

in Akron and Dayton and Columbus, all kinds of job creation with alternative energy.

But we need a better national economy. That is why yesterday in Cincinnati the President and Chairman of the Export-Import Bank, Fred Hochberg, came to that city at my request and did a roundtable with community bankers on how we can help them help their customers to export more and met with a group of entrepreneurs, a group of businesspeople in Cincinnati who were there in order to learn how to get help so they can export.

The big companies, such as Procter & Gamble and GE, both major, important citizens in Cincinnati, don't need all that much help to figure out how they are going to export products, but smaller companies of 5, 10, 50, 100, and 200 employees need some assistance. When they try to export, when they are working in another country trying to find customers and trying to export their products, sell their products, so often other companies with which they are competing usually have their government standing right side by side with them in partnership.

That is what we need to do for our small businesses, especially our small manufacturers that are trying to sell more products abroad, creating jobs in this country. We know that for \$1 billion we export, it creates—whether it is in Albuquerque or whether it is in Ashland, OH, whether it is in Santa Fe or whether it is in Sidney, OH, we know that \$1 billion in exports creates about 15,000 jobs.

Right now, we have a huge trade deficit, hundreds of billions of dollars in trade deficit. We know that costs us jobs. That is why what happened in Cincinnati yesterday is so important, so the Export-Import Bank can help these smaller companies that want to export, help them find financing, help them figure out how you license products if you want to sell them in Hungary or you want to sell them in Bangladesh or Nigeria or France, help them figure out how to get through the rules and deal with language barriers and deal with all kinds of problems that larger companies have a staff to do. Smaller companies need some assistance, need a partnership with their government. That is what that meeting was all about yesterday. That is what the President understands.

We need to help small business, we need to unfreeze credit, we need to do direct spending for infrastructure to prepare for the future, and we need to export more. Those are some of the keys to job creation. The President, when he speaks down the hall in the joint session of Congress tomorrow night for the State of the Union, will address a lot of those issues. It is time that the obstruction in this Chamber stops, and we can move forward and begin to do those kind of things we need to do.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business for 8 minutes.

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

(The remarks of Mr. FRANKEN pertaining to the introduction of S. 2952 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FRANKEN. 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. 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.

AMENDMENT NO. 3308 TO AMENDMENT NO. 3299 (Purpose: To reduce the deficit by establishing 5-year discretionary spending caps)

Mr. SESSIONS. Mr. President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

Mr. SESSIONS. The amendment is proposed by myself and Senators McCASKILL and KYL.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself, Mrs. McCASKILL, and Mr. KYL, proposes an amendment numbered 3308 to amendment No. 3299.

Mr. SESSIONS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SESSIONS. Mr. President, our fathers and forefathers made heroic sacrifices so that we one day might enjoy the blessings of liberty and prosperity. Indeed, we have had prosperity through much of our country's history. Their courage during World War II changed the world, making possible the greatest run of economic growth in history. The character and courage they displayed remains an inspiration to us. And there are important lessons to be learned from the way this "greatest generation" faced adversity.

We have recently been put to the test ourselves. We were—and in many ways continue to be—faced with a national crisis in the form of a historic and se-

vere recession. So what did we do? We could have learned from President Reagan and Paul Volcker, a Democrat who was then Federal Reserve Chairman and is now working with President Obama. They took the political heat in the short run so the free market could correct itself and emerge stronger on the other side.

Instead, I think we flinched. We tried to limit the immediate pain by mortgaging our children's future. We borrowed hundreds of billions of dollars to finance our standard of living today. We took money from the future so we can spend it today. We tried desperately to mitigate the downturn of a huge economy, even when we know economies are cyclical and do have booms and busts.

Every penny we spent on the stimulus package—\$800 billion—and other special spending was borrowed and must be paid back. In truth though, there is no plan to pay the debt back—only to pay the soaring interest for as far in the future as we can see. So this is not an academic problem, nor is it just a question of public financing and governmental roles.

As former Federal Reserve Chairman Alan Greenspan said about our debt in December—and I think it is a stunning statement—

The challenge to contain this threat is more urgent than at any time in our history. Our Nation has never before had to confront so formidable a fiscal crisis as is now visible just over the horizon.

The policies adopted by Congress and the President have set the Nation now on a dangerous course of spending and borrowing. The budget crisis we face is so severe, the mountain of debt so high, that it threatens to undermine the foundation, as Mr. Greenspan said, of our economic strength and our prosperity. This is reality.

For the first time in our Nation's history, our generation stands to bequeath to our children a nation that is less economically sound, less fundamentally strong, and less secure than that which we inherited. And it is not necessary. We can do better if we act today.

It would be an unthinkable tragedy and really a moral failure for us to pass on a less strong country. We have responsibilities not just to our own people today but to those who will follow us in the years to come, and we would have no one else to blame but ourselves.

The numbers tell a grim story. In fiscal year 2009, our government spent \$1.4 trillion more than it took in through revenues. That is the largest deficit in our Nation's history, dwarfing those of previous years. Scaled to the budget of a typical family, the government operated like a household making \$50,000 but spending \$83,000. That is how much more spending we carried out than we had revenues.

Common sense tells us this is unsustainable, and almost every expert you ask would use that very word:

“unsustainable.” Yet we expect to run deficits over the next decade that average nearly \$1 trillion annually—averaging that and not going down. According to the Congressional Budget Office, in the 8th, 9th, and 10th year, the deficit continues to increase.

By 2019, we will owe our creditors, including nations such as China and Japan, more than \$15 trillion—three times the total debt of America that existed last year. In 2019, the interest payments we will make on the debt we owe outside the government—the public debt to foreign countries and individuals—will be \$799 billion, almost \$800 billion in one year. That will be up from \$202 billion in interest payments last year. \$800 billion is about \$200 billion more than we spend on defense, and 20 times more than we spend on roads or education. We currently spend about \$40 billion a year on roads, and this interest on the debt will cost us \$800 billion a year in 10 years—a basis of a tripling of our debt.

That growing interest payment will crowd out our ability to fund other important government services, and it will crowd out private borrowers who will need to borrow to create jobs.

Given that we have embarked on such a spending spree, is it any surprise that the first item on the Senate agenda this year is the necessary bill, they say, to raise the debt limit to allow us to borrow more money? We have hit the limit. The government has a limit on the amount of debt it can hold by statute, such as a maximum amount on a credit card. America's credit card has a \$12.4 trillion limit on internal and external debt and, incredibly we have maxed it out again. It should be a dramatic thing to boost that debt limit, but, interestingly, it has become routine.

This will be the seventh time we have done so in 5 years, and it is troubling Americans. The public is rightly angry with Washington's cavalier attitude toward spending. They know “buy now; pay later” catches up with you eventually. They know nothing comes from nothing. The American people know that what Stanford University economist Michael Boskin wrote in the *Wall Street Journal* is true. He said:

The explosion of spending, deficits, and debt foreshadows even higher prospective taxes on work, savings, investment and employment. That not only will damage our economic future but is harming jobs and growth now.

The American people know that taxes are going to go up, a fact confirmed by David Walker, former Comptroller General and GAO head. He testified recently that taxes would need to double by 2040 to keep up with our current commitments.

The American people have made it clear they reject the philosophy of ever increasing debt. They reject taking on such a burden. Why? Because they know it threatens the strength of the American economy. They know it is a cloud over our efforts to rebound eco-

nomically, and they want us to stop. They want us to stop.

To my colleagues, I ask: How much clearer does that message have to be? I do not think anyone doubts it. The good news is, many Senators are worried on both sides of the aisle. They are concerned about what we are doing, and they know we need to do better, and they are listening to their constituents. They will have an opportunity this week to do that by supporting this bipartisan legislation I have offered.

I see my colleague Senator CLAIRE MCCASKILL from Missouri in the Chamber, who is a cosponsor of this legislation that will limit the growth of spending. So it is a simple amendment. There are no strings attached. It as a rare opportunity to impose budget discipline on a Congress that is notorious for not having any.

That is what makes people angry. Politicians talk a good game but nothing seems to change. But when it comes down to it, the politicians always seem to find a way to spend more, and the taxpayers end up holding the bill. So this amendment would help change that. It would impose, first, binding limits on the 40 percent of Federal spending we control each year, discretionary spending. The amendment would put into law the spending levels approved in the fiscal year 2010 congressional budget, which a majority of the Senate supported. It is basically the Democratic Congress's budget. It had certain limits over 5 years.

What we are saying is if you exceed those limits, then you would be violating this amendment, which seeks to control and avoid that. Those spending levels include only our budget increases that are averaging about 2 percent a year annually over 5 years. Contrast that with the 12-percent increases we saw last year in nondefense discretionary appropriations, and the 10 percent the year before.

Factoring in the stimulus, government spending on nondefense accounts actually soared by 57 percent, while State and local governments were tightening their belts, some cutting expenses.

Each year we increase spending it gets built into the baseline of our budget for the next year, and when we have an increase in the next year, it is an increase on a higher baseline, and it goes up exponentially.

For example, last year, on one bill, the defense bill, there was tacked on an \$18 billion expenditure for various projects that were not paid for within the budget. It was added, paid for with debt—money we had to borrow. If we do that each year, if we add another \$18 billion through that kind of budget-busting activity, it would cost the taxpayers an extra \$1 trillion over a decade. It is hard to believe, but that is true. Mr. President, \$18 billion one year goes into the baseline; the next year you add another \$18 billion, and it is not \$18 billion, it is \$36 billion more

than you would have spent had the first one not been spent.

I am convinced we can do better. This amendment is an important step.

Second, the amendment would require 67 votes—two-thirds of the Senate—to waive the binding caps. In other words, if we set these caps, we can waive them if there is an emergency. But it takes two-thirds to do so. Two-thirds of the Senate is a strong threshold that will keep these caps in place except in times of true emergency.

Finally, this amendment complements efforts to rein in mandatory spending programs that are expected to be insolvent in coming years. Social Security runs a surplus now. Medicare did so until the last few years. Those surpluses are being spent in our discretionary accounts. So these programs have little to do with our record deficits. It is discretionary spending, up until recently, that has driven the entirety of our debt.

Deficits for the most part come from discretionary spending, and this statutory caps idea I have proposed is tested and proven. The Budget Enforcement Act of 1990 included similar provisions that kept the growth of Federal spending low for 12 years. Its provisions were extended in 1997 because people found they were working. Congress felt they were working.

All in all, these budget rules helped to achieve four balanced budgets for 4 consecutive years, from 1998 to 2001. The key component of that, I truly believe, was these statutory caps on spending that were passed during that period.

Many currently serving Senators were in this Chamber in the 1990s and recognized the necessity. In 1997, 28 currently serving Democrats, for example, voted for these provisions, including many of the Democratic leaders in the Senate today. I submit that those budget rules are even more needed today.

As Mr. Greenspan said, we have never faced such a fiscal crisis looming just over the horizon.

I am pleased a number of organizations known for their knowledge and concern about deficits have recognized the merit of this proposal, including the National Taxpayers Union, Committee for a Responsible Federal Budget, the Heritage Foundation, and the Concord Coalition.

Budget experts Douglas Holtz-Eakin, who served under a Republican administration; Alice Rivlin, who served under the Clinton administration at CBO; and Alan Viard also back the plan. President Obama, we learned today is now talking about a 3-year freeze on some discretionary spending. This legislation would only help him achieve that goal because he can make a speech and he can propose it to Congress, but it doesn't necessarily become law. If he supports this and works to support the statement that we understand he will make in the State of the

Union Address, this legislation would be a firewall to make sure his promise isn't broken.

I say this to my colleagues: We have a budget crisis. It is a calamity so profound that it threatens our economic security. Americans across the country—in red States and blue States—get it. They are deeply concerned about the direction in which we are headed. They know the crushing debt we are incurring will weaken our country, and it will restrict the opportunities our children will have. They are making their voices heard.

A vote against this amendment would be a suggestion that a Senator is not serious about maintaining our budget caps but is looking for ways to bust the budget, get around the budget, and spend more.

I urge my colleagues to support the legislation as a strong act of fiscal responsibility that will have a good impact. In fact, I am confident it would send a message to the financial community that we are beginning to get our house in order.

While I would like to go further and be more frugal in some of our behavior around here—and I do believe we are going to have to go further than this—this amendment will ensure that the limits on spending made last year in the budget passed by this Congress will not be exceeded. It will be a firewall that will save us from our excesses. It will begin to restore financial responsibility to our Nation, a commodity of which we are in desperately short supply.

I see Senator McCASKILL. She has cast a number of tough votes to question reckless spending since I have observed her in the Senate. I appreciate her leadership and courage in speaking out on this issue. If we do this, it will not solve all our problems, but I think it will make a positive difference for us. It will allow increases as the budget allows for some increases before the firewall kicks in. But it also would make it very difficult to break the budget in any significant way, unless we face a true emergency.

I yield the floor and I thank my colleague for her leadership on this legislation.

THE PRESIDING OFFICER. The Senator from Missouri is recognized.

Mrs. McCASKILL. Mr. President, I acknowledge my colleague, Senator SESSIONS from Alabama, and welcome the opportunity to join him in an attempt to restore some sanity in Congress about spending.

I come from a State where there is a requirement of a balanced budget, although, over the last couple years, I am not sure how they would have done that without incredible pain if it hadn't been for the help the Federal Government sent them. There is no question that the fact that we don't have to balance the budget in Washington has led to some very bad habits.

I was thinking about spending over the weekend, as this week there are a

number of provisions we will debate that I have sponsored or am a big supporter of, including the fiscal task force amendment which went down this morning by a narrow vote, and obviously pay-go, which I have been the lead Senate sponsor on over the last several months. These are all things with which we are trying to fight something that you encounter all the time as a parent. How much easier it is to say yes than no. My kids hate when I give them that lecture because they are always wanting me to say yes. I always say the easiest thing to do is to say yes—yes, you can have that outfit; yes, you can take my car; yes, you can go see your friends, even though I am not sure you finished whatever chores you had around the house. It is always easier to say I will go along with it, it is a good cause.

That is what happens around here. It is not like we are spending on evil stuff. We are spending on stuff we believe in—education, highways, our parks, our military—and we are spending on things that make it even harder to say no.

The time has come that we all have to feel the pain of saying no. We all have to be willing to suffer the political consequences of saying no. That is why this amendment is such an important step in the right direction.

I want to be honest about this because we have a tendency to make things bigger than they are. This isn't going to make a dramatic change in the deficit or the debt. I am not sure how many Americans have focused on the difference between the two, but they are two different things, and it will not make a huge difference. People need to remember that if we took out all discretionary spending and decided we were not going to spend another dime on education, highways or any of the things we decide on spending every year, we will still have a massive deficit problem. We don't fix the deficit by passing this amendment. We don't fix the deficit by saying we are not going to even do discretionary domestic spending anymore. So this is not a fix-all. Do you know what it does? It begins to get us well. It is a little like earmarking. Is earmarking the huge problem? No. But it is similar to a fever; it is a symptom of a disease. This will help us get well.

It will be a step toward recovery if we can pass this amendment to freeze our discretionary spending. I am so pleased the White House has called for a freeze. I think this is a wonderful bipartisan moment. I think we are all hankering for a good bipartisan moment right now. I hope we are all hankering for a good bipartisan moment. I got worried this morning on the vote on the fiscal task force because it seemed like there might have been some political games being played. I don't know about anybody else, but I am hankering for a good bipartisan moment. This ought to be one, where Republicans and Democrats set aside

who looks good and who looks bad, who gets credit and who gets the blame, and do something we need to do.

We used to have a freeze and we used to have pay-go. They were both allowed to expire in 2002. I wasn't here. I am not sure why they were allowed to expire. Did Congress all of a sudden think we don't need pay-go anymore or we don't need limits on discretionary spending anymore because we are out of the woods when it comes to the deficit or debt? I am not sure why that happened. I know most of the folks who let those things expire wish they could take it back. I bet most of the folks who did voting for major entitlement programs without paying for them during that time—I bet they wish they could take it back because now we are in a real mess.

The first and most important step to get out of this mess is to vote to control our spending. I am hopeful this will be passed by a wide margin. Some of my friends on the left have said the last thing in the world we should do now is limit spending, that government is the answer in this difficult recession. I voted for the stimulus, and I think the tax cuts in the stimulus, which don't get talked about enough, and the help to the States, which doesn't get talked about enough, and the jobs that will be created this year are very important to the progress we have made in terms of climbing out of the economic hole we found ourselves in a year ago.

But we will not get out of this recession on the back of government spending. If we decide it is just about government spending during this recession, we are dealing a very bad hand to our grandchildren.

I hope this amendment passes. I hope it is not even controversial. I am so pleased the President is on board, and I am pleased that so many members of the Republican party are on board. Let's take this important step, and then let's live up to it during the appropriations process. Let's realize that pet project at home that we know we can get because we can get an earmark—maybe this is the year to say no and push back from the table and say all those pet projects, those earmarks, are not the right signal we need to send to the American people this year.

I thank my colleague from Alabama and Senator KYL, who were cosponsors on this. I look forward to wide bipartisan support. I look forward to enthusiastic applause tomorrow night in the President's State of the Union Address, when he lays out his freeze on spending. We are all on board now. Let's make it happen.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I ask unanimous consent that Senator JUDD GREGG, former chairman of the Budget Committee and ranking member, be added as a cosponsor to this legislation.

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

Mr. SESSIONS. I thank my colleague for her fine remarks.

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. 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. 3303 TO AMENDMENT NO. 3299

Mr. COBURN. Mr. President, I ask unanimous consent that the pending amended be set aside and I send up amendment No. 3303.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 3303 to Amendment No. 3299.

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

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

(The amendment is printed in the RECORD of Monday, January 25, 2010, under "Text of Amendments.")

Mr. COBURN. Mr. President, I ask that the amendment be divided in the form which I now send to the desk.

I ask at this time that division I of the original amendment be made the pending amendment.

Mrs. MCCASKILL. Madam President, I suggest the absence of a quorum.

Mr. COBURN. I have the floor.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator from Oklahoma still has the floor.

