

have to ask, What is the holdup? I do not know how you can claim your goal is to double exports and then not take the action on pending trade agreements which provide the very direct, ready-made way to move us forward. Each one of these agreements lowers tariffs on America's goods and services. I will tell you from a lot of experience, that is the quickest way to increase exports. With U.S. unemployment now hovering around 10 percent, we should be focused like a laser beam on helping businesses grow and create jobs. Enacting the pending trade agreements will help us get there.

The U.S. Chamber of Commerce estimates that these agreements could bolster our economy by \$40 billion. Conversely, if the United States fails to implement the agreements with Colombia and Korea, the chamber estimates that more than 380,000 U.S. jobs will be lost or displaced.

The trade agreements were negotiated nearly 3 years ago. Yet they have not come to the Congress. While we fail to act, our global competitors are locking up these marketplaces. Several nations are negotiating or finalizing negotiations with the same three countries. Yet our agreements with those same countries are signed and sealed and ready for a vote. Our competitors are, very simply, gaining an advantage over our producers, our exporters, our employees, and they are laughing all the way to the bank. Now we even have representatives from those countries saying they are ready to move forward without us.

Earlier this week a respected publication, the Des Moines Register, quoted the Minister of Economic Affairs at the South Korean Embassy as saying this:

The U.S. runs the risk of losing the Korean market within a decade if you can't get a free trade agreement ratified.

Furthermore, the article reported that South Korea is likely to complete a free trade agreement with the European Union by January. So we are not just at risk of losing the opportunity to increase exports. If other countries keep negotiating trade agreements while this great Nation sits on its hands, we are going to lose the market share we have today.

I suspect this is just the beginning. These countries are not going to wait around forever while we twiddle our thumbs and hope that throwing money at a few government agencies and hiring more government employees will somehow increase exports.

Each nation we have sat down with, we have negotiated, we have found common ground and reached agreement. Now it is time for the final step. The step is to vote on the agreements.

Think of the big picture. Roughly 95 percent of the world's consumers live outside the United States. The global marketplace is asking for us to go and do business there. It is important to agriculture, but it is also important to our entire economy. You see, in agri-

culture, exports account for over 25 percent of total ag sales. We like to say that every third row of crops is sold into the international marketplace. In fact, agriculture is one of the few areas where the United States has had a net trade surplus in recent years.

These agreements are necessary for agriculture, for farmers and ranchers. They are good for small businesses in my State and across the country. As Secretary of Agriculture, I traveled the world helping to negotiate trade deals. I have seen the positive results for exporters. I have seen firsthand the importance of these pending agreements. Each one would level the playing field for America's farmers and ranchers and companies, creating jobs, helping to reinvigorate our economy. If we are going to meet this goal of doubling exports, we have to do more than give a speech. We have to take these agreements and put them into the equation and get a vote on that.

Consider this: American producers are currently forced to pay substantial tariffs on their exports to Colombia, to South Korea, to Panama. These agreements would wipe out most if not all of those tariffs. Roughly \$2.8 billion in tariffs on American exports has been paid to Colombia alone since the Colombian agreement was signed in November of 2006.

That is \$2.8 billion that could have stayed in the United States to hire new workers. Most Americans probably assume Colombian exporters pay the identical U.S. tariffs, but that is not the reality.

Colombian producers do not pay a nickel on 90 percent of the products they sell in the United States. The Colombian Free Trade Agreement would allow American producers to compete on a level playing field.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute remaining.

Mr. JOHANNES. In South Korea, it is the same story. And I could go on and on through each agreement and show that what they are about is bringing tariffs down for our products that we are paying today.

Well, I have given this speech now I think twice on the floor of the Senate and a number of times as I have been out and talked to people across this country. I hope this is the last time I need to come here to advocate just to give us a vote. My hope is the administration will send these agreements to the Congress for action.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of the House message to accompany H.R. 4213, which the clerk will report.

The legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment with an amendment to H.R. 4213, an act to amend the Internal Revenue Code of 1986, to extend certain expiring provisions, and for other purposes.

Pending:

Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus Amendment No. 4369 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, once again, we are here today to try to help create jobs. That is what the underlying bill and substitute amendment are all about.

But the Thune amendment would move in the wrong direction. Instead of helping to create jobs, the Thune amendment would probably cost jobs.

The Thune amendment would reduce aggregate demand in the economy by more than \$50 billion. Instead of continuing the good that the Recovery Act has done, the Thune amendment would stop it in its tracks.

The Thune amendment would, among other things, cancel unspent and unallocated mandatory spending in the Recovery Act.

The Recovery Act is working.

This is what the nonpartisan Congressional Budget Office said in its most recent report:

CBO estimates that in the first quarter of calendar year 2010, [the Recovery Act's] policies:

Raised the level of real . . . gross domestic product . . . by between 1.7 percent and 4.2 percent;

Lowered the unemployment rate by between 0.7 percentage points and 1.5 percentage points;

Increased the number of people employed by between 1.2 million and 2.8 million; and

Increased the number of full-time-equivalent jobs by 1.8 million to 4.1 million compared with what those amounts would have been otherwise.

And the Congressional Budget Office projects that the Recovery Act will continue to create jobs. CBO projects that the Recovery Act will create the most jobs in the third quarter of this year. And then it will begin to taper off.

We should not cut that job creation off. In this fragile economy, the last thing that we should want to do is to cut back this proven job creator.

We passed the Recovery Act to give a needed boost to our economy. We designed the bill to work over 2 years. If we were to withdraw these critical funds, we would risk causing further damage to a fragile economy.

The Thune amendment would also cut other important spending programs.

The Thune substitute amendment would cut discretionary spending by 5 percent across the board for all agencies, except for the Department of Veterans Affairs and the Department of Defense.

This 5 percent cut would apply to the Department of Homeland Security. It would apply to Immigration and Customs Enforcement. Apparently, it would apply to the intelligence agencies.

The Thune substitute amendment would freeze the salaries of all Federal employees, except for members of the Armed Forces.

It would freeze the salaries of civilian defense workers. It would freeze the salaries of law enforcement. It would freeze the salaries of border protection agents.

Another provision would cap the total number of federal employees at current levels. If an agency needed to hire a new employee, it would first need to fire an existing employee. That is not how to create jobs. This would dramatically reduce the flexibility of agencies to make hiring decisions.

I support finding ways to make our government more efficient. But these cuts are arbitrary. They are mindless meat-ax cuts.

The Thune amendment would also make changes to the new health care law. These changes would leave more Americans without health insurance. The Thune amendment would do this by expanding the affordability exception to the responsibility for individuals to buy health insurance.

This expansion would eliminate coverage for millions of Americans. And CBO tells us that this would raise health care premiums.

The irony of this proposal is that it raises money for the government because the government would not provide as much in tax credits to Americans to help them buy insurance.

But Congress has just enacted health care reform. Congress just expressed our Nation's commitment to helping all Americans to buy health insurance. We should let the new health care law take effect.

The Thune amendment would also propose changes to our medical malpractice system that the Senate has rejected many times.

The Thune amendment would cap damages and make other changes to State laws. This is the not the solution to medical malpractice.

The Congressional Budget Office has said that these kinds of ideas would generate savings. But we need to ask: At what cost?

What would be the cost to patients? What would be the cost to the States?

CBO relied on outside studies in calculating its cost estimate. And those same studies point out that certain tort reform policies may also increase the number of risky procedures performed. And these policies may lead to more patient injuries and more patient deaths.

One study upon which CBO relied said that these policies would lead to a 0.2-percent increase in mortality. These policies in the Thune amendment could lead to more patient deaths.

That is an awfully high price to pay.

Our Nation's civil liability system has always been forged at the State level. Nationalizing that system with damage caps would put patients at risk.

The Thune amendment employs some of the offsets that it does because it drops the oil spill liability tax. And the Thune amendment employs some of the offsets that it does because it drops the tax loophole closers in the underlying substitute amendment.

The Thune amendment thus would allow big oil companies to pay less into the oil spill liability trust fund, to pay for oil spills.

The Thune amendment thus would allow investment managers to continue to pay lower capital gains tax rates on their service income than other Americans do on their wages.

The Thune amendment thus would allow some professionals who organize as S corporations to avoid paying their fair share of Social Security and Medicare payroll taxes.

And the Thune amendment thus would allow multinational corporations to continue accounting dodges to avoid paying their fair share of taxes here in America.

These decisions reflected in the Thune amendment are bad tax policy. These decisions preserve unfairness and inequity in the tax law.

And so, the Thune amendment would put the recovery at risk by curtailing the Recovery Act. It would cut the number of Americans with health insurance and raise premiums. It would nationalize medical malpractice law, putting patients at risk. And it would protect big oil and multinational corporations that ship their jobs overseas.

I urge my colleagues to oppose the Thune amendment.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota is recognized.

