

table, but this man is one of the greatest humanitarians who have ever lived. He dedicated his life to the development of scientific breakthroughs in order to ease malnutrition and famine all over the world.

One of Dr. Borlaug's latest efforts began in the early 1980s. There wasn't anything in the Nobel armada of prizes that represented agriculture, which is why he received the Peace Prize for recognition of his research in agriculture, and so Dr. Borlaug thought there ought to be an annual award for research in agriculture and helping with the problems of food production. Through his initiative, the World Food Prize was initiated. It recognizes the achievement of individuals who have advanced human development by improving the quality, quantity, and availability of food in the world. Just as Dr. Borlaug dreamed, the World Food Prize is helping to continue to inspire future generations of scientists and farmers to innovate and lift those mired in poverty and preserving Dr. Borlaug's legacy over the years. The World Food Prize is the idea of Dr. Borlaug, and so his scientific work will live on.

The World Food Prize exists today because of the John Ruan family endowing it. They are an outstanding Des Moines business family, and they have endowed this. President of the World Food Prize is the former Ambassador to Cambodia, Dr. Ken Quinn. The World Food Prize has been headquartered in Des Moines since 1992, about 4 or 5 years after its founding.

An extraordinary man, with a brilliant vision and Iowa common sense who turned his dreams into reality—that was Dr. Norman Borlaug.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, how much time is remaining?

The ACTING PRESIDENT pro tempore. There is 30 minutes remaining in morning business, with Senators having a 10-minute limit. The Senate goes out of morning business at 3 o'clock.

Mr. ALEXANDER. Will the Chair please let me know when 1 minute is remaining—after 9 minutes?

The ACTING PRESIDENT pro tempore. The Chair will so advise.

#### PUSH OUT THE CZARS

Mr. ALEXANDER. Mr. President, according to news accounts, there are approximately 32 or 34 so-called czars in the Obama White House and government. Respected voices in the Senate—Senator BYRD, a senior Democrat and Senator HUTCHISON, a senior Republican—have pointed out that these czars are an affront to the Constitution. They are anti-democratic. They are a poor example of a new era of transparency, which is what was promised to this country. I would add that they are a poor way to manage the government, and they seem to me to be

the principal symptom of this administration's 8-month record of too many Washington takeovers. We have an AIDS czar, an auto recovery czar, a border czar, and a California water czar. We have a car czar, a central region czar, and a domestic violence czar. There is an economic czar, an energy and environment czar, a faith-based czar and a Great Lakes czar. The list goes on, up to 32 or 34. One of these, for example, is the pay czar, Mr. Kenneth Feinberg, the Treasury Department's Special Master for Compensation. He will approve pay packages at seven firms receiving TARP funds, thus deciding how much pay is too much. This will affect the top earners at some of the major corporations in America.

According to Mr. Feinberg, in answer to some questions, he said:

The statute provides guideposts but the statute ultimately says I have discretion to decide what it is that these people should make and that my determination will be final. Anything is possible under the law.

That is the pay czar. Then we have a manufacturing czar. The manufacturing czar's name is Mr. Ron Bloom. He is also the car czar. We have had manufacturing czars before in other administrations, but as Rollcall pointed out on September 8, Mr. Bloom's background and new position differs from the two czars who served under former President George W. Bush:

Bloom is a former union official, remaining close to leaders in organized labor. Bush's manufacturing czars were placed in the Commerce Department. Bloom, on the other hand, was entrusted with a high profile Presidential task force on autos, and will operate within an office that has broad authority over domestic policy. He will head the auto task force which is in the Treasury Department.

According to the policy director for the AFL-CIO, Mr. Bloom is expected to have a major role in the development of climate change legislation. So-called buy American provisions that favor home-grown products, and tax credits for domestic industry need to be included, said the policy director for the AFL-CIO, in the climate change provision. If it's not done right, the President could lose votes, said the AFL-CIO Policy Director.

In other words, Mr. Bloom may end up being the protectionist czar as well.

Then there is the health czar, a very distinguished Tennessean, Nancy-Ann DeParle, a very able woman I know well. But who is in charge of health care policy? Is it the Secretary of Health and Human Services, confirmed by the Senate, accountable to the Congress, accountable, therefore, to the people of the country? Or is it someone in the White House who, an administration official says will "wake up every morning focused on health care reform, and she is going to be focused on that the entire day through?"

