

they have lost faith. And I don't blame them one bit.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded and to speak as if in morning business for up to 10 minutes.

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

#### ECONOMIC DEVELOPMENT

Mr. BROWN of Ohio. I was listening to the Senator from California describe how the American taxpayers pay for all kinds of public facilities from utilities to schools to water systems to energy production in other countries around the world, and according to Senator BOXER there is never objection to that from the other side of the aisle. But when the President of the United States wants to do that same kind of construction in the United States of America, there seems to be objection. I was taken by that, one, because it is true; second, because it is pretty unbelievable that when the President decides that working with the Congress—causing the Congress to pass legislation so we can build schools and renovate schools in Michigan or California or Cleveland or Toledo—that some conservative Members of Congress in both Houses say, well, we can't do that even though we want to pay for it by closing the Wall Street tax loopholes, by taking away oil company subsidies, by closing the tax incentives that are in Federal law now that encourage companies to leave Hamtramck or leave Youngstown and go to Wuhan or Shanghai.

I was on a conference call yesterday with some school principals in Ohio, a principal from Zanesville, a moderate-sized community in eastern Ohio, who had been a principal in a nearby rural school district some years before, who was talking to me about how important school renovation is. The average school building in the United States is 40 years old. We would put so much effort in infrastructure in the 1940s, 1950s, 1960s, and 1970s, from Dwight Eisenhower with the interstate system to school superintendents and local taxpayers building schools and new water and sewer systems—including all the infrastructure we built in this country after World War II—in a bipartisan way to help our country grow. We put people to work doing the construction. We put people to work doing the manufacturing for materials used in the construction, and putting people to work because we built this infrastructure that the Kroger Company in Cincinnati needs to move its produce and other things for their stores all over the Midwest. It is the kind of infrastructure rebuilding that helps us with economic development.

The President was in Columbus 2 days ago talking at Fort Hayes High School about school construction and how important that is. I was talking to the school principal, who used to work in Maineville, and he told me how several years ago his school building was old and decrepit and needed fixing. He also said the test scores were not very good for these students. He said after they built a new school building and put these students in a place that they could learn better, it sent a message to these students that, yes, we care about education. He said the test scores went up markedly. I said, because of the new building? He said, yes. Uncategorically, he said yes.

We tell our young people in this country that education is most important, and then we send them to schools that don't look good. I wonder what students think when we put this premium on education, but then we don't act on it. He and the other principals talked about leaking roofs and mold on the walls. They talked about dark and dank hallways in auditoriums. They talked about the lack of technology.

What the President is trying to do—and what Senator BOXER was talking about, more with aviation and highways, but schools also—when he talks about investing in school renovation, one, it means jobs immediately for carpenters and electricians and plumbers and laborers and all kinds of people. It also means jobs immediately for the people producing the steel, the manufacturers, the cement, and the insulation. The biggest insulation plant in the United States of America is in Newark, OH. It creates jobs right now but it also means better schools for our kids, and it means long-range economic growth, long-range prosperity, and a better environment for us as a country.

What troubles me so much, as Senator BOXER said, is we are putting money into schools and water facilities in Iraq and Afghanistan—and I am okay with that if it serves our national interest. I am not okay when there are no objections to that from conservative politicians, but they object to doing that at home with schools in Chillicothe and Mansfield and Springfield and Lima and Youngstown and Akron.

It is so important to move forward on the school construction and jobs bill. Mr. President, \$1 billion in investment in school construction and renovation creates about 10,000 jobs. Those 10,000 jobs are mostly middle-class jobs in manufacturing and the trades actually doing the construction and the building. It makes so much sense, and I am hopeful as the President goes around the country explaining it—he was in Columbus 2 days ago—that my colleagues on the other side of the aisle decide, yes, maybe we ought to actually focus on jobs and do the right thing.

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

The Presiding Officer (Mr. LEVIN). The clerk will call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 66, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Pending:

Reid amendment No. 602, to provide additional appropriations for disaster relief in fiscal years 2011 and 2012.

Reid amendment No. 603 (to amendment No. 602), to change the enactment date.

Reid amendment No. 604 (to amendment No. 603), of a perfecting nature.

Reid amendment No. 605 (to the language proposed to be stricken by amendment No. 602), of a perfecting nature.

Reid amendment No. 606 (to amendment No. 605), of a perfecting nature.

Reid motion to commit the joint resolution to the Committee on Finance with instructions, Reid amendment No. 607, to change the enactment date.

Reid amendment No. 608 (to (the instructions) amendment No. 607), of a perfecting nature.

Reid amendment No. 609 (to amendment No. 608), of a perfecting nature.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the motion to commit and the pending amendments, with the exception of the Reid substitute amendment No. 602, be withdrawn, and the following amendments be the only amendments in order to the Reid substitute amendment No. 602: Coburn amendment No. 610 and Paul amendment No. 613; that the time until 4 p.m. be equally divided and controlled between the two leaders or their designees—and this will be for debate on the amendments and the joint resolution—with 30 minutes for Senator COBURN and 15 minutes for Senator PAUL—and this 15 minutes will come from the Republican leader's time—and at 4 p.m. the Senate proceed to vote on the amendments in the following order: Coburn amendment No. 610, Paul amendment No. 613, and, finally, the Reid substitute amendment No. 602, as amended, if amended; that there be no amendments, points of order, or motions in order prior to the votes other than budget points of order and the applicable motions to waive; that the amendments not be subject to division;

that all of the amendments be subject to an affirmative 60-vote threshold; that the motions to reconsider be considered made and laid upon the table; and, finally, if the Reid substitute amendment, as amended, if amended, achieves 60 votes, the joint resolution, as amended, be passed; if the Reid substitute does not achieve 60 affirmative votes, the cloture motions be withdrawn and the joint resolution be placed back on the calendar.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I am going to suggest the absence of a quorum, but in doing so, I ask unanimous consent that the time run equally for both the Democrats and the Republicans.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Oklahoma.

Mr. COBURN. 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. 610 TO AMENDMENT NO. 602

Mr. COBURN. I ask that amendment No. 610 be considered as pending, brought up, and read.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 610 to amendment No. 602.

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

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

The amendment is as follows:

(Purpose: To save at least \$7,000,000,000 by consolidating some duplicative and overlapping Government programs)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.**

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in

the March 2011 Government Accountability Office report to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP) and apply the savings towards deficit reduction;

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions described in paragraph (1); and

(4) rescind from the appropriate accounts the amount greater of—

(A) \$7,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

Mr. COBURN. Mr. President, the bill we have before us today is a bill to fund emergency relief through FEMA for a lot of the emergency disasters our country has experienced over the past 6 months.

I don't think there is a large disagreement that we ought to take care of the areas that are the Federal responsibility in the respective States for the extreme weather as well as fire-related tragedies that have been experienced by a multitude of States. However, the question is, given where we stand as a country, do we just borrow the money to do that and add it to the debt or is the government running so efficiently that we can't cut something else and make a choice about how we pay for it? The bill as brought forward has no pay-for at all. In other words, the assumption is that if we pass this bill, we will go and borrow approximately \$7 billion more in the international markets.

What I would put forward is that we know we have plenty of areas we can cut now that are not effective, not efficient, that are wasteful, that are duplicative, and we would not have to borrow that additional money. The easiest thing in the world is to spend somebody else's money. And what we are doing with this bill by not paying for it is actually asking our grandchildren to pay for an obligation we have today.

The amendment I have asked to be called up is nearly identical to an amendment this body passed by a vote of 64 to 36 in April of this year.

The Government Accountability Office brought forth a report on duplication that showed hundreds of millions of dollars in wasteful duplication. This is not the only area we could go, but this is an area we have already agreed as a body is an effective way to pay and save money. We could easily find \$7 billion by eliminating multiple programs that accomplish the same thing. Let me give some examples of what the GAO showed.

The Department of Defense and the VA are both creating new medical record systems as we speak, both paying for independent contractors doing the same thing. They are going to have

intertwined medical records ultimately. We do not need to set up two different programs. By doing that, we could save a couple of billion dollars, just by having one program for both VA and DOD.

We have multiple contracts, according to the GAO, in terms of inter-agency and areawide contracts that actually increase our procurement costs, where we could consolidate those and have one contract and actually save money. But we have not done that. That is something that can be done by the OMB at our direction.

The other area which is extremely interesting—and the President has already agreed to this. They are already starting to do it. But we could do it much faster and save a significant amount of money. We could save \$150 billion to \$200 billion over the next 10 years just by consolidating data centers. We initially had some 500 of those. I think we are up to around 2,000. We had 434 in 1998 and 2,000 Federal data centers in 2010. What everybody knows is we could cut that by about half, not have any change in the effectiveness, and save about \$150 billion over the next 10 years.

This amendment identifies the areas listed in the GAO report and instructs the OMB to find those that are most likely to be achievable to come to \$7 billion. We have agreed to do this in the past on a previous bill when Senator WARNER and I offered this amendment jointly to pay for the spending.

I can go on with a lot of other areas in terms of wasteful spending. I will not. But I make this one plea: In August we left after passing a debt limit increase, the largest debt limit increase we have ever incurred in segments, and said we were going to start living within our means. We have created a supercommittee to find \$1.5 trillion over the next 10 years in savings. While they are doing that, if we decide to pass an emergency supplemental bill for FEMA and do not pay for it, we are going to be working in exactly the opposite direction of what we said we needed to do.

The facts are, we are almost schizophrenic. We say we need to cut spending. Yet we are going to spend \$7 billion more. Yet we do not want to find some spending to cut to pay for it; we just want to borrow it. You can understand why very few Americans have confidence in us. On the one hand we are addressing the problem, and on the other hand we are ignoring the problem.