Mr. COBURN. Madam President, while the Parliamentarian is doing the work that is necessary at this time, I thought I would spend a few minutes talking about this amendment in the interest of saving some time.

We have a significant problem in front of us as a Nation. We have before us an underlying bill that raises the debt that nobody in this room, save the pages, will ever pay a penny toward reducing—nobody except the pages and their generation will pay a penny toward reducing.

This request for increasing the debt limit of \$1.9 trillion, I remind my colleagues, is \$200 billion more than the entire Federal Government spent in the year 1999, 10 years ago. So we, in one fell swoop, in 1 year, we are going to increase the debt by \$200 billion more than what the entire Federal Government spent 10 years ago.

The whole purpose behind this amendment is a wake-up call to say: Wait a minute, the Congress, in the last 2 years, under its leadership, has increased spending 11.4 percent in 2009 and 11.4 percent this year, not counting a stimulus bill and not counting omnibus bills that were not paid for because they were declared an emergency.

If we add all that up, excluding the stimulus bill, we had a 28-percent increase in the size of the Federal Government in the last 2 years—just in the last 2 years. At that rate, the size of the Federal Government doubles over a 5-year period.

What these amendments are designed to do is to get us doing what every American family is doing today; that is, starting to make some of the hard choices about where we have excess, where we have inefficiency, where we have duplication, and eliminate it because we should not ask the American people to take on more debt when we know we have at least \$387 billion worth of waste, fraud, and duplication every year in the Federal Government. Yet that is exactly what we are doing with the underlying bill. We are taking on more debt and not doing anything about the excessive spending or the waste, fraud, or duplication.

The whole purpose behind coming to the floor is to say: Can we not, in light of a 28-percent increase, cut 5 percent in terms of discretionary spending that we just jacked up five times that amount over the last 2 years? Can we not find 5 percent worth of waste? We have identified specifically 640 programs that are duplicative of one another in the Federal Government. We have identified waste. When we go to find out, when we ask the GAO or the Congressional Research Service to help us with this, do you know what they tell us? We cannot; it is too big. We cannot tell you where all the duplication is. That is our own research bodies saying they cannot tell us where it is too big.

This amendment puts a stop to that. It mandates that we in the future, every year, will get a report from the GAO on every program within the Federal Government that duplicates another program and what their recommendations are to streamline or change it.

The reason it is easy to borrow or easy to raise taxes is because we fail to do the hard work of eliminating the spending waste. We just had the Senator from Alabama wanting to put on some caps. That is not going to be adopted. We know it.

The reason I divided this amendment is because my colleagues will take one segment of it and say: Oh, I was for cutting 5 percent out of the Federal budget, but I just did not agree with this one segment, whether it be education or somewhere else, that we should not cut, and, therefore, I voted against the whole amendment.

This puts the American people in the driver's seat, as far as their Senators are concerned. We are going to get to see whether they agree that we ought to continue to waste money; that we ought to steal it from these pages and their generation and not do the hard work of making a choice and putting things in terms of priority like every American family is doing.

Every American family is doing that right now. They do not have an unlim-

ited credit card. They do not have the privilege of going to the bank when they are tapped out and say: Just give me more money, like we are getting ready to do on extending the debt limit.

The other thing that is in this is leading by example. The Senators increased their budget by 5.8 percent this year. We reverse that. Most of us can easily live within the budget we had last year—easily. So we reverse the increase for the Senate back down to what it was last year.

We should not ask the rest of this government to make a sacrifice that we are not willing to demonstrate by leading on the same issue.

This bill can be the first step in a reality check of getting the Congress back aligned with where the American people are, as far as spending.

Just a year ago, in January of 2009, the national debt was \$10.6 trillion. Today the national debt is \$12.2994 trillion. Forty-three cents of every dollar we spent last year we borrowed, and we are going to do exactly that or worse this next year unless we wake up, unless we come to our senses.

You can have all the arguments you want, but nobody in America believes the Federal Government is not wasteful. Nobody believes it is good enough to just freeze a small portion of discretionary spending. What Americans believe is we need to cut spending. We need to cut out the waste, cut out the duplication, and cut out the fraud. We need efficiency where we can generate efficiency. We need to eliminate duplication where there is duplication.

My friend, President Obama, when he was campaigning said: I promise to spend taxpayer money wisely and to eliminate wasteful redundancy. We are going to help him with that. That is what this amendment does. In 640 programs where there is duplication, we are going to allow an incentive for each department to get rid of it. We are not mandating they have to get rid of it. We are saying: You should do the review. You should take this money, and you should eliminate the duplications. What you need from us to do that, we will give you. But we are giving you the authority to do that with these amendments.

Let me quote from President Obama:

Too often Federal departments take on functions or services that are already being done or could be done elsewhere within the Federal Government more effectively. The result is unnecessary redundancy and the inability of the Federal Government to benefit from economies of scale and integrated streamlined operations.

He is right. So now we are going to give the Senators a chance to support his statement and his position.

Nothing has been done in the last year to accomplish that. As a matter of fact, the President sent program after program that he wanted to get rid of. He said they are not effective, they do not work, they are duplicative, and they are not efficient. What did we do?

We did not eliminate a one of them. We just kept funding them. So we cannot claim that the problems lie with the President. The problems do not lie with the President. The problems lie with the elected body of Congress in not making the hard, difficult choices of putting a priority on what is most important and taking the time to do the oversight and explain to the American people why we ought to have the programs consolidated. We may have a goal we want to accomplish and help the American people with, but we certainly ought to do it in the most efficient and effective manner we can.

The other reason to consider this amendment is to think about what is getting ready to happen to us. What is getting ready to happen to us over the next 10 years is we are going to accrue another \$9 trillion in debt if we do not start this process with this amendment today. We are going to accrue another \$9 trillion. Of that \$9 trillion, \$4.8 trillion of it is going to be interest. It is going to be interest costs on the debt. We are going to borrow money to pay the interest on the money that we borrow. It does not have to be that way.

My colleagues will come down and say: The big problem is the entitlement programs. There is no question that is two-thirds of our problem. But the easy thing to fix now and saves billions, if not trillions, of dollars on is the discretionary portion of the budget that we do have control over.

We always hear the excuse: That is not the big problem. The reason it is not the big problem is because politicians enamor themselves with people at home by spending money we do not have on things we do not need that are not truly a legitimate role of the Federal Government.

The family budget is getting smaller, and the Federal Government is getting bigger. That is just exactly the opposite of what ought to be happening in this country today. Inflation is near zero, but yet we are increasing spending, like I said, 11.7 percent last year. That does not include the supplemental emergency spending and does not have any connection at all with the stimulus bill. That is what we did with the individual budgets across the Federal Government.

When I come down and make the case for cutting back 5 percent of that, which ends up being \$120 billion, nobody should be opining: My goodness, we are going to tear things up. But we are going to hear that. We are going to hear all the reasons we cannot do what I am proposing to do.

America is not going to buy that anymore. They are not buying it anymore, and they should not buy it.

The other thing this amendment will do is it will give us 30 days to come back and assess other areas where we can cut more spending. People in this body think that is hard. It is not hard. Let me give an example of where we can save \$80 billion a year in one program.

At a minimum, there is \$100 billion of fraud in Medicare a year. We do not have an effective strategy, like any other organization outside of government, to limit the defrauding that goes on in Medicare. We pay, and then we try to chase people we should not have paid.

Senator LEMIEUX from Florida and others have multiple ideas on how we could take that \$100 billion and over the next 6 months save \$30 billion or \$40 billion of that. That is \$30 billion or \$40 billion each year over the next 10 years. That comes out to \$½ trillion, which cuts down that \$9 trillion in additional debt we are going to be encumbering upon our children. Last year, this country's debt grew \$4.2 billion a day. We didn't do anything about that except spend more money, so this year it is going to accrue at \$4.3 billion a day. That is how much we are going to spend that we don't have.

Isn't it time that we start facing the situation as it is rather than the way we would like it to be? The cold hard facts are that we have a short time-frame—4 to 5 years at most—to get our house back in order. Now is the time to start. It is not next year, it is not next month; it is right now—right now, when the American people may or may not be focused on the fact that we are going to authorize an additional \$1.9 trillion worth of borrowing. You can't even write that many zeros down and have a comprehension of how much it is. At the same time, we don't do anything about solving the problem.

Quite frankly, Congress has a dependency issue. We are addicted. We are addicted to spending. We are addicted to the age-old adage that if I spend enough money, I can go home and tell people how great I am, not ever telling them I am spending their money and their kids' money but claiming I am looking out for them.

The only way you really look out for America is to secure America into the future, and we have not been doing that. It hasn't been done under the Republican watch, hasn't been done under the Democratic watch. What has happened is the same old same old of continuing to ignore the problem and not taking the heat for making the tough choices that will put our country back on the track on which it belongs—a track that will secure a future for our children and grandchildren, that will embrace the heritage that made this country great. What was that heritage? That heritage was sacrifice. In this country, all of us—many—are sacrificing now, and many in the future are going to have to sacrifice.

Others will come down to the floor and they will say: Well, COBURN, all you want to do is cut spending; you don't really want to solve the problem. Well, the first part of solving the problem is cutting the spending and recognizing that the walls don't fall down if you cut 5 percent out of the discretionary spending in our budget. As a matter of fact, very few people will

ever notice \$120 billion coming out of the Federal Government on these discretionary programs because they will just go to a different grant program that does the same thing and get it there.

Let me go into some of the facts because many of us don't understand. Here are some examples:

There are 14 programs administered by the U.S. Department of Education related to foreign exchanges and designed to increase opportunity for students to study abroad. There is nothing wrong inherently with wanting our students to study abroad, to gain that perspective and to gain that education, but why 14 different programs? Why not one? Why not 1 program and save all the administrative costs of the other 13? Why not do that? Because somebody may not have their name on a program? The fact is, nobody knew that until we discovered it in the last 4 weeks.

There are more than 44 job-training programs administered by 9 different Federal agencies across the bureaucracy, costing \$30 billion a year. Forty-four Federal job-training programs? Tell me why we need 44. Maybe 4 to hit different areas in different situations but not 44 and not through 9 different Federal agencies that are all trying to do the same thing and competing to throw out money.

What about 69 early education programs administered by 9 different Federal agencies. Sixty-nine, why would we tolerate that? Why would we continue with the status quo? Now is the time to make changes.

One of my favorites is that we have 105 Federal programs supporting science, technology, engineering, and math—105 different programs where we support that—funding over \$3 billion a year. I agree we ought to encourage it, we ought to stimulate it, we ought to support it because we know we have to be competitive in the future, but do we really need 105 different Federal Government programs? The answer is, absolutely not. We don't. But because we don't know what is there, we continue to do the same.

As a matter of fact, there is going to be a Judiciary markup on Thursday that has a new program in it—supposedly new—and the authors of the bill have no idea that we already have a Federal program that does the same thing. That is why the important key component of this global amendment is to make sure the GAO tells us what is out there, what we need to do, and how we need to go about it. We may need some redundancy, but we don't need 105 times redundancy, we don't need 30 times redundancy, we don't need 44 times redundancy, and we don't need 69 times redundancy. As a matter of fact, when we have all these programs, the States have to hire all these different people to understand all the different programs so they can make sure they get their fair share. We could actually save the States a ton of money if they

only had one-stop shopping—if, in fact, it is a truly legitimate government function.

The amendment also rescinds unobligated discretionary funds that have been available for more than 2 consecutive fiscal years. So it doesn't hurt the agencies if the money has been there and they haven't spent it. As a matter of fact, we are giving them so much money, they can't spend it all. We have seen unobligated balances go up because they can't get it out the door. And when we are pushing them to get it out the door, guess what happens to efficiency and accuracy and effectiveness of those programs. It goes way down.

According to the Office of Management and Budget, at year end 2009, that is, September 30, there was \$657 billion sitting in unobligated funds. Some of that is military, some of that is war funds, some of that is VA. We exempt war funds and we exempt VA. We exempt DOD, but we shouldn't because there is \$50 billion a year in waste in the Pentagon that can easily be demonstrated.

So we direct the GAO to identify those duplicative programs and report to Congress on the findings.

Madam President, may I make an inquiry of the Chair? Has the status of our division been decided?

The PRESIDING OFFICER. The Senator's amendment is not divisible as a matter of right because the Senate has entered into a unanimous consent agreement limiting the universe of amendments on this measure.

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

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

Mr. BAUCUS. Madam President, the Senators from Alabama and Oklahoma have offered that amendment to the debt limit resolution. As these amendments address matters primarily for the jurisdiction of the Appropriations Committee, I will defer to the chairman of the Appropriations Committee to address those amendments momentarily.

NOMINATION OF BEN BERNANKE

Madam President, in the meantime, on another matter, I wish to say I strongly support the nomination of Chairman Ben Bernanke to his second term as Chairman of the Federal Reserve.

Last August, President Obama announced his intention to renominate Chairman Bernanke for a second term. There is little debate that our financial system has been through one of the most tumultuous times since the Great Depression. I strongly support President Obama's decision to renominate Ben Bernanke and believe he has the

expertise to continue to lead this country out of one of the worst economic downturns in history.

Chairman Bernanke graduated summa cum laude from Harvard University, earning a bachelor's degree in economics. He continued his studies at the Massachusetts Institute of Technology, where he received a Ph.D. in economics. He then had the good sense to head to Stanford, my alma mater, where he taught economics for several years at the Graduate School of Business. After heading back to Princeton University, he quickly rose through the academic ranks to become chairman of the Princeton Economics Department. His groundbreaking economic work on the Great Depression helped increase our understanding of that calamity and prepared him well to tackle our recent disaster. He has a strong record of public service, including work as a visiting scholar at several Federal Reserve banks.

In 2002, President George W. Bush appointed him to serve on the Board of Governors of the Federal Reserve System. In 2005, President Bush appointed him Chairman of the President's Council of Economic Advisers. In 2006, President Bush appointed him Chairman of the Federal Reserve. The Senate confirmed his nomination by voice vote. After his appointment to three posts by President Bush, Ben Bernanke was renominated as Federal Reserve Chairman in 2009 by President Obama.

At this point, I might point out that if any Senator had any problems with the reappointment of Chairman Bernanke, they certainly knew when his term expired and they should have conveyed those views to President Obama, and conveyed them strongly if that was their view, so that President Obama would have had an opportunity to appoint somebody else if that was his choice. It is my understanding that virtually no Senator complained to President Obama about the renomination of Chairman Bernanke before the nomination was sent to the Senate.

In his nearly 4 years as Federal Reserve Chairman, Ben Bernanke has demonstrated he is worthy of another term. Facing the worst financial calamity in nearly 70 years and relying on his keen insight into the origins of financial panics, he successfully worked with the previous and current administrations to ensure that the economy of the United States and the world survived the crisis of 2008.

Again, his dissertation was on the Great Depression. This is a man who understands the Great Depression and probably had some pretty good ideas of how to prevent that from occurring. Averting disaster is not something that usually earns you accolades or parades. "It could have been worse" is not your typical commendation. But there is no doubt that without Chairman Bernanke's leadership, our economy would have been much worse off.

Time will tell how the history of this crisis is written, but economists and

experts believed then and still today that the Federal Government could not stand by and let the financial system collapse. Liquidity in the markets evaporated. Small businesses could not obtain the day-to-day cash to buy inventory or make payroll. Foreclosures increased from hundreds to hundreds of thousands. Americans across the country witnessed their retirement savings dwindling before their eyes. Confidence in the system as a whole vanished.

Beginning in 2008, Chairman Bernanke began to take a series of steps to walk us back from the brink of disaster. The Federal Reserve cut interest rates early and aggressively in an attempt to inject liquidity into the markets. I might point out that there were some who counseled the opposite action; that is, those most concerned about inflation. Perhaps Bernanke went too far in trying to inject liquidity back into the markets, but that is what he believed was necessary in order to get the economy back on track. The Fed established lending facilities to provide much needed funding. Last year, the Fed, in conjunction with the Department of Treasury, established the Term Asset-Backed Securities Loan Facility, TALF, to finance more than 4 million consumer and small business loans. That is sometimes forgotten, but that is something he did. At a time when conditions were changing daily and sometimes hourly, Chairman Bernanke did not hesitate to take bold and necessary steps to avoid total collapse of our economy.

Madam President, 20/20 hindsight will always reveal things we would have done differently. With such aggressive and unprecedented action comes criticism and judgment.

Without a doubt, the Federal Reserve System deserves a share of the blame for fostering the conditions that led us to the precipice, but as this crisis was systemic, so, too, were its flaws.

On that point, I might say there are a lot of agencies that probably should be blamed or held accountable for some of the missteps or failure to foresee the crisis occurring. One that comes to my mind is the Securities and Exchange Commission. The Securities and Exchange Commission either did not have jurisdiction or didn't ask for jurisdiction or did not exercise jurisdiction over a lot of the nonbanks that were creating a lot of these fancy derivatives and other instruments. I can name many of them. I think we all know who they are. It was a lack of effort by the SEC. I think the SEC was derelict in not being much more aggressive at that time.

There are a lot of areas where fingers can be pointed. One can be the Congress. Where were the oversight committees at that time? What were the questions they were asking? What were they doing?

I think, frankly, that mistakes were made, many of them, beginning with the subprime mortgage crisis and working all the way up to mortgage

brokers packaging and reselling loans and securitizing those loans and then all the other instruments that were developed at the time, and very high leverage. That was a big mistake made before Ben Bernanke was head of the Fed.

It is more apparent than ever that we must pass strong and comprehensive regulatory reform, to crack down on risky financial derivatives, properly regulate the shadow banking system, and ensure consumers are adequately protected. In his confirmation hearing, Chairman Bernanke stated that such a crisis "must prompt financial institutions and regulators alike to undertake unsparing self-assessments of their past performance."

Chairman Bernanke is doing just that. The Federal Reserve has already undergone significant regulatory changes, and he is committed to working with me and my colleagues in Congress to put in place proper oversight and transparency to see that we are never again faced with the peril we have witnessed over the past 2 years.