AMENDMENT NO. 4376 TO AMENDMENT NO. 4369

Mr. THUNE. Madam President, as provided for in the order, I now call up my amendment.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 4376 to amendment No. 4369.

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

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

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

Mr. THUNE. Madam President, this amendment is, in my view, probably the most important thing that we can do for the economy right now. The Senator from Montana talked about job creation. Everybody in this Chamber cares about that. I think Democrats and Republicans alike believe we have to create jobs in our economy. We need to get economic growth going again.

I think we have a fundamental difference about how best to do that, and what my amendment would do is address what I think are the two biggest problems we face—the sort of clouds, if you will, hanging over the economy in this country. One is debt. We have this spiraling Federal debt which is set to double in 5 years and triple in 10 years on the current path under the budget that has been proposed by the President.

If we include the debt that government agencies owe each other—in other words, intergovernmental debt—add that to the public debt, right now we are in debt \$13 trillion. That is the total amount of debt we have today. That is going to balloon in the next 5 years and the next 10 years. The budget window we use to do our budgeting around here suggests it is going to be much higher than that.

So I think what the American people are saying, at least what I believe the American people are saying—and I think we have probably different interpretations of that, but what I believe the American people are saying and what I see in poll after poll after poll is people are concerned about the cloud this growing public debt imposes on our economy and the burden it places on future generations. They are also profoundly concerned about their jobs and about their economy. They want Congress to take steps that will help grow the economy and create jobs.

The best way to do that is for the government to get out of the way, so to speak, and incentivize small businesses to do what they do best; that is, create jobs. It is the small businesses in our economy that are the economic engine. They are job creators. We should not be imposing more burdens on them. We should try and keep taxes low. We should try and keep regulations and keep from imposing new governmental burdens on our small business sector and our economy.

So we have a piece of legislation before us today in which I think both sides, Republicans and Democrats, agree we need to do something to address unemployment insurance and extending the benefits of those who have lost their jobs in the recession.

We need to address the issue of physician reimbursement cuts which will occur if Congress does not take steps to address that. Of course, we need to extend the expiring tax provisions that many of us support—for example, the tax credit for investment in research and development, which is one of the things companies use to keep us more competitive. Those are all things that have expired, are expiring. Those are issues that need to be addressed. I think both of us agree on that.

The question becomes, What is the best remedy, how best do we do that? What the Democratic majority has proposed is a solution which, at the end—and I think this is even under the best-case scenario, which I do not believe we have a CBO score on yet—but the more

recent version of their piece of legislation would still add about \$50 billion to the debt. So it would increase the amount of debt I just mentioned earlier. It does raise taxes. It raises taxes on small business. It raises taxes on investment.

It puts more taxes on oil companies by raising taxes that would go into the Oil Spill Liability Trust Fund. And, of course, because my amendment does not include that tax increase, somehow we are painted as being in defense of big oil. Well, let me point out one thing about that—this was true in health care; it has been true with many things that have happened here on the floor—and that is, it would be one thing if the revenues raised by increasing the tax from 8 cents to 49 cents per barrel of oil were actually going to be used to clean up oil spills. It is stated to go into the trust fund, the Oil Spill Liability Trust Fund, but it will be used to fund other things. So, again, you get this double-counting. You get this practice we have seen employed here by the majority on a number of occasions where you are raising revenue that is supposedly for a specific purpose, the proceeds of which are going to be used for something entirely different. That, of course, is coupled with the fact that the tax, as we all know, is going to be passed on to the American consumers. So the American consumers are going to be burdened with higher taxes. At the same time, the other side can say: We are being tough on big oil. We are going to stick them with this big new tax. Ironically, it is not going to go to clean up oil spills; it is going to go to fund these things we are talking about funding here.

We have a better way. We can reduce government spending and do this. We can actually extend these expiring tax provisions by reducing taxes by about \$26 billion under my amendment. We can cut spending by over \$100 billion under my amendment. And we can actually make some progress toward reducing the Federal debt. We have about \$68 billion, under my amendment, that can be used to pay down the Federal debt. So we reduce the debt, we cut taxes, we extend unemployment benefits, we address the physician reimbursement issue—and by the way, my amendment addresses that through the end of the year 2012. The amendment now offered by the Democratic majority extends it to the end of this year. So if you are a physician out there who is looking for some certainty and looking for something that is a long-term solution to this issue of cuts in reimbursement, then you get, under my amendment, an extension to the end of the year 2012. Under the Democratic majority option here today, you get something that extends it only until the end of this year. So you can do all those things and still cut the debt, cut taxes, and reduce Federal spending. So what we are offering is a different way.

It seems to me, when you are sitting on a \$13 trillion debt and you are grow-

ing your debt at \$1.5 trillion every year, which is what is happening—the deficit this year is going to be about \$1.5 trillion. That is what it was last year. We are looking at trillion-dollar deficits as far as the eye can see, to the point where the interest on the debt at the end of the 10-year period we use for budgeting purposes in the Senate will exceed the amount we spend on defense. We will spend more on interest on the debt than we spend on national security in this country if we continue down this path. In fact, we will spend, at the end of the 10 years, 4.1 percent of our entire economy—our entire gross domestic product—on interest on the debt.

Madam President, \$13 trillion in debt—the other day, I tried to put that in perspective so people can appreciate and understand it because I think sometimes it is hard for most of us, myself included, to wrap our heads around \$1 trillion. It sounds like a lot in the abstract. But to try to put it into a perspective that perhaps we can understand, I used the analogy of, what is 1 trillion seconds? If you took 1 trillion seconds, what would that mean in terms of total number of years? Well, 1 trillion seconds represents 31,746 years. If you took 13 trillion seconds—which is what the debt now represents, the total debt our country owes—you are looking at over 412,000 years, if a dollar equals a second. So 1 trillion seconds: 31,746. Madam President, \$13 trillion is what our total debt consists of today. Again, you are looking at over 412,000 years. I think that speaks to why we need to get the debt and the spending here under control.

Interestingly enough, a while back here in the Senate, to much fanfare, the majority passed pay-go rules. The assumption would be that somehow going forward new spending would be paid for and reductions in tax revenues would be offset somehow by increases in tax revenues and all that.

Well, since that time, since the passage of pay-go, the Senate has already approved well over \$100 billion in new spending, not paid for that is added to the debt. If this legislation is enacted, that number will approach \$200 billion since we passed pay-go—the much-touted, with much fanfare, as I said, solution that was going to solve the fiscal woes of our country and suggest a different way of doing things in the Congress.

Well, anything but that has happened. On the contrary, every time we have had a major piece of legislation, pay-go has been waived. We waive it. We declare everything an emergency. Now everything is an emergency and nothing gets paid for, and the debt continues to grow, and the debt-o-meter, the spend-o-meter around here continues to spin faster and faster and faster, and the credit card is handed to future generations who are going to have to deal with our inability to live within our means.

So the alternative we offer to the legislation before the Senate today that is

being put forward by the Democratic majority is, as I said, very simple and very straightforward. It does a number of things. It does all the things we need to do in terms of extension of unemployment insurance, of the physician fee—making sure that cut does not occur, that the physician reimbursement issue is addressed, as I said, through the end of the year 2012—as well as extending these expiring tax provisions that are very important to our economy and to our economic growth.

But we do that in a different way. We take \$37.5 billion of the \$50 billion in unobligated stimulus funds and use those funds to extend existing tax and benefit provisions. We cut money from the government by reducing congressional budgets. I think it is fair that when the American family, the American business community, and people across this country are making hard decisions about their own personal budgets—their family budgets, their business budgets—having to figure out where they are going to cut back, the least we in Congress can do is to scrub our budgets and figure out what we can do to reduce spending.

So we cut money from the government by reducing congressional budgets. We rescind unspent Federal funds. There are lots of appropriated moneys out there that do not get spent that revert back or get spent later. What this amendment simply says is, if moneys that have been appropriated have not been spent, then let's use that money to pay down the Federal debt. Let's do these things we need to do here, and then let's make sure we are not continuing to spend and spend and spend, particularly dollars that are not needed. It requires the government to sell unused lands and to auction off unused equipment.

It also imposes a 1-year freeze on the salaries of Federal employees and eliminates their bonuses and caps the total number of Federal employees at current levels. I have a modification that would amend this legislation because there has been a concern raised that it would mean nobody could get a raise, even those who deserve it. What the modification would do is allow Federal agencies and managers flexibility to determine how they are going to work within their personnel budgets to provide, perhaps, raises for those who have been deserving. But, overall, their top-line number would be frozen. So it is not as if no Federal employee ever would have to go without any kind of a raise. But we think it is important that the Federal Government go on a diet, just as the family budget is having to do right now as well. We also collect \$3 billion in unpaid taxes from Federal employees.