I think it would behoove the confidence level in this institution if, in fact, we tried to pay and found the courage and the willpower to say if we are going to spend additional money, we are going to create priorities, and we are actually going to eliminate spending somewhere else to be able to pay for this, to be able to do this more important thing.

I have trouble understanding, even when I talk to our colleagues privately, why we would not do this; why we would not pay for this \$7 billion by reducing wasteful spending elsewhere.

As we go to the vote at 4 o'clock, the question that people ask is, Why was it OK to cut the spending from these departments back in April, but it is not OK to cut the spending now? Sixty-four of our colleagues voted to cut this spending in April. I know several are opposed to paying for this, but we are in a new day. We live in a new world.

The Oklahoma Chamber of Commerce was here this week. The title of their meeting was "New Realities." The new reality is that we are going to run to the end of the time at which we can borrow money or afford to pay the interest rate on the money that we can borrow, and the discipline we need is to live within our means.

This is one step that will be the right thing to do for future generations. It is the right thing to do to build confidence in our institution, and it is the right thing to do to eliminate waste and duplication in the Federal Government.

I yield the floor, suggest the absence of a quorum, and make a point I will talk again on this prior to the vote.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 613

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 613.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 613 to amendment No. 602.

Mr. PAUL. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To offset the disaster relief appropriations by rescinding amounts for foreign assistance programs)

On page 12, between lines 11 and 12, insert the following:

#### TITLE VI OFFSET

SEC. 601. (a) All unobligated balances made available to the United States Agency for International Development for foreign assistance programs for fiscal year 2011 are rescinded.

(b) There is rescinded on a pro rata base from the unobligated balances made available to the Department of State for fiscal 2011 an amount equal to the difference obtained by subtracting—

(1) the amount rescinded under subsection (a); from

(2) the amount appropriated under this division.

Mr. PAUL. Mr. President, this is an amendment to pay for the emergency funds. I think for too long in this body we have just simply added on funds, often for good causes, but we keep spending money we do not have. I think the mark of a good legislator is making priorities. If we choose to spend some money on an emergency, we should take the money from somewhere else in the budget.

In this amendment we have proposed to take the money from foreign aid. When the American people are asked if they think we should be sending welfare to other countries or building bridges in other countries when our bridges are falling down in this country, 77 percent of them think we should not be sending money overseas when we have problems at home. This amendment would take unspent foreign aid money from this year and apply it toward the disaster funding. It would also take some unspent money from the State Department.

I think it is responsible budgeting. It is essentially taking money from another area, spending it, and not adding to our debt. There are repercussions to the debt we have. I tell people the debt has a face. Every time we drive to the store our gas prices are rising or our food prices are rising. The reason our prices are rising is because we have to pay for the debt by printing new money. As we print new money at the Federal Reserve to pay for our debt, we diminish the value of the dollar so our gas prices rise and our food prices rise.

Also, economists have said up to 1 million jobs a year are being lost to pay for our debt. What I ask for is, as we pay for these natural disasters we take the money from elsewhere in our budget.

I also rise in support of the plea of Senator COBURN not to target the transportation funds. Right now we are asking that highway funds, 10 percent of them, go to beautification projects—turtle tunnels, movie theaters. In our State of Kentucky, we have a bridge that was closed this week, the Sherman Minton Bridge. Of three bridges in Louisville, one of them is closed. Traffic is stacked up for hours and you are telling me we need to have turtle tunnels? Something is seriously wrong with government when we are forcing State governments to spend 10 percent of their transportation money on turtle tunnels, white squirrel parks, and movie theaters.

Another bridge is needed in the northern part of our State, Brent Spense Bridge, where debris from the bridge is falling. Four years ago we had a bridge in Minneapolis that fell into the river and killed 13 people. We, as a nation, need to set our priorities, but I think it is incorrect and a real problem that we are telling people they have to take 10 percent of the transportation funds and put them into bike paths.

I am a bicyclist and I like bike paths as much as anybody. But when bridges are falling into a river and a major

metropolitan area such as Louisville, KY, has one-third of its bridge capacity closed because the bridge is dangerous to travel on, these are emergency problems.

It also buys into what I am talking about with foreign aid. We cannot send welfare to other countries that we do not have. We are not sending them money that is from our savings. We are sending money that we are borrowing from China or that we are printing. There are ramifications to this debt. We are borrowing money at \$40,000 a second. There are ramifications to this borrowing. It has a face. It is just not an empty number.

When we say our national debt is \$14 trillion or that we are adding \$1.5 trillion to the debt every year, there are ramifications to that, and there is a face. The face is unemployment. The face is people losing jobs. We see it in the grocery store with our prices rising. The debt has ramifications.

In Europe, we are seeing the end stages of this in some cases. We are seeing chaos and rioting in the streets. We had rioting in London recently. We had rioting in Greece, Portugal, Spain. All of these countries are tumbling under a burden of debt, and it has been predicted that this is coming to the United States. It is coming soon. It is a contagion of debt that is sweeping the world, and it is all pyramided upon the U.S. dollar.

Once upon a time, banks in Europe held gold as their reserve. They now hold the dollar as reserve. When the dollar tumbles or when we have trouble paying for our debt, there will be massive worldwide problems. We are in the middle of the worst recession since the Great Depression, and there are no signs that any of the policies coming from the White House are working. In fact, the first stimulus package did not work. Two million more people are out of work since the President came into office. The price of gasoline has doubled. Our debt has been downgraded. We are set to accumulate, under this administration, more debt than all 43 previous Presidents combined. It is not working.

Recently, the President came over to a joint session of Congress and presented to us the "son of stimulus"—the son of a stimulus that did not work in the first place. He said we are just going to tax those rich people.

Rich people hire poor people. Most of us have jobs because rich people hired us. They are talking about adding \$400 billion in new taxes on those who make \$200,000 a year or more.

You say the rich ought to pay their fair share. The rich are paying for the income tax—47 percent of Americans pay no income tax. So half of Americans are already paying for all of the income tax. The Bush tax cuts actually made the Tax Code more progressive because they dropped off more people from the lower end. If we look at those who make more than \$200,000 a year, it is 3 percent of the public. They earn 30

percent of the income and pay 50 percent of the income tax.

If you are saying the Tax Code needs to be made more fair, it would probably be that we would have to make the Tax Code less progressive.

The bottom line is, if I thought it would help people, we could do it. It is going to hurt people. The head of the Congressional Budget Office is an objective spokesman who analyzes government. He testified before the supercommittee yesterday that it would be a mistake to raise taxes. The preponderance of economists say it would be a mistake to raise taxes in the middle of a recession. It will lead to more joblessness.

Pitting one group—class envy—pitting one group against another gets us nowhere. Years ago we tried this. We said we will have a special tax on those who own yachts. Guess who lost their jobs. The men and women making \$40,000 and \$50,000 a year lost their jobs. It does not work. It is unhealthy. It is not good for America to blame one class of people versus the other. We want to lift everyone in America. We want a thriving economy. When we lowered tax rates in the 1980s, we had 6 percent and 7 percent growth in a year. We are at 1 percent growth and we look like we are headed in the wrong direction. They say the definition of insanity is doing the same thing over and over and expecting a different result.

This new jobs plan by the President is the “son of stimulus.” It is the son of a stimulus that did not work the first time. When we calculate it, it cost \$400,000 per job. It did not work. We should not be doing the same thing over and over again and expecting a different result.

I would say in conclusion that my amendment is the responsible budgetary amendment, and it pays for the new disaster funding. If we wish to help people and we think our Federal Government should be involved with disaster funding, it should be paid for. It should not be borrowed from China, and it should not be simply printed up at the printing press. We should pay for it.

I urge other Senators to support my amendment which would offset the disaster funding by reducing a corresponding amount from foreign aid, the welfare we give to other nations, many of them rich nations. I would ask serious consideration of it.

I would also ask serious consideration of Senator COBURN’s proposal that when we have bridges crumbling in our country, we not force States to build turtle tunnels, squirrel sanctuaries, and movie theaters. We have crumbling bridges and we need to get this through and we need to say we are not going to force the States to decide to have these beautification projects.

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

UNANIMOUS CONSENT REQUESTS—H.R. 2887

Mr. COBURN. Mr. President, I would like to say Senator REID and I have had several discussions today and we are working to try to resolve an impasse we have, but we are not there yet. I wanted to be clear with my colleagues what my intent was, and if we can work the problems out, I am happy to try to do that.

I have three separate unanimous consent requests I am going to be asking for. One will separate the FAA bill, pass it, and send it to the House. Another will separate the Transportation bill, eliminating the transportation enhancement component of it and send it to the House, and another one eliminates the transportation component of the combined bill and sends it back to the House. I understand the leader is concerned with those but felt I would exercise my right to offer those unanimous consent requests.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2887, the House-passed FAA surface transportation reauthorization bill, and my amendment at the desk related to a 4-month extension shall be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2887, the House-passed FAA surface transportation reauthorization bill, that the Coburn amendment at the desk related to repealing the 10-percent transportation enhancement mandate be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2887, the House-passed FAA surface transportation reauthorization bill, that my amendment at the desk related to a 6-month surface transportation extension that repeals the 10-percent transportation enhancement mandate be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements

related to the bill be printed in the RECORD.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me after consultation with Senator MCCONNELL, the Senate proceed to the consideration of Calendar No. 167, H.R. 2887, the Surface and Air Transportation Programs Extension Act; that the only first-degree amendments in order to the bill be the following: Coburn amendment regarding transportation enhancements, Paul amendment regarding limitation on highway trust funds, and the Paul amendment regarding FAA funding levels; that there be up to 2 hours of debate on the amendments, equally divided between the two leaders or their designees, prior to a vote in relation to the amendments in the order listed; that there be no amendment in order to any of the amendments prior to the votes; that the amendments be subject to a 60-vote threshold; that upon disposition of the amendments, the Senate proceed to a vote on passage of the bill, as amended, if amended; that there be no other amendments, points of order or motions in order to the bill other than budget points of order and the applicable motions to waive; and the motions to reconsider be considered made and laid upon the table.