There have been czars in the White House, at least since President Franklin D. Roosevelt. Of the 32 or 34 we have today—and I am using those two numbers because there are different reports and 2 or 3 czar positions are vacant—only 8 are confirmed by the Senate. We have had czars before, but there has never been anything quite like this.

Let me take my concerns one by one. Article I of the Constitution of the United States gives to the Congress the appropriations power and sets up, in articles II and III, the executive and judicial branches, a system of checks and balances to make sure no one branch of the Federal Government runs away with the government. Senator ROBERT BYRD, the President pro tempore of the Senate, wrote a letter to President Obama on February 23. Senator BYRD, who is often called the Constitutional conscience of the Senate, expressed his concern over the increasing appointments of White House czars and the relationship between these new positions and their executive branch counterparts, noting:

Too often, I have seen these lines of authority and responsibility become tangled and blurred, sometimes purposely, to shield information and to obscure the decision-making process.

That is Senator BYRD speaking. He goes on to say:

The rapid and easy accumulation of power by White House staff can threaten the Constitutional system of checks and balances. At the worst, White House staff have taken direction and control of programmatic areas that are the statutory responsibility of Senate-confirmed officials.

Continuing:

As presidential assistants and advisers, these White House staffers are not accountable for their actions to the Congress, to Cabinet officials, and to virtually anyone but the president. They rarely testify before congressional committees, and often shield the information and decision-making process behind the assertion of executive privilege. In too many instances, White House staff have been allowed to inhibit openness and transparency, and reduce accountability.

More recently, one of the senior Republicans, Senator KAY BAILEY HUTCHISON of Texas, who is the senior Republican on the Senate Committee on Commerce, Science and Transportation, said in an op-ed in the Washington Post:

I oversee legislation and agencies that cover policy areas as vast and varied as trade, technology, transit, consumer protection and commercial regulation. As many as 10 of the 32 czars functionally fall under my committee's jurisdiction. Yet neither I nor the committee chairmen have clear authority to compel these czars to appear before our panel and report what they are doing. The Obama administration presented only two of these officials for our consideration before they assumed their duties. We have had no opportunity to probe the others' credentials.

That is Senator KAY BAILEY HUTCHISON of Texas. I ask unanimous consent to have printed in the RECORD following my remarks the comments of Senator ROBERT BYRD and the op-ed of Senator KAY BAILEY HUTCHISON.

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

(See exhibit 1).

Mr. ALEXANDER. As the Senator said, many of these czars have no vetting by the Senators, no appropriation requests to be considered by us, no testimony given, and answer no hard

questions. Who is making the policy, then, on health care, on climate change, on energy?

I have been reading President James K. Polk's diaries. I may be the only one in the United States reading them these days. They are actually very interesting. He wrote down every night what he did that day, back in the 1840s. Among the things he did, he had a Cabinet meeting every Tuesday and Saturday and every major issue that came before him, whether it was the war with Mexico, annexation of Texas, the argument with Great Britain about what to do in Oregon—he submitted all those questions to his Cabinet, and then the Cabinet, of course, had to go before the Congress and testify. He didn't always agree with the Cabinet.

Secretary of State Buchanan disagreed with President Polk quite a bit, but Secretary Buchanan then had to go before the Congress and come back and tell the President what he heard. That was a long time ago, but what the Framers had in mind was checks and balances where the President leads the country, the Cabinet manages the government, and the Cabinet, as the managers of the government, are accountable to the people through their elected Representatives.

The 32 or 34 czars are not representative of the way the American system of government is supposed to work. This is not an era of transparency. It creates so much centralization of power that it is the antithesis of freedom, which is the principal characteristic, the principal aspect of the American character.

The second aspect of this large number of czars that is troublesome is the issue of managing the government. Forty years ago, I worked in the White House for President Nixon under a wise man named Bryce Harlow.

I ask unanimous consent to proceed as in morning business until I am finished with my remarks.

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

Mr. ALEXANDER. Mr. Harlow had worked for President Eisenhower. He was a wise counselor to President Johnson. He knew a lot about how the American Government is supposed to work. He said to me, then a very young staff member—he said:

Lamar, our job here in the White House is to push the merely important issues out of the White House so that we can reserve to the President only that handful of truly Presidential issues.

