

jobs in this country. To the extent we create new jobs in this country and at the same time incentivize jobs running out of the country, that is just bone-headed. We cannot keep doing that.

At some point, the Congress has to decide, based on some reservoir of common sense, that we are not going to provide incentives for people who move American jobs elsewhere. We have trouble enough competing with labor conditions that exist, as I have described in those charts, with a number of circumstances that exist in the hiring of workers in China who you can work 7 days a week, 12, 14 hours a day and, by the way, you can house them and sleep them in a cinder-block room that holds 12 people. That is what is happening. We have trouble enough competing with that, let alone giving a big tax incentive to somebody who says: That is where I want to do my business.

I am just saying, I filed an amendment. I know there is a dance going on here to decide who gets votes and who doesn't. If we are worried about this economy and worried about trying to incentivize American jobs, we have to vote on this amendment and we ought to pass it with a resounding vote.

Does anybody here care about whether "Made in America" once again is something we can put as a sticker on a product? Do we care at all? Or is it just that we do not need to make anything? It seems to me America's future is to understand and learn from our past that we are a strong, world-class economy only when we have a world-class manufacturing base. We will not long remain a world-class economy if we decide it does not matter what our manufacturing base is.

In the previous 9 years ending in 2009, we lost more than 5 million jobs in the manufacturing base of people who make things. I am talking about people who go to work and take a shower after work. They are on a factory floor and making real products, "Made in America." That has been the reservoir and source of a lot of good jobs that pay well with good benefits. It always has been. That is what largely expanded the middle class in this country.

Now there is some notion that it does not matter somehow; this is just a world economy and it does not matter. Get on your airplane, search around the planet. Where can you land that plane, open a plant, and hire somebody for 30 cents an hour? I tell you what, the question of who is going to clear the products that are for sale from the shelves in this country is a very interesting question.

Mr. Ford, when he opened his Ford plant to begin building automobiles, believed that you ought to pay a wage to the workers that gave the workers a chance to buy the product they make. In the larger aggregate sense, the question is, Who will buy the products on the shelves if people do not have jobs? You fire your workers and you make Hershey's mint patties in Mexico, or

you make Hallmark Cards in China, or you decide to make bicycles, little red wagons, automobiles, trucks, and airplanes elsewhere. Who is going to be on the factory floor producing products in this country? Who is going to earn the wage by which they become consumers?

We are short about 20 million jobs right now in this country, and 20 million jobs is what we need to put people to work.

We have just gone through commencement exercises in this country. There are a lot of kids who put on a cap and a gown with enormous pride, finally graduated from college, and a whole lot of them cannot find a thing to do. They cannot find work.

This President, when he walked across the threshold of the door of the White House, inherited a \$1.3 trillion Federal budget deficit left by the previous administration. Had he done nothing, had he been Rip Van Winkle and slept for 10 months or a year, we were going to have a \$1.3 trillion deficit. That is what he inherited, and an economy that was in desperate condition.

He has done everything he can to try to put this back on track. It is hard, and it requires both parties and the best ideas of both. This ought not be difficult. This idea of stopping this insidious subsidy from moving American jobs overseas ought to be an idea that takes root here and garners 90 votes, 95 votes. Instead, we have lost the vote on this amendment over recent years four times.

I started by saying that President Barack Obama, when serving in the Senate, was a supporter of this amendment. He voted for this amendment and believed in this approach. He still does. He has talked about it. I hope very much we will get a vote in the Senate on this today or tomorrow and put the Senate on record as having taken the first step in doing something meaningful to shut the drain and begin the process of saying to people: If you stay here, if you manufacture here, if you run a plant here and produce a product here, God bless you. We are on your side. We are not going to give your competitors who leave and move jobs to China a tax break. We are on your side if you stay here.

That is what we ought to be doing, investing in American jobs, investing in products made in our country, investing once again in a strong manufacturing base in order to remain a world-class economic power.

Madam President, at that point, I have exhausted all of the arguments once again for this amendment, hoping that enough will have listened or perhaps be given information that this is a worthy vote if you want to stand up for American jobs.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010—Continued

Mr. CORNYN. Mr. President, I rise to speak on the pending legislation, which is called the American Jobs and Closing Tax Loopholes Act of 2010. Sometimes it is spoken of as the tax extenders bill. But in reality it is a deficit-extending bill. The reason I say that is because the substitute amendment still adds a reported \$55 billion in red ink to the deficit.