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I note the absence of a quorum, and I ask unanimous consent that the time until 4 o'clock be equally divided between the majority and minority.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, we are looking at a FEMA emergency supplemental. There is no doubt this country has sustained a series of disasters that will require Federal support and funding. We have seen them in Alabama, my home State, where we had the worst series of tornadoes in history, and some of the most powerful, that completely demolished two-story brick homes with nothing but foundations left. Lives were lost to an extraordinary degree, and people were injured.

We have had floods. We have had fires and droughts around the country. We have some of that every year, and some of this is unusual. So it is incumbent upon us in Congress to wrestle with that and to try to figure out what should be done and how we can best supplement the insurance and State actions and local people’s abilities to respond and share a bit of the pain throughout the country.

Since I have been interested in the emergency bill and I have some ideas, I was surprised we were told it was going to be added to the Burma sanctions bill, and it was going to be \$6.9 billion. I hadn't had a chance to know and review and see what those numbers were and whether they were justified. But Majority Leader REID said we want to move to that. That is what we want to do.

Some said—and surely it is not true—that Senator REID was setting a trap for the Republicans; that he would offer this bill, throw it out there, and he would have extra money in it and we would complain. Then he would say: The Republicans don't love people who have suffered with a disaster as I love people who have suffered with a disaster. You don't care. You don't want to help people who are hurting. You are not good people. I am a good person. I love them more than you do.

I hope that is not true. I do not believe it is true. Surely, it is not true. But I will just point this out: that President Obama's funding request for this supplemental that we have seen was for \$500 million in 2011, \$4.6 billion for next year, totaling \$5.1 billion. That is what the President proposed. But the Senate Democrats' proposal that Senator REID has moved forward has \$804 million in 2011, \$6.1 billion in 2012, for a total of \$6.9 billion. That is about almost a \$2 billion difference.

You know they say: That is not much money, just \$2 billion. We spend a lot more money than that around here on all kinds of things, and we shouldn't worry about it, SESSIONS. You are just slowing down the emergency bill. It has to go through right now.

I just pointed out previously that \$2 billion is a lot of money. We have an education budget in my State that is pretty sizable, but the basic general fund budget of Alabama is about \$2 billion. We are an average-sized State. We are about one-fiftieth—4 million people—of the United States. So \$2 billion is \$2 billion. A billion here and a billion there, you are talking about real money. I am just raising a question. I suggest that this kind of rapid spending, emotional, political movement of money through this body is why this country has gotten into financial trouble. We just increase the pricetag for a bill by \$2 billion and rush it through and attack anybody who has the gumption to stand, such as Senator TOM COBURN, and raise some real questions about it. How much of this can we pay for? Can we pay for it all—we probably could and probably should—or pay for part of it so it is not borrowed? You see, an emergency in general is debt. When we declare something an emergency, we are adding to the debt. It means it is not under the budget. We have a budget limit, and all spending is supposed to be under our budgetary limit, although we have not had a budget in 2 years. But when we do a supplemental, it does not count that way.

I have seen the Presiding Officer be pretty sophisticated in these things. I

remember, I was talking to a senior Congressman about an emergency bill years ago that was not truly an emergency, and he said: Well, JEFF, we need to put it on the emergency supplemental.

I said: Why?

He said: It doesn't count against the deficit.

I said: Why?

He said: I don't know. It just doesn't count.

What he meant was it was not part of the budgetary numbers. It was on top of it. It added to the debt in general.

We have to be careful about that. We are borrowing now 40 cents of every \$1 we spend. That is not a misprint. I am not speaking erroneously. Forty cents of every \$1 that is spent this year is borrowed.

Responsible senatorial management requires us to examine the legislation. When we have a bill that is about 40 percent more than the President asked for, maybe that ought to throw up a red flag around here. Maybe we ought to examine it more closely because every single penny that is spent should be spent wisely. There are two areas: Are we spending money that is not needed at all—and we have had some of that under emergency spending—or are we spending money that could be spent better on other problems that arose from the emergency than the problems we are spending it on?

I have been to hurricane damages, I have been to flood damages, I have been to tornado damages, drought damages. It is hard to get the money to the people who truly need it and whom you can justify. This is not just throwing money at something.

So we can do a better job of that. Congress needs to be more involved. I think \$2 billion is a lot. We ought to be careful before we do that. Most of the money is not going to get spent until next year, by far. Overwhelmingly, 80 percent of it is to be spent next year. I believe we ought to be taking time to do this right.

I would also like to take the opportunity, while I have the floor, to address this morning's hearing in the Budget Committee, on which I am the ranking member. At today's hearing, I emphasized the economic danger our country is facing as a result of the increasing deficit. We had three economists testify. Two of them were selected by our Democratic majority colleagues. We asked whether they agreed that it would be wise to pursue policies that create jobs without creating debt. They all acknowledge that increasing debt is a dangerous thing.

We discussed whether we should seek ways to create jobs and growth in America without adding to the debt. Wouldn't that be smart? They all agreed it would—things such as producing more American energy, reducing costly bureaucratic regulations, and instituting growth-oriented tax reform. All three witnesses said those are good things to do for America.

I would say, if we are going to spend \$7 billion or \$5 billion on an emergency, it helps Americans' growth, produc-

tivity, and competitiveness if that money is spent the best possible way, every penny of it to help people truly in need and to help increase our national productivity.

Those are some of the concerns I have. I just wanted to share those thoughts because I think we would have been better off had this bill come through the regular process, we had full testimony from the administration witnesses, from FEMA, which will be handling the money, setting forth in detail where they expect to spend the money, how it is needed, and how they are going to do it in a way that is fair and helps the people in the right way. I do not believe the way this bill is moving is careful enough, and I believe it places at risk the treasury of the United States.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, in a few minutes we are going to be voting on a bill that has been put on the floor that would address many of the emergency disaster needs that have come our way this last year.

In my State of South Dakota, it has been a year for the record books. We have had historically cold winters the last couple of winters. We had a historically wet spring and, if you look at the Missouri River basin, unprecedented amounts of runoff, to the point where we had flooding on the Missouri River throughout the entire basin, up and down. My State of South Dakota, of course, was impacted dramatically by that, as were many of the States in the basin, and I think, like a lot of parts of the country this year that have experienced weather-related disasters, there are a lot of people who have been hurt by that. In my State of South Dakota, we have a lot of homeowners in the Pierre and Fort Pierre area and the Dakota Dunes area and the Yankton area. We have had tremendous wet weather in northeastern South Dakota, and there are a lot of people who have been flooded up there.

We have people in these areas of my State who literally have lost everything—their homes. It was not one of those situations where you get an event that comes through, it is gone quickly, and you can go in and clean up and recover. In this case, they were floods that persisted over long periods of time—in this case months. I remember touring some of those areas in my State and in some cases having to go out there literally in a boat to see homes and having to walk into a home in waders because the water in the living room was literally up to my waist.

And the water was there literally for weeks. There were a lot of black mold problems, of course, just a tremendous amount of damage.

As I said, in many cases these are people who for various reasons did not have flood insurance, in most cases because they were told they didn't need it, they were not in the flood plain. These were homeowners who, when the Missouri River dams were built, thought, at least, that they were protected by those dams and as a consequence, perhaps, did not purchase flood insurance, with rare exceptions. Of course, in all of these cases too there are homeowners who, if they did not have flood insurance, have in some cases lost everything. I am not talking about just homeowners who have resources and means, I am talking about people—I met with retired schoolteachers who put everything they had into these homes along the Missouri River, and now they have literally lost everything. So I can appreciate how important it is that we do everything we can to respond to this enormous weather-related disaster that has come our way.

I have great sympathy for those other areas of the country that have been impacted this year as well. I know that on the east coast, we had flooding from the hurricane, and we have had tornadoes this summer that have wiped out parts of entire communities.

It has been a very difficult weather year, and as we approach this issue of how to deal with that, I think it is important that we bear in mind—that we do everything possible to address the needs these homeowners have and try to help them rebuild their lives and put things back together.

So as we get into this debate, certainly I recognize the importance of us having a response. I think that one way or the other, Congress will respond, whether it happens today or in the form of some relief that may be coming over from the House of Representatives. But I believe it is important that we do that. It is also important, given the budgetary circumstances in which we find ourselves, that we pay for it. I think there are a couple of amendments we are going to vote on this afternoon that would accomplish just that.

The Senator from Oklahoma has proposed an amendment which many of us have voted for in the past. I think it got 64 votes here in the Senate, both Republicans and Democrats supporting it. It would do away with some of the duplication we have in our Federal Government.

The Government Accountability Office has identified lots of areas of duplication. In fact, I think the Senator from Oklahoma has already gone through some of those, but I have been here on the floor and addressed some of these as well: 56, or thereabouts, programs spread across 10 or so agencies that deal with financial literacy; 82 programs that deal with the issue of

teacher training. I think you have to argue that there is plenty of waste and duplication and redundancy in our Federal Government, and we ought to be doing everything we can to eliminate that, particularly if we are looking at prioritizing where we spend our tax dollars.

In a case such as this, we have people across our country who have been hurt by these natural disasters who need our assistance. It strikes me, at least, that if we are serious about priorities—and I think all budgets are about priorities—we ought to be able to find some savings in these programs and agencies that have been identified by the GAO that would enable us to find the funds that are necessary to cover the disaster effort.

So I would come down here and speak in support of the Coburn amendment.

I think the Paul amendment as well seeks to use unobligated balances from USAID, the State Department. Of course, we are getting to the end of the year, and if there are funds that have not been obligated, that have not been used, that strikes me as well as a way in which we can find some resources that would help us prioritize and put them where they are really needed right now; that is, to deal with these impacted communities, these impacted families, these impacted homeowners, and helping them rebuild their lives.