We encourage responsibility and prioritizing within the Federal budget by requiring a 5-percent across-the-board discretionary spending cut for all agencies, except at the VA and the Department of Defense.

Again, there has been a lot of suggestion that somehow this is going to wreck the economy and force—as I saw some things out yesterday—that this is going to force a government shutdown. What this amounts to is a 2-percent reduction through the end of this fiscal year, which is September 30. I do not think, out of a \$652 billion budget, that if you are a good manager at these Federal agencies, you could not find 2 percent to shave in order to achieve the savings we need to pay for this legislation. It encourages responsibility and prioritizing as well by saving \$5 billion in eliminating what is nonessential government travel. And it eliminates bonuses for poor-performing government contractors.

Finally, it does create a new deficit reduction trust fund where rescinded balances and moneys saved through this amendment will be deposited for the purposes of paying down the Federal debt.

Now, I said this the other day, and I will say this again: I think this ought to be a no-brainer for us here. Irrespective of which side of the political aisle you are on, you undoubtedly are hearing from constituents across this country who are very concerned about the amounts of spending, the amounts of debt, who are concerned about increasing taxes, particularly businesses. We hear a lot about investment frozen on the sidelines because investors are concerned about the uncertainty that exists out there with regard to taxes and what they are going to do in the future.

Clearly, this bill, as I said earlier, raises taxes. It raises taxes by about \$50 billion in the current version of it. What we would do is reduce the tax burden by extending these expiring tax provisions but do it in a way that does not require new taxes on investment, new taxes on small businesses, new taxes on our economy at a time when we can least afford it, when we ought to be looking at ways to keep taxes low and to make sure we are doing everything possible to lessen the burden on our small businesses, those job creators in our economy.

One of the things that was mentioned, and we do in our legislation, is we do address one of the issues with regard to health care. I think the Senator from Montana characterized that lowering the affordability threshold for the individual mandate will strike at the heart of health care reform.

Well, first off, let me just point out that this amendment was taken directly from an amendment that was filed by Senator SCHUMER during the Finance Committee markup of the health care reform bill. I do not think his intention was to strike at the heart of health care reform. I thought the heart of health care reform was to make sure people have access to affordable coverage. I do not think that was Senator SCHUMER's intent. I think he was thinking we ought to make sure low-income people were not forced to buy unaffordable coverage simply be-

cause of health care reform and because they needed a way to finance health care reform.

This amendment would make sure individuals and families are not subject to an intrusive and burdensome new Federal mandate if they cannot afford health insurance. So it is a fairly straightforward modification to the health care legislation which takes away some of the burden that is imposed on people at lower income levels. In fact, it makes a lot of sense to me. If you look at the current health care bill, under that bill low-income individuals—those under 300 percent of the Federal poverty level—are slated to pay about \$1 billion in mandate penalties.

Now, the suggestion was that somehow, if we make this change, insurance premiums are going to go up. Well, I am telling you something. We tried to make this point many times during the course of the debate on health care reform. Insurance premiums are going up. In fact, PricewaterhouseCoopers predicted this week that health care costs are going to continue to rise at an unsustainable rate—next year by about 9 percent. So it is already clear that health care reform is not going to live up to many of its promises. It is going to continue to raise premiums for most Americans. And that has a lot more to do with the health care reform, the substance of that, than anything else. It does not have anything to do with what we are trying to accomplish here by, as I said, reducing the impact of the individual mandate on low-income individuals in this country.

So these are all fairly straightforward reforms. We do touch medical malpractice reform. We think that is something that should have been a part of health care reform and was not that would help reduce health care costs for people in this country and achieve some savings we can use to, again, help pay down the Federal debt, help address the concerns we need to address with this legislation.

But bottom line, as I said earlier, what we are looking at here is a very clear choice for U.S. Senators. U.S. Senators can choose to solve the problem before us in one of two ways. The first way is through \$50 billion in tax increases, \$50 billion in additional debt, and over \$100 billion in additional spending—or about \$100 billion in additional spending. The alternative I offer cuts taxes by \$26 billion, reduces spending by \$100 billion, and cuts the Federal debt, reduces the Federal debt by \$68 billion, according to the Congressional Budget Office.

In my view, as I said at the beginning of my remarks, there is nothing more important to our economy than dealing with this cloud of debt, this huge burden that hangs over our economy of out-of-control Federal spending, out-of-control Federal debt, deficits that are over \$1 trillion or at \$1 trillion as far as the eye can see, the concern about tax increases on our economy

and how those would impact our small businesses and their ability to create jobs. So this legislation, again, deals with the issue of the debt, deals with the issue of taxes, deals with the issue of spending, and accomplishes all of the underlying objectives we all have of extending unemployment benefits, of dealing with these expiring tax provisions, and dealing with the impending reduction in physician reimbursements.

So with that introduction, I reserve the remainder of my time. I think we have other speakers who want to come down, and I look forward to hearing from them as well.

Mr. BAUCUS. Madam President, I might ask if the Senator from New Hampshire wishes to speak.

Mr. GREGG. Madam President, I appreciate the chairman's request. I wish to speak for 5 minutes in support of the Thune amendment.

Mr. BAUCUS. Sure.

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

Mr. GREGG. Madam President, I rise to congratulate the Senator from South Dakota for his amendment. This is a responsible way to approach this issue.

The amendment to the bill that is before us, offered by the Democratic leadership, adds \$50 billion to the deficit; that is \$50 billion to the debt. That is \$50 billion our kids have to pay so we can spend money today on politically attractive things. On top of that, the bill, as proposed, has some onerous tax policy in it which will significantly contract economic activity in this country by taxing people at ordinary income for activity which has historically been taxed at a capital gains rate, thus forcing people to be less incentivized to go out there and be productive and create jobs. It is poor tax policy.

So the Senator from South Dakota has come up with a proposal, which is the way we should be governing now, which is to pay today for the things we want to spend on today. We are facing a \$1.4 trillion deficit—\$1.4 trillion—this year. Next year, we are facing an equally large deficit. Under the President's budget and the budget of the Democratic leadership, we are talking a \$1 trillion deficit for as far as the eye can see. The debt of this country is going to double in 5 years under the President's and the Democratic budget—double. It is going to triple in 10 years. A child born at the beginning of the Obama administration arrived in our Nation with an \$89,000 debt—\$89,000. By the time my colleagues on the other side of the aisle get finished, should the President be reelected, under the terms of his budget that child is going to have a \$200,000 debt to pay. Why? Because we keep getting bills like this: \$50 billion here, \$100 billion here, \$25 billion here; money being spent without being paid for and, therefore, being added to the deficit

and to the debt. It is totally wrong. It is unfair. It is unfair that one generation should do this to another generation, and it is certainly not responsible government.

We had a big debate in this Chamber about 2 months ago now about how responsible the other side of the aisle was going to be on spending. They called it pay-go. It should have been called fraud-go because as a very practical matter, that is what it has become. This bill games the pay-go rules of the Democratic leadership to the tune of \$50 billion by declaring it an emergency on items that are not emergencies, that we know exist and that have been spent on now for quite a while. Since that bill was passed, that pay-go bill, which allegedly was going to require this Congress to pay for all the money it was going to spend, the other side of the aisle has brought forward, or is in the process of bringing forward, \$200 billion of spending which is not paid for—\$200 billion in spending which will be added to the deficit and to the debt. That is totally irresponsible.

So the Senator from South Dakota has it right, as he so often does. He has said: Let's do this responsibly. If we are going to spend this money, if we are going to put forward these extenders, if we are going to spend this money on these different social initiatives, let's pay for them because they benefit us today and we shouldn't pass the bill for them on to our children tomorrow, next year, and 10 years from now. This is responsible budgeting.

I congratulate the Senator from South Dakota, and I look forward with enthusiasm to finally voting for a bill around here that is paid for, which is what we should be doing every day instead of spending money we don't have and passing those bills on to our kids.

I yield the floor.

Mr. THUNE. Madam President, could I inquire how much time we have on our side.

The ACTING PRESIDENT pro tempore. There are 35½ minutes remaining.

Mr. THUNE. I ask unanimous consent to add as cosponsors of this amendment Senators MCCONNELL, MCCAIN, ISAKSON, BOND, ENZI, CORNYN, BARRASSO, ROBERTS, COBURN, CHAMBLISS, SCOTT BROWN, and JUDD GREGG.

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

Mr. THUNE. Madam President, I yield 10 minutes to the Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I am pleased to be here to cosponsor and support my friend from South Dakota, Senator THUNE, on this amendment. As the Senator from New Hampshire just stated, isn't it time we stopped burdening our children and our grandchildren with massive debt?