More deficit spending is simply irresponsible. Our national debt, as we know, is over \$13 trillion, and \$2.3 trillion of that \$13 trillion of debt has been added just since the time President Obama has been sworn into office. Congress is spending money in a way that would give drunken sailors a bad name—more than \$30,000 per household, more than \$12,000 per household from our children.

According to the Congressional Budget Office, the public debt under the President's budget will be at 90 percent of our gross domestic product by the year 2020—90 percent of our gross domestic product. Greece had a debt-to-GDP ratio of 115 percent, and we are getting far too close for my comfort.

Our debt represents a national security vulnerability. I am glad the substitute amendment retains my amendment, which we voted on earlier, to create greater transparency on exactly who owns our debt when we run up deficits and add to the debt, and it requires us to then periodically assess the strategic and economic risks associated with that debt. For example, the Treasury Department recently reported that China holds about \$900 billion of U.S. debt. So when we spend money here, somebody has to buy the debt. What happens is that China and other countries buy that debt, and that creates a potential national and economic security issue.

The best way to reduce our strategic and economic risks associated with our debt is to stop spending money we do not have. Stop. Every family, every business in America, when they run out of money, they do not just continue to try to max out their credit card. The problem is that the credit card of the Federal Government knows no limits. Only the Federal Government can continue to print money and rack up debt and hope and pray that countries such as China will buy that debt in the future. It has to stop.

America's fiscal mess is not just a math problem. Government debt crowds out private sector investment that instead could help create jobs for the 15 million Americans who are unemployed. Our unemployment rate is

close to 10 percent. For Hispanics, it is 12.4 percent. For teenagers, it is 26.4 percent—the toughest job market for young people in 41 years even though it is summertime and many of them are out of school and looking for work. Nearly 9 out of 10 net jobs created in May were temporary jobs created by the Federal Government in hiring temporary census workers. Only 41,000 net private sector jobs were created in May—an anemic figure, to be sure. According to economist Larry Lindsey, as much as 20 percent of the net private sector job creation in May was due to the oilspill in the Gulf of Mexico—temporary workers hired to skim oil off the gulf and to protect our beaches and estuaries.

We know the administration will, unfortunately, further exacerbate the unemployment situation, particularly along the gulf coast where I live in Texas, by its 6-month ban on offshore deepwater drilling. We all understand we have to stop this spewing well. That is job No. 1. No. 2 is we need to make sure we understand what happened and make absolutely sure, as much as humanly possible, that it never, ever happens again. But we also need to be mature enough and aware enough to assess what this means if we impose a lengthy ban on deepwater drilling. It means more dependence on imported oil from abroad, from dangerous parts of the world, even countries that wish us ill. It also means jobs here at home will be destroyed because these deepwater rigs will move to other parts of the world, Brazil and other places. According to the energy industry, more than 46,000 jobs could be lost as a result of the moratorium in the short term and 120,000 jobs in the long term.

Unfortunately, the policies that are promulgated by the Congress and by this Senate have an impact on jobs. They can either be a positive impact and facilitate private sector investment in job creation or they can be job killers. I, for one, worry far too often that what is emanating from Washington, DC, these days amounts to job-killing policies, and this underlying bill we are debating has a couple of good examples.

We know job creation should be our No. 1 priority when unemployment is at historic highs, when people are losing their homes due to foreclosure because they simply do not have jobs to be able to pay their mortgage. But this so-called tax extenders bill actually raises taxes on capital creation and on investment in a way that will hurt job creation. There are two taxes I am referring to specifically, and while both are somewhat technical, it is very important to understand them.

The first tax relates to so-called carried interest. Partners in private equity firms are often paid based on their performance in addition to their salary. Under current law, this so-called carried interest is taxed like a capital gain at the 15-percent rate, if we are talking about right now, 15 percent, as

opposed to ordinary income, which is taxed at a much higher rate.

The substitute amendment would change the way this carried interest is taxed and take it from the capital gains, which is a much more attractive rate, which encourages capital formation, encourages investment, and raise that rate to the highest individual income tax rate for ordinary income of 39 percent. What do you think is going to happen when entrepreneurs and investors look at this change in the tax law from 15 percent to 39 percent? Do you think it will expand or will it contract the amount of money invested in job-creating ventures? Well, common sense should tell us it will contract it. It will reduce the number of jobs. It will reduce the capital available for investment. And it is exactly the opposite policy we ought to be pursuing with high unemployment and people losing their homes.

