

side—I am going to ask unanimous consent to yield back all time and go to a vote.

In the meantime, I suggest the absence of a quorum and ask that the time be equally divided.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. REED. Mr. President, it is a distinct honor for me to rise in support of Dean Elena Kagan and her nomination to be Solicitor General of the United States. As most of my colleagues are aware, she has had an illustrious legal career that includes clerking for Judge Abner Mikva on the U.S. Court of Appeals for the District of Columbia and also Justice Thurgood Marshall on the U.S. Supreme Court. She has obtained tenure in two of the most distinguished law schools in the country: the University of Chicago and Harvard Law School. She served as Special Counsel in the Clinton administration, and now she is dean of the Harvard Law School.

I had the privilege of getting to know Dean Kagan through alumni activities at Harvard Law School. She is much younger than I, obviously much smarter than I, but we still are alumni of the same law school. She is extraordinarily qualified to be the Solicitor General based on her intellectual gifts but also in terms of her temperament, her professionalism, her experience, and her innate sense of fairness and decency. She will represent the United States well, not only with her legal analysis but with her commitment to the principles that sustain this country based on the Constitution of the United States. There are many qualities that make her ideally suited for this job—her temperament, her maturity, her judgment, her success in leading one of the most complicated faculties in the country.

Most lawyers have opinions, so when you put 100 or so of them together, you have a lot of different viewpoints. She has led Harvard Law School with great skill and with great success. I think it will be an indication of her ability to lead the Solicitor General's office and to harmonize in principle, reaching substantive agreements, the critical issues that are debated within the this important office and going forward.

In the 5 years she has been dean of the law school, she also received great acclaim for bridging the differences in approaches and viewpoints at the school, with hiring new faculty members with diverse viewpoints, different from hers, recognizing that the heart and soul of an academic institution is debate, vigorous debate, not orthodoxy but vigorous debate, and she has done that.

She has been very attentive to the needs of the students there. I was par-

ticularly impressed when I visited the law school and had a chance to meet some veterans of the U.S. military who had served in Iraq and Afghanistan and who were then current law students at Harvard. Their praise for the dean, both her personal qualities and her leadership qualities, was unstinted. They saw her as someone who deeply appreciated their sacrifice as soldiers, marines, sailors, and airmen in the service of this Nation. They understood this not just from what she said, but from her attitude, her deep and profound respect for their service. I thought that was a particularly telling point, commending her to me in a very real and very immediate sense.

What is also particularly striking about Dean Kagan is that her entire life's work as a legal scholar shows a deep and profound commitment to the Constitution of the United States which governs us all. She has committed herself to giving it meaning, to making it a force to advance the ideals of this country. She brings not only great respect for the Constitution, great knowledge of the Constitution, but also the understanding that this is a document that unites us—our aspirations, our ideals, our hopes, our wishes for the future—it links us to the past and it unites us to go forward into the future.

She was asked by officials at my other alma mater, West Point, in October 2007 to speak to the cadets because they recognize that this is a woman of rare talent as a lawyer and rare judgment, someone who understands that we live in a government of laws, not of men and women. That is a fundamental lesson that must be imparted to those who take an oath to protect with their lives the Constitution of the United States, to recognize that we are a nation of laws, and soldiers, more than anyone else, have to recognize that because it is their lives that give us the opportunity to live under this Constitution of laws.

She used as a touchstone for this speech a place on campus at West Point called Constitution Corner. It was the gift of the West Point class of 1943. It was to recognize that, in fact, soldiers in this great country are servants to the Constitution.

One of the five plaques at this site is entitled "Loyalty to the Constitution," which basically states what all of us who have been in the military are keenly aware, that the United States broke with an ancient tradition. Instead of swearing loyalty to a military leader, American soldiers swear their loyalty to the Constitution of the United States. I had that rare privilege on July 3, 1967, when I took the oath as a cadet at West Point.

The rest of her speech explored the fundamental rule of law, giving purpose and context to what these young men and women, soldiers in our Nation, will do when they lead other soldiers to defend—not territory, not business enterprises, but the foundation of

our country—the Constitution of the United States.

She mentioned examples of people who have put the Constitution before their own personal comfort and privilege—President Nixon's Attorney General Archibald Cox, who refused to go along with summary firings in the wake of the Watergate scandal, and President George W. Bush's Attorney General John Ashcroft, our former colleague, both of whom did their best to uphold the rule of law in very trying circumstances. These are examples that I think resonated very well with the cadets.

I believe the dean is someone who has not just the skill, not just the mind, but the heart to serve with distinction as Solicitor General of the United States. She will be a forceful and powerful advocate, not for the administration, not for any small, narrow cause, but for the Constitution of the United States. I believe that is the fundamental role of the Solicitor General, one she will perform admirably.

I recommend without reservation Dean Kagan to this body. I hope we all rise to support her. If confirmed as the first female Solicitor General of the United States, we will be extremely fortunate to have her representing the people of the United States before the Supreme Court of the United States.

Mr. President, I yield the floor. I suggest the absence of a quorum and ask that the time be equally divided between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

GUN VIOLENCE

Mr. BURRIS. Mr. President, I stand today to discuss a matter of great importance and great sadness to every community across this country. From our biggest cities to our smallest towns, gun violence is stealing the lives of innocent victims. It is tearing apart families, communities, and our own sense of security. Gun violence in our communities must end, and it must end now.

In just the last 2 weeks we have had too many grim reminders of what can happen when there are too many weapons on the street. From Chicago and Maryville, IL, to Samson, AL, we have seen gun violence mix with devastating results.