But as Emerson once said, "[b]lame is safer than praise." I commend Chairman Bernanke and his team at the Federal Reserve for acting in a time of such uncertainty. There is still much that must be done to get our economy back on track and Americans back to work. I believe that Chairman Bernanke and the Federal Reserve will continue efforts to create jobs and help middle class families. I urge my colleagues to join me in supporting Chairman Bernanke's nomination for his second term, as he works to restore confidence and prosperity in our economy.

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

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

AMENDMENT NO. 3303

Mr. McCAIN. Mr. President, I rise to speak in support of the Coburn amendment to eliminate wasteful and duplicative spending. Before my colleague from Oklahoma leaves the floor, I know he has to go, but I have to pose a question for the Senator from Oklahoma. We have a listing in the Senator's amendment of the many duplicative programs.

Have we had a study that would indicate how many government employees are engaged in administering these duplicative programs?

Mr. COBURN. No. To answer the Senator's question, we do not even know how many duplicative programs there are out there. These are the 640 we found looking over a 4-week period.

But when we asked GAO or the Congressional Research Service about this,

what they say is the task is too big. They do not even know if they can accomplish the task, which goes to the enormity of the problem we face.

I mentioned on the Senate floor earlier, we have a markup tomorrow in the Judiciary Committee for a new program, and it is duplicative of an existing program. But those offering the amendment do not even know it. So it shows we have to stop and reassess. Part of this amendment is creating a mandate that the GAO has to advise us on that.

Mr. McCAIN. I do believe that at least we ought to, over time, make an attempt to ascertain the numbers of employees who are in these duplicative government programs. It is really startling—if the American people knew of the fact that there are so many duplicative efforts and different agencies of the government trying to accomplish the same mission.

Before I go much further, I would like to mention, I have the information that tomorrow night the President will propose a spending freeze for discretionary spending with the exception of defense, veterans affairs, and homeland security. I applaud that move on the part of the President.

I think, from the conclusions I have reached so far, it would save some \$15 billion next year and perhaps \$200 billion over time. We are trying to ascertain exactly what that is.

But I do not see how the President, at the same time that he is recommending a spending freeze that would save some \$12 or \$15 or \$20 billion next year, at the same time to be proposing a stimulus package, another one, that could be \$80 or \$100 billion. That is not fiscal discipline.

The House, the other body, passed, before we went out of session, a jobs bill that was somewhere around \$100 billion, as I understand it. I understand the other side of the aisle is working on a package of about \$80 billion. Well, look, let's stop the spending now. Let's stop the spending now.

So if we want to be sincere about stopping the spending that is unnecessary and unneeded, then we certainly should discard the idea that we need another massive stimulus, particularly in light of the fact that by any estimation, including the prediction of the President's economic advisers that if we passed the last stimulus package, unemployment would be at 8 percent.

So this proposal about a spending freeze would have a lot more credibility with me if we said we are going to stop additional spending this year that would also add to the burgeoning national debt.

The Coburn amendment is an important one. The Coburn amendment is best appreciated by the fiscal situation in which we find ourselves. In a recent editorial in the *Houston Chronicle*, they noted:

Our spending excesses, as most every American knows, are increasingly financed by foreign sources led by China. In all, about

\$4.5 trillion in U.S. debt is held by foreigners and nearly \$800 billion of that is held by the Beijing government.

So we will increase the debt limit, and who is going to buy that debt? Apparently, the Chinese are buying a lot of it since they own, according to the *Houston Chronicle*, about \$800 billion, and foreign countries own about \$3.5 trillion.

On December 16, the *Wall Street Journal* wrote:

Our view is there is good and bad public borrowing. In the 1980s, Federal deficits financed a military build-up that ended the Cold War leading to an actual peace dividend in the 1990s of 3 percent of GDP, as well as tax cuts that ended the stagflation of the 1970s, and began 25 years of prosperity. Those were high-return investments. Today's debt is financing what exactly? The TARP money did undergird the financial system for a time, and is now being repaid. But most of the rest has been spent on a political wish list of public programs ranging from unemployment insurance to wind turbines to tax credits for golf carts. Borrowing for such low-return purposes makes America poor in the long run.

So if we are increasing the debt limit, and the Chinese and other countries are going to buy that debt, and we are spending money in the stimulus package that has shown very little return on the massive \$787 billion investment, then should we not try Dr. COBURN's method and support his amendment which would basically prevent us from having to increase the debt limit?

This amendment of Dr. COBURN's would rescind \$120 billion in spending, 5 percent from each agency of government, other than the Department of Defense and Veterans Affairs; directing the agencies to consolidate more than 650 duplicative government programs; rescind unobligated discretionary funds available for more than 2 consecutive fiscal years. Most Americans would be astonished to know that there are still tax dollars sitting out there which have been appropriated and not been spent for more than 2 years, sometimes several years.

Directing GAO to identify duplicative government programs and report the findings to Congress would render the debt limit increase in the underlying bill null and void. It is \$1.9 trillion.

Let's just look at a few of the duplicative Federal programs that are out there. A 2004 report by a nonprofit research group listed 21 Federal programs across multiple agencies, many at Health and Human Services that funded childhood obesity programs either as the main focus or as one component of the Federal program.

Child obesity is a serious issue in America. Do we need 21 separate programs to address the issue? Would not we be more efficient if we had a single program instead of spreading them out amongst different Federal agencies?

There are 14 programs administered by the U.S. Department of Education related to foreign exchanges and designed to increase the opportunities for

study abroad, 14 programs. According to a 2003 GAO report, the Federal Government funds more than 44 job training programs administered by nine different Federal agencies across the Federal bureaucracy at a cost of \$30 billion.

According to data from the Catalog of Federal Domestic Assistance, 14 departments within the Federal Government and 49 independent agencies operate exchanges and study abroad programs.

A 2009 GAO report found 69 early education programs administered by nine different agencies. There are over 30 Federal programs that provide financial assistance to students to support postsecondary education at a cost to the taxpayer of over \$30 billion every year.

According to a May 2007 report in the Academic Competitiveness Council, there are 105 Federal programs supporting STEM education with aggregate funding of \$3.2 billion in 2006. You will note that I am not even talking about millions or hundreds of millions; we are talking about billions.

Here is one. There are at least 17 offender reentry programs across five Federal agencies, different Federal agencies, costing the taxpayers over \$250 million annually.

A 2005 GAO study found there are a total of 23 Federal housing programs targeted or have special features for the elderly, 23 Federal housing programs that target or have special features for the elderly.

There are at least nine programs at the USDA tasked with researching and developing biofuels, costing taxpayers nearly \$300 million annually. Over \$800 million was included in the stimulus bill for these initiatives.

The Federal Government oversees at least 15 different preservation programs costing taxpayers nearly \$100 million annually.

There are at least 28 Federal programs totaling over \$5 billion that support job training and employment.

Here we are, with an outstanding public debt well over \$12.3 trillion. The estimate for this year is the largest in history. The estimated population of the United States is over 307.6 million people. Therefore, each U.S. citizen's share of this debt is approximately \$40,100. That is \$40,000 for every man, woman, and child in this country. That is shameful, shameful spending that has laid this debt on future generations of Americans. The greatness of America is based on the tradition that one generation has passed off to the next generation a nation that is better off than the one they inherited. What kind of a nation are we going to hand off to the next generation of Americans with a debt to the Chinese of \$800 billion, a debt of over \$3.5 trillion held by foreigners, and the debt goes on and on and on with no end in sight.

Why should we not try Dr. COBURN's method? Why should we not attempt to do something different rather than

raising the debt limit every time we have spent so much we have to raise it again?

Let's look at what we spent last year alone: \$787 billion on the so-called stimulus bill which amounts to \$1.1 trillion, if you calculate the interest; \$700 billion in TARP to bail out the banks and other ailing financial institutions; \$410 billion for the Omnibus appropriations bill, a package of 9 appropriations bills rolled together, which contained over 9,000 unrequested, unnecessary, run-of-the-mill pork-barrel earmarks; \$450 billion for the 2010 Omnibus appropriations bill, a package of 6 bills rolled together, containing 5,000 unrequested earmarks. Let's put them together. In two bills last year, one for 2009, the other for 2010, were at least 14,000 earmarks. The Democratic leadership worked with the President to ram through a \$3.5 trillion budget resolution. We have spent \$83 billion to bail out the auto companies. There is still a chance that a \$2.5 trillion health reform bill may be passed by the other side.

Overall, domestic spending has increased by 14 percent over the last fiscal year. Inflation has been practically zero for all intents and purposes. But the spending has increased by 14 percent. Don't we get it? Don't we see what we are doing to future generations of Americans? Don't we see that a debt for \$40,100 for every man, woman, and child in America is unconscionable? Why don't we try the Coburn amendment before we willy-nilly increase the debt limit by another \$1.4 trillion? Why? Why can't we at least make an effort?

One thing I know about Dr. COBURN, he researches his information carefully. He has shown us we don't need to raise the debt limit and give ourselves a green light to spend even more. We have before us an opportunity. We can turn things around today. We can pass this amendment and begin the hard work and make the tough decisions necessary to put us on the path to fiscal solvency and national prosperity.

Here we are with a bill before us to increase the debt limit which would increase, then, the debt that every man, woman, and child in America has, as we continue this almost unrestrained spending spree.

I have said to my colleagues for a long time—and I think it was authenticated in Massachusetts recently—the American people are mad. They are angry at the spending. They do not want to lay a huge debt on future generations of Americans. They do not believe there is a shred of fiscal responsibility in the Congress or the administration. I will fairly note that this out-of-control spending was not invented with this administration. Republicans, when they were in charge, let spending get completely out of control. We betrayed our fiscal base. We paid a heavy price for it, but we deserved to pay that price. Now is the time to say stop,

stop borrowing against our children and grandchildren's futures. Stop putting ourselves in a precarious situation, where the Chinese own so much of our national debt that they have their hand on the throttle of the American economy.

I hasten to add, it is not in China's interest to hurt the American economy. But it certainly can't be in our interest, in any way, to be in that kind of fiscal jeopardy. We cannot do that—not to mention the \$3.5 trillion in debt held by foreigners.

I say to my colleagues, let's look at the Coburn amendment. It is well thought out, well researched. Let's put the brakes on the mortgaging of America's future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. I ask unanimous consent to speak as in morning business.

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

CHRISTMAS DAY TERRORIST ATTACK

Mr. ENSIGN. Mr. President, I had the benefit last week of attending two different hearings on the attempted terrorist attack that took place on Christmas Day. The first was in the Homeland Security Committee and the second was in the Commerce Committee. One thing became clear: There is a definite disconnect in this administration about how to handle terrorists once they are captured. Over this last weekend, Osama bin Laden claimed responsibility for the foiled Christmas Day bomber terror attack. He has, once again, inserted himself into the national security dialog in the United States.

I fear al-Qaida will have another opportunity to attack the United States because of the fumbling of intelligence information that could have been gathered on the Christmas Day bomber before his attempted attack and subsequently from this terrorist after he was captured. But this administration clearly dropped the ball. We know the Director of National Intelligence, Dennis Blair; FBI Director Mueller; National Counterterrorism Center Director Michael Leiter; and the Homeland Security Secretary, Janet Napolitano, were not consulted about the decision to read Abdulmutallab his Miranda rights and try him in civilian courts. We know that as soon as this terrorist was told of his right to remain silent, that is what he did. He stopped talking.

It is unfathomable that these individuals were not even consulted before this hugely important decision was made. After the hearings conducted last week and interviews over the weekend, it appears it was ultimately the Attorney General who made the decision to read the Miranda rights and place Abdulmutallab in the civilian court system. However, there is a lot of ambiguity to show how this decision came to be made. Were there any deliberations or meetings that occurred prior to this decision? Was the President brought into this discussion? All

these ambiguities need to be cleared up so we do not make the same mistakes again.

As a member of one of the committees charged with oversight of homeland security, I will be asking for a written response from the administration on this issue.

Additionally, because the heads of government agencies charged with making the decisions do not seem to be talking, I have joined with several of my Senate colleagues to cosponsor legislation authored by Senator COLLINS and Senator LIEBERMAN, the distinguished ranking member and chairman of the Homeland Security Committee. This legislation would require the Attorney General to consult with the Director of National Intelligence, the Director of the National Counterterrorism Center, the Secretary of Homeland Security, and the Secretary of Defense prior to the initiation of giving any terrorist Miranda rights or the initiation of civilian criminal charges against a foreign person detained by the U.S. Government on suspicion of any terrorist activities. The legislation would also require, in the event of a disagreement amongst these folks on whether such action should be initiated in civilian criminal court, that the Attorney General not initiate such action unless specifically directed by the President. I ask my other Senate colleagues to join me in cosponsoring this vital legislation.

A second thing we learned from last week's hearings was there is confusion about when the high-value interrogation group or the HIG should be convened to decide on whether to interrogate terrorists such as Abdulmutallab or to interview them with their lawyers present. Director of National Intelligence Dennis Blair told the Homeland Security Committee:

This unit was created exactly for this purpose—to make a decision on whether a certain person who is detained should be treated as a case for Federal prosecution or for some other means.

The intelligence chief said the interrogation group was created by the White House last year to handle overseas cases but will now be expanded for domestic cases.

He said:

We did not invoke the HIG in this case. We should have.

Subsequently, we heard from the administration that this HIG unit isn't even up and running yet.

My question is, How does the individual who is in charge of our intelligence infrastructure not know the policy and procedures for interrogating terrorists? Based on the testimony given last week, it would seem we do not have a fully integrated and comprehensive method for interrogating terrorists, whether they are captured abroad or here at home. The capture and subsequent handling of terrorist Abdulmutallab was bungled from the get-go. It is continuing to be bungled.

A week ago, I signed a letter to President Obama with a number of my

colleagues indicating that the decision to prosecute this terrorist in civilian court has resulted in a missed opportunity to collect timely intelligence. In order for the U.S. Government to fully understand where we failed on Christmas Day, it is imperative we examine the methods and means Abdulmutallab used to avoid detection.

As many of my colleagues have pointed out, our ability to gather this information has been severely hampered by the decision to put this terrorist almost immediately into the civilian court system. He now has all the rights, protections, and privileges of American citizens. Make no mistake about it, this decision to try Abdulmutallab as a U.S. citizen, which he is not, as opposed to an enemy combatant will be a detrimental impact on our ability to learn more about this failed terrorist attack. Taking it a step further, this decision may very well weaken our national security. Last week, the Republican leader mentioned that a year ago the President, immediately after taking office, decided to revise the Nation's interrogation policies and to restrict the CIA's ability to question terrorists.

This was done by Executive order. While questioning the Director of National Intelligence, I specifically asked if the Director believed the classified interrogation methods used previously by our own government were more effective than the current methods found in the Army Field Manual that is publicly available for the terrorist to train to.

One statement the DNI, the Director of National Intelligence, made during the Q-and-A portion of the hearing particularly caught my attention. In response to a question from Senator BURRIS regarding al-Qaida's ability to exploit open source intelligence, Admiral Blair stated this—I am quoting, once again:

[T]he public discussion of the specifics of the defensive measures we take are making it that much easier for people to evade our defenses and come in . . . I think they are just making the job of those who are working hard to try to defend us that much harder. It costs the taxpayer that much more money. And I wish people would just shut the hell up.

That is what he said.

So if keeping some of our airport security measures a secret makes it harder for terrorists to evade them, shouldn't that same logic also hold that keeping some of our interrogation measures classified also makes it harder for the terrorists to beat those interrogation techniques? But this administration does not seem to be on the same page.

As I am sure you can imagine, those who wish to do us harm can simply train to the methods that are publicized in this public document. By limiting our intelligence community to only those techniques in the Army Field Manual, we have removed one important tool the intelligence community has to use against al-Qaida; that is, fear of the unknown.

Terrorists now know exactly what our interrogation methods and limitations are, and based on that knowledge they can train and prepare themselves to successfully resist our interrogation efforts.

I am also concerned that the administration may begin to bargain or propose a plea deal to this terrorist, Abdulmutallab, in order to obtain additional information. I believe this would set a very dangerous precedent for would-be terrorists in order to potentially have their jail time reduced. It is my understanding the policy of the United States is not to negotiate with terrorists.

We should comprehensively and effectively interrogate terrorists to gain the information we need, not to negotiate with them for it. The only true way to gather this information is through an extensive interrogation of the terrorist by highly trained intelligence personnel. The definition of an "extensive and comprehensive interrogation" is not a 50-minute questioning while the terrorist is being prepped for surgery, as was the case with Abdulmutallab.

Extensive interrogations are conducted over a sustained amount of time, with members of various government agencies included. They incorporate individuals from defense intelligence and have elements of uncertainty and surprise. This means those conducting the interrogations are not limited to a set of interrogations which the terrorist has trained against. In short, a proper and extensive interrogation should not solely consist of the interrogation methods listed in the Army Field Manual.

We have in our custody an individual who has been trained by al-Qaida. He has met with some of its most senior leaders and has not been properly and comprehensively interrogated. How is this possible? He could give us information on the al-Qaida command-and-control structure. It is possible he could give us information on funding mechanisms, ongoing operations, safe houses, personnel and leadership profiles, al-Qaida's governmental connections in Yemen and maybe other Middle East nations, and what the enemy views as weaknesses in our airport security.

What happens if, say, new information comes to light; say, Osama bin Laden releases a new tape like he just did, or if we intercept some communication coming out of Yemen? As it stands now, we have lost the ability to interrogate Abdulmutallab on those issues.

Over the weekend, we heard a preposterous statement from the President's spokesman when he said the FBI got all the information they could get out of him. That is a preposterous statement. I do not believe that to be the case, and I do not believe most Nevadans or other Americans believe it either.

It is for these reasons we must transfer Umar Farouk Abdulmutallab to the

military and remove the Executive order restrictions that requires our intelligence community to follow only the Army Field Manual when interrogating a terrorist. It is in the best interests of the security of the United States to do so.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

AMENDMENT NO. 3303

Mr. INOUE. Mr. President, I rise to speak in opposition to an amendment offered by the Senator from Oklahoma. Once again, we find ourselves debating an amendment that at first blush sounds like a good thing. But when Members take the time to actually read the amendment and understand the programs it impacts, they will discover this amendment causes harm to our national and international security and to our economy.