Higher taxes on this type of business activity is bad enough, but even worse is another tax that is embedded in this bill called enterprise value. These are arcane subjects and, indeed, I felt a little better yesterday after talking to some of my colleagues on the floor. I said: Do you understand what enterprise value tax is? And thank goodness I saw some blank looks on their faces, and they did not understand it. So I did not feel alone. So we have all had to get a little bit smart and a little bit better educated. But let me tell you what I have discovered in the process of my own education. Enterprise value is known as brand value or good will. It is the value of the sweat equity, the hard work owners put into businesses over time.

Under current law, when a partner sells his or her interest in a business, the enterprise value is taxed as a capital gain. This legislation would change the tax treatment on the sale of that business but only for certain types of businesses. In other words, this bill targets certain types of businesses. But as one writer commented recently—they said they worry that this is a stalking horse or an attempt to take all capital gains treatment for the sale of businesses and to raise it to ordinary income levels—in other words, to double, or more, the taxes on the sale of certain types of businesses.

Owners of investment firms and real estate partnerships would be singled out for higher taxes when these businesses are sold. They would pay much higher taxes than what are paid under current law. Again, why should people care? Why should anyone within the sound of my voice care about what this handful of private equity firms and real estate partnerships pay? Well, it is because what this, in effect, does is it takes the seed corn that is used to grow the economy and it destroys it. It dries up the money that creates the investment, that then allows the creation of businesses and expansion of businesses to create jobs. That is why all of us should care even if we individually don't have to pay it.

In fact, under this narrowly tailored and targeted and discriminatory bill, investment partnerships would be the only businesses in America where the value inherent in the enterprise would be ineligible for capital gains treatment and instead be hit with the higher tax bill when the overall enterprise part of it is sold.

This legislation would break new ground in taxing enterprise value as ordinary income and would unfairly tax value accumulated perhaps over decades by small businesses all across America.

Supporters of this bill will tell you this proposal is all about targeting the hedge fund managers on Wall Street, suggesting that this is payback or due retribution for the havoc a handful of people have wrought on the American financial system. But this proposal would not target the people who caused the financial meltdown. This targeted provision would have a devastating effect on Main Street in Illinois, in Montana, in Texas, in Pennsylvania—everywhere around this country.

Let me give you an example. Private equity-backed companies based in my State employ about half a million workers. What happens to those jobs if this legislation becomes law? Well, not surprisingly, a lot of the investors in these private equity firms where the private equity-backed companies get their money are retirement systems such as the Employees Retirement System in Texas and the Teacher Retirement System in Texas, both of which have a portion of their assets invested in private equity.

So I ask again: What happens if this legislation becomes law? What happens to small businesses that depend on private equity to grow their businesses and create jobs? Well, I received an answer to that question from Donald Brown, the chief executive officer of a medical device company that has an office in Fort Worth, TX. The name of that company is Arterioocyte Medical Systems, otherwise known as AMS. AMS is a fast-growing company—again, something we ought to want to encourage, not discourage, by the policies emanating from Washington. Fast-growing companies create jobs which allow people to provide for their families. In a high unemployment economy, it ought to be exactly the sort of growth we ought to encourage.

This company has an interesting story to tell because it is partnered with the Institute for Surgical Research at Fort Sam Houston in San Antonio. Their goal is to improve surgical outcomes for U.S. troops injured by blast burns and to reduce the necessity of amputations. AMS has also grown because private capital equity was invested in this business in 2007 and helped them grow from 6 employees to 70 employees, with an average employee salary that exceeds \$72,000 a year.

Here is what Mr. Brown told me in a letter he sent:

By changing the tax treatment of carried interest to ordinary income, [this bill] would penalize entrepreneurial risk-taking and discourage investment in companies like ours that need capital the most.

I ask unanimous consent to have Mr. Brown's letter to me printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. CORNYN. Mr. President, it is telling and it is also disappointing that the Senate earlier today rejected the Thune alternative, which I cosponsored. The reason I say it is telling and disappointing is because the Senator from South Dakota offered us an option to extend many of these expiring tax provisions, but it would not have enacted punitive, economically destructive tax increases—things such as the enterprise value tax and the tax on carried interest.