George Reedy, who was Lyndon Johnson's Press Secretary, wrote:

The job of the President is three things—to see an urgent need, to develop a strategy to meet the need, and persuade half the people he's right.

Mr. Reedy didn't say anything about managing the Government of the United States out of the White House. He talked about leading the country.

Our current President is very skilled at persuading half the people he is right. He has demonstrated that in an

election. He continues to demonstrate that with his speeches. That is not the issue. The issue is whether he ought to bring into the White House, or closer to him into the government, a large group of men and women who are accountable to him but not accountable to anybody else. It is not good for the President of the United States, I would submit, to have close to him people he listens to who do not have to listen to anybody else, or at least who do not have to listen to the elected Representatives of government.

Everyone knows the first thing that happens when a new President is elected is people pick offices, and which office do they pick? They want the office closest to the President because it is an unwritten rule in Washington DC, that influence in Washington is measured in direct proportion to the number of inches one is physically from the President of the United States. So the First Lady usually ends up with the most influence. After that, go right down the hall in the West Wing over to the Executive Office Building. After a while you get out around the Cabinet offices.

I used to be in one of the Cabinet offices in the first President Bush's administration. It is true, the persons with the most influence with the President are almost always the men and women who are closest to him.

The other aspect of management that this seems to contravene in the White House is the "one thing at a time" idea. One thing at a time is best exemplified, I suggest, by President Eisenhower when he said "I shall go to Korea." He said that more than a half century ago when the big issue before the country—there were many, but the biggest issue was the Korean war. President Eisenhower said, in October of the election year, "I shall go to Korea," and in December he went. And he said to the American people, "I will focus my attention on the war in Korea. It will have my full attention until the matter is concluded."

Because he was President and because he had capacity for leadership, people believed he would probably get that one thing done. In fact he did because, in our system of government, people know if the President selects a single issue—say it is health care, say it is climate change, say it is resolving the debt, or fixing Social Security—if he picks one thing and throws himself into that for as long as he is there, the odds are he is going to wear everybody else out. He might have to compromise a little bit along the way.

I used to think this as Governor—and the Presiding Officer was once Governor in Virginia. Often our best proposals would get changed in the legislature. I learned a long time ago you could either condemn that or say: Well, they improved my proposal. Give the other side some credit, and go on to the next issue.

But a Governor and certainly a President who picks one thing can get a lot

done. We have a lot of very talented people in and around the President. The President himself is highly intelligent and well liked by the American people, as well as he is by those of us in the Senate. But sometimes I am afraid the Obama White House resembles the Harvard Law Review meeting where everybody has a bright idea, everybody is very smart, but everyone forgets that someone has to be the operator. Someone has to make it run. Someone has to pick one thing and lean into it for as long as it goes.

My point is, having a large number of bright advisers or czars for every issue under the Sun, clustered around the President, coming up with bright ideas, and who are unaccountable to the Congress for most of what they have to say, is not the best way for a President to pick a single, major issue—let's say health care—and lead the country.

Finally, the number of czars we now have today, who have accumulated over the last several administrations and today have reached a record level is anti-democratic. Czars are usually Russians; they are not Americans. Czars are usually imperialists, not Democrats.

The dictionary says a czar is an autocratic ruler or leader or an emperor or king. A czar is not associated with a democracy, not associated with an era of transparency.

Czars are alien to our way of thinking and our way of government. I am afraid czars are becoming a symbol of this administration and the number of Washington takeovers. Let me not just use my own words, a New York Times article today said:

But one year after the collapse of Lehman Brothers set off a series of federal interventions, the government is the nation's biggest lender, insurer, automaker and guarantor against risk for investors large and small.

Between financial rescue missions and the economic stimulus program, Government spending accounts for a bigger share of the nation's economy—26 percent—than at any time since World War II. The Government is financing 9 out of 10 new mortgages in the United States. If you buy a car from General Motors, you are buying from a company that is 60 percent owned by the Government.

If you take out a car loan or run up your credit card, the chances are good that the Government is financing both your debt and that of your bank. And if you buy life insurance from the American International Group, you will be buying from a company that is almost 80 percent Federally owned.

I ask unanimous consent to have printed in the RECORD this article from September 14 following my remarks.

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

(See exhibit 2).