Let me begin by discussing the last section of the amendment, section 16. Section 16 of the Coburn amendment is based on assumptions that reflect a lack of understanding about both what constitutes discretionary unobligated balances as well as about Federal funding and oversight for certain critical procurement programs.

The Senator from Oklahoma claims that \$100 billion would be rescinded from an estimated \$657 billion in unobligated balances. First, this amendment assumes a rescission amount based on erroneous assumptions. Specifically, the majority of the \$657 billion in unobligated balances would not be eligible for rescission under criteria outlined in the amendment because they are either mandatory funds or they are not older than 2 years.

Second, because of the small amount of unobligated funding eligible for rescission, this amendment indiscriminately rescinds prior year unobligated funding from certain critical programs, jeopardizing our national defense, our homeland security, our economy, and the well-being of our citizens.

For example, we require the Department of Defense to budget up front for all the costs required to procure military equipment, such as ships or aircraft. But I think all of us are aware it takes several years to complete construction.

For shipbuilding specifically, funds provided to the Department of Defense are available for obligation for 5 years. Rescinding unobligated funds would now require the Navy to cancel contracts for ships under construction and lay off thousands of workers across the Nation's shipyards.

In terms of our veterans who have returned from war or have fought bravely in past wars, section 16 also severely impacts the construction of new hospitals by the Veterans' Administration.

Like for defense procurement, the VA requests full funding for the construction project in the first year. As a result, the Veterans' Administration has 43 active major construction projects at various stages of completion, total-

ing over \$1.6 billion in unobligated balances. Over 49,000 construction jobs would be terminated with the loss of this funding, further delaying critical services to our brave men and women who have served us.

Rescinding unobligated balances in the Department of Homeland Security would stop the construction of the Coast Guard National Security Cutter and would rescind funding for the purchase of explosive detection systems.

Rescinding unobligated balances in NOAA would create a minimum 6-month gap in coverage for the geostationary weather satellite system, which focuses directly over the United States, and constantly and accurately monitors storm conditions. Over 200 employees would lose their jobs.

The reasoning for the amendment of the Senator from Oklahoma is a catch-22 for those of us on the Appropriations Committee with responsibility for overseeing our taxpayers' dollars. We are criticized for having funding that is unobligated for more than 1 year. Well, a ship is not built in a year, a hospital is not built and equipped in a year, and the next generation satellite is not built in 1 year.

The Coburn amendment proposes to rescind an additional \$20 billion from programs he perceives to be redundant. We can go around and around about what is redundant and what is not because one's perception of what is or is not a duplicative program is based on subjectivity. It is that simple, and this amendment reflects what the Senator from Oklahoma alone believes is redundant. But what is clear is that this amendment proposes to cut \$20 billion in funding that the Congress voted on and agreed to provide just months ago.

The impact of these cuts has significant consequences for many critical services. For example, the Senator's amendment proposes that the intent is to consolidate duplicative programs serving the homeless. However, in reality, this language simply calls on the Department of Housing and Urban Development to implement a 5-percent reduction across the Department's programs. The bulk of the funding increase recently provided by Congress to HUD covers the increasing cost of providing affordable housing to our Nation's low-income citizens. According to HUD's Annual Homeless Assessment Report, on any given night there are over 650,000 people who are homeless. However, HUD's resources fund 183,000 beds. During this difficult economic time, it is not the time to cut housing for the Nation's poorest individuals.

This amendment also takes aim at nursing education programs, claiming they are duplicative, when in fact they are not. While there are several programs that promote nursing education, each of these programs addresses different needs in our Nation's effort to address a profound nursing shortage. We have a loan repayment program to get nurses to rural areas, a program to incentivize nurses to teach, and a pro-

gram to expand nurse training in geriatric care.

The amendment instructs the Secretary of the Interior to consolidate programs for dealing with the impacts of climate change. The truth is, each of the three agencies named by the Senator deal with a different aspect of climate change, and each brings a special expertise to the problem. They are not duplicative; they are complementary based on specific expertise.

For the Department of Energy, the Building Technologies Program is not a grant program to weatherize existing residential and commercial buildings in the same fashion as the weatherization program does for residential homes. There is a difference between a residence and a building. It is a research and development program aimed at new technologies. There is simply not overlap or duplication in these programs.

The amendment proposes to rescind funding for the 2010 census. Any reduction in funding for the constitutionally mandated 2010 census at this critical time would jeopardize the completion of a timely and accurate count, which is necessary, sir.

The amendment proposes to cut \$2.2 billion from critical Department of Homeland Security programs.

The attempted destruction last month of Northwest flight 253 near Detroit is our most recent reminder that terrorists continue to threaten our homeland and the security of all Americans. This amendment would reduce funding for the purchase of explosive detection equipment at the very time the Department of Homeland Security Secretary has asked us to address the need for further increases in airport security.

In closing, the author of this amendment arbitrarily rescinds funding with no true justification. The rescission of \$100 billion from the \$657 billion in unobligated balances, as we know, would wreak havoc on ongoing procurement. The rescission of \$20 billion is based on the claim of redundancy in programs where no redundancy exists.

This is a bad amendment with bad consequences. It is time for Members to act responsibly. We have a well-established process for funding the Federal Government. It involves a Budget Committee that sets our allocations and involves the consideration and approval by the Senate of every appropriations bill. It is not passed in the dark of night.

I can assure my colleagues in this Chamber that the Appropriations Committee takes its responsibilities seriously, and every agency budget is reviewed and oversight is provided throughout the year. Each year, the Appropriations Committee recommends rescissions of funds that are not needed. But those rescissions are based on detailed oversight and understanding of the programs, not indiscriminate action.

This amendment is not based on careful review and would harm many

worthwhile programs, and it fails to meet the test of proper oversight. I urge my colleagues to oppose this amendment.

AMENDMENT NO. 3308

I will also speak on another amendment. I will speak in opposition to the amendment offered by the Senator from Alabama, Senator SESSIONS.

We are all concerned with the growth of the deficit and the need to control the debt of the United States. I support that goal, as I imagine all of us in this Chamber support the goal. None of us disputes the ultimate threat to the standard of living of our citizens posed by long-term deficit spending.

However, the amendment offered by the Senator from Alabama is not the appropriate way to attack the issue, for several reasons. As I understand the amendment, it would have the effect of freezing any increases in nondefense discretionary spending for the next 5 years.

In addition, the amendment would impose caps on emergency spending that could potentially cripple our ability to respond to emergencies, such as hurricanes, earthquakes, or terrorist attacks.

The amendment also contains unrealistic spending caps that would restrict funding needed to support our forces in Iraq and Afghanistan.

Let's start with the facts. For fiscal year 2010, the government spent \$2.9 trillion, of which about \$1.2 trillion was discretionary. The remaining \$1.7 trillion we declare as being mandatory. Of the \$1.2 trillion that was discretionary, approximately \$526 billion, or less than half, was for nondefense purposes. Therefore, this amendment attempts to reduce the deficit of the United States by constraining 18 percent of total government spending. If the goal is to reduce government spending, I am unclear on how constraining growth on just 18 percent of that spending will be at all effective.

In addition, if we examine the actual numbers involved here, it becomes even clearer that this amendment will simply not achieve its stated goal. From fiscal years 2006 to 2009, the Federal debt was increased by approximately \$4.4 trillion. During that time, the total increase in nondefense discretionary spending was approximately \$93 billion, as compared to \$4.4 trillion.

Doing the math, for the past 4 years, the increase in nondefense discretionary spending has accounted for 2 percent of the increase in the national debt—just 2 percent.

What do we get for this 2-percent savings? Aside from the obvious challenge of funding vital government programs without even an adjustment for inflation, we also put our country and our citizens at risk.

Arbitrary spending caps would impede the delivery of resources needed to keep Americans safe from terrorist attacks and violent crime. Such subjective across-the-board restrictions would hinder our ability to protect our

homeland and secure our borders. As more and more of our service men and women are returning from the battlefield, this measure would restrict our ability to provide our military personnel and veterans with the medical care and support they need.

These are only a few examples of the damage that would be done to vital programs, all for a projected savings of 2 percent.

Even more troubling, this amendment would impose a roughly \$10 billion annual cap on emergency spending. Emergency spending is, by its very nature and definition, impossible to predict. To deliberately impede the government's ability to respond to natural disaster or major terrorist attack I say is deeply irresponsible.

Recent history clearly demonstrates the folly of attempting to affix a set price to future emergencies. More than 4 years later, the gulf coast is still recovering from destruction wrought by Hurricane Katrina. Over \$100 billion in Federal resources has been needed to respond to this one disaster alone.

We have all seen the horrible suffering that has resulted from the devastating earthquake in Haiti. What if a city in California were to experience a similar disaster? This reckless amendment could delay or block the timely delivery of resources needed for an appropriate Federal response.

The recent Christmas Eve airline bombing attempt serves as a stark reminder of the grave threats that continue to face our Nation. In the event of a major terrorist attack on our soil, the Federal Government must not be constrained by an emergency spending cap.

Remarkably, this amendment would also restrict funding needed to support our men and women in uniform fighting overseas. Based on earlier budget projections that no longer reflect fiscal reality, this amendment provides \$130 billion for the current fiscal year and \$50 billion per year thereafter for "overseas deployments and other contingencies." The President's recent decision to increase troop levels in Afghanistan will almost certainly require additional resources from Congress.

I find it very difficult to imagine that the Senator from Alabama genuinely believes that \$50 billion would suffice to cover the cost of the wars in Iraq and Afghanistan.

If this amendment were adopted, with defense and overseas caps, in statute, are we expecting Congress to cut defense to pay for these operations? That is what this amendment authorizes.

Spending restraints that would deny funding needed to support our troops are not fiscally prudent; they are deeply irresponsible.

Finally, I remind my colleagues that we already have a 60-vote threshold to overcome budget points of order to appropriations bills. As we all know, 60 votes is not a minor hurdle to overcome. By increasing that threshold to

67 votes, we turn over decisionmaking to a small portion of the Senate. We should not let those who represent only one third of this body exercise control over bona fide emergency spending.

This country must face the challenge of reducing our deficit. We all agree to that. But we must do so in a meaningful and effective way. I do not believe this amendment does either.

I urge my colleagues to join me in voting against the Sessions amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

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

UGANDA

Mr. INHOFE. Mr. President, a lot of times attention is drawn to terrible things going on around the world. We hear a lot about Sudan, and we hear about Zimbabwe, with a president who has taken that country from the breadbasket of the world to one of the most impoverished nations around.

But there is one area nobody talks about. I have been trying for quite some time to get attention drawn to this area. We have a bill that is introduced by Senator FEINGOLD, myself, and others, which is called the LRA Disarmament in Northern Uganda Recovery Act. This essentially does one thing. It directs the administration to develop a research strategy to apprehend a guy named Joseph Kony and the top LRA commanders throughout the country and protect the civilians.

The reason this is important—and I have been dealing with this issue for 10 years, or perhaps more. I have had occasion to spend time with President Museveni of Uganda, President Kagame of Rwanda, and President Kabila of Congo, and others in that area. Twenty-five years ago, Joseph Kony—he is kind of a spiritual leader in that eastern African area. He is a deranged person. He decided to start a thing that some people have heard of, called the "child's military" or the "children's army," where he goes out and abducts little kids. For more than 20 years, he has led this Lord's Resistance Army. He has done it primarily in the area of northern Uganda.

I have been there several times to Gulu, which is the headquarters area. Many of the kids who have survived him are up there now in hospitals. His way of doing things is to go into villages and abduct children, young children—I am talking about 11, 12, 13-year-old children—and teach them to be soldiers, with AK-47s, the whole thing. Then they have to go back to their villages and murder their parents and all their siblings. If they do not do that, they cut their ears off and cut their noses off and cut their lips off, as we can see in this picture. Here are these young, little guys. That little boy is about 10 years old with an AK-47.

The tribes in that part of Africa, Hutus and Tutsis, have been fighting forever. We are all familiar with the genocide that took place in Rwanda and the millions of people who lost their lives and the torturing that went on. The things that have happened are just mind-boggling. Yet all the time that was happening, nobody realized what was going on in that area.

Millions of people have fled their homes over time and have been in displacement camps in the areas I just described. A vast nation in the heart of Africa, the DRC—the Democratic Republic of Congo—has strived to recover from lengthy civil wars. It goes back to many years ago, back when Congo got its independence from King Leopold II. Anyone with an interest in Africa at all should read a book. It is called “King Leopold’s Ghost.” When you read this book, you will find out what really happened, what the true story is not just of the Congo but all of Africa.

This area was in the Congo. The wars started back in 1960 and then the most recent started in 1990. Joseph Kony would go into these areas of displaced people and capture the young people. We made an effort, as we tracked him from one area to another just about 6 months ago, to Goma—that is a fairly large city in Eastern Congo. That is where he was last seen. He left before we got there. As he went north up toward the Sudan, he mutilated 900 people, most of them young people, on that route.

One might ask the question, Why is it these countries are not able to eradicate this person, to do something about him? The problem is that we have a very fine President in Uganda, President Museveni. Museveni used to be a warrior. I think there is a reluctance of the warriors who become Presidents of African nations to want to say: We cannot handle the security ourselves; we are going to have to depend on other countries, the United States or other countries, to do it for us. He has been somewhat resistant.

President Kagame from Rwanda is—I think everyone agrees—one of the greatest leaders in Africa. He is the one, in the genocide of 1994 that wiped out most of his population, who was able to go back. As you go down from the airport to the capital area of Rwanda, you would think you are in an American city. In fact, it is much cleaner than many American cities. He has been able to bring it back up. He also came from the bush as a warrior. Again, he is a great person. As I said the same thing about President Museveni, there is a reluctance to admit they cannot handle these problems themselves.

President Kabila is President of Congo. Congo used to be called Zaire. It is a gigantic area. We remember the stories of explorers who went over there and were able to get all the way across the Congo, taking months and months to do so, many of them losing their lives. Back when the Congo was

having serious problems, President Kabila, Sr., was there. He was actually killed, and his son Joe Kabila took the reins of the country. Joe Kabila also has a military background.

So we have three Presidents. They respect each other. They are not at war with each other. They all have one thing in common; that is, they want to eradicate this monster called Joseph Kony. They have not been able to successfully get that done.

What we are doing with this legislation is recognizing, because we never hear anyone talking about it, that there is this serious problem that is taking place. We all want to do things to help people who are downtrodden, but this is one that has been overlooked.

Finally, this bill would give everybody throughout the world an understanding that this is now a U.S. priority and that we are going to finally do something to get rid of this Joseph Kony.

It is easy to say that is another part of the world until you get over there and see. These are kids from 10 to 12 years old being forced to murder people in their own village. They brutally torture these children and maim them for life. That is what this guy has been doing for 25 years.

We have an opportunity to do something. We never had an opportunity before. We tried to introduce it. This bill is one that is out of the Foreign Relations Committee now. It is sponsored primarily by Senator FEINGOLD. I did not support it at first because it does require about \$30 million to \$35 million. He had it offset by taking money out of the Air Force. I did not like that. I think this President is going to go down as the most anti-defense, anti-military President in history. We punished the military enough, and I am not going to take any more money out of that budget. They agreed to pull that out in committee. The money should come from USAID, from existing State Department funds. We do not know that yet, but we do know this is going to come to the floor. We want it to come to the floor. There is a hold on it now. In fact, the hold is by my junior Senator. I hope we are able to get this bill.

When we look at how many years something like this has been going on, this unspeakable type of behavior—we don’t know of anyplace else in the world. It is a very small price to pay, a small effort to let us take the lead with other nations. I can assure my colleagues that other nations will follow. I have given talks in Canada and some of the other places about the problems we have with Joseph Kony.

People say we just need to have somebody come in and say: If you can get together the Presidents of these countries of Rwanda, Uganda, Congo, Sudan, and the Central African Republic, these five countries, then we will come in if you lead the way. That is what we want to do.

There are so many things going on right now. We have people who, when we had the PEPFAR bill—that was a bill to send money to countries, primarily African countries. That bill was on the floor of the Senate. It had been funded previously at \$15 billion. Just 6 months ago, that bill was down here. They raised it from \$15 billion to \$50 billion. They raised it \$35 billion. That is going to go to Africa with very few controls on it. We do not know where the money is going to go. This is less than one-thousandth of that amount to defend these kids.

There is a group I ran into up in Gulu in northern Uganda. It was about 3 years ago. I wish I could remember their names. Young college kids recognized this was going on. They went up there with camera crews and took pictures. They have been here and rallied the support of literally thousands of college kids who have become familiar with these atrocities that are taking place. I applaud them for doing it. They wonder why we cannot do something.

If you can increase your PEPFAR funding for Africa by \$35 billion and you don’t want to spend one-thousandth of that amount, \$35 million, to save those kids—30,000 kids over the years have been mutilated like this—then there is something wrong with this country.

We are going to make every effort—Senator FEINGOLD is one of the more liberal Democrats, and I am one of the most conservative Republicans. This crosses all these concepts.

I know my time has expired, but I only want to say I want to do everything I can to get this legislation through. I am going to ask our conservative friends to listen and do something that is right on this legislation. I believe, with the 51 cosponsors we have right now, we ought to be able to get the bill passed if we can get it to the floor.

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

THE PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The legislative 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. UDALL of Colorado). Without objection, it is so ordered.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE ECONOMY

Mr. BURRIS. Mr. President, a little over a year ago this country stood on the brink of economic disaster. Banks and financial institutions wavered on the verge of collapse. The foundation of our economy was shaken to its core. But that is when this Congress took bold action. In the face of public discontent, many of my colleagues summoned the courage to cast a difficult

vote—a vote that set aside hundreds of billions of dollars to prop up our failing financial institutions, a vote that was not popular with the American people but that I feel history will judge as the right thing to have done.