The option offered to us by Mr. THUNE, the Senator from South Dakota, would have continued important expiring tax provisions, including the State and local tax deduction, which I must add provides Texans with over \$1 billion in Federal tax relief annually. That is because we do not have a State income tax, and we are proud of it. That is one reason why we continue to grow and create jobs while many other parts of the country do not fare as well. But this at least provides equity to us by allowing people in Texas who pay sales tax to write that off of their Federal income tax, as other States do when they pay a State income tax, to write it off their Federal income tax.

But instead of increasing the budget deficit by \$55 billion—which this bill does, as it currently has been offered—the option offered by the Senator from South Dakota would have reduced the deficit—reduced the deficit—by \$68 billion and extended the expired tax provisions.

It is baffling to me why we would reject, why the Senate would reject, an opportunity to do what on a bipartisan basis we want to do: extend these tax benefits for the benefit of the American people, but to do so in a way that is fiscally responsible. I just do not get it. Hence, further evidence of the growing disconnect between what is happening here in Washington in the Congress and what we are hearing from the American people, who are tired of reckless spending, and they are tired of endless debt, and they know a day of reckoning will come.

If the Senate adopts the legislation before us, it will send another clear message. It will send the message to investment firms and real estate partnerships: You have been punished for taking risks, you have been punished for creating jobs, and you have been punished for success.

To all other American entrepreneurs—the people we ought to be encouraging because these are the people who make the investments that allow companies to be started and com-

panies to grow and jobs to be created, but to all other American entrepreneurs, it will send the message that it may not have been you this time, but you are next. The next time the big spenders want more money to grow the size of the Federal Government, your company, your business, could be the next on the chopping block.

To global investors—and we know in a globalized economy there are people all around the world who have a lot of different choices as to where they want to start their business—unfortunately, to these global investors, it will send the message, if we pass this bill as written: America does not want your business. America does not want your business.

I cannot think of a more damaging, more destructive message to be sent by what we do here in the Congress than sending the message to global investors: We do not want your business here in America. That is because our economic rivals, other countries such as China and India, and others, offer a much lower tax and offer a much more welcoming environment when it comes to entrepreneurs and investors from a tax perspective.

To the 15 million Americans who are unemployed—15 million Americans, including the 472,000 who filed for unemployment claims for the first time last week—this legislation will send the message that Washington's priority is not in creating jobs. Washington's priority is to grow the government.

I do not think these are the messages we should be sending. I urge my colleagues to oppose this substitute amendment. We will have a chance to show the American people on which side we stand when we have the cloture vote on this bill tomorrow morning. Make no mistake about it, a vote for this bill will be a vote for killing jobs, for chasing away investment, for saying America is not interested in your business—at a time when Americans are suffering high unemployment and people are losing their homes because they cannot pay their mortgage payments because they have lost their jobs, with no end in sight.

Mr. President, I yield the floor.

EXHIBIT 1

AMS,
June 15, 2010.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SENATOR CORNYN: I am writing to you regarding an issue in H.R. 4213, now pending in the Senate, which proposes tax increases on Investment Managers that will interfere with job creation and our nascent economic recovery. Arterioocyte is a company that has dramatically benefited from private equity capital, and that investment has enabled us to rapidly grow our company. H.R. 4213 presents a significant risk of harming small companies like Arterioocyte and will reduce our future ability to finance our company's growth especially in today's economy where access to capital has otherwise dried up due to the fallout from the banking crisis that unfolded over the last two years. I strongly support the position that govern-

ment policy should encourage the investment in formation and growth of small companies, which are responsible for the greatest contribution to new job growth. H.R. 4213, if passed in its current form, will destroy the ability of startups to raise capital and will harm companies like Arterioocyte, by starving investment and reducing job creation.

