt of some \$14 trillion. Rather, this aid is predicated on a good-faith commitment from the Palestinians to the peace process.

By unanimously passing our resolution last evening, the Senate has sent an unmistakable message that efforts by the Palestinians to seek independent statehood outside of direct negotiations with Israel do not reflect good-faith actions toward peace.

Negotiations have been a fundamental principle of the peace process. It was in September of 1993 when Yasser Arafat committed to Israeli Prime Minister Rabin that outstanding issues would be resolved through negotiations. This principle has also underpinned the Oslo Accords, the Road Map for Peace, and other Middle East peace efforts.

We want to see a true and lasting peace between two states—a democratic Jewish State of Israel and a viable democratic Palestinian State. Since 2002, it has been the policy of our country to support a two-state solution

to the Palestinian-Israeli conflict, but the road to peace is through negotiations, not by subverting them and making a unilateral case before the United Nations.

Unfortunately, the United Nations has a well-documented record of being hijacked to chastise Israel, one of America's closest allies. In total, the United States, under Presidents of both political parties, has been forced to veto 11 different U.N. Security Council resolutions regarding the Palestinian-Israeli conflict.

I am pleased to note that the current U.S. Ambassador to the U.N., Susan Rice, has vetoed the latest U.N. resolution regarding settlements, which, like Palestinian statehood, is the key issue in the peace process. The resolution passed by the Senate urges the President to maintain this strong position and to announce his unwavering intent to veto any resolution that is not the result of direct negotiations between Israel and the Palestinians.

I wish to thank Senator CARDIN for working with me in drafting this resolution. When Senator CARDIN and I first discussed introducing this measure, the Palestinian Authority had not yet agreed to establish a unity government with Hamas—a truly disastrous decision. That action has made it all that much more critical that the Senate be firmly on record that aid to the Palestinians is now in jeopardy. If Hamas continues to reject negotiations or peace with Israel, we must suspend this assistance.

During his address before a joint session of Congress in March, Israeli Prime Minister Benjamin Netanyahu succinctly described the heart of the matter. He said:

This conflict has never been about the establishment of a Palestinian state. It has always been about the existence of the Jewish state.

We must remember those words.

We must also never forget that Hamas is responsible for the deaths of more than 500 innocent civilians, including two dozen American citizens. It has been designated by our government as a foreign terrorist organization and a specially designated terrorist organization.

Secretary of State Hillary Clinton has made it clear that the United States will not fund a Palestinian Government that includes Hamas unless and until Hamas renounces violence, recognizes Israel, and agrees to abide by the previous obligation of the Palestinian Authority. I urge the administration to suspend aid until such time as Hamas demonstrates a clear commitment to following these principles.

Madam President, let me also thank the chairman and ranking member of the Foreign Relations Committee, Senator KERRY and Senator LUGAR, for discharging this resolution so that it could be considered and passed by the full Senate before our Fourth of July recess. The passage of this resolution could not have been more timely.

According to press reports, the Palestinian delegation has made the rounds with nearly a dozen delegations in New York this week to build support for their bid to have a United Nations-recognized state. Palestinian Ambassadors from around the world are meeting in July to discuss their plans in Madrid. They have been instructed to cancel vacations because of the importance of this coming period.

I submit that if the Palestinians were only willing to invest as much energy into the peace process with Israel as they have into this ill-advised rush to the United Nations, we could see the beginnings of a genuine and lasting peace in the region. I do not know if the Palestinians will have the support among the 192 members of the U.N. General Assembly. However, the Palestinians must understand that the cost of seeking such a vote will seriously jeopardize U.S. financial assistance and that is evident from the 88 Members of the Senate who cosponsored the important resolution that was unanimously passed last evening.

Madam President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5:30 p.m.

Thereupon, the Senate, at 4:46 p.m., recessed until 5:30 p.m., and reassembled when called to order by the Presiding Officer (Mr. WHITEHOUSE).

#### PROVIDING FOR EXPEDITED CONSIDERATION OF CERTAIN NOMINATIONS—Continued

The PRESIDING OFFICER. In my capacity as a Senator from the State of Rhode Island, I suggest the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 522

Mr. HARKIN. Mr. President, because of the heavy fires that are blazing in New Mexico, our colleague Senator UDALL cannot be here because he is out there dealing with forest fires. He has an amendment he has filed to S. Res. 116, the bill now before us in the Senate, and on his behalf, I will be calling it up. It is amendment No. 522, and I want to take a couple of minutes to explain the amendment.

Mr. President, basically the amendment is very simple, and I will read it in its entirety:

The second undesignated paragraph of paragraph 2 of rule XXII of the Standing Rules of the Senate is amended to read as follows:

Is it the sense of the Senate that the debate shall be brought to a close? And if that question shall be decided in the affirmative