Our office is being flooded with calls concerning the extension of unemployment benefits. We want to extend the unemployment benefits under this amendment until November, but we want to pay for it. We want to do something groundbreaking around here that hasn't happened in a long time: We want to pay for it. We want to pay for the expiring unemployment provisions until November. We want to extend the expired tax provisions, including a tax credit for research and experimentation, and the State and local sales tax deduction through the end of the year. We want to drop the tax increases, drop the \$4 billion extension of Build America bonds, and drop the \$24 billion in State Medicaid bailouts. We want to fully pay for this with spending cuts. The amendment does provide relief for the doctors by adding an additional 2 years to the doc fix and reforming our broken and onerous medical malpractice system.

Let me point out that day after day during the ObamaCare debate we came to the floor and said: You are using phony assumptions as to assessments of the entire cost of ObamaCare, and part of that was the "doc fix" which wasn't going to happen, which was going to cut Medicare payments to physicians by some 21 percent. We said every time: You are not going to do this. You are not going to cut physician payments by some 21 percent for doctors who provide care for Medicare enrollees. Over on the other side, they even admitted it. So now we have to do the doc fix. We have to make sure doctors who treat Medicare patients are adequately reimbursed; otherwise, they will stop treating Medicare patients.

So it is kind of hypocritical for us to be blamed for the delay in the "doc fix" when that was the assumption—that was the assumption, that there would be a 21-percent cut in the selling of ObamaCare to the American people.

This amendment saves the taxpayers \$113 billion in unnecessary spending. It rescinds \$38 billion in the unobligated spending of stimulus funds. It cuts wasteful and unnecessary government spending. It collects the unpaid taxes of Federal employees. It freezes their salaries and caps their numbers. It imposes a 5-percent, across-the-board cut in government spending for all agencies except the VA and the DOD, and it creates a new deficit reduction trust fund where rescinded balances and monies saved through this amendment will be deposited for the purposes of paying down the Federal debt.

Now, regarding the 5-percent across-the-board cut in government spending for all agencies except Veterans and Department of Defense, do Americans know the size of government has doubled since 1999; that the cost of government has spiraled out of control? A 5-percent cut would be minuscule as compared to the dramatic increases we have imposed—yes, during the previous administration, as well as this administration—including a \$1 trillion un-

paid-for Medicare Part D prescription drug program.

So this amendment cuts taxes, it cuts spending, and it reduces the deficit. The deficit has now spiraled so far out of control that there is no rational economist who believes this is sustainable without some kind of profound financial crisis. Now we are up to a projection of a \$16 trillion deficit by the end of the next decade. We are amassing as far as the eye can see—I think now it is up to \$1.6 trillion—debt just for this year alone that we are laying on our children and our grandchildren.

As I have said several times on this floor, there is a revolution going on out there. It is a peaceful revolution. It has been derided by the liberal left and many in the media. But the fact is, they are angry and they have every right to be angry. They have every right. The greatness of America is that every generation has passed on to the following generation a better Nation than the one we inherited. With this overwhelming burden of debt and deficit in the name of economic stimulus, in the name of job creation—which, obviously, has not met the predictions at the time of the passage of the stimulus package—have turned out to be totally false.

So here we are. We are in a situation where we have an opportunity to extend the expiring unemployment provisions, extend the expired tax provisions, including an important tax credit for research and development. It drops things such as Build America bonds. Build America bonds. Please. Right now, that is just an additional \$4 billion. We are going to cut spending, and we will provide relief for doctors by adding an additional 2 years for the doc fix.

Obviously, that fix needs to be enacted. I am in support of that. But isn't it a little bit of a hypocrisy to come to the floor and say we have to get this done, we have to have the doc fix, when all during the debate on so-called health care reform, the 21-percent cut for Medicare patients was part of our selling the American people that the cost of ObamaCare would be less than \$1 trillion? Isn't that a little hypocritical?

I wish to quote from the New York Times recently:

If the economists are divided about what just happened, the rest of the world is not divided about what should come next. Voters, business leaders and political leaders do not seem to think that the stimulus was such a smashing success that we should do it again, even with today's high unemployment.

There is no better example than last May's unemployment numbers that show a drop from 9.9 to 9.7, until you get into the not-so-fine print: 41,000 jobs created in the private sector, and 440 new jobs, approximately, to hire census takers. That is what the stimulus is all about? Give me a break.

So this is our chance. This is our chance to show the American people that we are going to cut their taxes, we

are going to take care of the unemployed, we are going to make the doc fix, and we are going to at the same time cut spending and start at least a beginning attempt to get this burgeoning deficit under control. It reduces the deficit by some \$68 billion.

Are there tough things in this measure? Of course. Of course there are tough things in this measure. But it is about time we started making some tough decisions because we do have an obligation to our children and our grandchildren which we have, up until now, clearly abrogated.

I hope my colleagues will consider voting for this amendment and get us on the path toward reducing this debt burden we are placing on future generations of Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. Twenty-six minutes.

Mr. COBURN. Madam President, I wish to take over for Senator THUNE, if I may. I want to cover for a moment what Senator GREGG talked about, because we are looking for the pea under the pinochle shell.

We passed, on February 12, pay-go. On February 24, we borrowed \$46 billion outside of pay-go. We said it didn't apply. On March 3, we borrowed \$99 billion and said it didn't apply. On March 2, it was \$10 billion and we said it didn't apply. In April, it was \$18 billion.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. COBURN. Yes.

Mr. MCCAIN. After passage of legislation that was trumpeted everywhere that from now on we were going to pay for additional spending, how could that happen?

Mr. COBURN. It happened because we waived the pay-go rules and we were outvoted. The pay-go rules are a farce.

On May 27, \$59 billion. With the new bill, another \$50 billion. So 46 and 18 is 64, 74, 173, 193, 262, and now 50—that is \$312 billion added to the deficit this year above the \$1.5 trillion we are already going to run.

We get criticized all the time—and I specifically do—as the party of no. Here is what we have offered: Reduce the national debt; this body said no. Sell unused property; this body said no. Reduce the printing costs, which is \$4 billion, and we can save printing this, which nobody reads, and it is all on line; this body said no. Freeze total Federal pay for right now until we get out of the mess we are in; this body said no. Living within our means—an amendment that said we have to live within the revenues that come in—this body said no. Complying with pay-go; this body said no. Cut agency overhead costs; this body voted no. Cut Congress's own budget; this body said no. These are all recorded votes. Eliminate corporate welfare; this body said

no. Stop the bridge to nowhere, that happened 4, 5 years ago but this body said no. Make Federal employees pay taxes; they owe \$3 billion in unpaid taxes and we have no enforcement, but this body said no. Consolidate duplicative government programs that do the same thing. There are 70 programs to feed the hungry, 105 programs for math, education, science, and technology incentives—6 different agencies—this body said no. Eliminate bonuses for failed contractors in the private sector who don't perform, which is \$8 billion a year; this body said no. Decrease nonessential government travel, which saves \$5 billion a year; this body said no. Require the Department of Energy to save energy; ironically, they are the worst offender in the Federal Government in terms of wasting energy, and this body said no.

Isn't it interesting that, with 41 votes, we offer these things and every time they are rejected? They are commonsense things that everybody else in America expects us to be doing, but this body says no.

Why should we do the Thune amendment? I heard the chairman of the Finance Committee say a minute ago that having a 5-percent cut across the board in all of the agencies, except the VA and the Defense Department, would wreck the Federal Government. He obviously isn't aware that President Obama has asked his own agencies to do exactly that. All Senator THUNE is doing in this amendment is what the President is asking the agencies to do. But do you know what. This body is going to say no. We bring forward a bill that only spends \$50 billion of our children's money instead of \$78 billion or \$88 billion, which was defeated yesterday, as if that is some big deal.

This body is going to pass it. They are not going to say no to growing the government, to spending money that we don't have, to giving advantage to those who are well heeled and connected. They are not going to do that. We have lost control of what is important in America. If we were to pass the Thune amendment today, do you know what would happen? The international financial community would get the first signal from the American Congress that we are starting to make some steps toward austerity—the first signal. We don't have any out there now.

Yesterday, it was reported that the M3 money supply in this country is at the lowest level of GDP since 1932. Do you know what that predicts? It predicts that the economy is going to slow rather than increase. That predicts a double dip recession. We have tried everything Japan tried for 10 years, and it didn't work. It is a lost decade in Japan. It is stimulus money and not failing to cut the spending of the government. We are going to do that again. We are going to continue to increase the government.

People may say, why would you want to freeze total Federal wages? Well, it

is easy. The average Federal employee in the United States today makes \$78,000 a year. They have benefits of \$40,000 a year. The average private sector employee makes \$42,000 a year and has \$20,000 worth of benefits. Shouldn't we, when we are running a \$1.6 trillion—it is not \$1.4 trillion because we have added \$200 billion, and we are going to add another \$50 billion with this. When we are running that kind of deficit, shouldn't we say, time out, no increases, except for stellar performance, in the Federal Government, until we get our house in order? But this body is going to say no again. They are going to say no.

