



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, MONDAY, MARCH 30, 2009

No. 53

Senate

The Senate met at 11 a.m. and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

PRAYER

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

Let us pray.

O God, the fountain of wisdom, today help our lawmakers to be wise enough to ask for Your guidance and humble enough to receive it. Give them the ability to hear Your voice and follow Your leading. Lord, lead them to be as kind to others as they want people to be to them. As they faithfully work for freedom, remind them that they are living in Your sacred presence. Give them the wisdom to avoid the paths that bring regret, remorse, and shame. At all times, keep their thoughts pure, their words true, and their actions honorable. Cultivate within them the grace of gratitude, integrity, discipline, and kindness.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CARL LEVIN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 30, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. LEVIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will proceed to the budget resolution. Under the statute that governs this legislation, we have 50 hours of debate. There will be no rollcall votes today. There should be a lot of votes in the next few days after today.

THE ECONOMY

Mr. REID. Mr. President, 8 years ago, President Bush inherited from President Clinton a prosperous and a very strong nation with a tremendously powerful, growing economy. Our unemployment rate was at an exceptionally low rate of just over 4 percent. We had a budget surplus of about \$130 billion. We were actually paying down the debt. For 3 years, we paid down the debt by about half a trillion dollars.

President Bush and congressional Republicans inherited an economy that was growing and lifting all Americans along with the growing economy. Then Bush, Cheney, and the congressional Republicans set about dismantling the foundation of prosperity that built up over the years. They slashed taxes for the super-rich based on the long-discredited theory that these dollars would trickle down to the middle class and poor. They repealed or ignored oversight laws meant to protect our fi-

nancial markets from manipulation and excess. They borrowed hundreds of billions of dollars to fight a war in Iraq marred by waste, fraud, and abuse. It took all of their 8 years in power, but George Bush, Dick Cheney, and Republican allies here not only reversed the prosperity they inherited but set us on the course of the worst economic crisis since the Great Depression.

This January, President Obama inherited from President Bush an unemployment rate above 7 percent, and climbing, a Republican deficit of nearly \$500 billion, and a national debt twice the level it was when he took office. In the first weeks of his term, President Obama has shown exactly why our country entrusted him with the Presidency during this hour of crisis. We inherited a Republican deficit of half a trillion dollars. But with calm and determined leadership, President Obama proposed an economic recovery plan that is now beginning to stem the tide of job loss—especially jobs—and create new opportunity for workers and small businesses in every corner of our country. He proposed a budget that focuses on long-term prosperity, in addition to near-term recovery, by lowering taxes for working people, laying the groundwork for cutting the Republican deficit in half, and investing in renewable energy, health care, and education.

Over the past weeks, Members of Congress have taken a close look at the President's budget and considered their own proposals to strengthen it further. As usual, Chairman CONRAD has done an outstanding job. He has brought Democrats and Republicans into the budget process and considered all proposals with equal weight. That is how we will approach this week ahead.

A piece of legislation this important to America's future requires us to move forward in a serious, productive, and inclusive manner. Democrats have maintained all year that the best solutions to the challenges we face come

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



Printed on recycled paper.

when both parties seek and find common ground. The minority can play a major role in this process but only if they offer solutions, not sound bites.

We all recognize that reversing 8 years of Republican deficits and fiscal irresponsibility will take time. It will not happen overnight. We may not know exactly when the recession will end, but I am confident that passing the budget will hasten the day when recovery begins.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of S. Con. Res. 13, which the clerk will report.

The assistant legislative clerk read as follows:

A Senate concurrent resolution (S. Con. Res. 13) setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I have spoken to the two managers of the bill. As soon as Senator McCONNELL comes to the floor, they will turn the floor over to him. He is coming, but he was detained on the way. So if the two managers will go ahead and start the bill, and when Senator McCONNELL gets to the floor, he has a statement he wants to make, and that will start the time counting.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, Americans have serious concerns about this budget and the massive amount of spending, taxing, and borrowing it calls for right in the middle of a recession. They are also increasingly concerned that Democratic leaders in Washington seem to be less and less straightforward about what we are actually doing here on Capitol Hill.

