

may not have grown up as a farmer but who understands equally as well the importance of this body getting its work done, and that is my friend, the Senator from Illinois, Senator BURRIS.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. I thank my colleague from Virginia, Senator WARNER, who has taken a leadership role on this important and crucial issue in the Senate.

At a time when we are looking at trying to move all this major legislation and solve problems for the people of America, we find ourselves stymied with regard to our third branch of government. The upcoming vacancy on the Supreme Court has already started a lot of talk across the Nation, despite the fact that we don't even have a nominee as yet. But let's forget about that. We must still focus on a number of immediate judicial nominations.

My Republican friends continue to delay and obstruct, and for what reason, I have no idea. Take, for example, my home State of Illinois. There are currently five judicial vacancies, two in the central part of the State and three in the northern part, which is, of course, where we have Chicago. The caseload is tremendous on those current judges and so there are all these delays. If you want to know why it takes so long to bring someone to trial, that is because the judges there are overworked and the numbers there need to be brought up to par with what the requirements call for.

Illinois is not alone. This is happening all over the country. So the numbers are such that we have all of these nominees who have been nominated, and some have been cleared by the committee unanimously. On some of the other judges, whom we did get confirmed, we had to go through cloture. They cleared the committees, they were blocked, but then, when we got to vote on them, the result was 99 to 0. That is uncalled for. So we must do what we can in order to make sure that the judicial process is not being delayed. That is, after all, our third branch of government. That is where justice is rendered for individuals who have violated any of the Federal laws.

My Republican friends are holding these up. They are blocking these important nominations and stopping the Senate from performing its constitutional duty to advise and consent. We cannot consent because of the delay tactics they are using. As a former attorney general of my State, I have a deep understanding of how this obstructionism brings our justice system to a standstill, and justice delayed, of course, is justice denied. It is simply inexcusable.

I urge my Republican colleagues to stop blocking these qualified nominees, stop playing political games at the expense of our court system—the third branch of our government—and let's bring all of those nominees to a vote.

I thank the Senator, and I yield to him.

Mr. WARNER. I thank the Senator from Illinois.

Madam President, I think we have had more than a dozen Senators speak this afternoon. I appreciate all of them coming out on relatively short notice.

We raised these issues before we went on recess, because we want to be respectful not only of traditions but to our colleagues on the other side. We recognize, as the Senator from Colorado has said, that there are rules that allow us to ask unanimous consent to bring these folks up, and in future days and weeks we will use those rules to try to urge a full-fledged debate, and not just on judicial nominees. As the former CEO of a business, and the former CEO of a State, I know there are a whole host of administrative nominees which are part of the administration that this President needs to get in place.

I thank the Presiding Officer for the time we have had to share our concerns about this process. Again, I encourage my colleagues and friends on the other side to allow us to get this fixed, to get back to the substantive debates that are so important—financial reregulation, energy, and jobs—and that the American people deserve and demand.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CENSUS 2010

Mr. BURRIS. Madam President, in 1790, Secretary of State Thomas Jefferson became the first government official to perform the essential duties laid out in Article One Section Two of the U.S. Constitution.

He oversaw a team of marshals, who fanned out across all 13 United States to conduct the very first U.S. census.

In those days, it took quite a long time to gather an accurate count and certify the results.

But, in many ways, that first census laid the cornerstone of our democracy.

It codified the principle that our system of government depends upon accurate representation of the people.

And, even today, that's exactly what the census is all about.

It determines the size of the House of Representatives, and ensures that congressional districts and electoral votes are distributed accurately.

It helps target Federal funding for schools, hospitals, community centers, infrastructure projects, and a whole host of other programs.

In short, it helps our government work the way it is intended in each community, so everyone's voice can be heard.

It is about nothing less than who we are as a country.

It is about enfranchisement, and civic duty, and ensuring the success of the American system of self-government.

That is why our Constitution mandates that the census take place every 10 years.

And that is why, 220 years after Thomas Jefferson started this tradition, we are once again asking all Americans to stand up and be counted.

Our country has grown by leaps and bounds since Jefferson's time. Making sure we get an accurate count can be a complicated process, but it has never been more important, especially for low-income and minority communities, which are in the greatest need for the resources that will be allocated based on this census.

The problem is that many of these communities also have low participation rates—so they are often undercounted, and receive less funding than they deserve.

That is why we need make a special effort to reach out to these communities.

We need to let everyone know how important it is to participate, so we can get a clear, accurate snapshot.

Fortunately, unlike in Jefferson's day, the 2010 census will not take several months to complete—it will take about 10 minutes.

This year's form is one of the shortest in history—and it bears a close resemblance to the original questionnaire that was used in 1790.

Filling it out will be quick and easy—but it will make a world of difference.

I ask my fellow Americans to join me in doing their civic duty, as required by the Constitution. Take 10 minutes to fill out and return this census form. It could be the most productive 10 minutes of the decade. It will make your vote count for more on election day. It will make sure hospitals, fire departments, and police departments are up to the task of serving your community. It will secure adequate funding for roads, bridges, rail lines, and other important infrastructure. And it will help us reaffirm the unwavering commitment shared by all Americans—to a representative government—a government of the people, by the people, and for the people; a government that serves not only the best interests of this great country but of the world.

I yield the floor and 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. 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. BROWN of Ohio. Mr. President, I ask unanimous consent to speak as in

morning business for no more than 5 minutes.

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

TRIBUTE TO TOMASZ MERTA

Mr. BROWN of Ohio. Mr. President, I rise as a result of the resolution offered earlier today commemorating the tragic deaths of so many Polish leaders, especially the death of Tomasz Merta, who is the Minister of Culture in Poland.