Mr. ALEXANDER. Czars are becoming a symbol of a runaway government in Washington with too many Washington takeovers. Dr. Samuel Johnson, the British moralist a few centuries ago, was once introduced to a talking dog in a London pub. The proud owner

of the dog asked Dr. Johnson what did he think of how well his dog talked.

Dr. Johnson is reported to have said, he was not so impressed with how well the dog talked, but that the dog talked at all.

That is about the way I feel about the nearly three dozen White House czars and government czars. I am not so worried about who they are, I am worried that the czars are there at all. I believe that the American people in addition to respected Senators, such as Senator BYRD on the other side of the aisle, and Senator HUTCHISON on this side of the aisle, sense this is a problem.

My respectful suggestion to the President is along the same lines as Senator BYRD and Senator HUTCHISON have made. I believe it is time to push these czars out of the White House, and leave the management of government to the managers of government in the Cabinet and the positions in the departments of government who are accountable to the Congress. The positions who are accountable for their confirmation, accountable to answer the questions of Members of Congress, accountable for appropriations that have to be approved by Congress before they can spend the people's money. That is the American way.

I ask unanimous consent to have printed in the RECORD the list of czars published in the newspaper Politico on September 4.

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

(See exhibit 3).

#### EXHIBIT 1

##### BYRD QUESTIONS OBAMA ADMINISTRATION ON ROLE OF WHITE HOUSE "CZAR" POSITIONS

WASHINGTON, DC—Senator Robert C. Byrd, D-W.Va., the Constitutional conscience of the Senate, has written to President Barack Obama expressing his concerns over the increasing appointments of White House "czars," and the relationship between these new White House positions and their executive branch counterparts, noting that "too often, I have seen these lines of authority and responsibility become tangled and blurred, sometimes purposely, to shield information and to obscure the decision-making process."

Byrd, in his February 23 letter, specifically referenced the creation of new White House Offices of Health Reform, Urban Affairs Policy, and Energy and Climate Change Policy, noting that "the rapid and easy accumulation of power by White House staff can threaten the Constitutional system of checks and balances. At the worst, White House staff have taken direction and control of programmatic areas that are the statutory responsibility of Senate-confirmed officials."

"As presidential assistants and advisers, these White House staffers are not accountable for their actions to the Congress, to cabinet officials, and to virtually anyone but the president. They rarely testify before congressional committees, and often shield the information and decision-making process behind the assertion of executive privilege. In too many instances, White House staff have been allowed to inhibit openness and transparency, and reduce accountability," Byrd's letter continued.

Byrd cited President Obama's recent memorandum to the executive departments and agencies in which Obama noted that, "A democracy requires accountability, and accountability requires transparency."

"As you develop your White House organization, I hope you will favorably consider the following: that assertions of executive privilege will be made only by the President, or with the President's specific approval; that senior White House personnel will be limited from exercising authority over any person, any program, and any funding within the statutory responsibility of a Senate-confirmed department or agency head; that the President will be responsible for resolving any disagreement between a Senate-confirmed agency or department head and White House staff; and that the lines of authority and responsibility in the Administration will be transparent and open to the American public," the letter requested and concluded.

#### EXHIBIT 2

[From the New York Times, Sept. 14, 2009]

##### U.S. IS FINDING ITS ROLE IN BUSINESS HARD TO UNWIND

(By Edmund L. Andrews and David E. Sanger)

WASHINGTON.—When President Obama travels to Wall Street on Monday to speak from Federal Hall, where the founders once argued bitterly over how much the government should control the national economy, he is likely to cast himself as a "reluctant shareholder" in America's biggest industries and financial institutions.

But one year after the collapse of Lehman Brothers set off a series of federal interventions, the government is the nation's biggest lender, insurer, automaker and guarantor against risk for investors large and small.

Between financial rescue missions and the economic stimulus program, government spending accounts for a bigger share of the nation's economy—26 percent—than at any time since World War II. The government is financing 9 out of 10 new mortgages in the United States. If you buy a car from General Motors, you are buying from a company that is 60 percent owned by the government.

If you take out a car loan or run up your credit card, the chances are good that the government is financing both your debt and that of your bank.

And if you buy life insurance from the American International Group, you will be buying from a company that is almost 80 percent federally owned.

Mr. Obama plans to argue, his aides say, that these government intrusions will be temporary. At the same time, however, he will push hard for an increased government role in overseeing the financial system to prevent a repeat of the excesses that caused the crisis.