These are the moments that define us—as individuals, as public servants, and as a nation. The American people called upon their representatives to make tough choices, to exercise their best judgment, and rise to every occasion that may impact the quality of life of the people of this country.

I applaud my colleagues on both sides of the aisle who lived up to these expectations and made the decision to do what was right, not what was popular. As a result of their courage and their ability to reach for something larger than the small politics of the moment, our economic foundation has been stabilized. That vote brought us back from the brink of disaster and restored confidence in the financial institutions that threatened to undermine our entire system. It did what was necessary to prevent a complete economic meltdown.

But make no mistake, this emergency legislation did not solve every problem. It was not a cure-all. And as many hard-working Americans will tell you, we are not out of the woods yet. There are still miles to go. Our country remains on the road to recovery. If we want to continue down this road, this Congress needs to take the next step. So at this point, we must turn our attention to the ordinary Americans who are still suffering. It is time to help Main Street. It is time to take bold action to create jobs, help small businesses, and stabilize community banks. It is time to shift our focus to the innovators, entrepreneurs, and local institutions that drive our economy on a daily basis. In some places, things have already started to turn around and we need to continue that progress, but especially among poor and minority communities, these groups are falling further and further behind. As a former banker, I understand the vital roles these institutions play in local communities and our economy as a whole, and I understand the challenges they face in tough times such as these.

That is why we need to embrace a new economic program which will encourage banks to start lending, make capital available for small businesses, and mitigate the foreclosures. Let's stop shutting down people's homes and putting them out in the streets. If we work together to tackle these priorities, we can have regular Americans get back on their feet without spending another dime on Wall Street.

Let us come together right now to send a strong message to Main Street: Help is on the way. The cavalry is coming to help them. We can do this right now. We can do it without passing a new round of emergency appropriations. We can do it without increasing the deficit or the national debt and without writing another 100-page bill.

When the original economic stimulus was passed more than a year ago, this Chamber set aside roughly \$700 billion to aid in the recovery effort. These efforts have been effective and, as we speak, there is still \$320 billion that has not been spent. So rather than begin the process again, as some have suggested, let us simply change the focus of the existing program. Let us draw from the money we have already set aside to help small businesses, local banks, and ordinary folks. At the moment, we don't have the resources or the time to start over with a new round of stimulus legislation, so let us seize this opportunity to direct funds we have already designated for this purpose.

Every Member of this body has seen the devastating effects of the economic crisis in their home States. Everyone in this Chamber knows we need to act with urgency. We can't wait another moment. Thankfully, if we decide to embrace these priorities, there is no reason to wait. We can restore hope and optimism to Main Street, we can help the minority communities, small businesses, and local banks that are still in grave need of our assistance. We can do this, and I believe we must do it. The resources, the funds are there, and the commitment should be there. Let us use those resources now to put them into Main Street and help ordinary folks. Constituents come up to me all the time wondering: Where is my piece of the stimulus package? Well, it could be in Main Street. It could be in our local banks. So let's do it.

I call upon my colleagues to use those dollars that are now in the stimulus package to put them into Main Street, into the local banks, and start helping the local communities.

Thank you. I yield the floor, and 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. 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.

AMENDMENT NO. 3308

Mr. SESSIONS. Mr. President, I want to share some thoughts on an amendment that Senator MCCASKILL and I offered earlier today. I note that a number of people are anxious to vote and finish up. If and when that time comes, I will be pleased to yield the floor. The amendment we offered, which would place statutory caps on spending—and that cap level that we picked was in our budget. It is what the Senate passed in the budget last year. It represents an increase each year, which is 1 to 2 percent annually. This is a budget number basically passed by our Democratic colleagues.

So what we are saying is, let's adhere to that. If we adhere to that level of spending, then we can begin to make progress.

A similar type of statutory cap was placed in 1990, renewed in 1997, helped lead us to the only 4 years of budget surpluses in recent memory, from 1998 through 2001. After that, the statutory caps were allowed to expire. We find this was something that actually worked to help us contain excessive spending. This amendment would say that number that is in the budget for the next 5 years would be firm. We would put it in statutory language, but, of course, it can be exceeded by a two-thirds vote of the Senate, and the statute itself can be reversed by 60 votes of the Senate. It is not something that constitutionally would be firm over managing our system. It is consistent with previous actions of the Congress. It worked, and I believe it will work again.

It has been contended today, I understand, that these caps would impose limits on emergency spending that could potentially cripple our ability to respond to emergencies, such as hurricanes, earthquakes, and terrorist attacks.

Well, I just want to say that hurricanes and earthquakes and things of that nature have had huge bipartisan votes for emergency spending. For example, after Katrina, there were two supplemental emergency bills passed. The first was passed by unanimous consent. Nobody objected to it. It was unanimous. The second was passed on a rollcall vote, 97 to 0. There is no doubt in my mind that if we have a serious emergency, we will have a lot of support for responding to that emergency.

Also, one week after September 11, the Senate unanimously passed supplemental appropriations in response to that terrorist attack. So the allegation that somehow this would cripple the ability of Congress to respond to emergencies is inaccurate.

Second, it was contended earlier today that the amendment contains unrealistic spending caps that would restrict funding needed to support our forces in Iraq and Afghanistan.

That is not accurate. The amendment includes specific provisions that prevent the caps from restricting funding for our troops in a time of war. It would not block us from doing that. We are in a time of war. It just would not apply in a time of war.

We hear it said that everybody is concerned with the growth of the deficit and the need to control debt in the United States, but this amendment—the McCaskill-Sessions amendment—is not the appropriate way to attack this issue.

Let me respond to that. For fiscal year 2010, the government spent \$2.9 trillion, of which about \$1.2 trillion was for discretionary spending. The remaining \$1.7 trillion was mandatory spending. That is what we call entitlements. That is when you get 65 and you are entitled to Medicare, and the government has to pay it whether it has any money or not. You are entitled to Social Security payments, and the government has to come up with the

money. We don't vote on it again. We already voted on Social Security to set up how much money you are entitled to get. We have to have that money. That is why it is called an entitlement.

Now entitlements—Medicare and Social Security—exceed the discretionary account, which includes defense. So of the \$1.2 trillion that is in the discretionary account that we actually vote on each year, approximately \$526 billion, or a little less than half, is for nondefense purposes.

This amendment attempts to reduce the deficit by constraining just 18 percent of total government spending. It can make a much larger difference than many people realize. Five-year discretionary spending caps were passed—what we are proposing today—in 1990 and 1997 with strong bipartisan support. In 1997, 44 currently serving Senators supported the caps, and 26 of them were Democrats. It made a difference. We balanced the budget in 1998 through 2001—4 years. The current majority leader and chairman of the Appropriations Committee both voted, in 1990 and in 1997, for the 5-year caps, which restricted annual discretionary spending to approximately 1 to 2 percent increases. That is basically what our legislation would do. It would contain this discretionary spending to 1 to 2 percent.

We know we are out of control. We know that last year discretionary spending increased by 10 percent, and this year it will increase by 12 percent. That is unsustainable. At 7 percent growth, your money will double in 10 years. At 12 percent growth, the amount of money we would be spending in our discretionary account would double in 6 years—double. We are on an unsustainable growth here. Some say: Where do you come up with this money, SESSIONS? This limit of 1 to 2 percent is too tough.

It is not too tough. It is the budget we voted on. Actually, I didn't vote for it, our Democratic colleagues voted for it. It was their budget, and it passed with almost unanimous Democratic support. It calls for a 1- to 2-percent increase in spending over the next 5 years. That is all Senator MCCASKILL and I are suggesting we should do. We would make that harder to bust, harder to break it. We put in a firmer cap. If we stay on that level, and if we have an emergency, we will have to meet it. But if we stay at that level, we could end up surprising ourselves how much good we can do in the years to come.

From fiscal year 2006 to 2009, the Federal debt was increased by approximately \$4.4 trillion. That is a lot. That is almost the total debt of America. We had about \$4 trillion in debt in 2006, and we added, in those 3 years, \$4.4 trillion. During that time, the total increase in nondefense discretionary spending was approximately \$93 billion. This means the increase in nondefense discretionary spending has accounted for 2 percent of the increase in the national debt, our critics say. So it

doesn't make much difference, they would say. They are correct about the surging debt, but not that this would make no difference. If it made little difference, then why are they worrying about passing it?

Restraining discretionary spending, like we did in the nineties, is the bare minimum Congress can do to be fiscally responsible, in my view. For fiscal year 2010, nondefense, nonveteran discretionary spending increased by 12 percent and in 2009 by 10 percent. Those are huge increases, not including the stimulus package. If we included the stimulus package, nondefense discretionary spending has increased 57 percent since 2008, in 2 years.

That is a stunning number. We actually increased discretionary spending by 57 percent in 2 years. The Sessions-McCaskill amendment is similar to the proposal offered by President Obama or what we are hearing he is going to offer—to freeze nondefense discretionary spending for 3 years. This would place a cap on excess. If we break through the President's suggestion and don't freeze and go above that, we hit this cap, and it would take a two-thirds vote to go above that.

Apparently, President Obama's suggestion is less spending than this bill would cap. But that is fine, we can always do less. The danger, from my experience, is that we get carried away and do more.

Some have said the arbitrary spending caps would impede the delivery of resources needed to keep Americans safe from terrorist attacks and violent crime. Such subjective across-the-board restrictions would hinder our ability to protect our homeland and secure our borders.

Well, it does allow for an increase, first and foremost. Second, our congressional process and appropriations process and authorization process should have helped us set priorities within that. It would be unthinkable if this Congress were to somehow take all that money that we need from areas to keep us safe from attack. Surely, we can make judgment decisions about that.

Another allegation is that more and more of our service men and women are returning from the battlefield, and this would restrict our ability to provide them the medical care and support they need.

This measure provides all the funding in the 2010 budget resolution. It would allow that. If additional resources are needed to care for our returning service men and women, and that has bipartisan support, and certainly if we need to be able to take care of injured and wounded, we could get 67 votes. We can do like most people do when they have a necessary expense. They trim spending somewhere else and fund the more necessary item.

Some have said it would impose a roughly \$10 billion annual cap on emergency spending. Emergency spending is, by its very nature, impossible to

predict. The critics say, to deliberately impede the government's ability to respond to a natural disaster or major terrorist attack is deeply irresponsible. But that is not what we do. In the legislation we proposed as an amendment, Senator MCCASKILL and I set up a \$10 billion a year emergency fund—every year. That would be incorporated in the budget resolution, it would be contained in our amendment, and it would be restricted only by the normal 60-vote requirement on a budget point of order for emergency spending. That money would not be subject to a higher point of order, and it would not change up to the first \$10 billion—which is a lot of money.

Alabama's budget, including education, is about \$7 billion. So we are setting aside \$10 billion for emergency funds every year, and if we went above that, we would have to have a supermajority for the kind of emergency that would justify that.

I do not think that criticism is valid. Also, some have said that recent history clearly demonstrates the folly of attempting to fix a set price for future emergencies.

More than 4 years later, the Gulf Coast is still recovering from Hurricane Katrina. Over \$100 billion in Federal resources has been needed to respond to this disaster alone.

Our amendment would have no effect on Hurricane Katrina. The fact is, as I have said before, we have had virtually unanimous votes supporting funding for Katrina. I do not think that is a valid criticism. If we have an emergency, I am confident this Congress will meet it.

The recent Christmas Day airline bombing—I see my friend, Senator LEAHY. Is he seeking the floor to speak? If so, I will try to wrap up.

Mr. LEAHY. Mr. President, I am going to speak for just 3 or 4 minutes, but I do not want to interrupt my friend from Alabama.

Mr. SESSIONS. I will wrap up. I do not want to delay the vote. It will be perfectly appropriate for him to make his remarks at this time.

But first, I will point out this chart. Why do we need to contain the reckless growth in spending? This chart shows how much interest we pay on the debt. When we passed a stimulus package of almost \$800 billion, we did not have that money. Where did we get it? We borrowed it, and we have to pay interest on it.

When we have an emergency, such as Hurricane Katrina—by definition, an emergency is an expenditure for which we do not have the money and it is above our budget. Our budget puts us in deficit. Emergency spending is always deficit funded, funded with borrowed money.

In 2009, the interest we paid on our debt was \$200 billion. That is the public debt. We have more debt than that. We have internal debt. Under the 10-year proposal President Obama gave us early last year, the Congressional

Budget Office concludes that our deficits will surge and that in 10 years, the interest for 1 year would be \$799 billion. That is why everybody says we are on an unsustainable path. How do we get off it? Basically, we have to contain our spending. We cannot have \$800 billion stimulus packages every year or two. We cannot have spending increases of 10 percent and 12 percent in basic discretionary accounts.

If we start taking firm action now, this will not happen. The debt tends to compound. Our deficits tend to compound. They go into the baseline, and then we have an increase over that the next year and the next year, and it compounds a lot more than some of our Members realize. That is why we are getting into the area that threatens the very financial viability of this Nation, as Mr. Greenspan said in December with a statement so strong about the danger we face that it would curl your hair.

That is why Senator MCCASKILL and I think we need to take some action. This is a proven way to do so with statutory caps. I encourage my colleagues to see it for what it is: a bipartisan attempt to be sure we do not rise above the budgetary caps that are in our budget. This amendment would make it hard to go above those levels in our spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, first, I thank my friend from Alabama for yielding time.

AMENDMENT NO. 3303

Among the \$120 billion in funding cuts that would be required by the Coburn amendment is a \$1.3 billion rescission from the State Department. Section 13 of the amendment specifically directs the Secretary of State to eliminate two programs—the East-West Center and the Asia Foundation—saying this would produce savings.

Even if it made sense to eliminate these programs which have a long history of achievement for our Nation and strong bipartisan, bicameral support, to do so would produce savings of only \$42 million—a long way from the \$120 billion about which he spoke. The Senator's amendment does not say where the balance of the \$1.3 billion cut would come from.

The Senator's Web site mentions two other small programs within the State and Foreign Operations budget that he believes should be cut which total \$25 million, and \$20 million of that, incidentally, is for the Tropical Forest Conservation Act, something that gets us praise around the world and actually protects the well-being of everybody in this country. It has long been supported by the senior Republican on the Foreign Relations Committee.

The explanation of the Senator from Oklahoma for eliminating these funds is that other nations should be responsible for the conservation of their own tropical forests. Would that it were so.

But when they get cut down, they affect those of us in Vermont, Colorado, Oklahoma, or anywhere else. In fact, it is like saying to other nations, no matter how impoverished—for example, Haiti—that they should take care of their own health needs. That ignores the fact that deadly viruses, such as HIV and TB, are as oblivious to national boundaries as are carbon emissions from the destruction of tropical forests. It is a shortsighted and unworkable approach to global problems that affect the American people directly.

In defense of his proposal to rescind \$1.3 billion from the State Department, Senator COBURN cites more than \$13 billion in funding for Iraq reconstruction that has been wasted, stolen, or lost. I see my good friend from Oklahoma on the floor. I say in that regard, there is no doubt there was deplorable waste, fraud, and abuse of U.S. taxpayer funds by contractors, such as Halliburton, that received no-bid, sweetheart contracts under the last Republican administration. It was probably the most poorly implemented nation-building program in history. At that time, the Republican Congress rubber-stamped those funds that were wasted—probably not wasted if you were a shareholder of Halliburton; you thought it was a good idea because they walked off with so much of it. The White House even opposed efforts by some of us, including Republicans, to create the Office of the Special Inspector General for Iraq Reconstruction that discovered the misuse of funds.

I also remind everybody that it was the Republican Congress, with a Republican President, that inherited the largest surplus in America's history, created by a Democratic administration, that of President Clinton's, that left a surplus that was paying down the national debt, left a huge surplus to the incoming Republican President. The Republican Congress not only voted to use that surplus to pay for an unnecessary war in Iraq but even cut taxes when we were fighting what ended up being two wars. It is the only time in our Nation's history we have done that—spend the surplus, cut taxes, and somehow these wars that have been going on now for 8 years would pay for themselves.

I think to use the last Republican administration's waste of taxpayer dollars in Iraq as a rationale to rescind funds today that have bipartisan support for the security of our embassies and our diplomats overseas and for programs in Afghanistan, Pakistan, Yemen, the Middle East, Indonesia, Mexico, Central Asia, Israel, and Egypt, where the threats to U.S. national security interests are beyond dispute, would be foolhardy.

Every one of us should agree that not every Federal program deserves to be funded and certainly not because it was funded in the past. I have voted to cut programs in the Appropriations Committee and on this floor because they

have gone beyond their useful life span or were ineffective. Some programs are effective. Those that are not should be eliminated.

But the Appropriations Subcommittee on State and Foreign Operations, with leadership between myself and the senior Senator from New Hampshire, Mr. GREGG—we spent the better part of last year making difficult choices of what to fund and what to cut. The Appropriations Committee approved those choices, Republicans and Democrats, all 29 members, with one dissenting vote, and that was on another issue involving abortion. This amendment would cut funding to combat HIV, TB. Countries receive help from us, from Colombia, to Israel, to Egypt, to Mexico. The Senator from Oklahoma, with one strike of the pen, would arbitrarily slash 5 percent of that funding. Should we look for places where we can save money, where programs are not meeting their goals? Of course. But to do it this way, willy-nilly, picking a percentage out of the air with no concern for the consequences, does not protect the security of the American people.

There is another section of the amendment about which I would like to speak. Section 5 of the amendment directs the Secretary of Education to work with the Secretaries of other relevant agencies to consolidate and reduce the cost of administering the student foreign exchange and international education programs. These exchanges are some of the most strongly supported programs by both Democrats and Republicans in the foreign aid budget.

This amendment takes aim at the Benjamin Gilman International Scholarship Program, as well as several Department of Education international education and research programs, some of which are administered by the State Department, and a National Science Foundation program.

The Benjamin Gilman Program, created by Congress, provides scholarships to American undergraduates to study abroad, including students in nontraditional destinations, or to study critical languages, such as Arabic, Persian, and Chinese. Our military, and our intelligence agencies, say there is an unmet need for Americans who can speak these languages. Senator COBURN would cut funding for it.