I worked with Tomasz Merta a couple times over the last 25 years. In the early 1990s, he was a very young man, was still in his twenties, and he worked with Ohio State's Mershon Center, where I worked, helping his country's government transition from communism to democracy. We worked on everything from curricula writing to training teachers.

I worked with him again when I was a Member of Congress. This time I went to Ukraine, and he helped us train Ukrainian teachers, helped write curriculum, and help those Ukrainian teachers teach government courses on civic education in Kiev.

So Tomasz Merta, born in 1965, graduate of Warsaw University, got a Ph.D. His whole career was all about love of country, all about democracy, all about doing the right thing. He, in the nineties and since, was a prolific writer. He wrote articles about democracy, articles about teaching democracy, articles about building democracy. He was so important to this country. He was one of the youngest leaders who was killed on this terrible, tragic flight.

He had a terrific future. He was the Secretary of State and the Minister of Culture and National Heritage. We will all miss him. Tomasz, as his nickname was—Tomek is his real name. Tomasz is like Thomas and Tommy. Tomasz was a devoted husband, the father of three daughters.

I last saw him several years ago in Kiev. I so appreciate what he did. As I will say now in Polish: I offer my deep condolences to the people of Poland for this tragic loss.

Tomasz and some of his friends taught me some Polish. I must admit I read it, but the pronunciation he helped me with—he and Alicija and others in Poland. I am so sad about his loss. I am so sad for his country. I am so sad for his wife and his three beautiful daughters. I know that country will mourn his loss as it mourns the loss of so many other Polish patriots.

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

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

The bill clerk proceeded to call the roll.

Mr. COBURN. 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.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, morning business is closed.

CONTINUING EXTENSION ACT OF 2010—Continued

The ACTING PRESIDENT pro tempore. The Senate will resume consideration of H.R. 4851.

The Senator from Oklahoma is recognized.

AMENDMENT NO. 3723

Mr. COBURN. Mr. President, if anybody has been watching the Senate today, there was a point of order made that the spending we are going to pass to pay for unemployment insurance extension benefits and benefits for health insurance for those people, in terms of buying through their former employers, as well as the sustainable growth rate formula, failed to be overridden.

We will have another vote on that because the majority side was missing one Member, and they will eventually win on that. What that says is, we are once again back to the point where we refuse to make the hard choices to pay for things we need to do today by eliminating things that are not as important.

The point of order was on the fact that it is an emergency so, therefore, we can say: Time out. But those who voted to override it fail to recognize the other major emergency that is happening in our country. We have \$12.8 trillion worth of debt as of today. We are going to add another \$1.4 to \$1.5 trillion this year, this calendar year; that the increase in the cost of that debt over the last 12 months will require an additional, next year, \$125 billion worth of expenditures.

There has to come a point in time when we grow to the responsibility that has been given to us; that is, make hard choices. It is very easy to pass an unemployment insurance bill by charging it to our children. The majority leader has graciously agreed to give me an opportunity to offer three different ways to pay for that. I am going to put those out today. One amendment now, which we will vote on, another amendment later, and then a third amendment later.

Most of the ideas for cutting spending, quite frankly, have come from my colleagues on the other side, and many of them you have already voted for. So it is going to be an interesting exercise today. The majority leader also spoke to me before lunch saying it did not matter because I was going to lose anyway.

That sends a signal. The leadership of our Senate today says: We do not have to pay for things.

Prior to leaving here, we agreed on a compromise of tax loophole closures that would have paid for this for a period of 30 days. The bill we voted on back then was for 30 days. We have now

before us an identical bill before us for 60 days. It is going to cost \$18.2 billion. That is what CBO says. The question I have to ask is, is it morally right for us to steal that money from our children's future or make hard choices about wasteful spending today? The choices are not hard other than in our stubbornness that we don't want to agree.

When businesses are taken over, when a larger business buys a smaller business, the first thing they do is become great cash managers of the business. In other words, they make sure the money in the business is always working for the business. So if there is excess cash lying around in accounts, they take that money and reduce whatever outstanding debts they have or forgo borrowing money and use that cash in a more efficacious and serious manner. The first amendment I will offer is asking us to do nothing but the same.

At the end of last year, the Federal Government had on its books money it borrowed but had not spent of \$676 billion. That is what is sitting in accounts, money we have borrowed that is not being utilized efficiently. At the end of next year, at the end of fiscal 2011, according to the OMB, it will be \$614 billion. That is almost half of the debt we will borrow this year. This first amendment simply says: Let the administration utilize its executive prerogatives and instead of us borrowing \$18.2 billion from our children and then paying interest on that—and, by the way, the interest on that \$18.2 billion that will go on in perpetuity, because we are not retiring any debt, is about \$900 million, almost \$1 billion a year. Why would we borrow money when we have money sitting there that is not being utilized effectively and pay almost \$900 million every year? Why would we borrow again next year an extra billion to pay for the money we are going to borrow to fund this program?

Let me give an example of where this money lies. In our own accounts to run the legislature, we have \$1.450 billion sitting there. In other words, it has not been promised to do anything. It is sitting there. It was sitting at \$1.876 billion at the end of last fiscal year. It is projected to be \$1.481 billion next year. We are keeping that money in the bank and not using it.

The Department of Agriculture has \$20 billion and is estimated in 2011 to have still \$12 billion sitting in an account that we are paying interest on that is not being utilized, not obligated for anything at the time, unobligated.

What all these figures show when you total them up is that we are sending money so fast to agencies, they can't spend it. In other words, we are throwing money at the agencies far faster than they can spend it, and it would be wise and prudent of us to send less money—still with the same rules, still with the same instruction, to utilize their money better.

The chairman of the House Appropriations Committee, Congressman