But fundamentally, when you have a \$1.3, \$1.4 trillion annual deficit and when you are already at \$14 trillion in debt and it is growing at the rate it is, when you have a debt-to-GDP which is literally about 1 to 1, about 100 percent—you have to go back to the end of World War II to find a time in our Nation's history when we have seen that kind of debt. These deficits to GDP, debt to GDP, spending to GDP are at historic highs. It strikes me that even for important matters such as disaster relief, we have to be as responsible as we possibly can and make sure we are doing justice to the American taxpayer and not spending money we do not have.

I think the House of Representatives—and what they intend to do is address this through the continuing resolution which will be coming our way sometime next week. Their approach is to put some additional money, supplemental money, into FEMA, into the Corps of Engineers—those agencies that are kind of on the front lines in responding to many of these disasters. I hope we have an opportunity to vote on that legislation. That will be paid for. That will be within the budget. That will not be deficit spending or borrowing from our children and grandchildren, adding more to the debt. So I think it is a responsible and reasonable way to deal with this, and maybe in the end that is where this ends up.

But the debate we are having today is whether we are going to appropriate \$6.9 billion, around \$7 billion for disaster relief. I don't think we have a full

grasp yet of what some of these damages are. The assessments are still coming in. But I think it is important that we be responsible in how we distribute disaster relief, that we know as much as possible about the full scale and the dimensions of the problem and what those damages are and then, secondly, that we do everything we can to find areas in the budget in which we can offset that disaster relief.

So I hope we can support the amendments that are before us today. As I said before, the Coburn amendment is not something new to the Senate. The Coburn amendment is an amendment many of us have supported in the past. Sixty-four Senators—that is a very large bipartisan majority here in the Senate—have supported this amendment to do away with these duplicative programs and to try to gain some efficiency and some savings in our Federal Government.

It strikes me, at least, that when we are dealing with an issue as important as disaster relief is to so many Americans, we certainly ought to be able to prioritize and take some of those duplicative programs and some of those redundant programs we have in the Federal Government that have been identified by the Government Accountability Office—ask the OMB to identify \$7 billion in savings in order to offset the costs of what we are doing here with regard to disaster relief.

So I am certainly going to support these amendments—and I hope my colleagues will—for a lot of reasons. Again, we need to respond when we have a natural disaster such as this, but we need to do it in a responsible way. And when we are running these massive annual deficits we are running today, we need to do everything we possibly can to see that we are paying the Nation's bills, that we are not adding it to the credit card, not handing the bill to our children and grandchildren, not spending money we do not have, but doing everything we can to live within our means. It is the responsible way to go about this. In my view, it is a reasonable way to go about this. I think it is the right way to deal with the Nation's business; that is, to pay your bills. The Coburn amendment does that. His amendment, I guess of the two, specifically directs the \$7 billion. I am not sure whether the Paul amendment has a specific score on it. But either would be an important, in my view, message to the American people that we are serious about getting our fiscal house in order. So I hope we will have both Republicans and Democrats here in the Senate that would support both of those amendments.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I ask unanimous consent to speak as in morning business for about 5 minutes.

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

## FARM DUST REGULATION

Mr. JOHANNIS. I rise today to actually extend an invitation. The invitation I extend is to our EPA Administrator, Lisa Jackson. The reason for the invitation is very straightforward. There is a lot of confusion about EPA's position on regulating farm dust. It is remarkable. The Administrator says one thing, but then the agency takes a different position—back and forth, back and forth it has gone.

Administrator Jackson said, and I am using her words, "It is a myth that EPA is proposing to regulate farm dust." That seems pretty clear, but then her agency says: Well, no, we cannot distinguish between farm dust and other dust subject to regulation, so rural America is not off the hook, it is out of luck.

Well, I was very pleased recently to offer a solution to this EPA dilemma. My solution was offered in partnership with my friend and colleague from Iowa, Senator CHUCK GRASSLEY, and others actually from both sides of the aisle. We proposed a simple solution to this confusion. We proposed legislation that—very straightforward—says: EPA cannot regulate farm dust unless there is scientific proof that it causes harm.

That proof does not exist today. Meanwhile, Ms. Jackson and her agency continue to have problems getting this story straight. You see, she scoffs at the idea of regulating farm dust, and then her agency turns around and says: Well, it is really a possibility.

I understand that sometimes the direction from the top can get muddled as it works its way down. After all, EPA is a very large organization.

Surely, Administrator Jackson does not intend to be saying one thing while her agency is saying and potentially doing something quite different. So I am hopeful I have come up with yet another solution.

Today, Senator GRASSLEY and I sent a letter to Administrator Jackson. We have invited her to publicly support our bill blocking the regulation of farm dust. After all, using her own word, this was a "myth" in the first place. I think it is a perfect solution. She says EPA has no intention of regulating farm dust, so there is absolutely no reason why she would not support this legislation that makes it official. My letter invites her to put her words into action by issuing a straightforward supportive statement. I look forward to hearing back from her or simply seeing her statement of support in print. Either will be acceptable.

I will tell you this: I believe if Administrator Jackson stands up in response to this and says, yes, I was serious, we are not going to regulate farm dust, that is a myth, and Senator JOHANNIS has it all wrong, I believe rural America will cheer.

Supporting my bill that puts an end to this crazy, ridiculous notion of regulating farm dust would do more to im-

prove Administrator Jackson's image than the charm offensive EPA has recently undertaken.

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.

The PRESIDING OFFICER. The Senator from Michigan.

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

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

## DEFICIT REDUCTION

Mr. LEVIN. Madam President, I understand that a couple of our colleagues are on their way, and I will yield to them if they get here as expected.

In the meantime, I wish to share some thoughts with the Senate about the very complex and difficult duty we all now face, which is to agree to legislation that will reduce the deficit by at least \$1.2 billion over the next decade. And, if we fail to do that, by the end of the year, huge automatic budgets in vital national programs, including in security, will take effect to meet the deficit reduction goal. Those automatic cuts would take an unacceptable toll on vital programs. I believe every Member of Congress must do their best to avoid that outcome, and that begins with the 12 members of the Joint Select Committee who have been given the assignment of crafting a plan for us to consider.

Despite the difficulty, the task is achievable. We can reach our deficit reduction targets and help ensure fiscal stability while avoiding not only the damaging automatic cuts but also avoiding devastating cuts to defense, health, education, and other programs vital to America and to its families. Achieving this goal will require sacrifices. Everyone is going to have to contribute. But if all of us, every American, will make the sacrifices necessary, we can get this done.

How can we do it? Well, we could pretend we can resolve this problem by ignoring why we got here to try to balance the budget by simply cutting more spending or we can take a realistic look at both spending and revenues. We need to take a realistic look at both spending and revenue. A little historical perspective might be helpful.

Federal revenues today are at the lowest share of gross domestic product in generations, just 14.9 percent. For the past 60 years, that number has averaged about 18 percent, and during that period we have balanced the budget five times, and each time revenues totaled 19 percent of gross domestic product or higher.

Past efforts to reduce high deficits have made new revenue a significant part of the equation. President Reagan

presided over three deficit reduction plans that achieved more than three-quarters of their deficit reduction through revenue increases. That was President Reagan. Revenue increases were a major part of his deficit reduction plan. The deficit reduction legislation that we passed in 1990 under the first President Bush achieved about one-third of its deficit cuts through added revenue. President Clinton's 1993 deficit reduction plan was roughly 55 percent new revenue and 45 percent spending cuts and yielded our most recent balanced budgets.

Apart from history, the mathematical reality simply is that we must generate additional revenues. If we are going to reduce the deficit and do so while avoiding unacceptable cuts to programs that provide for the common defense and general welfare, revenue must be part of the discussion.

Many of our Republican colleagues have focused solely on nondefense discretionary programs for deficit reduction. The simple fact is those programs are not big enough to allow real deficit reduction. They make up only about 12 percent of the Federal budget. If we eliminated all those programs, zeroed them out, we would have done grave harm to millions of American families, but we still would have huge deficits as far as the eye can see.

So as the Concord Coalition, a nonpartisan group, said: For a grand bargain on deficit reduction, finding a way to bring in some revenue is a crucial piece of the puzzle.

The nonpartisan Committee for Responsible Federal Budget said that putting the deficit on a downward path requires looking at ways to generate additional revenues.

In the balance of my remarks I set out seven different loopholes which need to be closed. It is only fair that these loopholes be closed. They are loopholes which cannot be justified. They are loopholes which I think almost every American would say should not be in our Tax Code. If we simply will change our Tax Code and reform it and close these loopholes, we can raise about \$1 trillion over 10 years. That is a huge part of what this Joint Select Committee is required to do.

We have to protect middle-class families from tax increases. We have to protect them from losing critically important programs, such as education. We can do that. I have sent a letter to the members—including my dear friend from Massachusetts—of our select committee laying out the seven loopholes which can, and should, be closed which will have an equitable impact. It is only fair these loopholes be closed, and I have laid out including the use of offshore tax havens to avoid paying taxes. In this letter that went to all the members of this Joint Select Committee, I have set forth what these loopholes are.

So revenue needs to be part of the joint select committee's agenda. Our deficit reduction plans will require sacrifice not just from middle-class families but from the corporations and upper income Americans who have done very well in recent years even as middle-class incomes have stagnated. In fact, from 1980 to 2008, the share of all U.S. income going to the top 1 percent of Americans more than doubled, from 10 percent to 24 percent. I make my proposals with that troubling fact in mind. Mr. President, I ask unanimous consent that my letter to the members of the Joint Special Committee be included in the RECORD after my remarks.