Arterioocyte was started in 2004 to develop commercial stem cell based therapies created for patients "At Bedside". As a fast growing medical device company we are committed to providing innovative solutions to patients and medical professionals to address serious unmet medical needs particularly in cardiac, orthopedic and vascular surgeries. We have worked with DARPA on Advanced Theater Blood Pharming initiatives for forward military operations and currently we are active partners with the Department of Defense's Institute for Surgical Research at Fort Sam Houston to improve the surgical outcomes for blast-burn wounded soldiers including amputation prevention. Arterioocyte has benefited from private equity capital, and this investment has enabled us to make our company stronger. In late 2007 we were fortunate enough to receive a private equity investment from DW Healthcare Partners. Over the last two years, as a direct result of that investment, we have increased annual revenues to \$16 Million for 2010 (up 45% and 38% annually the last two years). We have grown from 6 employees to 70 across fifteen states. Our 2010 payroll for U.S. employees will exceed \$5.1 Million, and our average employee income exceeds \$72,000. We are one of the few U.S. based companies that have brought a multi-million dollar business, its technology its and its manufacturing jobs back to the U.S. from Mexico. If not for our private equity investment, we would not have grown and we would not have hired 64 people. In fact, without that investment we likely would not be in business today.

H.R. 4213, now pending in the Senate, proposes tax increases on Investment Managers that will interfere with job creation and our nascent economic recovery.

Our company and our employees urge you and your colleagues to modify this bill to maintain private equity and growth capital incentives in this country. By changing the tax treatment of "carried interest" to ordinary income, H.R. 4213 would penalize entrepreneurial risk-taking and discourage investment in companies like ours that need capital the most. The pending legislation should characterize carried interest as a capital gain.

The House bill will make the United States less competitive globally. Virtually every other nation with which the United States competes treats carried interest as a capital gain and taxes it at rates ranging from 0% in India to 10% in China and 18% in the United Kingdom. The new tax rate contained in the House legislation will create a flight of capital from the U.S. that our nation cannot afford to lose as we seek to grow out of the recession.

Finally, the House bill would make investment partnerships the only businesses in America where the value inherent in the enterprise would be ineligible for long term capital gains rates if the overall enterprise or part of it is sold. If our team builds a successful business over decades, then we receive a capital gain on the value we create. It would be unfair and punitive to treat our private equity, real estate, and venture capital partners more harshly. These partners work just as hard as us to create value, and bring the best resource to create that value: capital.

Our company encourages you to do everything possible to ensure that the final

version of H.R. 4213 addresses these concerns and preserves strong incentives for investing risk capital in businesses like ours, by treating carried interest as a capital gain.

My executive team and I are available to provide you and your staff with more information about how Arterioocyte has benefitted from private capital.

Thank you for your attention to this matter.

Sincerely,

DONALD BROWN,
Chief Executive Officer.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for 20 minutes.

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

GOVERNMENT OVERSIGHT

Mr. WHITEHOUSE. Mr. President, we have watched with horror the unfolding disaster in the gulf. We have seen precious lives lost, hard-earned livelihoods hammered, treasured ways of life imperiled. We have seen the largest deployment of resources ever against an environmental disaster. We have seen astonishing corporate negligence.

But we have seen something else too—something that ought to be a lasting lesson from this catastrophe. We have seen the revolting specter of an agency of government subservient to—captive to—the industry it is supposed to regulate.

From the Minerals Management Service, which is supposed to regulate deep sea oil drilling, here is what we have seen.

From the 2008 inspector general's report on MMS's Royalty in Kind Program, based in Colorado: senior executives steering lucrative contracts to an outside company created by the executives; staff failing to collect millions of dollars in royalties owed to the American people and allowing oil and gas companies to revise their own multi-million-dollar bids; staff accepting gifts and money from oil and gas companies with whom the office was conducting official business; and staff participating in social events with industry representatives that included illegal drug use and sex.

From the IG report, the inspector general's report, released last month on the MMS office in Lake Charles, LA: the district manager telling investigators: "obviously we're all oil industry," employees accepting numerous gifts from companies doing business with MMS, including a trip to the 2005 Peach Bowl on a private airplane, skeet shooting contests, hunting and fishing trips, and gulf tournaments; an MMS inspector conducted four inspections while negotiating a job for him-

self with the company that owned those platforms, and finding—guess what—no violations during those inspections.

A 2007 inspector general report into the Minerals Revenue Management Office of MMS cited "significant issues worthy of separate investigation, including ethical lapses, program mismanagement, and process failures."

As my hometown Providence Journal wrote in a recent editorial:

The Deepwater Horizon accident has made it painfully clear that, in its current form, MMS is a pathetic public guardian. Neither it nor BP was prepared for a disaster of this magnitude, and MMS's cozy relationship with industry is a big reason why.

I agree with the Providence Journal.