Americans were upset to learn that a provision was quietly dropped from the stimulus bill that would have kept taxpayer dollars from going to executives

at failed financial firms. But they were equally upset at how those bonuses came about—the language blocking them was quietly stripped from the bill in a closed conference room somewhere in the Capitol without anybody looking.

A few days after that, openness took another holiday on Capitol Hill when Democratic leaders announced new budget gimmicks that had the effect of concealing the true long-term costs of the administration's \$3.6 trillion budget. And now questions about diminishing transparency relate to the budget itself—a budget that almost makes the trillion-dollar stimulus bill look fiscally responsible by comparison.

Everyone knows that the national debt is already too high and that this budget would cause that debt to balloon even more—doubling in 5 years and tripling in 10. Yet, even with all that borrowing, the administration still will not have enough money to pay for the massive expansion of Government outlined in this budget. In order to cover the cost, they propose two things: a tax on income that hits small business very hard and a new national energy tax that would hit every American household and business.

But the Democratic budget writers had a problem: This new energy tax is deeply unpopular, and it is a serious job killer. According to some estimates, this tax could cost every American household up to \$3,100 a year just for doing the same things people have always done, such as turning on the lights and doing the laundry. It is also a tax on all economic activity, from factory floors to front offices. This tax won't just hit American households, it will cost us jobs.

Another problem was that virtually all Republicans and a lot of Democrats agree with most Americans that this new national energy tax is a terrible idea and that we can't afford it. Yet, without this tax, there is just no other way for Democratic leaders to pay for all the new Government programs the administration wants. The solution to the problem was this: Democratic budget writers decided to use a rule that allows them to fast track legislation down the road, including potentially the new energy tax, without any input from Democrats and Republicans who either have serious concerns about this tax or who oppose it altogether.

The chairman of the Budget Committee argues that this version of the budget resolution doesn't allow this avenue for fast tracking legislation on an energy tax, and that may be so. But we also know two things: First, the language House budget writers have used in their budget resolution leaves the door wide open to include the energy tax, and the Democrats need this tax as a slush fund to pay for all the new programs the budget creates.

Some still argue that this fast-track process won't be used for the energy tax. They must not be paying attention to the administration's budget direc-

tor, who says fast tracking the energy tax isn't off the table. And they must not have been paying attention to our friend the majority leader, who, to his credit, has been quite candid about the fact that the amount of money the administration needs for its health care proposals is almost exactly what the administration says it can raise from a national energy tax. Americans don't need another \$3,100 added to their tax bill.

And just as worrisome is the method being used to ram this tax through Congress: lay the groundwork, keep it quiet, and rush it through with as little transparency and as little debate as possible.

If there is anything we have learned over the past few weeks, it is that the American people want more people watching the store, not fewer. If the bonuses taught us anything at all, it is that Americans think we should take more time, not less, when considering how to spend their money. If Democratic leaders intend to pay for all the administration's programs with a new energy tax, they should say so now, bring it to the full Senate, and let the people decide. Anything less on a policy shift of this magnitude betrays a troubling lack of straightforwardness about the Democrats' plan for imposing a massive new tax on the American people and American businesses.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I ask unanimous consent that the use of calculators be permitted on the floor during consideration of the budget resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I know my colleague, Senator GREGG, the ranking member, has a statement he would like to make, and so I will withhold for his statement.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the courtesy of the Senator from North Dakota, who is always extraordinarily courteous, professional, and generous. Before we begin the specific debate on the issue of the budget, which obviously we both have to be here for—and I know he has a lot of things going on in North Dakota with the flooding—I would like to make a few remarks off topic.

(The further remarks of Mr. GREGG and Mr. CONRAD are printed in today's RECORD under "Morning Business.")