The letter identifies seven possible steps to eliminate wasteful tax expenditures and loopholes so as to share the burden of deficit reduction more broadly. As I say in the letter, "Those measures would not only reduce the deficit, but also render the federal tax system more fair to the millions of honest Americans who pay their taxes." Each is practical and doable, each achieves real deficit reduction, and each protects the programs that defend our nation and support middle-class families without increasing the tax burden on the investments that help our economy grow.

I plan in the coming days to lay out these ideas in more detail, but to explain them briefly.

The first two proposals would close two kinds of unjustified loopholes that benefit corporations and wealthy individuals at the expense of working families: offshore tax shelter abuses that cost American taxpayers billions of dollars a year and a loophole that forces American taxpayers to subsidize the stock options that corporations grant to their executives.

The third and fourth would close two Wall Street tax loopholes, the "carried interest" loophole that forces Americans to subsidize the paychecks of hedge fund managers, and a derivatives blended tax rate loophole that promotes speculation in futures and options, favoring derivatives over long-term investments that boost economic growth.

The fifth and six would promote tax fairness and ensure shared sacrifice in reducing the deficit by restoring upper bracket income tax rates and capital gains tax rates to rates closer to historic norms.

The seventh is an administrative change, eliminating the use of paper tax liens and creating an electronic database of those liens.

I will discuss these changes in more detail in the days ahead, but let me emphasize today the role they can play in deficit reduction. Combined, these common-sense changes could reduce our deficits by \$1 trillion over the next 10 years—a sum that would make the committee's difficult goal, one the Congress and the entire government share, much more achievable.

For Republicans, adopting some of these ideas will be difficult. I would

say, in empathy and not in anger: Welcome to the club. The spending cuts that will be necessary for significant deficit reduction will be difficult as well. They will hurt real American families, in real ways, and they will damage programs that are at the core of my own party's philosophy about the important role of government in helping to create shared prosperity. Democrats will have to compromise on these cuts. Republicans will also have to compromise, and accept the reality that revenue must be part of the equation, if we are to do our duty.

The ideas I have proposed, and will discuss in more detail in the days ahead, outline a path toward such a compromise. It is a fair path. If Republicans are willing to embrace compromise, we can reduce our deficit while helping to protect middle-class families from further economic harm. If Republicans are not willing to compromise, the automatic cuts involved in sequestration that would be forced upon the American people will make our country less safe and the livelihoods of our families less secure. I hope my proposals will help us work together to avoid that tragic outcome.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of the letter which I sent to the members of that Joint Committee.

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

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 15, 2011.

Hon. PATTY MURRAY  
Hon. MAX BAUCUS  
Hon. JOHN KERRY  
Hon. JON KYL  
Hon. ROB PORTMAN  
Hon. PAT TOOMEY  
Hon. JEB HENSARLING  
Hon. XAVIER BECERRA  
Hon. DAVID CAMP  
Hon. JAMES CLYBURN  
Hon. FRED UPTON  
Hon. CHRIS VAN HOLLEN

DEAR MEMBERS OF THE JOINT SELECT COMMITTEE ON DEFICIT REDUCTION: As you work to construct a proposal to reduce the federal budget deficit and ensure long-term fiscal stability for our government, I urge you to eliminate wasteful tax expenditures and loopholes and restore more balance to the tax code. These measures would not only reduce the deficit, but also render the federal tax system more fair to the millions of honest Americans who pay their taxes.

Here are seven tax reforms that could together raise over one trillion dollars to reduce our federal deficits.

(1) Target Offshore Tax Abuses. The Stop Tax Haven Abuse Act (S. 1346) would combat offshore tax abuses. It contains more than a dozen provisions to shut down offshore tax loopholes and expose offshore tax cheats, including measures to penalize offshore financial institutions and jurisdictions that impede U.S. tax enforcement; stiffen penalties on aiders and abettors of tax evasion; shift the burden of proof establishing who controls an offshore entity; stop companies managed and controlled in the United States from claiming foreign status; treat U.S. deposits and investments by offshore subsidiaries of U.S. parent corporations as taxable repatri-

ated income; and treat credit default swap payments made from the United States to offshore recipients as taxable U.S. source income.

(2) End the Corporate Stock Option Loophole. The Ending Excessive Corporate Deductions for Stock Options Act (S. 1375) would eliminate a corporate loophole that currently gives special tax treatment to corporations that pay their executives with stock options. Stock options are the only type of compensation which, due to a special method for calculating the tax deduction, often allows corporations to deduct more than the compensation expense shown in their books. The latest data available shows that, over a five-year period, from 2005 to 2009, corporate stock option tax deductions as a whole exceeded corporate stock option book expenses by \$12 to \$61 billion each year, forcing ordinary taxpayers to subsidize tens of billions of dollars in excessive executive pay tax deductions. Closing this loophole would end this unfair tax subsidy of corporate executive compensation.

(3) End the Carried Interest Loophole. Under current law, hedge fund and private equity fund managers treat certain income received from managing investments as "carried interest" taxable at the lower, long-term capital gains rate, instead of ordinary income tax rates. That income is not, however, a return on a capital investment made by the fund managers with their own money, but is instead compensation for work performed for other investors. Closing this loophole and treating carried interest as ordinary income would end an unfair taxpayer subsidy of this Wall Street income.

(4) End the Derivatives Blended Rate Loophole. Under current law, profits from some derivative trades are taxed at a "blended rate" comprised of part capital gains and part ordinary income, even in the case of derivatives held for minutes. This special tax treatment, enacted in 1981, favors derivatives like futures over stocks, and encourages bets on derivatives over direct capital investments that are key to economic growth. Closing this tax loophole would put a stop to that market distortion.

(5) Restore Reagan-Era Capital Gains Rates. In recent years, tax rates have been repeatedly lowered for capital gains derived from stock, bonds, and derivative transactions compared to income derived from the salaried work performed by most Americans. Despite the fact that capital gains rates currently range between 0% and 15%, our economy has little to show for it in the way of increased investment or other economic benefits. At the same time, these lower rates have greatly increased the deficit. While long-term investments should receive some degree of favorable treatment, restoring capital gains rates to Reagan-era levels in line with ordinary income rates—as several bipartisan deficit reduction proposals have suggested—would not only make the federal tax system more fair, but also end a tax expenditure costing hundreds of billions of dollars over ten years.

(6) Restore Upper Income Tax Brackets. Today, the wealthiest one percent of Americans take home 24 percent of all U.S. income, the highest percentage since the Great Depression. Yet, just a few decades ago, that number was below 10 percent. Rather than have their share of the tax burden go up accordingly, the wealthiest few have had their tax rates lowered several times. Our economy has not grown as a result of this special treatment, but our deficit has. Restoring ordinary income rates on those earning over \$250,000 would reduce our deficit by hundreds of billions of dollars over the next 10 years while restoring balance to the tax code.



(7) Eliminate Paper Tax Liens. The Tax Lien Simplification Act (S. 1390) would create an electronic federal tax lien registry, available to the public at no cost, in place of the current antiquated system requiring federal tax liens to be filed on paper in 4,000 locations across the country. This simple, good government bill would save administrative costs, while expediting the removal of tax liens and freeing up an entire IRS division to tackle the collection of unpaid taxes that pose an unfair burden on honest taxpayers.

These common sense proposals, if enacted, would significantly reduce the federal deficit, while removing economic distortions from the marketplace and ending unfair tax expenditures and loopholes that disadvantage average taxpayers. Thank you for your consideration of these proposals.

Sincerely,

CARL LEVIN.

Mr. KERRY. Madam President, I yield myself such time as I use.

Let me, first of all, thank the Senator from Michigan, the chairman of the Armed Services Committee, for his comments and particularly for the recommendations that he is going to make to the supercommittee, to each of us. I think all of us in the Senate know Senator LEVIN is one of the most creative and thoughtful Senators. I am confident that the suggestions he makes are going to be important ones that are going to be worthy of consideration.

I know also, because it is something I began to focus on back in the 1980s, this issue of offshore havens is absolutely staggering. I look forward to this. I know the Senator has led the Permanent Subcommittee on Investigations on that. They have done outstanding work. I am confident that a lot of that work can be certainly put on the table, and it ought to be seriously considered. My hope is we can do something about it.

Mr. LEVIN. I thank my friend.

AMENDMENT NO. 613

Mr. KERRY. Madam President, one of the amendments we will vote on shortly is an amendment by Senator RAND PAUL with respect to cutting—or an offset, if you will—of \$6.9 billion from the State Department and USAID in order to fund FEMA disaster relief programs.

First of all, a number of colleagues have come to the Senate floor over the last couple of days and talked about the principle that has governed our efforts to provide disaster assistance through all of the years of this institution. We do not know how to plan on the amounts. We do not hold people accountable to other programs because of acts of God, natural disasters that arise suddenly, and the Nation has always been rich enough and responsible enough to guarantee that we provide assistance to communities that have been hard hit by a flood, by a tornado, ravaged by fires—by some natural disaster.

I think the notion that suddenly we are going to start offsetting at a time when we are engaged in a very delicate balance of offsets with respect to the regular budgeting process is to try to

put in place an inappropriate principle at an inappropriate time.

That argument has been made considerably. I want to talk for a minute about the merits of this particular proposal on its face. Let me make as clear as I can that this amendment would be absolutely devastating to our foreign aid and development programs. It would decimate agencies that have already taken huge funding cuts in fiscal year 2011, and it would completely undermine core national security priorities and humanitarian commitments.

Senator PAUL argues that foreign aid is “welfare we give to other nations, many of which are rich nations.” I disagree with both parts of that sentence, and I disagree profoundly with the notion that foreign aid is somehow welfare.