"These were extraordinary provisions of support, not part of a permanent program," said Lawrence H. Summers, director of the National Economic Council at the White House. "You're seeing a process of exit every day. It's a process that's going to take quite some time, but the prospects are much brighter today than they were nine months ago."

That process unfolds every day in a bland bureaucrat's haven, an annex connected by an underground tunnel to the Treasury's main building on Pennsylvania Avenue. There, about 200 civil servants—accountants, lawyers, former investment bankers—oversee the \$700 billion program that pumps taxpayer money into banks, insurance companies and two of Detroit's Big Three auto companies.

In the main Treasury building, senior officials hold veto power over executive pay

packages for the biggest recipients of government loans, like Citigroup and Bank of America. A separate group, working closely with the Federal Reserve Bank of New York, oversees the multibillion-dollar bailout of American International Group. Ten blocks away, at the Federal Reserve, officials are still providing the emergency liquidity that keeps a battered economy moving.

To Mr. Obama's critics, thousands of whom took to the streets of Washington this weekend to protest a new era of big government, all these efforts are part of a plan to dismantle free-market capitalism. On the ground it looks quite different, as a new president and his team try to define the proper role, both as owners and regulators.

#### A LIGHT HAND ON THE REINS

Far from eagerly micromanaging the companies the government owns, Mr. Obama and his economic team have often labored mightily to avoid exercising control even when government money was the only thing keeping some companies afloat.

A few weeks ago, there were anguished grimaces inside the Treasury Department as the new chief executive of A.I.G., Robert H. Benmosche, whose roughly \$9 million pay package is 22 times greater than Mr. Obama's, ridiculed officials in Washington—his majority shareholders—as "crazies."

Causing even more unease to policymakers, Mr. Benmosche insisted that A.I.G.—one of the worst offenders in the risk-taking that sent the nation over the edge last year—would not rush to sell its businesses at fire-sale prices, despite pressure from Fed and Treasury officials, who are desperate to have the insurer repay its \$180 billion government bailout.

But in the end, according to one senior official, "no one called him and told him to shut up," and no one has pulled rank and told him to sell assets as soon as possible to repay the loans.

A similar hands-off decision was made about the auto companies. Shortly after General Motors and Chrysler emerged from bankruptcy, some members of the administration's auto task force argued that the group should not go out of business until it was confident that a new management team in Detroit had a handle on what needed to be done.

But Mr. Summers strongly rejected that approach, and the Treasury secretary, Timothy F. Geithner, agreed.

"The argument was that if the president said he wasn't elected to run G.M., then we couldn't hire a new board and then try to run any aspect of it," one participant in the discussions said. The auto task force took off for summer vacation in July, and it never returned.

But it will probably be several years before the government can begin to sell its stake in G.M. back to the public, and even then, according to a report issued last week by the independent monitor of the Troubled Asset Relief Program, some of the \$20 billion or so funneled to G.M. and Chrysler is probably gone forever.

#### WINDING DOWN PROGRAMS

By contrast, Mr. Obama's team and the Federal Reserve have been more successful than generally recognized at winding down many of the support programs for banks. Nearly three dozen financial institutions have repaid \$70 billion in loans to the Treasury, and officials predict that \$50 billion more will be repaid over the next 18 months. Indeed, the government has earned tidy profit on the first round of repayments.

One of the biggest backstops has been the Temporary Liquidity Guarantee Program of the Federal Deposit Insurance Corporation, which now guarantees about \$300 billion worth of bonds issued by banks.

The volume of new guarantees has declined to less than \$5 billion a month in August from more than \$90 billion a month earlier this year. The F.D.I.C. announced last week that it would either end the program entirely on Oct. 31 or reduce it further by substantially increasing the fees that banks have to pay.

Similarly, one of the Fed's biggest emergency loan programs, the Term Auction Facility, has shrunk by more than half in the last 12 months. A second big program, which finances short-term i.o.u.'s for businesses, has shrunk to \$124 billion, from \$332 billion a year ago.

Obama administration officials bristle at even the hint that their rescue measures have ushered in a new era of "big government."

But supporters and critics alike worry that it will be difficult to shrink the government to anything like its former role. For one thing, Mr. Obama is determined to expand government regulation of business and to beef up federal protections for consumers.