The Department of Education's Foreign Language and Area Studies Fellowship Program provides funding for foreign language study at U.S. universities, and several of these programs focus on strengthening study in international business and education, at a time when we are becoming more and more aware we cannot compete just within our borders. Our businesses have to be able to compete with other countries around the world or we lose jobs in America. We should be strengthening our study of international business and education, not cutting these programs.

The amendment would cut other successful exchanges, such as the Fulbright-Hayes programs for teachers, high school students, graduate students, and business professionals. These exchanges bring foreigners with a range of economic, cultural, and ethnic backgrounds to the United States and they send Americans overseas. At a time when America should be reaching out around the world for our security, for our businesses, we should not be cutting these programs which have been woefully underfunded as both Republicans and Democrats have pointed out.

The Institute for International Education is one example of an organization that effectively administers these programs. It provides citizens of other countries with a chance to learn firsthand about American culture, our values, our government, and our way of life. These are among the most effective ways of countering the misrepresentation and false stereotypes about the United States that we see perpetrated by extremists. Some of these programs and their predecessors I saw during the Cold War period. I remember one of the early meetings I had, along with several others, with President Ronald Reagan. He had spoken about the evil empire, and he said: What would you suggest we do? Of the suggestions that several of us made, I said this: Why don't you visit the Soviet Union and invite their leader to come to the United States next year and visit here?

He said: Why?

I said: Because you really don't know much about them. I pressed him a little on that, but he heard me out, and I said: But they do not know much about you either, and it would force them to learn about you and your staff, and it would force us to learn about them and their staff.

Later, in his second term, President Reagan told me that was some of the best advice he ever got. We know how triumphant his visit was to the Soviet Union and how triumphant it was when Mr. Gorbachev came here, and the two of them learned about each other and worked together to lower the threat of nuclear war.

That is just one example.

Mr. COBURN. Would the Senator yield for a question?

Mr. LEAHY. Without losing my right to the floor.

Mr. COBURN. No problem there.

Is the Senator aware that the foreign ops appropriation increased by 11 percent in 2009 and 33 percent last year? Yet the Senator is saying we can't trim 5 percent from that budget? Am I hearing the Senator correctly? We increased it 46 percent in 2 years, and we can't cut 5 percent?

Mr. LEAHY. I would tell the Senator from Oklahoma that if you look over the last 10 years, there have been significant shortfalls in many of these programs, and in personnel. The increases began first at the request of

former President George W. Bush, and then followed by President Obama because they realized the need for us to have these programs for our own security.

My response would be: Where do we make cuts? Your amendment does not say. Do we start with individual countries—Israel, Egypt, and so on? Do we start with programs to combat HIV, or malaria, or programs to eliminate childhood diseases in Africa? These exchanges enable Americans and foreigners to conduct scientific research to increase understanding and cooperation.

Rather than cut funding, Senators on both sides of the aisle have consistently urged the Appropriations Committee to increase funding to expand our efforts to promote better understanding of the United States. If we had funded all the requests for increases, it would be considerably more than it was. Senator GREGG and I stayed within our allocation. Also, I think it was the only appropriations subcommittee that reported a bill with no earmarks.

If there are ways of consolidating to reduce some administrative costs without harming the effectiveness or reducing opportunities to participate in these exchange programs, I am for it. But rather than by amendment to the debt ceiling bill, rather than giving carte blanche to the administration—or any administration—let's consider this in the normal appropriations process in a deliberative way.

Mr. President, we actually work hard on these bills. We make difficult choices. Some things get funded, others do not. We vote up or down. We have to stay within our budget, and we did, and we did it without earmarks. So I believe the amendment should be rejected.

It sounds nice we should just eliminate \$2 billion in waste. Who would not want that? Let us be specific. Let us make the hard choices and say where the cuts are going to come from. The Senator's amendment does not do that. I recall a Republican President who gave great speeches about a constitutional amendment to balance the budget, and then during his administration tripled the national debt. I have heard great speeches by people who have voted to cut taxes during two wars, by people who instead of using the surplus left by the last Democratic President squandered it in a year's time.

Mr. President, I see the distinguished majority leader on the Senate floor, so I yield the floor.

Mr. REID. I thank the Senator from Vermont, the chairman of the Judiciary Committee.

Mr. President, I ask unanimous consent that it be in order for the Coburn amendment, No. 3303, to be divided into four divisions, as follows, and modified to strike sections 17 and 18: section 1, division I; section 2, division II; sections 3 to 5, division III; and section 16, division IV; further, that once the Re-

publican leader or his designee has offered his amendment, a copy of which is at the desk, no further amendments or motions be in order; that Senator COBURN be recognized for up to 15 minutes; that upon the use or yielding back of that time, the Senate proceed to vote with respect to the following amendments in the following order; and that prior to each vote, there be 6 minutes of debate equally divided and controlled in the usual form—that is, there be 3 minutes on each side: Coburn division I, Coburn division II, Coburn division III, Coburn division IV; that on Thursday, January 28, after any leader time, the Senate then resume consideration of H.J. Res. 45; that no further debate be in order except as provided for in this agreement; that prior to each of the following votes with respect to H.J. Res. 45, there be 4 minutes of debate, equally divided and controlled in the usual form: Brownback amendment regarding commissions, which is at the desk; Sessions-McCaskill amendment No. 3308; Reid amendment No. 3305; Baucus, for Reid, substitute amendment No. 3299; passage, H.J. Res. 45; further, that the cloture motions filed with respect to H.J. Res. 45 be withdrawn; with the vote threshold requirement still in effect as provided in the order of December 22, and that the Baucus amendment No. 3306 be withdrawn; further, that upon disposition of H.J. Res. 45, the Senate then proceed to executive session, and there be 60 minutes of debate prior to the cloture vote on Executive Calendar No. 641, the nomination of Ben Bernanke to be Chairman of the Board of Governors of the Federal Reserve System, with the time equally divided and controlled between the leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I wish to modify my consent request. I said sections 3 to 5, but it is sections 3 to 15 be division III.

Mr. COBURN. Mr. President, reserving the right to object, and I will not object, but I want to convey my appreciation to the leader and his staff for allowing division in the four areas on my amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3303), as modified, is as follows:

At the appropriate place, insert the following:

**TITLE —ELIMINATION OF
DUPLICATIVE AND WASTEFUL SPENDING**
**SEC. 1. IDENTIFICATION, CONSOLIDATION, AND
ELIMINATION OF DUPLICATIVE GOVERNMENT PROGRAMS.**

The Comptroller General of the Government Accountability Office shall conduct routine investigations to identify programs, agencies, offices, and initiatives with duplicative goals and activities within Departments and governmentwide and report annually to Congress on the findings, including

the cost of such duplication and with recommendations for consolidation and elimination to reduce duplication identifying specific rescissions.

SEC. 2. REPEAL OF INCREASE OF THE OFFICE BUDGETS OF MEMBERS OF CONGRESS.

Of the funds made available under Public Law 111-68 for the legislative branch, \$245,000,000 in unobligated balances are permanently rescinded: *Provided*, That none of the funding available for the Legislative Branch be available for any pilot program for mailings of postal patron postcards by Senators for the purpose of providing notice of a town meeting by a Senator in a county (or equivalent unit of local government) at which the Senator will personally attend.

SEC. 3. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF AGRICULTURE.

Of the funds made available under Public Law 111-80 for the Department of Agriculture, \$1,342,800,000 in unobligated balances are permanently rescinded: *Provided*, That as proposed by the President's FY 2010 budget, no funding may be available for the Economic Action Program, which is duplicative of USDA's Urban and Community Forestry program, has been poorly managed, and has funded questionable initiatives such as music festivals: *Provided further*, That no funding may be available for the High Energy Cost grant program, which is duplicative of the \$6,000,000,000 in low interest loan programs offered by the USDA's Rural Utilities Service: *Provided further*, That as included in the Congressional Budget Office's August 2009 Budget Options document, which states that the program "merely replaces private spending with public spending", no funding may be available for the Foreign Market Development Program, which also duplicates the Foreign Agriculture Service's Market Access Program: *Provided further*, That the Secretary shall consolidate and reduce the cost of administering the numerous programs administered by the Department relating to encouraging conservation, including the Conservation Stewardship Program, which the Government Accountability Office revealed in 2006 is duplicative of other USDA conservation efforts, including the Conservation Reserve Program, the Wetlands Reserve Program, the Farmland Protection Program, the Wildlife Habitat Program, and the Grassland Reserve Program: *Provided further*, That the Secretary shall work with the Secretary of Energy to consolidate and reduce the cost of administering the numerous programs administered by both Departments relating to bioenergy promotion, including the Department of Energy's Biomass Program, the Department of Agriculture's Biomass Crop Assistance Program, the Biorefinery Program for Advanced Fuels Program, and the Biobased Products and Bioenergy Program, the Biorefinery Repowering Assistance Program, the New Era Rural Technology Competitive Grants Program, and the Feedstock Flexibility Program: *Provided further*, That the Secretary shall work with the Secretary of Energy to consolidate and reduce the cost of administering the numerous programs administered by both Departments relating to alternative energy, including the Department of Energy's Geothermal Technology Program, Wind Energy Program, and the Solar Energy Technologies Program, and the Department of Agriculture's Rural Energy for America Program: the Secretary shall consolidate and reduce the cost of administering the numerous programs administered by the Department that provide food assistance to foreign countries, including the

USDA Foreign Agricultural Service, the food for Progress Program, the McGovern-Dole International Food for Education and Child Nutrition Program, the food for Peace programs, the Bill Emerson Humanitarian Trust, and the Local and Regional Procurement Projects; *Provided further*, That for any program for which funding is prohibited in this section, any activities under that program that are deemed by the Secretary to be necessary or essential, the Secretary shall assign to an existing program for which funding is not prohibited in this section.

SEC. 4. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF COMMERCE.

Of the funds made available under Public Law 111-117 for the Department of Commerce, \$697,850,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall work with the Secretary of Agriculture to consolidate and reduce the cost of administering the programs administered by both Departments that provide rural public telecom grants, including eliminating USDA's grants to rural public broadcasting stations, as proposed by the President's FY 2010 budget, which duplicates the Department of Commerce's Public Telecommunications Facilities Program, and the Corporation for Public Broadcasting, which also receives Federal funding: *Provided further*, That no funding may be made available for the Hollings Manufacturing Extension Partnership Program, which duplicates the Small Business Administration's Small Business Development Centers and which has been found by the Office of Management and Budget to "only serve a small percentage of small manufactures each year": *Provided further*, That the Secretary shall work with the Secretaries of Housing and Rural Development and Agriculture to consolidate and reduce the cost of administering the programs administered by these Departments relating to Economic Development, including the following programs, the Economic Development Administration, the Community Development Block Grants, Rural Development Administration grants, the National Community Development Initiative, the Brownfields Economic Development Initiative, the Rural Housing and Economic Development grants, the Community Service Block Grants, the Delta Regional Authority, the Community Economic Development grants, and the Historically Underutilized Business Zone program: *Provided further*, That for any program for which funding is prohibited in this section, any activities under that program that are deemed by the Secretary to be necessary or essential, the Secretary shall assign to an existing program for which funding is not prohibited in this section.

SEC. 5. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF EDUCATION.

Of the funds made available under Public Law 111-117 for the Department of Education, \$3,213,800,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the at least 30 Federal programs that provide financial assistance to students to support postsecondary education in the forms of grants, scholarships, fellowships, and other types of stipends, including the 15 such programs at the Department of Education, such as the Academic Competitiveness Grants, the TEACH grants, the Federal Supplemental Education Opportunity Grants, the

Leveraging Educational Assistance Program, the Javits Fellowships Program, Graduate Assistance in Areas of National Need program, as well as the three similar programs administered by the National Science Foundation, such as the Robert Noyce Teacher Scholarship program, as well as a program at the Department of Justice and one at the Health Resources Administration: *Provided further*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the at least 69 Federal programs dedicated in full or in part to supporting early childhood education and child care, as outlined by the Government Accountability Office, which found that these 69 education programs are spread across 10 different agencies: *Provided further*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the at least 105 Federal science, technology, math, and engineering education programs, as outlined by the Academic Competitiveness Council, which found that these 105 education programs are spread across numerous Federal agencies: *Provided further*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the numerous student foreign exchange and international education programs, including the at least 14 programs at the Department, including the American Overseas Research Centers, Business and International Education, Centers for International Business Education, the Foreign Language and Area Studies Fellowships, the Institute for International Public Policy, the International Research and Studies, the Language Resource Centers, the National Resource Centers, the Technological Innovation and Cooperation for Foreign Information Access, and the Undergraduate International Studies and Foreign Language Program, the State Department's Benjamin A. Gilman International Scholarship Program, the Boren National Security Education Trust Fund, and exchange programs administered by the National Science Foundation's Office of International Science and Engineering.

SEC. 6. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF ENERGY.

Of the funds made available under Public Law 111-85 for the Department of Energy, \$1,321,800,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the various Federal weatherization efforts, including Federal funding for State-run weatherization projects, the Department of Energy's Energy Conservation and Weatherization grants, as well as the Department of Energy's building Technologies Program, the LIHEAP weatherization efforts, the National Park Service's Weatherization and Improving the Energy Efficiency of Historic Buildings program, and the Department of Housing and Urban Development's Energy Innovation Fund: *Provided further*, That the Secretary shall consolidate and reduce the cost of administering the various energy grant programs, including the Tribal Energy grant program, which overlaps with the Department's Energy Efficiency and Conservation Block Grants, and the Energy Start Energy Efficient appliance Rebate Program: *Provided further*, That the Secretary shall consolidate and reduce the cost of administering the various vehicle technology programs at the Department, including the Vehicle Technologies program, the Advanced Battery

Manufacturing grants, the Advanced Technology Vehicles Manufacturing Loans Program, and the Innovative Technology Loan Guarantee Program.

SEC. 7. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Of the funds made available under Public Law 111-117 for the Department of Health and Human Services, \$4,116,950,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary, in coordination with the heads of other Departments and agencies, shall consolidate the programs that support nonresidential buildings and facilities construction, including the 29 programs across 8 Federal agencies identified by the Government Accountability Office. The Secretary, in coordination with the Secretary of HUD and USDA and other appropriate departments and agencies, shall consolidate duplicative programs intended to reduce poverty and revitalize low-income communities, including the HHS Community Services Block Grant, the HUD Community Development Block Grant, and USDA Rural Development program: *Provided further*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the dozens of Federal programs, across multiple agencies, that funded childhood obesity programs, either as the main focus or as one component of the Federal program.

SEC. 8. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF HOMELAND SECURITY.

Of the funds made available under Public Law 111-83 for the Department of Homeland Security, \$2,205,000,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the dozens of Federal homeland security programs, as identified by the Office of Management and Budget, which states that "a total of 31 agency budgets include Federal homeland security funding in 2010".

SEC. 9. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Of the funds made available under Public Law 111-117 for the Department of Housing and Urban Development, \$2,302,450,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall work with Secretaries from other Federal Departments to consolidate and reduce the cost of administering the various Federal programs aimed at addressing homelessness, including the Supportive Housing Program, the Shelter Plus Care Program, the Single Room Occupancy Program, the Emergency Shelter Grant Program, programs at Health and Human Services such as the Basic Center Program, Projects for Assistance in Transition from Homelessness, and the Street Outreach Program, and also including the more than 23 housing programs identified by the Government Accounting Office that target or have special features for the elderly.

SEC. 10. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF INTERIOR.

Of the funds made available under Public Law 111-88 for the Department of Interior,

\$606,200,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall consolidate and reduce the cost of administering the at least 11 historic preservation programs at the Department, including the 9 preservation programs at the Heritage Preservation Services, such as the Federal Agency Preservation Assistance Program, the Historic Preservation Planning Program, the Technical Preservation Services for Historic Buildings, as well as the Save America's Treasures Grant Program, the Advisory Council on Historic Preservation, and the Preserve America program: *Provided further*, That the Secretary shall consolidate and reduce the cost of administering the various climate change impact programs at the Department, including the Bureau of Indian Affairs office Tackling Climate Impacts Initiative, the U.S. Geological Survey's National Climate Change and Wildlife Science Center, the US Fish and Wildlife Service climate change initiatives, and the state and tribal wildlife conservation grants which are being provided to entities to adapt and mitigate the impacts of climate change on wildlife: *Provided further*, That the Secretary shall consolidate and reduce the cost of administering the dozens of invasive species research, monitoring, and eradication programs at the Department, including the eight programs administered by the US Fish and Wildlife Services, the similar programs administered by the Bureau of Land Management, the National Park Service, and the 4 Federal councils created to coordinate Federal invasive species efforts, the National Invasive Species Council, the National Invasive Species Information Center, the Federal Interagency Committee for the Management of Noxious and Exotic Weeds, and the Aquatic Nuisance Species Task Force.

SEC. 11. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF JUSTICE.

Of the funds made available under Public Law 111-117 for the Department of Justice, \$1,385,100,000 in unobligated balances are permanently rescinded: *Provided*, That the Attorney General in coordination with the heads of other Departments and agencies, shall consolidate Federal offender reentry programs, including those authorized by the Second Chance Act, the DOJ Office of Justice Programs Bureau of Justice Assistance Prisoner Reentry Initiative, the Department of Labor Reintegration of Ex-Offenders program, the Department of Education Lifeskills for State and Local Inmates Programs, and the HHS Young Offender Reentry Program: *Provided further*, That the Attorney General shall consolidate the four duplicative grant programs, including the State Formula Grant program, the Juvenile Delinquency Prevention Block Grant program, the Challenge/Demonstration Grant program, and the Title V grant program, administered under the Juvenile Justice and Delinquency Prevention Act and reduce the cost of administering such programs: *Provided further*, That the Attorney General, in coordination with the Secretary of Health and Human Services (HHS) and the Office of National Drug Control Policy (ONDCP), shall consolidate Federal programs that assist state drug courts, including substance abuse treatment services for offenders, such as the HHS Adult, Juvenile, and Family Drug Court program, the Substance Abuse and Mental Health Services Administration Drug Court Treatment Program, the DOJ Drug Court Program, the ONDCP National Drug Court Institute: *Provided further*, That the Attorney General shall eliminate the National Drug Intelligence Center (NDIC) which duplicates the activities of 19 other drug intelligence

centers and reassign any essential duties performed by NDIC.