Foreign aid is an investment in our national security; it is not a gift to other countries. It is a very small investment that provides an enormous return in so many different ways in terms of advancing the interests of our country, of our citizens. Because of foreign aid in many parts of the world we have relationships, and we have programs, we have initiatives, joint ventures that make Americans safer every single day. We need to put politics aside and focus on concrete facts.

I know the easiest thing in the world is to walk into a big townhall meeting and say we ought to be building in—whatever the community you are in—before we send money somewhere else, and everybody cheers. There is an instant reaction—easy applause, easy politics, but not smart politics in terms of the interests of our country.

The fact is all of our foreign aid programs, all of our foreign policy initiatives, all in the State Department, everything we do in USAID, all the things we do from sending a diplomat to Baghdad or Pakistan or Afghanistan, every effort we make to help reverse the global HIV/AIDS epidemic, all of the things our State Department engages in make up barely 1 percent of the annual budget.

So often when we go out to those townhalls that are ready to applaud the idea of just giving the money here, we ask people: How much do you think we give in foreign aid? And people say: Oh, my God, it is 50 percent of our budget or 10 percent or 5 percent. It is none of those. It is barely 1 percent.

We spend about \$700 billion on our military. By contrast, the international affairs budget in its entirety is less than one-tenth of the Pentagon's. A former Secretary of Defense, Bob Gates, pointed out, I think only a year or so ago, that if we took the entire Foreign Service roster we could barely crew one aircraft carrier in the U.S. Navy.

I understand we face a budget crisis in our own country. Obviously, I understand that. We are working hard to address this issue in the new committee that has been formed by the Congress. But if we cut these funds now, I guar-

antee my colleagues we will pay a much stiffer price later for increased threats to our national security, for loss of opportunity, for loss of business, for graver crises, all of which will come as a result of America pulling back.

I remind Senators our foreign policy and development programs have already been cut to the bone. The final fiscal year 2011 spending agreement cut \$6.5 billion from the international affairs budget. That is a 10-percent cut. How many agencies took a 10-percent cut? It happens to also be a 15-percent cut from the President's request.

At a time that we are fighting a war in Afghanistan, when we are managing turmoil in the Middle East, when we are trying to guarantee that in Egypt, which we have encouraged to have an uprising, which we have celebrated for its reach for democracy and for freedom, at a time when it is trying to do it, are we going to pull the rug out from under them and say: Go ahead Muslim brotherhood, its pickings are all for you?

It doesn't make any sense at a time when we are coping with unprecedented famine in the Horn of Africa, millions of people starving to death, a global tragedy that challenges the morality of our Nation—it would be unbelievably extreme and irresponsible to take the approach that Senator PAUL's amendment takes. It would jeopardize our national security in several important ways. Let me just name a few specifically.

First of all, it would threaten the State Department and USAID's ability to serve as a critical partner to the military in postconflict situations. For instance, in Afghanistan we are working hand in hand, State Department and Defense Department, in order to be able to transition to the Afghan forces. This would put those troops at risk, put that effort at risk. I think it would raise serious questions about the viability of what we are trying to accomplish.

We are at a critical juncture in those efforts to stabilize Afghanistan and Pakistan. Cutting our aid to those countries will impact our military operations. For all of those Senators who want to get out of Afghanistan faster, we pull the aid out from underneath it, and we may be getting out in a way we do not want to, or we will make it longer before we get out in the way that we do want to.

I suggest respectfully Senator PAUL said he would “much rather send . . . professors around the world than . . . our soldiers.” I don't know an American who would not rather do that. We all hope that can happen as soon as possible. But we cannot just ordain it by saying: Here it is, here is what we are doing, and change the situations on the ground. The wish does not become the father to the fact in those situations.

As we have seen in recent days with the attack on our embassy in Kabul, there is a lot of work to be done in Afghanistan before our college deans can

take over from our district support teams.

This cut would set back progress in creating markets for U.S. goods and services. Here we are struggling to create jobs in the United States. One of the best opportunities for jobs is export—export to the new, emerging middle classes of India, Brazil, Korea, Mexico, China, other places. We want to sell them those products. But if all of a sudden we are pulling back our ability to marshal opportunities in those markets, if we reduce the ability of the U.S. businesses to get those opportunities, we diminish our own efforts to strengthen our economy.

We don't just face a budget deficit crisis, we also face a jobs deficit. In the face of global competition, our growth in our exports is directly tied to our ability to create new American markets. Money we spend helping to stabilize emerging economies has an amazing impact on our own economy, and that has been proven for all the years, certainly, since the end of World War II.

The Paul amendment would also lead to a \$1 billion cut in our battle against global AIDS. PEPFAR, the President's program on which George Bush—President George Bush, Republican—worked with us on the Foreign Relations Committee, a program Senator Helms and Senator Frist and I and others originally developed, a program that currently supports 3.5 million people on lifesaving HIV/AIDS treatment, a reduction this size to 2011 funds would mean that around 1 million people would be thrown off of those treatments, dramatically reducing the numbers of lives saved through this program.

We are a country that has prided ourselves on our willingness to live our values. The Judeo-Christian ethic is one of charity and one of concern for the poor, the downtrodden, the sick, and so forth. It is hard for me to understand how we can take an ethic of our private lives that everybody talks about so pronouncedly around here and look at the fact that there are some folks in America who tithe 10 percent of their income, or others who give a fixed percentage of their income in order to help the world, and here we are, as a matter of national policy, going to put 1 million people at risk from a program we are currently saving lives on? I don't understand that kind of value system.

It would derail our efforts to forestall famine in the Horn of Africa, and that would trigger long-lasting suffering and destabilize the neighboring countries such as Yemen, Kenya, and Somalia. In Somalia alone approximately 3.2 million people are in need of immediate lifesaving assistance, a half million children are acutely malnourished, and more than 29,000 children under the age of 5 have tragically died.

This planet knows how to feed people. Rich countries have an obligation to try to do that. Our obligation is de-

minimis. We should not come in here installing a new principle all of a sudden, for the first time ever, saying we have to offset money to pay for emergency assistance to our communities at the expense of young kids who are starving in another part of the world.

I hope my colleagues will recognize this amendment is not the right way to approach this. It would have a negligible impact on our budget deficit, and its real impact on our security would be enormous.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I know the vote has been scheduled, but I ask unanimous consent 2 minutes be provided prior to the amendment votes and 4 minutes prior to final passage.

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

#### AMENDMENT NO. 610

Who yields time?

Ms. LANDRIEU. Madam President, how much time before the vote?

The PRESIDING OFFICER. There is 2 minutes.

Ms. LANDRIEU. I wish to speak, if I could, before the time is out.

The PRESIDING OFFICER. Without objection.

Ms. LANDRIEU. Madam President, in a few minutes, because the two amendments have been debated extensively this afternoon, I want to thank the Senator from Massachusetts for his strong objection to one of the amendments and the eloquent way he expressed the feelings of so many of us who will be voting with Senator KERRY against the Paul amendment.

Let me put this up, as I have been using this all week. The underlying bill we will be voting on in a few minutes will give the Senate the opportunity to vote for disaster relief now. It is the only vehicle available to us in the Senate to vote for relatively full disaster relief for the year 2012 now. I want people to realize, as they are considering how they are going to vote, we received 61 votes.

The PRESIDING OFFICER. The time has expired.

Ms. LANDRIEU. I understand we are out of time. I will speak later. Again, it gives us an opportunity to vote for disaster relief now.

The PRESIDING OFFICER. Who yields time in opposition?

Ms. LANDRIEU. I yield back the time, and I ask for the yeas and nays.

The PRESIDING OFFICER. All time is yielded back.

Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL) is necessarily absent.

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 133 Leg.]

#### YEAS—54

Alexander	Graham	McConnell
Ayotte	Grassley	Moran
Barrasso	Hatch	Murkowski
Baucus	Heller	Nelson (NE)
Blunt	Hoeben	Paul
Boozman	Hutchison	Portman
Brown (MA)	Inhofe	Risch
Burr	Isakson	Roberts
Chambliss	Johanns	Rubio
Coats	Johnson (WI)	Sessions
Coburn	Kirk	Shelby
Cochran	Klobuchar	Snowe
Collins	Kyl	Tester
Corker	Lee	Thune
Cornyn	Lugar	Toomey
Crapo	Manchin	Vitter
DeMint	McCain	Webb
Enzi	McCaskill	Wicker

#### NAYS—45

Akaka	Franken	Murray
Begich	Gillibrand	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (OH)	Kerry	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Menendez	Warner
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

#### NOT VOTING—1

Kohl

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 45. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

#### PAUL AMENDMENT NO. 613

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate on the Paul amendment No. 613. Who yields time?

The Senator from Vermont.

Mr. LEAHY. Madam President, I ask unanimous consent that there be an additional 1 minute for Senator LINDSEY GRAHAM to speak on his amendment.

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

Mr. LEAHY. Madam President, my State was devastated by Hurricane Irene, and I am going to do everything possible to help Vermonters get the aid they need. But I strongly oppose the amendment offered by the junior Senator from Kentucky.

First, it is a terrible idea to cut critical national security programs to offset funding for emergency disasters. It would set a precedent and make it infinitely harder to help our States cope with these crises, whether it is Katrina or whether it is earthquakes or no matter what it is.

Disasters strike unexpectedly. The funding to recover and rebuild is not built into the budget. They strike Republican and Democratic States alike. To say in this: Well, why don't we cut out our State Department or our embassies, so we cut out the aid the United States gives to Haiti—we live in a global economy—this amendment makes no sense.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I thank the Chair.

This is very important. We are broke at home, and there are a lot of things we could and should be doing for our States. I want to try to get our fiscal house in order, but we have to defend this country. The foreign operations account is national security in another form. If you just do not always want to bomb people, you need to help people help themselves, and the money in this account will allow people to stand up against terrorism and do things America has been doing for a long time; that is, helping people who really would be better off for the experience and have a kindness toward us.