#### SEEKING MORE OVERSIGHT

Mr. Obama's proposals to overhaul the system of financial regulation would give the Fed new powers to supervise giant financial institutions whose failure could threaten the entire financial system.

To limit the dangers posed by insolvent institutions that are "too big to fail," the F.D.I.C. would receive new authority to close them in an orderly way.

The administration would impose much tougher regulation over the vast market for financial derivatives like credit-default swaps and other exotic instruments for hedging risk.

It would also create an entirely new Consumer Financial Protection Agency, which would have broad power to regulate most forms of consumer lending.

In his speech on Monday, White House officials say, Mr. Obama will step up pressure on Wall Street to accept tougher oversight. Even though his proposals have made little headway in Congress, largely because of the battle over health care, Democratic lawmakers said they were determined to pass comprehensive legislation by next year.

"Big government now is the consequence of too little government before," said Representative Barney Frank, chairman of the House Financial Services Committee. "What you have right now, with the government owning companies, is the result of insufficient regulation before."

On a practical level, experts say it will take years for the government to unwind some of its rescue programs.

Thanks to the mortgage crisis and the collapse in housing prices, private investors have fled the mortgage market, and the federal government now finances about 9 out of 10 new home loans in the United States.

The Treasury took over Fannie Mae and Freddie Mac, the government-sponsored finance companies that own or have guaranteed more than \$5 trillion in mortgages, in the first week of September 2008. Fannie and Freddie now buy or guarantee almost two-thirds of all new mortgages. The Federal Housing Administration guarantees another 25 percent.

The cost of keeping the two giant companies afloat has been huge. The Treasury has provided Fannie and Freddie with \$95 billion to cover losses tied to soaring default rates and losses in value on their own mortgage portfolios. Analysts predict that the companies will need considerably more in the year ahead. At the same time, the Fed is buying almost all the new mortgage-backed securities issued by Fannie Mae, Freddie Mac and the F.H.A. Buying up those securities drives

up their price and pushes down their effective interest rates, and ultimately lowers borrowing costs to homebuyers.

#### AN ENORMOUS SCALE

The scale of the Fed's intervention has been staggering. The central bank has acquired more than \$700 billion in mortgage-backed securities so far, and officials have said they will buy up to \$1.25 trillion—a goal that should take the Fed until early next year. To help Fannie and Freddie raise the money they need to buy mortgages from lenders, the Fed is also buying \$200 billion of their bonds.

All told, the government is propping up almost the entire mortgage market and, by extension, the housing industry.

As the government backs away from its rescue operations, economists and others worry about unknown consequences. Some analysts are already predicting that mortgage rates will bump higher when the Fed stops buying mortgage securities, potentially delaying a recovery in housing.

But the much bigger puzzle is how the government will untangle Fannie Mae and Freddie Mac, with their combustible mix of taxpayer support, public policy goals and for-profit structures.

"It will be very difficult to unwind, having stepped in as big as they did," said Howard Glaser, a senior housing official during the Clinton administration and now an industry consultant in Washington. "There is no structure, no mechanism, for private investors to come back into the market."

Other experts and policy makers have begun to raise broader concerns. Even if the Obama administration and the Fed do manage to shrink the government's role to precrisis levels, has the government's immense rescue simply set the stage for more frequent interventions in the future?

"This crisis, whether it's because of the Fed or the Treasury or Congress, has created a lot of new moral hazards," said Charles I. Plosser, president of the Federal Reserve Bank of Philadelphia. "Once you have done this once, even though it was in a severe crisis, the temptation will be for people to figure that in the next crisis you'll do it again. You've got to figure out a way to say no."

[From the Washington Post, Sept. 13, 2009]

#### CZARIST WASHINGTON

(By Kay Bailey Hutchinson)

The Framers of the Constitution knew that the document founding our democracy must be the anchor of liberty and the blueprint for its preservation. Wisely, they provided a balance of powers to ensure that no individual and no single arm of government could ever wield unchecked authority against the American people.

Nearly 250 years later, these critical lines of separation are being obscured by a new class of federal officials. A few of them have formal titles, but most are simply known as "czars." They hold unknown levels of power over broad swaths of policy. Under the Obama administration, we have an unprecedented 32 czar posts (a few of which it has yet to fill), including a "car czar," a "pay czar" and an "information czar." There are also czars assigned to some of the broadest and most consequential topics in policy, including health care, terrorism, economics and key geographic regions.