The question is, what can we do to fix our economy? Borrowing money that we don't have to spend on things that we don't absolutely need is not the answer to solving the problems with our economy. The answer is for us to live within our means, create a stable environment where business will invest and can plan on what is coming next from Congress. We have them so skittish that they won't spend. That is the reason we are going to have a double dip recession. That is the reason the money supply has shrunk in spite of zero percent interest rates at the Federal Reserve—because people will not take a risk, because we are not leading with something that gives them confidence about the future. We have to change that.

I will end with this. That is the party of yes. Increase the national debt, yes. Violate pay-go, yes. More corporate welfare, yes. Increase the debt limit, yes. Fund the bridge to nowhere and every other earmark like it, yes. Increase Congress's own budget at a time when we should be austere, yes. Tax breaks for special interests, yes. Borrow billions—not billions, but trillions—from our grandchildren, yes. Create duplicative government programs, yes. Finally, create a lower standard of living for us, our children, and our grandchildren.

That is not what we are about, except that is what the Baucus bill does. It thinks in the short term and ignores the long term. It ignores the reality that this government has to get smaller for us to not become Greece. It plays the games that are typical of Washington, which the American people are rejecting.

One final word about doctors, having been one and practiced for over 25 years. What is happening out there right now? What is happening out there now is the same kind of confusion that is happening in the business community. Doctors are saying: I can no longer take a Medicare patient. You are going to give me an extension for 6 months, but there is no guarantee that in 5 or 6 months I am going to have the revenue I need to keep an office open to care for Medicare patients. So what is happening? Medicare patients all across this country are going and finding out their doctors no longer take Medicare.



We saw, earlier this week, when HHS released the first of the thousands of regulations that between 87 million and 127 million Americans aren't going to get to keep the insurance they have. They are not going to under the grandfather clause. So what we are doing is sending every mixed signal possible to not create stable planning, positive input, and positive attitudes about what can happen positively in this country. We have to send a signal to the doctors. The Thune amendment pays for a doctor fix until 2012. It gives them a chance to say, yes, I will stay in Medicare; I can afford to stay in Medicare. If we don't do that, we are going to have hundreds of thousands of Medicare patients who no longer have the doctor they have had for years. It is not because the doctor wants to turn away the patient, but because the doctor has to turn away the patient because they can no longer afford to care for Medicare patients.

So we play this game and bring to the floor a bill with \$50 billion that we are going to charge to our grandchildren, and we have bought the votes off so we can pass it, and we are still doing the same thing. We are still expanding the Federal Government, we are borrowing against our future, we are lowering the standards of living of our children, and we are creating a mockery of the American dream.

I reserve the remainder of our time.

The ACTING PRESIDENT pro tempore. Who yields time?

The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, I yield 15 minutes to the Senator from Delaware.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. KAUFMAN. Madam President, I may need 3 or 4 or 5 more minutes.

Mr. BAUCUS. I yield as much time as the Senator wishes to consume.

Mr. KAUFMAN. I thank the Senator.

Madam President, when I was appointed to the Senate, I made a promise to myself not to let this opportunity pass without helping to recognize the contribution made to this Nation by its government workers. This is why I began my weekly "great Federal employee" series last May.

In all my years working as a Federal employee, I have met so many wonderful individuals who have dedicated their careers to working for the American people. So many are deserving but will not make it onto the poster I bring to the Senate floor each week commemorating great Federal employees simply because there are so many of them.

Over the years, as I have witnessed countless acts of personal courage, devotion to country, and real sacrifice, I have also seen and heard such disheartening and baseless attacks against those who choose to serve.

The pending amendment is just the latest assault. It comes on the heels of

a new myth being peddled on television, on talk radio, in print, and on this very floor—the allegation that somehow Federal employees are overpaid; that their salaries have been rising unfairly compared to those with similar jobs in the private sector; that we should freeze or cut their pay or lay them off; that we should make it nearly impossible to hire any new government worker at all.

Before I rebut these arguments piecemeal, I remind my colleagues and the American people what we are talking about. This is not an exercise in the abstract. There are concrete facts. There are names, faces, and real life stories of achievement and hard work.

Nearly 2 million wake up every day and go to work for the American people, for their neighbors, their friends and family, for folks they have never met or will never meet.

They do it for substantially less pay than the same job in the private sector and with considerably more at stake. As I have said before, there are no Wall Street bonuses, and there is rarely ever recognition for their hard work. For many, working as a Federal employee is a tough choice.

In his keynote address at the annual dinner on Monday honoring the winners of this year's Arthur S. Flemming Awards for public service, NIST physicist Dr. William Phillips—whom I honored as a great Federal employee this past December—told his audience about a colleague who decided to work for the Federal Government. This scientist had been working most of his early career in the private sector. At a certain point, he realized it was more important for him to make a difference and serve his country, so he went to work in a government lab.

He told Dr. Phillips that, to do so, he took a pay cut that was a factor of 10.

That is 10 times less pay. I am sure it was a difficult decision, but ultimately he made the choice to work for his country.

I met an appointee the other day who is taking a 95 percent pay cut. I have constantly been amazed by the number of highly skilled and highly experienced individuals willing to take 20, 40, 60 percent salary cuts to work in the Obama Administration. These political appointees join the career personnel, so many of who would also be making much more in the private sector.

Just look at some of those I have honored as great Federal employees this past year.

By the way, I do not pick the people at the top of the spectrum. When I honor a great Federal employee, it is at any level in the government. Anybody who does their job well should be honored. We have so many great Federal employees who operate at all levels of government that I try to honor them all.

I am hard pressed to think of any who would not be making a lot more in the private sector. Not only do we have brilliant physicists such as Dr. William

Phillips who won a Nobel Prize. We also have those such as Brian Persons, the executive director of NAVSEA who has spent his career designing and maintaining our Navy's ships and who holds an engineering degree from Michigan State. Or Erica Williams, an enforcement attorney with the SEC with a degree from the University of Virginia Law School, who I am sure could be making a lot more if she worked for a Wall Street firm. Or Judge Timothy Rice, a Temple Law School graduate who could have chosen to work as an attorney in private practice but, instead, went to work for the Justice Department and on the Federal bench.

I am not saying that all Federal employees earn 10 times less than their private sector counterparts. I am not even saying all Federal employees earn less.

Still, those who claim that Federal employees are making more on average than private sector counterparts simply don't have all their facts straight. We know how these things happen. In this case, much of the data used to make these claims are from a USA Today study a few months ago, which analyzed findings from the Bureau of Labor Statistics.

The big problem with that study is that it is both highly selective of the job categories compared and it fails to take into account the demographics of our Federal workforce.

The number of employees in various private sector job categories dwarfs that of the Federal Government, skewing salary data lower for the private sector, where there are more minimum wage jobs. Also, a large number of Federal jobs require highly specialized skills and, as a result, employees are often older and more educated than the average worker in comparable private sector roles.

Many Americans do not realize that about 20 percent of Federal employees hold a master's or professional degree, compared to 13 percent in the private sector. Fifty-one percent of Federal employees have at least a bachelor's degree, while this is true for only 35 percent of the private sector workforce.

In the words of Max Stier, president and CEO of the Partnership for Public Service which, by the way, is a non-partisan organization this is "not an apples-to-apples comparison."

You cannot simply ask what the average salaries for budget analysts are in the private sector and for budget analysts in government. The same goes for librarians or statisticians or paralegals.

The occupational categories might be called by the same name, but the work is very different. There are different skill sets required, different types of experience necessary.

When actual job tasks are compared, few government jobs have exact equivalents in the private sector.

Contrary to what many have said, Federal workers' salaries are actually

lower, not higher, than those in the private sector.

Indeed, the Federal Salary Council reported last October that Federal employees were making an average of over 26 percent—less—than those in the private sector doing comparable work. Moreover, this represents a widening of the private-public pay gap from the previous year, continuing a recent trend.

However, this line of attack continues from those who routinely disparage the role of government. Unfortunately, it has become all too common to criticize Washington by defaming the civilian employees who work across our government.

Federal employees continue to serve as a convenient scapegoat. That, essentially, is what this amendment does. It assigns blame and does not really address the budgetary problems we face.

It reminds me of an amendment proposed by one of my friends on the other side of the aisle when we were considering the health insurance reform bill. It would have mandated that “for each new bureaucrat added to any department or agency for the purpose of implementing the provisions of the Patient Protection and Affordable Care Act, the head of such department or agency shall ensure that the addition of such new bureaucrat is offset by a reduction of one existing bureaucrat at such department or agency.”

In effect, we would have to fire a Federal worker to hire one. This so-called “bureaucrat offset” amendment—using a word that has become, unfortunately, pejorative in our political discourse—was bad enough.