If you think Israel needs a friend now, this would hurt our relationship in terms of support to Israel. So all of those in this body who want to make sure Israel gets the right message at a time of need, please vote against this amendment because it will hurt our relationship.

The PRESIDING OFFICER. Who yields time?

The Senator from Kentucky is recognized.

Mr. PAUL. Madam President, I think we ought to make just one clarification of fact. Israel gets all their foreign aid in the beginning of the year. They get it differently than any other country. This amendment will not affect any funding to Israel. This funding will take away a percentage. It is about 10 percent of foreign aid.

Foreign aid or welfare is opposed by 77 percent of Americans. Even if you thought it was a good idea to give welfare to foreign countries, you do not have it. So you are borrowing this money from China or you are printing it up and you are adding to the debt. Our country faces a debt crisis. We are borrowing \$40,000 a second. I think it is unwise, when bridges are falling down and being closed in Louisville, KY, to send money to other countries, particularly money we are borrowing and printing.

I urge the support of my amendment to eliminate the 10 percent of foreign aid. I think it is a very reasonable proposal.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Paul amendment No. 613.

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Nevada (Mr. HELLER).

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

The result was announced—yeas 20, nays 78, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—20

Barrasso	Inhofe	Sessions
Burr	Johnson (WI)	Shelby
Coburn	Lee	Thune
DeMint	Moran	Toomey
Enzi	Nelson (NE)	Vitter
Grassley	Paul	Wicker
Hutchison	Roberts	

NAYS—78

Akaka	Durbin	McConnell
Alexander	Feinstein	Menendez
Ayotte	Franken	Merkley
Baucus	Gillibrand	Mikulski
Begich	Graham	Murkowski
Bennet	Hagan	Murray
Bingaman	Harkin	Nelson (FL)
Blumenthal	Hatch	Portman
Blunt	Hoeven	Pryor
Boozman	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Risch
Brown (OH)	Johnson (SD)	Rockefeller
Cantwell	Kerry	Rubio
Cardin	Kirk	Sanders
Carper	Klobuchar	Schumer
Casey	Kyl	Shaheen
Chambliss	Landrieu	Snowe
Coats	Lautenberg	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	Lugar	Warner
Corker	Manchin	Webb
Cornyn	McCain	Whitehouse
Crapo	McCaskill	Wyden

NOT VOTING—2

Heller

Kohl

The PRESIDING OFFICER. On this vote, the yeas are 20, the nays are 78. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The majority leader is recognized.

Mr. REID. Before I recite the unanimous consent request that I hope will be approved, what we intend to do is have a vote on final passage of the joint resolution now before us, 10 minutes of debate, there will be votes on two amendments and then final passage. So we have four more votes and we should be finished.

I wish to express my appreciation to everyone. You will note in my last two speeches I made before the Senate yesterday and today, I said a lot of nice things about Republicans, the reason being that is how we have accomplished a lot. We got a decent bill from the House and we have been able to move forward on this legislation.

The Republican leader and I had quite a long conversation here in the well. We have a lot of work to do, but we want to do it together. So the cooperation we have had this week by both Democrats and Republicans has been extremely important.

UNANIMOUS CONSENT AGREEMENT—H.R. 2887

Mr. REID. Madam President, I ask unanimous consent that at a time to be determined by me, after consultation with the Republican leader, the Senate proceed to consideration of Calendar No. 167; that the only first-degree amendments in order to the bill be the following, the text of which are at the desk: Paul regarding limitation of highway trust fund; Paul regarding FAA funding levels; that there be up to

10 minutes of debate on the amendments and the bill to be equally divided between Senators PAUL and the majority leader or their designees, prior to votes in relation to the amendments in the order listed; that there be no amendments in order to any of the amendments prior to the votes; that the amendments be subject to a 60-vote threshold; that upon disposition of the amendments, the Senate proceed to vote on the passage of the bill, as amended, if amended; that there be no other amendments, points of order or motions in order to the bill other than the budget points of order and the applicable motion to waive; that the motion to reconsider be considered made and laid upon the table.

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

Mr. LIEBERMAN. Madam President, I rise today to join my colleagues in urging the Senate to adopt this resolution and replenish the disaster relief fund without further delay.

To so many people struck by disaster this year, this fund is a life preserver to help carry them over until they can get back on their feet and begin the long, hard road to recovery. Without assistance from this fund, many disaster survivors would have no place to live due to damaged and exposed homes; critical commuting routes would remain impassable; and debris would mar communities and morale for months on end.

We are not just talking about a few disaster areas. This year seems like a record for major disasters, affecting all parts of our country. Nearly every State has sought and received assistance, which is why the fund is now perilously low. It has dwindled to about \$377 million. At this rate, Senate appropriators say the fund may last for just days.

As I speak, wildfires are still blazing through drought stricken central Texas. The worst wildfire in Texas history closed area schools down last week, 1,500 homes were destroyed in hundreds of fires, and tens of thousands of acres have been scorched.

My home State of Connecticut was among those affected when Hurricane Irene swept ashore at the end of August, bringing gale force winds and tidal surges that knocked out power for days in many areas, damaged millions of dollars worth of property, and left whole communities under water. And when Irene struck, it didn't just touch down in one State or two. It sideswiped practically the entire eastern seaboard from North Carolina to Maine.

In Connecticut alone, the early preliminary and therefore probably low estimates of damage from this single disaster are around \$300 million.

These major calamities only take us back to the last week of August.

In June and July, record flooding on the Mississippi and Missouri Rivers displaced thousands of people and ravaged land throughout the West and Midwest.

A string of tornadoes ripped through the Southeast and Midwest in April, killing hundreds of people, destroying countless homes and businesses and costing billions of dollars. A third of Joplin, MO, was wiped out, and that community continues to struggle to rebuild.

In February, the Midwest and Northeast were buried under 2 feet of snow.

That is not an exhaustive list, but the point is that these disasters have been equal opportunity ravagers, affecting almost every State in the Union this year. In fact, the President has declared this year a state of emergency in 47 States! Only Nevada, West Virginia, and Michigan have been spared.

So the replenishment of the disaster relief fund should not divide us along partisan lines. Nor should it divide us among geographic lines, or city versus rural lines. This fund has been tapped by almost every one of our States, and I know that the people of Connecticut were relieved when they learned that the Federal Government would help them get their lives back on track. I suspect the citizens of every other State that received disaster relief funds were similarly grateful.

Frankly, it doesn't really matter if 2 States or 47 States have been declared disaster areas. Helping people in need is what our Government does. The whole point of a federal government is to handle challenges that individual States, much less individual communities, cannot. The defense of our Nation is first and foremost among these Federal responsibilities, but so is providing aid to people and States following a natural or man-made disaster that takes as heavy a toll as this year's disasters have.

Congress has a long history of supplementing the disaster relief fund to cover those in need. From 2003 to 2010, \$12.3 billion was appropriated through the regular appropriations process. But six times that much—\$73.4 billion—was appropriated through supplemental funding.

It should be noted that only a small part of the administration's request seeks supplemental funding. The bulk of the request is for fiscal year 2012, and the aid requested constitutes disaster relief within the meaning of the Budget Control Act, which allows discretionary spending levels to be raised up to a certain limit—a limit that is not breached by the administration's request.

Already FEMA has had to start prioritizing its relief activities so that those in most immediate need can be assisted. In other words, longer term recovery projects not yet in the FEMA pipeline have been put on hold. That is how low the reserves are in the disaster recovery fund.

Current and future survivors will continue to receive assistance to help replace or repair damages to property or cover other personal losses. States will also continue to receive reim-

bursment for debris removal, emergency response and protective measures, and other critical needs. But FEMA has essentially had to begin rationing aid. That is just plain wrong. The people who suffer in one disaster are no more or less entitled to aid than those who suffer in another disaster. We are a humane country, not a selectively humane country.

As I said when I toured flooded homes on the Connecticut shore 2 weeks ago, the Federal Government does not default on its obligations—whether we are talking about debts to foreign nations or promised aid to its own citizens in need, through no fault of their own.

I have faith my colleagues will come together across party lines, as we have done so many times in the past, to replenish FEMA's disaster relief fund, which was designed to help make people whole again after major disasters.

Mr. LEVIN. Madam President, we soon will vote on a measure that includes two significant pieces of legislation. I support passage of both—one that upholds our duty to assist Americans coping with natural disasters, and one that upholds our duty as Americans to speak out against oppression and abuse around the world.

The first measure provides emergency supplemental funding for disaster relief and recovery efforts. Congress must do its job to appropriate emergency funding for disaster response and recovery quickly and thoughtfully, as we have done numerous times in the past. I will vote for this measure because the \$6.9 billion in emergency supplemental funding for disaster relief and recovery is necessary to help families and businesses bounce back from catastrophic loss, to rebuild damaged infrastructure, to respond to emergencies, to restore forests and watersheds damaged by disaster, and to improve flood control structures. Importantly, this legislation does not set the bad precedent of requiring an offset in order to help communities and families when disaster strikes.

The second measure would renew sanctions against Burma by extending the import restrictions put in place under the Burmese Freedom and Democracy Act of 2003.

While the Burmese government has shown some recent signs of a willingness to implement meaningful reforms, legitimate questions regarding its commitment to these reforms as well as continuing concerns about the ongoing detention of political prisoners and about serious human rights violations justify the renewal of these sanctions.

I urge my colleagues to approve this important measure as a reaffirmation of our concern for those here at home who are struck by disaster, and for those abroad who suffer under oppression.

AMENDMENT NO. 602

The PRESIDING OFFICER. Under the previous order, there is now 2 min-

utes of debate on Reid amendment No. 602. Who yields time?

The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I would like to speak for final passage. I would like to speak last.

Is there anyone who wants to speak in opposition?