SEC. 12. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF LABOR.

Of the funds made available under Public Law 111-117 for the Department of Labor, \$679,100,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary, in coordination with the heads of other Departments and agencies, shall consolidate the 18 programs administered by the Department and ten programs administered by other agencies that support job training and employment, such as the Adult Employment and Training Activities program, Dislocated Worked Employment and Training Activities, Youth Activities, YouthBuild, and the Migrant and Seasonal Farmers program and reduce the cost of administering such programs.

SEC. 13. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF STATE.

Of the funds made available under Public Law 111-117 for the Department of State, \$1,318,550,000 in unobligated balances are permanently rescinded: *Provided*, That in accordance with the President's FY 2010 budget, no funding may be made available for the Center for Cultural and Technical Interchange Between East and West, which duplicates the State Departments cultural exchanges: *Provided further*, That no funding may be made available for the Asia Foundation, which duplicates efforts at USAID and the National Endowment for Democracy: *Provided further*, That for any program for which funding is prohibited in this section, any activities under that program that are deemed by the Secretary to be necessary or essential, the Secretary shall assign to an existing program for which funding is not prohibited in this section.

SEC. 14. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF TRANSPORTATION.

Of the funds made available under Public Law 111-117 for the Department of Transportation, \$1,090,500,000 in unobligated balances are permanently rescinded: *Provided*, That the Secretary shall consolidate and reduce the costs of various duplicative highway programs, including the regionally specific development programs, the Federal-Aid Highway Programs under chapter I of title 23, United States Code, the Research programs authorized under title V of Public Law 109-59: *Provided further*, That the Secretary shall consolidate and reduce the costs of various rail-line relocation grant programs, including the Rail-Line Relocation and Improvement Capital Program, and the Highway-Rail Crossings Program, the Railroad Rehabilitation and Improvement Financing program.

SEC. 15. REPEAL OF EXCESSIVE OVERHEAD, ELIMINATION OF WASTEFUL SPENDING, AND CONSOLIDATION OF DUPLICATIVE PROGRAMS AT THE DEPARTMENT OF TREASURY.

Of the funds made available under Public Law 111-117 for the Department of Treasury, \$677,650,000 in unobligated balances are permanently rescinded.

SEC. 16. RESCISSION OF UNSPENT AND UNCOMMITTED FUNDS FEDERAL FUNDS.

Notwithstanding any other provision of law, of the \$657,000,000,000 in Federal funds unobligated at the end of fiscal year 2009, the discretionary, unexpired funds available for more than 2 consecutive fiscal years, as of the date of enactment of this Act, are permanently rescinded.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we just heard the chairman of the Judiciary Committee, who is also chairman of the appropriations subcommittee, give the typical Washington talk on why we can't cut spending. In light of the fact there has been a 45-percent increase in his area of appropriations, we now can't come back and give 5 percent of that back to the American people.

Forty-five percent growth in 2 years, and we are picking winners and losers? We are not picking winners. The only winners we are picking are the American people.

The fact is, there hasn't been a major program eliminated by the appropriations subcommittee in 5 years. What they do is, once they are there, they are there forever, and nobody is willing to make the hard choices. That is typical of all the talk we will hear about why we can't cut \$120 billion from the expenditures for this year—\$120 billion out of \$3.4 trillion, and we can't come up with 5 percent. We can't find it.

We are giving you a way to do that. Everybody is going to get to vote, and we are going to send a message to the American people. At the rate we are growing the government, it will double in the next 5 years, and we can't find 5 percent, when they are having to make 10, 15, 20, and 25 percent cuts in their own budgets.

What we heard was the typical appropriations response: We work hard, let's save this for appropriations. The problem is it never happens because every bill, somewhere, has a small constituency—every program. We listed 640 programs that have duplication, redundancy, and inefficiency. Yet we hear an appropriations subcommittee chairman say: Oh, no, we can't.

Well, the American people don't get that. We ought to be about trimming the waste out of this government, and at a conservative estimate there is at least \$387 billion in waste, fraud, or duplication this year.

So we have the tremendous opportunity to come down here and deny the truth the American people know: This government is wasteful, it is not efficient, and most of the time it is not effective. When we try to make a commonsense, small cut after a tremendous growth over the last 2 years, we hear: No, we can't. No, we can't. We hear a sob story. We can't do it.

The fact is, we don't have a future unless we start cutting spending. The President even asked his staff to give him an option on the budget of a 5-percent across-the-board cut. We will hear tomorrow night about freezing discretionary spending. It is easy to freeze discretionary spending. We have just jumped it 27 percent across the board. But the freezing doesn't start until 2011. We are not going to freeze it until 2011. Our problem is today. The problem that our children are going to face is being manifested and made significantly harder because we are fearful to make commonsense cuts.

Mr. President, \$100 billion out of this \$120 billion comes from \$660 billion that is sitting in agencies that haven't expended it over the last 2 years—the \$660-some billion. We are saying, of those that haven't been spent, that hasn't been rolled out over the last 2 years, send \$100 billion back. It is easy. We are spending money so fast that the agencies can't even get it out the door. When they do get it out the door, it is ineffective and highly inefficient and loaded with fraud.

Why in the world would we reject making commonsense efforts just like everybody else in this country is having to make today? Why would we put in the perspective: Oh, we can't do these little things, from the Foreign Operations Subcommittee, when in fact our country is drowning in debt and the future for our children is in doubt? We cry crocodile tears over some little program somewhere that in the whole realm of things is either duplicated or highly ineffective. We want to keep every last one of them.

We just heard the chairman of the foreign ops subcommittee say we can't do any of this. They are way too valuable; we can't do it.

Well, what is more valuable, taking care of the next generation, embracing our heritage of sacrifice to create opportunity or satisfying a small interest group that is dependent on a government program that is both ineffective and inefficient and also has three or four other programs that do exactly the same thing?

The first component that we are going to vote on is a mandatory request of the GAO to tell us the duplication; tell us across agency lines where we are failing. What do we need to know? Nobody can tell us that today. When we asked the GAO—personally asked the GAO—they said the task is too big. Well, that ought to be our first signal that something is really wrong, when the Government Accounting Agency says the government is so big and convoluted that they can't tell us where we have duplication. They cannot give us recommendations on what to eliminate.

That ought to be our first signal to say time out, stop, cut some spending and let's see who squeals, and we will put back if we have made a mistake.

The American people understand, more than we do, what is at risk in the future. They want a secure future. They want the ability to plan for their children and their grandchildren. They do not want a fiat currency, which is what is coming if we do not rein in spending.

Most of my colleagues know that is the problem before us. The question is, will we have the courage to go after it. It would be different had we not had significant increases over the last 4 or 5 years in this country, in terms of the budget of the Federal Government. But it has doubled. We are going to have an increase in the debt limit for 1 year that is \$200 billion more than the en-

tire government spent in 1999. In 10 years we are going to borrow \$200 billion more than we spent—just to operate 1 year—than we spent in the entire budget in fiscal year 1999. Of every penny we spend this next year, 44 cents of it is going to be borrowed—\$4.4 billion a day.

What this amendment says is let's not make that so. It does not have to be so. Let's cut it to \$3 billion or \$3.3 billion of that. Let's save the future for our children.

I am reminded that hard things are hard. Habits are hard to break. The habit of Washington is to never have to make a hard choice. We heard a stellar representation by the Senator from Vermont about why things cannot change here—because everybody has a special little project, they want to protect. While they are protecting their special little project, they are forgetting about the country as a whole. That should not be the legacy we want to embrace. The legacy we ought to embrace is that we had the courage to make the hard, tough decisions at a time when it was called for. Now is that time. It is not 2011, it is not next month, it is not when the appropriations bills come, it is now.

Just think what would happen to the dollar tomorrow if the Senate cuts \$120 billion of discretionary spending that is wasteful and duplicated and is not going to make a difference in nary an American life. The signal it will send to the world is we are back on track. The value of the dollar will rise, the cost of oil will go down, the standard of living of consumers will go up, and every family this year will benefit to the tune of \$794, if we agree to this amendment.

I think the citizens of America are worth that. I know their children and grandchildren are worth it. The question is, will we carry up the courage? Will we meet the challenge that faces this country or will we continue the status quo because we have always done it this way? Doing it this way is exactly what put us \$12.4 trillion in debt; by this time next year \$14.2 trillion in debt. It is mortgaging and stealing the future of our children.

I look forward to seeing the outcome of the votes, and I know the American people do. This is the first time in a long time we have had a true vote on the floor to make a difference in what is going to happen in the finances of this country. My hope is we will not disappoint, again, the American people. I yield the floor.

Mr. COCHRAN. Mr. President, I agree with the Senator from Oklahoma that there is waste within government, that there is duplication or overlap of programs across some government agencies, and that the amount of spending approved for fiscal year 2010 was higher than it should have been given our Nation's fiscal situation. That is part of the reason why I opposed the fiscal year 2010 budget resolution.

But, I am not enamored of the approach that Senator COBURN has taken

in this amendment. It is an abdication of our constitutional duties as elected Members of Congress to cede such vast decisionmaking power to the executive branch. If there is \$120 billion to be cut from the budget, we should identify those cuts and vote on them. We should not let the President, a commission, or some other entity make those decisions for us.

Throughout the past year the Senator from Oklahoma and other Members offered amendments to cut spending from the budget resolution, appropriations bills, and other measures. Some of these amendments were adopted and some were not. I supported some of the amendments and opposed others. In each case, however, Senators knew what they were voting on and had some idea what the effect of the amendment would be. With this amendment we have no idea what its effect will be. The sponsor of the amendment says the impacts will be negligible but offers virtually no specifics. Perhaps he is correct. It is also possible that the President—whose priorities in many respects differ significantly from most Senators on my side of the aisle—will take the reductions mandated by this amendment from programs that my colleagues and I feel to be high priorities. It is possible that the President will fail to take the reductions from those programs we feel are most duplicative or wasteful.

We will likely never know the answers to these questions. This amendment will not be enacted. I agree that Federal spending must be constrained. As we go forward, however, I hope the Senate will take a more transparent approach to deficit reduction so that Senators, consistent with their constitutional responsibilities, can make informed decisions about the operations of the Federal Government.

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

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

Mr. COBURN. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Coburn amendment, Division I.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Maryland (Ms. MIKULSKI), the Senator from Virginia (Mr. WARNER), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 6 Leg.]

YEAS—94

Akaka	Ensign	McCain
Alexander	Enzi	McCaskill
Barrasso	Feingold	McConnell
Baucus	Feinstein	Menendez
Bayh	Franken	Merkley
Begich	Gillibrand	Murkowski
Bennet	Graham	Murray
Bennett	Grassley	Nelson (NE)
Bingaman	Gregg	Nelson (FL)
Bond	Hagan	Pryor
Boxer	Harkin	Reed
Brown	Hatch	Reid
Brownback	Hutchison	Risch
Bunning	Inhofe	Rockefeller
Burr	Inouye	Sanders
Burr	Isakson	Schumer
Cantwell	Johanns	Sessions
Cardin	Johnson	Shaheen
Carper	Kaufman	Shelby
Casey	Kerry	Snowe
Chambliss	Kirk	Specter
Coburn	Klobuchar	Kohl
Cochran	Kohl	Stabenow
Collins	Kyl	Tester
Conrad	Landrieu	Thune
Corker	Lautenberg	Udall (CO)
Cornyn	Leahy	Udall (NM)
Crapo	LeMieux	Vitter
DeMint	Levin	Whitehouse
Dodd	Lieberman	Wicker
Dorgan	Lincoln	Wyden
Durbin	Lugar	

NOT VOTING—6

Byrd	Roberts	Warner
Mikulski	Voinovich	Webb

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 0. Under the previous order requiring 60 votes for the adoption of this division, the division is agreed to.

The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent that the next three votes be 10-minute rollcalls.

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

AMENDMENT NO. 3303, DIVISION II

The PRESIDING OFFICER. There will now be 6 minutes of debate, equally divided, on Coburn division No. II. Who yields time?

The Senator from Oklahoma.

Mr. COBURN. Mr. President, this amendment rescinds our increase for our operations. We increased our budget 5.8 percent at a time when there was no inflation last year, zero. The year before that, we had increased our budget in excess of 10.9 percent, which means we effectively increased our own budgets to run our own operations 17 percent in the last 2 years, with less than 1 percent inflation over that period. If, in fact, we can't lead by example to cut our own budgets to help the country move out of the problem it is having, it is probably because we are not very good managers of our own budgets, which belies the problem we now face. I appreciate support on this amendment. The American people would sincerely appreciate support on this amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the amendment being offered by the Sen-

ator from Oklahoma affects the legislative branch. It is true it affects Members of Congress in their offices, but it affects much more. We just had an overwhelming vote to give new responsibilities to the Government Accountability Office. The next amendment up calls for cutting their budget. I would say to the Senator from Oklahoma, you can't have it both ways. You give new responsibilities to these agencies and then say: We will give you less money to do it.

Let me suggest something else. When you start to leave this evening to go home and you drive by the gate out here and you see, in the dark, men and women in uniform risking their lives for us and for the visitors to the Capitol, remember this vote. This vote cuts funds for the Capitol Police and security in the Capitol. When the Senator from Oklahoma was asked earlier, are you asking for too much in cuts, he said: I want to keep cutting until they squeal. What will be the squeal we hear when it comes to security from the Capitol? I am sorry to say it might be an incident that none of us wants to see.

We want this to be a safe place. The Capitol Visitor Center has more and more people coming in. Cutting security for the Capitol at this point in time with the threats facing our Nation and the fact that we work in one of the biggest targets in America is very shortsighted. That is what happens when you cut across the board and you don't take a look at the individual agencies involved. Please, for the security of the Capitol and for the security of the people who visit it, vote no on this amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, it is remarkable what length we will go to defend our budgets. The fact is, the assumption Senator DURBIN made is that we are efficient. The fact is, we are not. Everybody in here could turn back at least 10 percent of their budget if they ran their office efficiently. We know that. Nothing in Washington is run efficiently. So to say we can't do it without putting ourselves at risk is poppycock. It is time for us to lead. Now is the time.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. One thing I forgot to mention. Members of Congress voluntarily forgo every cost-of-living adjustment each year. We decided not to ask for a cost-of-living adjustment because we are in hard times. To suggest that sacrifices are not being made is not accurate. I urge my colleagues, vote against this amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the Coburn Amendment, Division No. II.

Mr. COBURN. 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 assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Maryland (Ms. MIKULSKI), the Senator from Virginia (Mr. WARNER), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 46, nays 48, as follows:

[Rollcall Vote No. 7 Leg.]

YEAS—46

Alexander	Ensign	Lincoln
Barrasso	Enzi	Lugar
Bayh	Feingold	McCain
Bennet	Graham	McCaskill
Bennett	Grassley	McConnell
Brownback	Gregg	Murkowski
Bunning	Hagan	Risch
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Snowe
Cochran	Isakson	Thune
Collins	Johanns	Udall (CO)
Corker	Klobuchar	Vitter
Cornyn	Kohl	Wicker
Crapo	Kyl	
DeMint	LeMieux	

NAYS—48

Akaka	Feinstein	Murray
Baucus	Franken	Nelson (NE)
Begich	Gillibrand	Nelson (FL)
Bingaman	Harkin	Pryor
Bond	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Specter
Casey	Leahy	Stabenow
Conrad	Levin	Tester
Dodd	Lieberman	Udall (NM)
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden

NOT VOTING—6

Byrd	Roberts	Warner
Mikulski	Voinovich	Webb

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 48. Under the previous order requiring 60 votes for the adoption of this division, the division is withdrawn.

AMENDMENT NO. 3303, DIVISION III

There will now be 6 minutes of debate equally divided on Coburn division III. Who yields time?

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we are going to hear why we cannot do this, kind of along with the debate we just heard from the majority whip. But here are some examples for you. This is what the GAO found.

In 2005, 13 different Federal agencies spent \$3 billion to fund 207 programs to encourage students to enter the field of math and science. Mr. President, 207 different programs, and we are going to vote against eliminating them here in just a minute.

In 2003, \$30 billion was spent on 44 job-training programs administered by 9 different Federal agencies. Fourteen departments within the Federal Government, 49 independent agencies operate exchange and study abroad programs. So 14 departments, 49 independent agencies operate exchange and study abroad programs; 69 early education programs administered by 9 different agencies; 23 Federal housing programs that target or have special features for the elderly operated by 6 different agencies.

That is just a minimal number.

We are going to hear why we cannot do this. The American people are wanting to know when we are going to do what is right, what is possible, and what is best for the long term, not the short term.

With that, Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, the Senator from Oklahoma proposes to cut \$20 billion from programs which he describes as being redundant. Well, take, for example, nursing. There are three different programs. They are not redundant. One is for education; another is to train women and men to go to rural areas, rural America, to serve; and the third is for research. Yes, three different agencies handle that. It is for three different purposes.

Then you have HUD. One of the sad facts of life is that tonight 658,000 American men, women, and children are going to go to bed homeless, some of them with empty stomachs, some without blankets, and we are going to cut 5 percent from housing for the homeless? This amendment does that.

Then you have cuts for foreign operations. Senator LEAHY spent some time this afternoon explaining why this is foolish. We had an accounting change because now we cover State Department activities in Afghanistan and Iraq.

I think it is ill-advised to do what the Senator proposes because these are not redundant. These are not wasteful. I think we could be spending more for the homeless, but yet we are cutting this by this amendment. I hope we reject this amendment.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, what the American people are asking is, Why aren't the three nursing programs combined so you have one set of overhead to administer all three programs? That is what they are asking. This does not cut any money for the homeless. What it says is, put all the homeless programs under one set of administration where we save money and are much more effective at what we are doing because we are concentrating it within one area. We can have all sorts of reasons why we cannot do it. Let's find the courage to do it for the American people and the kids who follow.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the Coburn amendment, Division III.