The Thune amendment, with its blanket pay freeze and hiring caps, takes this a step further, prohibiting any Federal agency from hiring a new employee until one retires.

At a moment when we are faced with a difficult choice about how to reduce our deficit and get our economy moving again, this amendment represents an easy cop-out.

All those who blame Federal employees for our Nation's problems or believe that cutting their salaries or capping their number will in any way solve those problems remain averse to making difficult decisions.

The cuts to the Federal workforce in the Thune amendment would only save the taxpayers a meager amount compared to what we need to save. Its provisions on the Federal workforce and the ongoing, gratuitous disparagement of America's public employees from many directions constitute a dangerous distraction from the very tough steps we as a nation must take.

The greatest challenges we face today—the gulf spill, two wars, carbon pollution, illegal immigration, market volatility—all of these will be tackled by hardworking Federal employees.

All of these challenges require a readiness on our part to make difficult choices. Scapegoating and playing the blame game won't get us anywhere.

Federal employees know firsthand about making tough choices. They do so every day. Many of the great Federal employees I have honored from this desk came to my attention because they faced difficult tasks, took risks, and achieved great accomplishments. Some of those I honored have served overseas in dangerous regions; one gave his life while working for USAID. One left a lucrative private sector job after September 11th to join the Justice Department as an anti-terror prosecutor. Others immigrated to this country from places like Afghanistan and Vietnam and became Federal employees because they wanted to give back to the country that took them in as refugees.

These stories go on and on. They are as diverse and numerous as this great country of ours.

Additionally, all of my honorees share with every other government employee the experience of making that initial decision to pursue government work hardly an easy one to make considering the sacrifices involved.

Ultimately, those who support Federal salary cuts and hiring caps mistakenly view our civil service as a cost. Rather, it is an important national resource with real benefits for all of us.

At the end of the day, I must remind my colleagues that it is our outstanding Federal employees who will carry out the programs we pass every day in this Chamber. We will continue to count on the Federal workforce to keep our skies safe for travel, our troops provisioned and veterans cared for, our schools held to high standards, and our homeland secure.

Woodrow Wilson, as a young political scientist during the civil service reform debates of the 1880s, advocated for a system of public administration because he believed that the conditions of modernity require it in order for a democratic state to function at its best.

Indeed, our civil service has developed into one uniquely suited to our needs and incorporating America's best constitutional traditions. We have a Federal workforce of which we can be proud.

Federal employees play a critical role in our national life and, through their work, exemplify so many of our Nation's great values. These include exemplary citizenship; industriousness; a willingness to take risks; perseverance; modesty; and intellect.

Contrary to popular myth, most Federal employees work outside of Washington. In fact, no State—and I include the District of Columbia—no State is home to more than 8.5 percent of the total Federal workforce. Our government employees work in communities large and small, spread out from coast to coast and overseas.

One of the challenges we face is a Federal retirement boom. As the baby boomers get older, the Office of Personnel Management has estimated that one-fifth of the Federal workforce will

retire by 2014. This comes at the same time that more new hires are needed in mission-critical jobs dealing with public health, national security, transportation safety, financial regulation, and many other important areas.

Now is not the time to talk about laying off Federal workers or freezing their pay. We should be talking about how to invest in recruiting the next generation of Federal employees.

The scapegoating and baseless attacks against Federal workers only serve to demoralize those who are on the front lines of confronting our national challenges. It also discourages talented young Americans from making that difficult choice whether to start a career in service to their country.

Let me reiterate. Federal employees make less than those in the private sector, not more. They represent some of our very best and brightest, a dedicated and hard-working group of Americans across this country. We need to recruit a new generation of government workers to help us tackle great challenges, and unfairly labeling Federal employees as a problem fails to realize their important role in finding so many solutions to the very difficult problems we face. The pending amendment's pay freeze and hiring restrictions will do almost nothing to reduce our deficit; rather, its effect on our government's ability to address serious issues will be disastrous.

For those looking to shift the blame for our troubles and who have their sights on America's Federal employees, I suggest look elsewhere.

For those who want easy, let's-deal-with-this-later answers and are looking for a convenient distraction, I say look elsewhere.

For those who support this amendment, for those who habitually shy away from making the tough choices we in this Chamber need to make, I say, though, look no further than the public employees you so casually fault.

They know how to make tough choices.

I yield the floor and suggest the absence of a quorum and ask unanimous consent that it be charged against both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Madam President, in response to the comments of my colleague from Delaware, I do not think anybody is denigrating the quality of Federal employees. To the contrary. We are all Federal employees. We all know Federal employees. We are all friends of Federal employees. And we



have a lot of Federal employees who do a great job.

All we are simply saying is when you are in a tough economy, everybody ought to look at what they can do to live more within their means. When we are running a \$1.5 trillion deficit this year and trillion-dollar deficits as far as the eye can see, Lord knows we ought to be looking within to figure out what we can do to try and find some savings that we can use to either pay for the things we need to do or perhaps pay down the Federal debt which, as I said, my amendment does.

AMENDMENT NO. 4376, AS MODIFIED

Also, because I think there is a concern that somehow every Federal employee is going to be frozen, I have a modification to my amendment that addresses that concern.

Madam President, I ask unanimous consent that the changes at the desk be incorporated into my amendment. For the information of my colleagues, these are changes to section 403, and they address the criticisms.

The amendment would prohibit increases in salaries or bonuses for Federal civilian employees. The changes that are at the desk will allow such increases and bonuses to occur so long as agencies do not exceed their fiscal year 2009 budget for salaries.

This is a unanimous-consent request. This would address the concerns raised by some of my colleagues on the other side about making sure Federal agencies have adequate flexibility with salaries and bonuses to address those employees they think are deserving of pay raises. All they have to do is live under that top-line number that gives them flexibility as a Federal manager and to work within it.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BAUCUS. Reserving the right to object, I may say to my friend from South Dakota that this sounds a lot like wage price controls, where the Congress is trying to decide the wages of all kinds of different sectors based on, I don't know what. A lot of trap lines have to be run before this request can be granted. So at this point, Madam President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. THUNE. Madam President, I simply offer that modification to my amendment to address the concern that every single Federal employee is going to be capped at some level for some foreseeable period of time. That is not the intention.

In fact, what the modification would do is ensure that within the overall budget—within the top line—a manager could make adjustments to individual employee salaries or bonuses if that is something they desire to do. It just means the Federal Government—the agency—is going to have to live within a certain number at the top line. They can work within that salary number beneath that top line. That is all it does.

Again, what I have said before, and I will reiterate for the benefit of my colleagues, is that I think we have a responsibility to be fiscally responsible in Washington, DC. As I said before, we have people all over the country making hard decisions with regard to their personal and family budgets, with regard to their small businesses, and they are having to reduce employee salaries, for example, and they are having to make reductions in force and let people go. Those are hard decisions to make. Surely in Washington, DC, where we have seen year-over-year increases in Federal spending, in discretionary domestic spending, that exceeds inflation by six times—look at the fiscal year 2010 and fiscal year 2009 appropriations bills and the increases that were allowed—21½ percent in those two appropriations bills, at a time when inflation was 3½ percent. How can we justify increasing spending over 20 percent in Washington, DC, when the rate of inflation in our economy is 3½ percent and people all over the country are having to make cuts? It is high time Washington, DC, and the Federal Government went on a diet.

That is not to say anything to denigrate or impugn the quality of Federal employees. As I said before, there are a lot of Federal employees who do a great job. All this is simply saying we in Washington, DC, ought to lead by example. There is great power in example, and we have not been providing the example for the American people. We are asking them to make these hard choices, but we are not willing to make those choices ourselves.

So I think this amendment gives Members of the Senate an opportunity to say yes to fiscal responsibility, yes to living within our means, yes to paying for what we spend money on, and yes to not handing the credit card to our children and grandchildren. These are not Draconian ideas; these are fairly straightforward savings that we would achieve simply by shaving a little bit from these Federal budgets—making sure we rescind those stimulus funds that haven't been spent or haven't been allocated to pay for this new spending. We use those funds that have been appropriated but not spent to finance some of what we are doing and then apply that to pay down the Federal debt and freeze some of the Federal agencies in terms of their budgets and ask for a 5-percent reduction in some of these agencies over the course of the next foreseeable years.

Those are all fairly straightforward steps I think anybody would take if they were trying to get back within a reasonable budget to address what are very serious concerns about the amount of spending and the amount of debt we are piling on future generations. So I am sorry the majority is resistant to accepting the amendment. It would address the concern that was raised by a couple of our colleagues on the other side.

It wasn't my intention to impose a very restrictive straitjacket-type approach on Federal managers. On the contrary, we think there should be a top line budget, that we ought to be able to live within it, and certainly managers can make decisions within that about how best to allocate those resources. Congress has actually blocked its own pay raise in the past 2 years, so it seems to me that is at least something we could apply to other areas of our Federal Government as well.