So what do these czars do? Do they advise the president? Or do they impose the administration's agenda on the heads of federal agencies and offices who have been vetted and confirmed by the Senate? Unfortunately—and in direct contravention of the Framers' intentions—virtually no one can say with certainty what these individuals do

or what limits are placed on their authority. We don't know if they are influencing or implementing policy. We don't know if they possess philosophical views or political affiliations that are inappropriate or overreaching in the context of their work.

This is precisely the kind of ambiguity the Framers sought to prevent. Article One tasks the legislative branch with establishing federal agencies, defining what they do, determining who leads them and overseeing their operations. Article Two requires the president to seek the advice and consent of the Senate when appointing certain officials to posts of consequence. Thus, authority is shared between government branches, guaranteeing the American people transparency and accountability.

As the senior Republican on the Senate Committee on Commerce, Science and Transportation, I oversee legislation and agencies that cover policy areas as vast and varied as trade, technology, transit, consumer protection and commercial regulation. As many as 10 of the 32 czars functionally fall under my committee's jurisdiction. Yet neither I nor the committee chairman have clear authority to compel these czars to appear before our panel and report what they are doing. The Obama administration presented only two of these officials for our consideration before they assumed their duties. We have had no opportunity to probe the others' credentials.

Recently we saw the kinds of dangerous details that can slip by when a powerful federal official isn't put through the Senate confirmation process. Before assuming the post of "green jobs czar," Van Jones had engaged in such troublesome activities as endorsement of fringe theories about the Sept. 11 attacks. He has ties to a socialist group. The Senate confirmation process would typically provide an appropriate forum for identifying and discussing these types of issues and for allowing for public input. Jones's case highlighted the lack of accountability that is becoming commonplace under the Obama administration.

While Jones rightly resigned, there are dozens of other administration czars about whom we still know very little. It is Congress's duty to know who is serving at the highest levels of government, what they are doing, and what qualifications or complications these people bring to the job. It is also our responsibility to make this information known to the people who have elected us to serve and protect them. This is how we ensure accountability.

The deployment of this many czars sets a dangerous precedent that undermines the Constitution's guarantee of separated powers. It must be stopped. President Obama should submit each of his many policy czars to the Senate so that we can review their qualifications, roles and the limits on their authority. To deliver anything less is to deny the American public the accountability and transparency the Constitution guarantees.

#### EXHIBIT 3

[From Politico, Sept. 4, 2009]

#### PRESIDENT OBAMA'S "CZARS"

Politico has compiled a wide-ranging list of President Barack Obama's various "czars." The bolded names were confirmed by Congress, and the italicized names are statutorily created positions created by Congress in legislation.

Afghanistan Czar—Richard Holbrooke.

AIDS Czar—Jeffrey Crowley.

Auto Recovery Czar—Ed Montgomery.

**Border Czar—Alan Bersin.**

Car Czar—Ron Bloom.

Central Region Czar—Dennis Ross.

Domestic Violence Czar—Lynn Rosenthal.

**Drug Czar—Gil Kerlikowske.**  
**Economic Czar—Paul Volcker.**  
**Energy and Environment Czar—Carol Browner.**  
**Faith-Based Czar—Joshua DuBois.**  
**Great Lakes Czar—Cameron Davis.**  
**Green Jobs Czar—Van Jones (resigned on Sept. 6).**  
**Guantanamo Closure Czar—Daniel Fried.**  
**Health Czar—Nancy-Ann DeParle.**  
**Information Czar—Vivek Kundra.**  
**International Climate Czar—Todd Stern.**  
**Mideast Peace Czar—George Mitchell.**  
**Pay Czar—Kenneth Feinberg.**  
**Regulatory Czar—Cass Sunstein.\***  
**Science Czar—John Holdren.**  
**Stimulus Accountability Czar—Earl Devaney—statutory position.**  
**Sudan Czar—J. Scott Gration.**  
**TARP Czar—Herb Allison.**  
**Terrorism Czar—John Brennan.**  
**Technology Czar—Aneesh Chopra.**  
**Urban Affairs Czar—Adolfo Carrion Jr.**  
**Weapons Czar—Ashton Carter.**  
**WMD Policy Czar—Gary Samore.**

\*Nomination was sent to Senate on April 20, no action yet taken.