The PRESIDING OFFICER. Is there someone to speak in opposition?

Ms. LANDRIEU. If not, then I will take the time to close. I wanted to say thanks to several Members, many Members on my side who have helped this week to clarify this issue and to build support for disaster funding for the 48 States that are currently experiencing devastation.

I wish to thank Members on the other side of the aisle, particularly Senators BLUNT, VITTER, RUBIO, others, Senator SNOWE who have left their voice and their vote to help us get to this point. I particularly wish to thank Senator BLUNT for spending 15 minutes on the floor today saying how crucial this is not only to his State of Missouri but to the whole country.

I wish to thank the Members on my side, Senators LEAHY and SCHUMER and HAGAN and others who have helped so much this week—Senator SHAHEEN, who has been at all the press conferences, Senator SANDERS.

Let me say this is the only vehicle—the only vehicle—we have before us to do long-term full funding for the disaster relief. This bill will provide help to Nebraska, to Minot, ND, to New York, to the east coast, to Tuscaloosa, AL, Joplin, MO.

If we do not vote for this, the DRF funding will be empty. This money gives us not only additional funding for disaster relief, but it also provides an additional \$1.1 billion for the Corps of Engineers and funding for a few other programs that are essential to rebuilding.

I ask unanimous consent for an additional 30 seconds.

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

Ms. LANDRIEU. Since there is no opposition that is going to speak, I would like to take those 2 minutes as well.

This is a very important vote. I know there are some people who think we should have gone through a regular process. The last time we went through a regular process, with individual votes coming to the floor by October 1, was 1994. It is 2011. As the appropriator, the chair of this committee, I knew that was not a way to go to bring quick relief to the disaster victims who need help.

So the stand-alone approach, sending a strong vote from the Senate today, will help us negotiate with the House. They have a different idea. I happen not to agree with their idea. They are entitled to their own idea. We are entitled to our own idea, and our own idea is with Democrats and Republicans voting yes on this Burma sanctions bill, we can send reliable, long-term funding.

In closing, let me tell you what the alternative is if you vote no. If you vote no on this and think you can go home and tell your people you helped them, you are going to be faced next week with a vote to give your people 6 weeks of disaster funding. That is how long the continuing resolution lasts.

Believe me, having had to rebuild a good part of our State, you cannot do it 6 weeks at a time. I strongly suggest you give a strong vote for disaster victims, long-term funding they can rely on, and we negotiate with the House next week.

The PRESIDING OFFICER (Mr. FRANKEN). The question is on agreeing to the Reid amendment No. 602.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Mr. KOHL) is necessarily absent.

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

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—62

Akaka	Hagan	Nelson (FL)
Baucus	Harkin	Pryor
Begich	Heller	Reed
Bennet	Hoeben	Reid
Bingaman	Inouye	Rockefeller
Blumenthal	Johnson (SD)	Rubio
Blunt	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (MA)	Landrieu	Shaheen
Brown (OH)	Lautenberg	Snowe
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Carper	Lieberman	Toomey
Casey	Manchin	Udall (CO)
Collins	McCaskill	Udall (NM)
Conrad	Menendez	Vitter
Coons	Merkley	Warner
Durbin	Mikulski	Webb
Feinstein	Murkowski	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson (NE)	

NAYS—37

Alexander	Enzi	McCain
Ayotte	Graham	McConnell
Barrasso	Grassley	Moran
Boozman	Hatch	Paul
Burr	Hutchison	Portman
Chambliss	Inhofe	Risch
Coats	Isakson	Roberts
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Kyl	Wicker
Crapo	Lee	
DeMint	Lugar	

NOT VOTING—1

Kohl

The PRESIDING OFFICER. On this vote the yeas are 62, the nays are 37. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. Under the previous order, the joint resolution,

H.J. Res. 66, as amended, is passed, and the motion to reconsider is considered made and laid upon the table.

The joint resolution (H.J. Res. 66), as amended, was passed, as follows:

H.J. RES. 66

*Resolved*, That the resolution from the House of Representatives (H.J. Res. 66) entitled "Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003," do pass with the following amendment:

Strike all after the resolving clause and insert the following:

**DIVISION A—RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003**

**SECTION 1. RENEWAL OF IMPORT RESTRICTIONS UNDER BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.**

(a) *IN GENERAL*.—Congress approves the renewal of the import restrictions contained in section 3(a)(1) and section 3A (b)(1) and (c)(1) of the Burmese Freedom and Democracy Act of 2003.

(b) *RULE OF CONSTRUCTION*.—This division shall be deemed to be a "renewal resolution" for purposes of section 9 of the Burmese Freedom and Democracy Act of 2003.

**SEC. 2. EFFECTIVE DATE.**

This division shall take effect on the date of the enactment of this joint resolution or July 26, 2011, whichever occurs earlier.

**DIVISION B—SUPPLEMENTAL APPROPRIATIONS**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2011, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

For "Emergency Conservation Program" for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$78,000,000, to remain available until expended: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011: *Provided further*, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

EMERGENCY FOREST RESTORATION PROGRAM

For "Emergency Forest Restoration Program", for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$49,000,000, to remain available until expended: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011: *Provided further*, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For "Emergency Watershed Protection Program" for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$139,000,000, to remain available until expended: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011:

*Provided further*, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount for "Economic Development Assistance Programs" for expenses related to disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation in 2011 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$135,000,000, to remain available until expended: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011: *Provided further*, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

TITLE III

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for "Mississippi River and Tributaries" for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$890,177,300, to remain available until expended for repair of damages to Federal projects: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: *Provided further*, That each amount in this paragraph is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance", \$60,000,000, to remain available until expended to dredge navigation channels and repair damage to Corps projects nationwide related to natural disasters: *Provided*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: *Provided further*, That the amount in this paragraph is designated by Congress as being for an emergency requirement pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

For an additional amount for "Operation and Maintenance" for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) to dredge navigation channels and repair damage to Corps projects nationwide related to natural disasters, \$88,003,700, to remain available until expended: *Provided*, That the amount in this paragraph shall not become available for obligation until October 1, 2011: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House

of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That each amount in this paragraph is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repair and other activities in response to recent natural disasters as authorized by law, \$244,000,000, to remain available until expended: Provided, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That the amount in this paragraph is designated by Congress as being for an emergency requirement pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

For an additional amount for "Flood Control and Coastal Emergencies", for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) and as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repair and other activities in response to recent natural disasters as authorized by law, \$66,387,000, to remain available until expended: Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after enactment of this Act: Provided further, That each amount in this paragraph is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended.

#### TITLE IV

##### DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF

For an additional amount for "Disaster Relief", \$500,000,000, to remain available until expended: Provided, That the amount in this paragraph is designated by Congress as being for an emergency requirement pursuant to section 3(c)(1) of H. Res. 5 (112th Congress) and to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

For an additional amount for the "Disaster Relief" for expenses resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$4,600,000,000, to remain available until expended: Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended. This Act may be cited as the "Emergency Supplemental

Disaster Relief Appropriations Resolution, 2011".

#### TITLE V

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT FUND

For an additional amount for the "Community Development Fund", for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization resulting from a major disaster designation pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) in 2011, \$100,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93-383): Provided, That the amount in this paragraph shall not become available for obligation until October 1, 2011: Provided further, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended: Provided further, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State or subdivision thereof under the Community Development Fund: Provided further, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by a State or subdivision thereof explaining why such waiver is required to facilitate the use of such funds or guarantees, if the Secretary finds that such waiver would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver.

This division may be cited as the "Emergency Supplemental Disaster Relief Appropriations Resolution, 2011".

##### SURFACE AND AIR TRANSPORTATION PROGRAMS EXTENSION ACT OF 2011

Mr. REID. Mr. President, I move to proceed to H.R. 2887 under the terms of the previous order.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2887) to provide an extension of surface and air transportation programs, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the three votes that will come soon be limited to 10 minutes each.

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

Under the previous order, there will be 10 minutes of debate equally divided between the Senator from Kentucky, Mr. PAUL, and the Senator from Nevada, Mr. REID, or their designees.

The PRESIDING OFFICER. The Senator from Kentucky.

#### AMENDMENTS NOS. 621 AND 622

Mr. PAUL. Mr. President, I ask unanimous consent to call up in bloc my amendments Nos. 621 and 622.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments by number.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes en bloc amendments numbered 621 and 622.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments are as follows:

#### AMENDMENT NO. 621

(Purpose: To limit the amount authorized to be expended from the Highway Trust Fund in any fiscal year to the amount anticipated to be deposited into the Highway Trust Fund in that fiscal year)

On page 38, line 24, strike "(d)" and insert the following:

(d) LIMITATION ON HIGHWAY TRUST FUND EXPENDITURES.—Notwithstanding any other provision of law, the amount authorized to be expended or transferred during a fiscal year from the Highway Trust Fund, established under section 9503 of the Internal Revenue Code of 1986, may not exceed the amount appropriated, transferred, or otherwise made available to the Highway Trust Fund during such fiscal year, based on estimates made by the Congressional Budget Office.

(e)

#### AMENDMENT NO. 622

(Purpose: To decrease the authorization of appropriations for the Federal Aviation Administration to fiscal year 2008 levels)

At the end of title II, add the following:

#### SEC. 210. AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL AVIATION ADMINISTRATION AT FISCAL YEAR 2008 LEVELS.

Notwithstanding the provisions of, or amendments made by, this title, or any other provision of law, there are authorized to be appropriated to the Federal Aviation Administration for the period beginning on September 17, 2011, and ending on January 31, 2012, for all purposes (other than for the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986) amounts not to exceed the amounts authorized to be appropriated to the Administration for the period beginning on September 17, 2007, and ending on January 31, 2008, for such purposes.

Mr. PAUL. Mr. President, we are considering today the highway bill and the