So, again, I think the whole purpose behind this amendment is simply to create an opportunity for Senators to vote for fiscal responsibility, to vote for paying for the things we spend money on in Washington, to vote for living within our means, and to vote for not adding billions and billions of dollars to the Federal debt, which is already at \$13 trillion and growing by the day.

It seems, at least to me, this is an opportunity for us to demonstrate to the American people that we are serious about getting Washington's spending and debt under control. This amendment addresses the issue of unemployment insurance and extending that, addresses the issue of expiring tax provisions, reduces taxes by \$26 billion, addresses the impending cut in physician reimbursements that would occur if Congress doesn't take action, but it does it for 2 years longer than what the legislation of the majority would do. We address that up to the end of the year 2012.

So it takes care of all those things, and it does it in a fiscally responsible way by reducing spending by over \$100 billion, as I said before, by reducing taxes, by keeping taxes low on small businesses, which are the job creators in our economy. According to the Congressional Budget Office, it reduces the Federal debt by \$68 billion. That is a win-win for the American people—the American taxpayer—and it should be a win-win for the Senate.

I hope my colleagues will support this amendment, and with that, Madam President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. THUNE. Madam President, may I inquire as to how much time remains on each side?

The ACTING PRESIDENT pro tempore. The Senator from South Dakota has 6 minutes, and the majority has 34 minutes.

Mr. BAUCUS. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BAUCUS. Madam President, I might ask the Senator from South Dakota, through the Chair, whether he wishes to renew his request to modify his amendment because I might tell him, through the Chair, that the amendment has been cleared on this side.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Madam President, I will renew my request to so modify my amendment, and I appreciate the manager accepting that change.

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

The amendment is so modified.

The modification to amendment No. 4376 is as follows:

**SEC. 403. TEMPORARY ONE-YEAR FREEZE ON COST OF FEDERAL EMPLOYEES SALARIES.**

Notwithstanding any other provision of law, the total amount of funds expended on salaries for civilian employees of the Federal Government in fiscal year 2011 shall not exceed the total costs for such salaries in Fiscal Year 2009: Provided the amounts spent on salaries on members of the armed forces are exempt from the provisions of this section; Provided further, nothing in this section prohibits an employee from receiving an increase in salary or other compensation so long as such an increase does not increase any agency's net expenditures for employee salaries.

Mr. BAUCUS. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. I yield 10 minutes to the Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Madam President, first let me thank Senator BAUCUS for yielding time that he has for me to speak. I appreciate that very much.

I want to support the Thune amendment. The Thune amendment is a responsible approach both to the things we need to do but also that need to be offset in ways that do not add to our deficit or raise taxes. It includes all of the major priorities that have been accepted by both sides here—by the Democratic Party's version of the extender bill as well as the things Republicans wish to do—but it is fully paid for. It cuts wasteful spending and doesn't raise a dime in taxes.

The underlying proposal that the chairman of the committee has presented to us would increase spending

by \$126 billion. It includes over \$70 billion in new taxes. That, by the way, is a net tax increase of \$48 billion. It increases the deficit by \$79 billion over the next 10 years.

That is the approach that we think is wrong. That is why Senator THUNE has proposed an alternative that we will be voting on here in about 25 minutes, that I think takes the correct approach. It cuts taxes by \$26 billion by extending current law. It cuts spending by over \$100 billion. It actually reduces the deficit by \$55 billion, all according to the Congressional Budget Office, which of course is nonpartisan.

I want to add a point about the notion of offsetting spending increases or so-called paying for those increases. There are a couple of things that are done in the Baucus substitute that I think need to be pointed out because they are not an appropriate way to offset the costs of spending under the bill.

In one of them, we take the oilspill trust fund that is supposed to contain money in it to take care of oilspills when the company's money—for example, British Petroleum's money—runs out and have the Government assist in cleaning up an oilspill when that fund is supposed to exist for that purpose, to clean up the oilspill. Today this is a tax—it is 8 cents per barrel—for the companies to pay into that fund. Under the Baucus substitute that would be raised to 49 cents per barrel. It may well be that we need to raise the tax on the oil companies for the trust fund to pay for oilspills but that is what it should be raised for, to pay for the oilspills, not to pay for something totally unrelated in this legislation. Because if we do that then when it comes time to tap the trust fund to pay for the oilspill, the money has already been spent on things other than what we raised the money for in the first place. So that is not an appropriate way to pay for part of this legislation.

The second thing is, this is putting off the problem to the future in order to take care of a more immediate need. It has to do with the fact that we have to pay for physicians who take care of Medicare patients. This was a problem that should have been addressed in the health care legislation. It was not. As a result, all of the payment for physicians in Medicare was put off to be dealt with at a later time. Now is the later time except we do not want to do it now either, apparently.

The payment for Medicare has already expired. There is not enough money and has not been enough money for the last couple of weeks to pay doctors to take care of Medicare patients. We are simply holding their bills. But within the next few days we are going to have to pass something that allows payment of those doctor fees to take care of Medicare patients. The idea here was to try to get that to at least a 2- or 3-year period. The last version coming from the Democratic side was, I think, 18 months or so. The idea is to try to deal with that problem so we do

not have to come back and keep dealing with it every couple of months or so.

As I understand the latest proposal, we are now only going to deal with that to November of this year. Clearly right after the election we are going to have to come back in a lame duck session. That will make certain we will have a lame duck session because we will have to act on this yet again. Why would we do it that way? It is not the responsible way to do it, obviously. It is to reduce the cost of the legislation here so we do not have to have as much in the way of offsets.

I appreciate the fact we are trying to reduce the size of the bill, but we are only fooling ourselves by reducing this particular element of the bill. We ought to be reducing other elements of this legislation rather than the physician payments because we know those bills are going to come due and we are simply putting off the inevitable.

The final point of criticism of the chairman's bill is the way it deals with something called S corps. These are generally small businesses run by an individual—a doctor, a lawyer, an accountant who has a couple of employees. We are trying to raise—not we, not we, the majority is trying to raise money by changing the tax treatment for these particular legal entities. In order to do what? To raise \$11 billion.

I submit that rather than trying to find a way to raise \$11 billion, and in this particular case it does not work, we ought to be reducing the cost of the legislation by \$11 billion or finding offsets, such as Senator THUNE has found in his legislation, that do not result in bad tax policy.

The net result is that, with all due respect to the chairman—again I thank him for yielding his time so that I could speak against his legislation—I do not think it is the right approach. I think we are going to have to go back and get this right or we are not going to be able to move forward or to proceed to the consideration of his proposal. I think a better approach is the Thune proposal.

As I said, we will have a chance to vote on that here in a minute and I hope my colleagues will support the Thune proposal as more fiscally prudent, as not adding to the deficit, not increasing taxes, and not making bad tax policy.

Again, I thank my colleague for yielding his time and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BAUCUS. How much time is remaining to each side?

The ACTING PRESIDENT pro tempore. There is 20 minutes 40 seconds.

Mr. BAUCUS. There is 20 minutes 40 seconds on our side; zero seconds on the other side?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. BAUCUS. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Madam President, my understanding is that we are headed toward a noon vote, perhaps a little bit ahead of that. I ask unanimous consent to have about 3 minutes to close debate on our side.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BAUCUS. Reserving the right to object, actually I think we are going to probably vote earlier than that. I just wonder how much time is remaining on the other side?

The ACTING PRESIDENT pro tempore. Zero minutes remain.

Mr. BAUCUS. No time remaining on the other side. There is no time on the side of those who wish to speak in favor of the amendment.

The ACTING PRESIDENT pro tempore. There is 15 minutes on the Senator's side.

Mr. BAUCUS. And no time remaining on the side of those who wish to speak in favor of the Thune amendment?

The ACTING PRESIDENT pro tempore. Correct.

Mr. BAUCUS. There is about 15 minutes remaining on this side. I wonder if my friend from South Dakota, who wishes to speak in favor of the amendment, even though his time has expired, may want to speak favorably about the Baucus substitute, or, if he wishes to speak on his own amendment, he can point out some of the good points of the Baucus substitute at the same time; otherwise, I have no objection.

But to be fair to my side, too, and given the time constraints that we might have, I can only give 2½ minutes.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. I will proceed accordingly and try to conclude this in 2½ minutes. That, unfortunately, does not give me enough time to say favorable things about the substitute of the Senator from Montana.

But I do want to close the debate on this amendment by saying that I do think this presents to us a very clear choice about how to accomplish what this legislation strives to accomplish; that is, as we have all talked about—something I think both sides agree on, Democrats and Republicans—extending unemployment benefits to those who have lost jobs; extending expiring tax

provisions that are currently in law, such as the research and development tax credit, that are important to our economy and to our competitiveness; and, finally, making sure the reduction or the cut in physician reimbursements under Medicare does not go into effect.