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

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

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3288, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are again here on Monday afternoon talking about a very important bill that came to the floor last Thursday. That is the investment in infrastructure, transportation, and housing across the country. We have many issues important to many Members who want to get this bill passed and to the President as quickly as possible so we can move forward. My colleague from Missouri and I have worked very hard to put the bill together. We are here this afternoon ready and waiting for our colleagues to offer amendments so we can get to final passage. I know the majority

leader wishes us to finish this fairly quickly. We have a number of appropriations bills we want to complete before the end of September deadline. So we ask our colleagues to get their amendments up, and we will move through them as quickly as we can.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I echo what the chairman of our subcommittee, the Senator from Washington, has said. We have had it out now. We have had this bill out. It has been on the floor since Thursday. We had Friday and the weekend to look at it. A number of my colleagues, many on this side of the aisle, have talked about offering amendments. I hope they will be ready to bring those amendments down. I think one or two are going to be offered this afternoon so we can have votes scheduled at 5:30, as the majority leader has suggested. It is not only the majority leader, it is the Senator from Washington and I who are urging people to come down. This is a very important bill. Everybody has transportation needs, concerns, and issues. Housing is such a significant challenge right now, given the situation in the financial markets and the situation with housing. We have many people who are dependent upon federally supported housing. We need to make sure we have the funds made available to take care of their needs.

We have special needs projects such as the VASH program for veterans with assisted housing that the Chair and I have entered into. That is very important for bringing our service men and women home and giving them the right kind of accommodation. All of these things are in the context of significant financial problems in the Federal Housing Administration. FHA, if you read the papers, is at a crisis point. I have described it as a ticking timebomb. Regrettably, I think that is still an accurate calculation. We have funds to provide to HUD and to the Secretary of HUD, to the IG and others, to deal with problems before they become more serious. So we need to get this bill passed.

I hope our colleagues would bring their amendments forward. We will only be able to vote until 3 o'clock tomorrow afternoon. We would appreciate them bringing as many amendments as they can forward before then, this afternoon and tomorrow, so we can go about the business of conferencing with the House, getting a measure that will get to the President so he can sign it and put these critically important funds to work.

I yield the floor.

Mrs. MURRAY. 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. JOHANNIS. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### AMENDMENT NO. 2355

Mr. JOHANNIS. Mr. President, I ask that amendment No. 2355 be called up.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nebraska [Mr. JOHANNIS] proposes an amendment numbered 2355.

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

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

The amendment is as follows:

(Purpose: Prohibiting direct or indirect use of funds to fund the Association of Community Organizations for Reform Now (ACORN))

After section 414, insert the following:  
 SEC. 4 \_\_\_\_\_. None of the funds made available under this Act may be directly or indirectly distributed to the Association of Community Organizations for Reform Now (ACORN).

Mr. JOHANNIS. Mr. President, I rise today to discuss an amendment pertaining to ACORN, otherwise known as the Association of Community Organizations for Reform Now.

Records will indicate that ACORN has received \$53 million in Federal funds—taxpayer money—since 1994. In the current transportation and housing appropriations bill, ACORN is eligible to add to that number, to receive millions more in taxpayer funds from several different accounts and purposes. It could receive money through mortgage counseling, it could receive money through CDBG, community development block grants, and it could receive money from the Neighborhood Stabilization Program.

The people of Nebraska sent me to Washington to protect them from waste and fraud and abuse, and they asked me to change the status quo. I take that responsibility very seriously. That is why my amendment would prohibit one more penny—one more penny—of taxpayer money from going to ACORN in the transportation and housing appropriations bill.

The recent news surrounding ACORN is alarming, at a minimum. In fact, it is outrageous. Last week, Miami-Dade prosecutors issued arrest warrants for 11 ACORN employees. The employees are charged with falsifying voter registration cards. A total of 1,400 voter registration cards were turned in, and 888 of those cards were found to be a fake. This means almost three-quarters of the voting cards were fraudulent. Then, damaging news surfaced regarding hidden videotapes at the Baltimore and Washington, DC, ACORN offices. You will not believe this: They feature ACORN employees offering advice on illegal activities, including tax evasion, prostitution, and fraud. Today we find out that a different ACORN office—this time in Brooklyn—also offered advice on the same topics. I