Mr. COBURN. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Maryland (Ms. MIKULSKI), the Senator from Virginia (Mr. WARNER), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 33, nays 61, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—33

Alexander	Crapo	Kyl
Barrasso	DeMint	LeMieux
Bayh	Ensign	McCain
Bennett	Enzi	McCaskill
Brownback	Graham	McConnell
Bunning	Gregg	Risch
Burr	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	Wicker

NAYS—61

Akaka	Franken	Murkowski
Baucus	Gillibrand	Murray
Begich	Grassley	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Pryor
Bond	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kaufman	Rockefeller
Burris	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Whitehouse
Durbin	Lugar	Wyden
Feingold	Menendez	
Feinstein	Merkley	

NOT VOTING—6

Byrd	Roberts	Warner
Mikulski	Voinovich	Webb

The PRESIDING OFFICER. On this vote, the yeas are 33, the nays are 61. Under the previous order requiring 60 votes for the adoption of this division, the division is withdrawn.

AMENDMENT NO. 3303, DIVISION IV

There will now be 6 minutes for debate equally divided on Coburn Division No. IV.

The Senator from Oklahoma.

Mr. COBURN. Mr. President, last year Federal agencies ended the fiscal year with \$657 billion in unobligated balances. There is no question a great deal of that is associated with the war efforts and other things, but according

to OMB and CBO, approximately \$100 billion of that has been sitting for 2 years or longer, never having been obligated for what we have directed it to. So we have \$100 billion sitting out there that the agencies have not been able to spend. Obviously, if they haven't been able to spend it in the last 2 years, it is not a priority. If, in fact, we rescind that money to the Treasury, we will cut our deficit \$100 billion, and then we can reappropriate what is necessary for this year. The rule in the Federal Government is after 2 years it is supposed to go back to the Treasury anyway, which is not being enforced for everybody except the Treasury Department. They are under that obligation.

So here is an opportunity—it doesn't affect anything because the money hasn't been obligated—to put it back in and start over and reprioritize. That is all it is about. It will actually move \$100 billion back and then our appropriators can decide whether they want to put that back this year.

I appreciate your consideration on this amendment, and I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields?

The Senator from Hawaii.

Mr. INOUE. Mr. President, this is a very serious amendment. Potentially it could be damaging. It says, very simply, if the funds are not obligated for 2 years, then it is rescinded. It sounds reasonable, but I think it is no secret it takes longer than 2 years to build a battleship. It takes more than 2 years to build an aircraft carrier. It takes more than 2 years to build a hospital. Right now, there are 43 VA hospitals being built. Are we going to cut them out? What about the shipbuilding industry? Are we going to rescind that?

This amendment has potentially very dangerous consequences. I hope my colleagues will vote against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, the dangerous consequences facing this Nation aren't as outlined by the chairman of the Appropriations Committee. The dangerous consequences facing this Nation are continued spending and borrowing from the next generation and a creditworthiness that is not going to even be BBB. There is no question there is danger before us. It is not this amendment. It is the continuing efforts on the part of those who are in Washington to not recognize the fact that we are wasting money hand over fist and, in fact, we appropriate yearly on many of these projects. So it will not eliminate any as outlined by the chairman. It will give us a chance to reprioritize, which every family in America is doing today.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is such a second.

All time is yielded back.

The question is on agreeing to the Coburn amendment, Division IV.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Maryland (Ms. MIKULSKI), the Senator from Virginia (Mr. WARNER), and the Senator from Virginia (Mr. WEBB) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from Ohio (Mr. VOINOVICH).

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

The result was announced—yeas 37, nays 57, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—37

Alexander	Ensign	Lugar
Barrasso	Enzi	McCain
Bayh	Feingold	McConnell
Bennett	Graham	Murkowski
Brownback	Grassley	Risch
Bunning	Gregg	Sessions
Burr	Hatch	Shelby
Chambliss	Hutchison	Snowe
Coburn	Inhofe	Thune
Corker	Isakson	Vitter
Cornyn	Johanns	Wicker
Crapo	Kyl	
DeMint	LeMieux	

NAYS—57

Akaka	Feinstein	Menendez
Baucus	Franken	Merkley
Begich	Gillibrand	Murray
Bennet	Hagan	Nelson (NE)
Bingaman	Harkin	Nelson (FL)
Bond	Inouye	Pryor
Boxer	Johnson	Reed
Brown	Kaufman	Reid
Burr	Kerry	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schumer
Carper	Kohl	Shaheen
Casey	Landrieu	Specter
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Whitehouse
Durbin	McCaskill	Wyden

NOT VOTING—6

Byrd	Roberts	Warner
Mikulski	Voinovich	Webb

The PRESIDING OFFICER. On this vote, the yeas are 37, the nays are 57. Under the previous order, requiring 60 votes for the adoption of the division, the division is withdrawn.

The Senator from Kansas is recognized.

AMENDMENT NO. 3309 TO AMENDMENT NO. 3299

Mr. BROWNBACK. I think under a previous agreement I was to call up an amendment. I ask that my amendment be called up, No. 3309, which is at the desk.

The PRESIDING OFFICER. The pending amendments are set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 3309 to amendment No. 3299.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. BROWNBACK. Mr. President, I ask unanimous consent to add the following members as cosponsors to the amendment: Senators CHAMBLISS, ENSIGN, and VITTER.

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

Mr. BROWNBACK. Mr. President, as I understand, there are no further votes this evening, and there will not be votes tomorrow. We will have this up Thursday, and we will debate it then and vote on it. I will put in somewhat of a statement tonight and then talk about it further on Thursday.

This is a commission that has been in front of this body several times. We voted on it. It passed this body twice before in the budget debates. It is CARFA, the Commission on the Accountability and Review of Federal Agencies.

It is modeled exactly after the Base Realignment and Closure Commission, the BRAC, that has been so successful on closing military bases and consolidating assets and put the military in a better position. This is the same thing. It is to all of government. It has been voted on by this body twice before. It has passed this body. It is done in the budget agreement. It is time it became the law of the land.

That is the process whereby we can actually cut government spending. It is a simple process—eight members on the Commission, four appointed by this body, four appointed by the House. For any recommendation to move forward, it has to pass by six of eight members, so either party cannot dominate or determine it. It has to be six of eight. It will take one-fourth of the government each year for 4 years and review that fourth of the Federal Government and make recommendations for closure during that year's period of time.

The report for that year then is submitted to the appropriate committees of jurisdiction for a period of 30 days. They can review the report. They can hold hearings on the CARFA commission recommendations for a period of 30 days. They can look it over and see which ones they like, which ones they do not like, but they cannot amend it.

At the end of that 30 days, it is then subject to a privileged motion to come in front of this body so it has to be voted on by this body with a limit of 10 hours of debate prior to going to the motion, 10 hours of debate on the bill itself. It cannot be amended. Then it is an up-or-down vote, with a 50-vote threshold of passage. It is a privileged motion that comes in front of this body, with a majority vote for it to pass through this body.

This is the way we will get spending under control and done. This is an agreeable way. It is a way that has proven itself in the past. Now is the time we have to do this.

I wish to show one chart that is new out today. It is no new news, unfortunately. This one is new out today. This

is the projection of our Federal debt as a percentage of GDP. That is the one to watch, the projection of the Federal debt as a percentage of GDP.

We can see what the January 2008 estimate of the Federal debt as a percentage of our economy was supposed to be. Here is the percent of the economy. We are pushing up 38 percent or so at this point in time. In January 2008, this starts bending back down and moves to 20 percent by 2020. Then we had the January 2009 estimate come in. We see there we were getting up to mid-50 percent, and then it was going to bow back down to 41 percent. That was last year's 2009 estimate.

This year, just out today—this is the estimate—2010 as a percent of the economy, we are looking at our Federal debt as being midsixties, 67 percent, and staying at that level for the debt as a percentage of the economy. These are terrible numbers. They are way too high. They are stifling the economy. It is a nonsustainable position, and it is something we have to fix.

Earlier today, we considered a commission that had both spending and taxes in it. The American public is not for more taxes. They think they are taxed out, and I believe they are too taxed. They should not be taxed more. They do want us to cut spending. There is no question about that. They want us to cut it prudently. They want us to cut in wasteful, duplicative areas. That is what they want to get at. They want core programs clearly taken care of. That is why we put it to a bipartisan commission of individuals to look at. The recommendation has to clear six of eight members so no party can control—four appointed by Republicans, four appointed by Democrats—examined by the committees and then put forward for a vote. This can work. This is what the public wants us to do. It is time to do it.

We have to start bending this down, the debt to GDP. This is dangerously high. It has not been this high since World War II. We cannot sustain it. We have to pull it back down. I would love us to start to cut spending and go through the committees and say we are going to cut here, we are going to cut there. We have not been able to do that under Republican or Democratic control of either branch of government. We have not been able to go at that on an individual basis.

This is a system that has worked in the past. This is a system that this body has approved in the past. It has been in budget agreements. We have not made it all the way through in the budget agreement, but Members in this body have voted on this system for controlling spending.

If people want to come back later and say: We want to look at other provisions or we want to add something back, they can do that in future conferences. But this gets that culling process going.

I wish to point out one issue to my colleagues about the problem of run-

ning high debt and its impact on the economy. If the Federal Government runs a high debt level, it has a drag on the economy. There is a recent study just released at an American Economics Association meeting. The title of the study is "Growth in a Time of Debt." It said, according to the study, that the sharp runup in public sector debt will likely prove one of the enduring legacies of the 2009 financial crisis in the United States and elsewhere. The study looked at debt levels of 44 countries and included data over the last 200 years in order to get the most comprehensive picture possible, the picture of debt on economic growth.

What does this big lug do to the overall economy? Does it have an impact? They said, clearly, yes.

The conclusion is clear: Very high government debt, classified as 90 percent or more of gross domestic product, results in average growth rates a full 4 percent below countries with lower debt levels. Since annual growth rate and GDP is averaged considerably less than 4 percent over the last 10 years in the United States, carrying high national debt can mean the difference between a growing economy and a contracting economy.

After the recent binge of Federal spending, our Nation's gross debt could well surpass the 90 percent of GDP mark and go even above that, to the point that could be the lug on the economy that keeps us from growing and actually puts us in a contracting economy.

I urge my colleagues or members of the Senate staff to look at these studies and look at the impact of debt on economic growth. This could end up being the real lug of what happens during this period of time.

CARFA is a bipartisan mechanism that can work us out of this situation. It pushes at the places we actually can cut and need to cut. Everybody in this body believes, and I believe, there are clear places in the Federal Government we can cut. For one reason or another, they have become sacred cows and we have not been able to cut them. This is a process that has worked on military bases before.

I will talk more about this amendment when we vote on it on Thursday. I ask my colleagues, in the interim day, when we have a chance to look at some of these things, to examine this process. It is one they have seen before. I have proposed this bill for 10 years. They voted on it before, as I stated earlier. I urge them to look at this and think: Now is the time to do this. Maybe they had reservations about it in the past or thought: I don't think we want to go into that sort of mechanism now. But there is not another mechanism that works. This changes the mechanism for spending in a way that has worked in the past and, clearly, with these sort of debt numbers, the time has come to do it.

Mr. President, I yield the floor.

Mr. LEVIN. Mr. President, we are now debating a resolution that would raise the Federal debt ceiling, allowing the Federal Government to borrow enough money to meet its obligations. I doubt anyone in this Chamber is happy at the prospect of approving another such increase. I know I am not. Yet we must approve it. Failure to pass this resolution would do incalculable harm to our government's standing with financial markets and endanger nearly every activity the government undertakes. It would throttle the faint, fragile signs of recovery from the deepest financial crisis in 75 years. Refusal to pass this resolution is not an option. It would be irresponsible and dangerous to the jobs and income of every American.

Yet the magnitude of this action is staggering. If successful in this necessary endeavor, we will authorize the Treasury to carry more than \$13 trillion dollars in debt. That is more than \$42,000 for every man, woman, and child in the United States.

While the debt itself is enormous, the rate to which we have been adding to it in recent years is equally staggering. The year President Clinton left office, the government ran a \$236 billion surplus. Yet, after 8 years of Republican leadership, that surplus evaporated into a mind-boggling \$1.3 trillion deficit the day President Obama took office.

The message of these numbers is simple: We cannot go on as we are. If we do not change our budget policies, and change them a great deal, we will plunge our economy into deep depression.

Discretionary spending and nondiscretionary spending alike must be addressed. While some have successfully politicized earmark spending and discretionary spending programs, good and bad alike, the simple fact is that merely addressing these issues will not balance our budgets.

In addition to meaningful spending reforms, we must also engage in meaningful revenue reforms. The Bush-era tax cuts have already added trillions to our debt. Most should not be renewed. We also should end loopholes that allow corporations to hide income in offshore entities and people to hide their assets and income overseas.

But the fact is that most of our budget choices are not easy. And it is precisely because these choices are so difficult that we find ourselves where we are now. So it is worth considering how we got into this situation and how we might get out of it and whether the amendment to this resolution to be offered by Senators CONRAD and GREGG presents a possible solution.

First, let me respond to those who seem to have just recently discovered the importance of the Federal debt. Many of the people bemoaning budget deficits today are the same people who advocated a series of policies under the previous administration that added

greatly to our deficits, including enormous tax cuts mainly for the wealthiest. No effort was made to pay for that policy or the two wars. They were financed by debt.

In fact, to the extent that our budget outlook is significantly worse at the end of this decade than it was in the beginning, decisions by the previous administration are by far the biggest contributor to the problem. In parceling out the blame for our massive deficit, one expert said, the Obama administration "is like a relief pitcher who enters a game in the fourth inning trailing 19-0 and allows another run to score. The extra run is nothing to cheer about, of course, but fans should be far angrier with the starting pitcher."

However we reached this point, it is our responsibility now to address the consequences of failing to act. That is why I believe the amendment offered by Senators CONRAD and GREGG is worthy of consideration.

Briefly, they propose to establish a task force to recommend changes to our budget policies to address our long-term fiscal crisis. The task force would consist of 18 members: 16 Members of Congress, equally divided between House and Senate and majority and minority, and 2 administration officials, the Treasury Secretary and another Presidential appointee. Recommendations would require approval of 14 of the commission's 18 members. Those recommendations would be referred to the Budget Committee and other committees of jurisdiction in each Chamber and then move automatically to floor votes in each Chamber, where passage would require a three-fifths vote.

There is much to recommend this approach. Our fiscal problem is so large partly because it is so politically difficult to address. Repairing our finances will require some combination of spending cuts and tax increases, and spending cuts and tax increases are rarely politically popular. The use of a task force to recommend difficult but necessary choices for the common good has been successful in the past, in several rounds of military base closings and with the Greenspan Commission on Social Security reform in 1983.

But this approach is not without flaw. One is the structure of the task force, which would include two executive branch appointees.

Some have argued that the legislative commission must include members from the executive branch to achieve Presidential buy-in on the commission's proposal. And I agree that gaining the support of the administration is vital in this effort. But in seeking that buy-in, I do not believe it is either necessary or proper to give executive branch officials votes, which are potentially decisive votes, on recommendations that would bypass the Senate's rules and procedures. The proper way to achieve Presidential buy-in is through Presidential communication

and consultation and the threat of an actual Presidential veto of a task force proposal, if passed by the Congress, if it is objectionable to the President. The appropriate buy-in before Congress acts could also be advanced with ex officio membership for the two executive appointees.

I was pleased that the task force proposal we are voting on today no longer gives the task force power to recommend changes to the Standing Rules of the Senate. That is a welcome change from its prior iterations. Successfully tackling our fiscal crisis will require far-reaching legislation, and procedural hurdles in both chambers make passing any far-reaching legislation extraordinarily difficult. But any permanent procedural changes in our rules should be made by the Members themselves in each Chamber and not through this process.

Despite my reservations, particularly about voting membership for executive branch officials on a congressional commission that has the power to bypass the normal rules of our body for consideration of its recommendations, I believe Senators CONRAD and GREGG have offered a way forward. Their 60-vote requirement for positive congressional approval of the task force's recommendations does significantly protect congressional prerogatives. It also is clear that our current political climate and ways of doing business have been unequal to the task. Addressing our deficit requires bold action. The consequences of failure to act are too severe for us to miss this chance to act. I will vote for the Conrad-Gregg proposal.

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

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

EXECUTIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider Executive Calendar No. 641, the nomination of Ben Bernanke.

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

NOMINATION OF BEN S. BERNANKE TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The legislative clerk read the nomination of Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of 4 years.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System.

Christopher J. Dodd, Tom Udall, Edward E. Kaufman, Mark R. Warner, Patty Murray, Robert P. Casey, Jr., Paul G. Kirk, Jr., Daniel K. Inouye, Robert Menendez, Tim Johnson, Jack Reed, Debbie Stabenow, Tom Harkin, Max Baucus, Jon Tester, Joseph I. Lieberman, John D. Rockefeller IV.

Mr. DURBIN. I ask unanimous consent that the mandatory quorum call be waived.

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

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

REMEMBERING DELIA MARTINEZ

Mr. REID. Mr. President, I rise today to honor Ms. Delia Martinez of Henderson, NV, who on January 19, 2010, passed away at the age of 61. Ms. Martinez was a dedicated public servant who volunteered countless hours of service to communities around the State of Nevada.

Ms. Martinez was born in Mexico City to U.S. Foreign Service officer Charles Coop and his wife Concepcion Martinez. When Delia was 7 years old her family moved to Nevada, where she would spend the rest of her life. After graduating with honors from Rancho High School in Las Vegas, Ms. Martinez went on to receive a degree in business management from the University of Nevada Reno in 1972.

From an early age, Delia was attracted to the ideals of justice and equality for all. As a high school student, she became actively involved in the civil rights movement, and worked diligently to this end all throughout her life. Ms. Martinez later enjoyed the opportunity to act on the passion for equality she had obtained earlier in life, when she became the first Hispanic female executive director of the Nevada Equal Rights Commission. In