So those are basically the elements we are talking about today in terms of the things we are trying to get done. The difference occurs as to how we would propose paying for that. The Democratic majority has put forward their proposal which does include tax increases, about \$50 billion now in the current version of it in tax increases. It does raise the debt by about \$50 billion, adds more onto the Federal debt, notwithstanding the commitment to pay for things under the pay-go rules that were enacted in the Senate, and it does increase spending substantially.

What I am offering as an alternative for Senators to vote on is an approach that is very different. It reduces taxes. There are no tax increases in it. The tax reductions occur because of extending existing tax law, actually reducing taxes by \$26 billion.

It reduces the Federal debt, according to the Congressional Budget Office, by \$68 billion, and it reduces spending by \$100 billion. As I said earlier, I think it is important the Federal Government go on a diet. We have all kinds of issues, and Americans across this country have lost jobs, unemployment is at a high rate, people are having to make decisions. There has been a loss of income. They are reducing their personal budgets, their family budgets, their business budgets.

Here in Washington, DC, we continue to spend and spend and spend like there is no tomorrow and hand the bill to future generations. So this is the debate. It is a clear difference in approach, and I hope my colleagues will vote in favor of fiscal responsibility, vote in favor of paying our way, vote in favor of living within our means, and vote in favor of reducing the debt on future generations.

So I would ask my colleagues in the Senate to support this amendment. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, I think it is good to again remind my colleagues what is in the Thune amendment and why it is not good policy and why it should not be adopted. First of all, it would call for a 5-percent cut in most of government. The Defense Department is exempt; the Veterans Department is exempt but not other sections. Homeland Security comes to mind. Law enforcement comes to mind. Border Patrol comes to mind. There are various areas that would be cut 5 percent across the board arbitrarily.

Second, it would impose harsh caps on medical malpractice damages, the so-called tort reform. The Thune amendment includes tort reform in a way that is unthought through, very harsh caps that would, frankly, result,

according to the CBO, in more deaths in America.

The Thune amendment would also cut the number of people insured under health care reform. It would reduce the number of people insured under health care reform. I do not think many people would like that part of the Thune amendment to stand alone and of itself.

Moreover, the Thune amendment cuts back Recovery Act funds. That endangers jobs. The Congressional Budget Office made it very clear that the Recovery Act does create jobs; it lowers unemployment. The Thune amendment would go in the opposite direction of preventing job creation, of encouraging high unemployment. That would be the effect of it.

The Thune amendment also shields the oil companies and multinational corporations from paying their fair share of taxes. I do not think, especially with the gulf oilspill, many Americans want to shield the oil companies from paying their fair share of taxes, from paying funds into an oil liability trust fund to pay for future oil spills. I think Americans also do not want to shield multinational corporations from paying their fair share of taxes.

There are loopholes in current law that multinationals take advantage of. I think most Americans would not like these loopholes to continue. The Thune amendment continues those loopholes.

So for all of those reasons, I strongly urge my colleagues to not support the Thune amendment.

I yield back the remainder of my time, and I raise a point of order against section 701 of the Thune amendment pursuant to section 403 of S. Con. Res 13, the concurrent resolution on the budget for fiscal year 2010.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and section 4(G)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of my amendment, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Further, if present and voting, the Senator from South Carolina (Mr. GRAHAM) would have voted "yea."

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

The yeas and nays resulted—yeas 41, nays 57, as follows:

[Rollcall Vote No. 193 Leg.]

## YEAS—41

Alexander	Crapo	McCain
Barrasso	DeMint	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Nelson (NE)
Brown (MA)	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Snowe
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	LeMieux	Wicker
Cornyn	Lugar	

## NAYS—57

Akaka	Feinstein	Mikulski
Baucus	Franken	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown (OH)	Kaufman	Sanders
Burris	Kerry	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden

## NOT VOTING—2

Graham	Klobuchar
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The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 57. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Under the previous order, the amendment is withdrawn.

The Senator from Florida.

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

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

## GULF OILSPILL

Mr. LEMIEUX. Madam President, I come to the floor again today to talk about the situation in the Gulf of Mexico.

Yesterday, I came to report on my meeting with the President of the United States, as well as JEFF MILLER, our Governor, and ADM Thad Allen, that we had on Tuesday in Pensacola. I am pleased to report what the President has done with this fund. It is a good idea to get the \$20 billion in claims that can be made and can be paid.

However, there is another issue. The most pressing issue right now is keeping the oil off the coast of the gulf. We do not have a handle on this situation with the skimmers. We just met with Admiral Allen, and the information isn't any better than it was 2 days ago. In fact, for Florida, the information appears to be worse.

On Tuesday, there were 32 skimmers, according to the Florida Department of Environmental Protection and the Florida incident command off the coast of Florida—32. There is a plume of oil 2 miles wide and 40 miles long off the coast of Pensacola. There is another

plume that ranges from Pensacola, FL, all the way over to Fort Walton, and we had 32 skimmers. Today, the report is we have 20 skimmers—20 skimmers. That is like me and my buddies getting in our boats out there and trying to clean this up. That is not the Federal Government doing its best effort to clean up this oilspill.

The incident command from the Coast Guard's report says there are 100-some skimmers off the coast. It is unclear whether those are off the coast of Florida or completely off the coast. It could be the coast of all of the States. I asked Admiral Allen to clarify that. He said he would.

Admiral Allen tells us there are 2,000 skimmers in the United States of America. Why aren't those skimmers, where available, steaming toward the Gulf of Mexico? He said he is going to put a process in place where we can request them. It has been 60 days since the oil started spilling. Why are we waiting until now to request skimmers? Why are we contacting Governors now to request skimmers? Why are there only 20 skimmers off of my home State when we have this huge mass of oil?

The State Department reported Tuesday morning that 21 requests have come in from 17 countries—rather, 21 offers of support from 17 countries to give us skimming equipment. The State Department says they have been declined. I talked about it to the President on Tuesday and Admiral Allen, and they say: No, it is not true; we have gotten things in from other countries. What is the truth? What is the answer? Are we refusing foreign country assistance or not?

Now there is this thing about, we are going to have a process to let people request waivers of the Jones Act. We are 60 days into this. On Monday, I sent a letter to the President, along with Congressman JEFF MILLER, asking for the Jones Act to be waived. Why aren't we doing everything possible to bring skimmers to the Gulf of Mexico? What is the problem?

I am going to come to the floor of the Senate every day we are in session until this oilspill stops, until every drop of oil is cleaned up, and make a point about this skimmer issue. It is not acceptable. Who is in charge of this? Is it the President? Is it Admiral Allen? Is it BP? Who is in charge? There are only 20 skimmers off the coast of Florida. It doesn't make any sense. Somebody has to do something about it. In my position, what I can do is complain, and that is what I am doing today and will continue to do. I am going to press Admiral Allen and this administration to get as many skimmers there as possible. We need engagement from this administration on this issue, and no other question should be answered until we find out where all those skimmers are.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to thank Senator LEMIEUX for raising this matter.

I was at the Alabama gulf coast on Friday. We were told there was a batch of oil 30 feet wide, 2 miles long that they could see coming onto the shores of the beaches that had not yet been hit in any significant way. In my mind, a good skimmer, even at 1 or 2 miles per hour, could get every bit of that, virtually. I first thought skimmers wouldn't be that effective. I assumed the oil would be very thin and it would come in and be hard to skim, but apparently it is coming in patches and bunches, which makes it more skimmable than I had originally thought.

The admiral, whom we spoke to less than an hour ago, indicated that he was requesting of the Navy, as I heard what he said, a certain number of skimmers, and they had 400, and we haven't gotten them yet. Perhaps some plan somewhere calls for them to have skimmers in this bay or this harbor in case something happens, but when we have a national catastrophe as we have going on, every one that could possibly be spared should have already been moved to the gulf coast. I really feel as though this is a frustrating event. It is more serious than I had realized.

Also, I think there are several thousand worldwide that have not been asked for that could be asked for. So I think we can do better. I am going to find out if the decisionmaking process is so bureaucratic that for no good reason, we have been delayed in receiving help that could make a big difference on the gulf coast.

I asked him about President Obama's speech last night. As a result, he made comments—

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, would my friend yield?

Mr. SESSIONS. I would be pleased to yield.

## MORNING BUSINESS

Mr. REID. Madam President, I would say to my friend from Alabama, we are trying to work something out for votes this afternoon, and we are in the process of doing that. I think it would be appropriate that until 1 o'clock we be in a period of morning business, with Senators allowed to speak for up to 10 minutes each during that period of time. I want to hopefully come back with an arrangement to move forward on the legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Madam President, I ask unanimous consent to speak in morning business and be notified in 5 minutes.

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