Friday was a tragic day in Chicago. Last Friday night, 14-year-old Gregory Robinson was gunned down in a car while driving with his family through Chicago's far south side. This young man's funeral is today. Instead of reaching his dream to become a basketball star at Simeon Career Academy in Chicago, this high school freshman became the 28th Chicago public

school student to be killed just this year. Twenty-eight students, Mr. President. I repeat, 28 young lives are now snuffed out.

Last Tuesday was an equally tragic day in the city. On Tuesday, young Franco Avilla, a tenth grader at Roosevelt High School on Chicago's west side, was shot to death. Instead of being the exception, shooting deaths of our school children have now become the rule. Last school year, 26 Chicago public school students were shot during the full 9-month school year. Well, this year, Chicago public schools have already surpassed this sad milestone, and it is only March.

When Franco left his house last Tuesday afternoon, his last words to his father were: "Dad, I'll be back." He never came home. Gun violence took his life.

We must take action now to get these weapons off our streets and end the senseless slaughter of our young people.

Guns played an equally devastating role in the life of Juan Pitts. Mr. PITTS' son, Kendrick, was a 17-year-old student at Bowen High School when he was shot down last month alongside two other Chicago public school students—15-year-old Raheem Washington and 13-year-old Johnny Edwards.

The deaths of these young men are atrocious. Yet the pain and tragedy of the Pitts family has only doubled since then. Two weeks ago, Kendrick's brother, Carnell, who graduated from Bowen High School last year, was shot to death at a gathering on Chicago's south side.

Gangs and gun violence go hand-in-hand. Our youth should be carrying school books instead of firearms. Yet in so many instances, our failure to invest in the education of our youth on the front end is at the root of the violence and imprisonment, as a result, on the back end. Our failure to enact serious, sensible gun control measures make it much more likely these tragedies are going to occur again and again.

We tend to think of gun violence as a problem of large urban areas—a symptom of America's big cities. Well, the truth is, no community is immune to such senseless behavior. I am from a small town. I was born and raised in Centralia, IL, which is about 100 miles south of our State capital of Springfield. I know how close-knit these small-town families and small towns are. I know how safe these towns seem to be.

Sadly, two recent events proved otherwise.

A recent shooting in Maryville, IL, which is about an hour-and-a-half drive from my hometown of Centralia, reminds us that the dangers associated with guns affect us all, no matter where we live, work, pray or go to school.

Two weeks ago, on a quiet Sunday morning, a 27-year-old gunman walked straight down the aisle of Maryville's First Baptist Church and shot and

killed Pastor Winters during the normal weekly service. Just days later, in Samson, AL, we saw the all-too-familiar word flash across our TV screens again—"massacre." A 28-year-old gunman killed a total of 10 individuals and injured many more before he finally took his own life during an hour-long rampage.

The 10 individuals who died, whose lives ended on that tragic Tuesday afternoon, were going about their daily routine without the slightest thought that their lives would end that very day. The many more who were wounded by those gunshots surely never thought they, too, would be victims—survivors, nonetheless—of gun violence.

The stark truth is, everybody is a victim of gun violence. Every Senator in this body has constituents who have been touched by this issue, and it is our responsibility as lawmakers and leaders of this great Nation to ensure assault and semiautomatic weapons do not take the lives of so many innocent victims. We must take action to stop the senseless killing on our Nation's streets, in our communities, at our schools, and in our places of worship. We must take action to increase our gun control measures and decrease our gun violence. Ultimately, by doing so, we will be taking action to ensure our children, our families, and our communities live in a safer place in America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BURRIS. I ask unanimous consent the time of the quorum call be equally divided.

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

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

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

Mr. BENNETT. Mr. President, I ask unanimous consent that I be allowed to speak up to 10 minutes as in morning business.

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

THE BUDGET

Mr. BENNETT. Mr. President, President Obama's budget is sending mixed messages to the American people. I know he faces a very difficult time, as do we all. I know he is trying to get the best counsel he can, and I applaud him for that. I do not have a degree in mac-

roeconomics and I know some of the finest macroeconomists in the country are on President Obama's team. I do not know anybody, however, on President Obama's team who has ever run a small business. So, if I may be so presumptuous, I would like to share some of the realities of running a small business with the President's team and see if we can't understand why many of the things that are in the President's budget, in fact, will have directly the opposite effect than he wants.

It is the goal of the administration to increase job creation and spur economic growth. That is a legitimate goal. However, we must understand this about how you increase job creation: You must be sure small businesses are properly taken care of because small businesses provide more than half the jobs Americans hold and small businesses create the new jobs. When large businesses start downsizing, buying people out and laying people off, where do they go? In many instances, those who do not go on unemployment end up in small businesses.

If I may offer my own credentials, I have run businesses that were as small as two people—myself and my secretary. I was recruited to be the CEO—a very high-powered title—of a business that had only four employees. I made number five. We grew that business to the point that there were thousands of employees and the business was ultimately listed on the New York Stock Exchange. So I offer that to the macroeconomists on President Obama's team, to say that if you want to increase jobs and if you want to increase economic growth and thereby increase tax revenue to the Federal Government, you should pay attention to small business.

One of the worst things that can happen to you when you are trying to grow a small business is to make money. That sounds counterintuitive, but it is true. Why? Because you need that money to finance your growth, but the Government shows up and says we want ours in taxes. So you want the tax rate to be as low as possible. The business that I described, that went from four employees to the New York Stock Exchange, was built during what the New York Times and other critics called the decade of greed because the top tax rate was 28 percent, and they thought that was terrible. It was only 28 percent, the top marginal tax rate? That is awful. That only goes for the greedy Americans.

That meant that for every dollar we earned in that business, we got to keep 72 cents of it, which we could use to finance the growth of the business. That business was grown with internally generated funds. Yes, we had a bank line and yes we drew on the bank line, but it was the internally generated funds that made it possible for us to create those thousands of jobs.

Because there were a small number of us in that business, we took the