The scope, the extent, the insidious nature of corporate influence in regulatory agencies of government—this question of regulatory capture—is something we should attend to here. It is the lesson, and it raises the question beyond the Minerals Management Service: How far does this corporate influence reach into our agencies of government?

The wealth of the international corporate world is staggering. The five biggest oil companies just this quarter posted profits of \$23 billion—that is a 23 with 12 zeroes behind it—in just one quarter. The Republican appointees on the Supreme Court just overturned decades of precedent and 100 years of practice to give these big corporations freedom to spend unlimited funds in our American elections. Put it to scale. Consider \$23 billion of pure profits just in one quarter by big oil, and compare: The Obama and McCain campaigns together spent about \$1 billion in the last election. Do the math. For 5 percent of one quarter's profits, big oil could outspend both American Presidential campaigns. That may be some politician's idea of a happy day because that is who they work to please, but it is wrong and it needs to be stopped.

But think, if that is what corporate influence could do in a national election, think of what those vast, powerful tentacles of corporate influence can do to a little government agency such as the Minerals Management Service: Revolving doors to lucrative jobs in the industry so you are set for life; sports tickets, gifts, drugs; constant, relentless lobbying pressure and threats of litigation; steadily inserting operatives in regulatory positions. Inch by inch, the tentacles of industry reach further and further into the regulator, until it silently and invisibly comes under industry control and becomes the industry's puppet, until it is serving the special interests and not the public interest.

This is no new phenomenon. Marver Bernstein wrote about regulatory capture more than 50 years ago. He explained that a regulator tends over time to "become more concerned with the general health of the industry and tries to prevent changes which will adversely affect it," to become "passive

toward the public interest." This, he said, "is a problem of ethics and morality as well as administrative method," and he called it "a blow to democratic government and responsible political institutions." Ultimately, this leads to what he called "surrender: the commission finally becomes a captive of the regulated groups."

If you don't want to go back half a century for a discussion of regulatory capture, look to last week's Wall Street Journal editorial page where a senior fellow at the Cato Institute writes:

By all accounts, MMS operated as a rubber stamp for BP. It is a striking example of regulatory capture: Agencies tasked with protecting the public interest come to identify with the regulated industry and protect its interests against that of the public. The result: Government fails to protect the public.

There is plenty of evidence that the oil and gas industry had captured MMS. When you have a captive agency, you get what we have seen: altering, deleting, or ignoring recommendations from government scientists.

A draft environmental analysis for drilling in the gulf from May of 2000 included the haunting prediction that "the oil industry's experience base in deep-water well control is limited," and a massive oil spill, "could easily turn out to be a potential showstopper for the" Outer Continental Shelf "program if the industry and MMS do not come together as a whole to prevent such an incident."

This unwelcome observation was deleted from the final analysis published.

Oil and gas company employees filling out official inspection forms in pencil for the MMS inspectors to trace over in pen; nearly 400 categorical exclusions, shielding even deepwater drilling from thorough environmental review. Cut-and-paste Environmental Assessments were provided by the oil and gas companies. BP's Environmental Assessment listed walrus as a species of concern in the Gulf of Mexico. There are not, and never have been in the memory of man, walrus in the Gulf of Mexico. When they are writing about walrus in the Gulf of Mexico, you know, No. 1, they are cutting and pasting out of documents in Alaska; No. 2, they are paying no attention to what they write because they know it doesn't matter; and, No. 3, they know perfectly well that MMS will never catch the fact that they have cut and pasted because they are not looking at it either.

MMS adopted wholesale for its oil and gas drilling "best practices" proposals of the American Petroleum Institute, and then they made most of those best practices only suggestions.

There has been virtually no enforcement. According to the MMS Web site, between 2000 and 2009, civil penalties averaged less than \$130 per well per year on our Outer Continental Shelf, and only three criminal referrals were made to the Department since 1990 in the last 20 years. Add it all up and

there is no real question: MMS was a captive regulator.

So the question is, After all those years of corporate control of government in the Bush years, how far-reaching is the insinuation of corporate influence? We know big PhRMA wrote the Bush pharmacy benefit legislation. We know big oil and big coal sat down in secret with Dick Cheney to write their energy policy. But down below the decks, down in the guts of the administration's agencies, how far were the tentacles of corporate influence allowed to reach? How many industry plants are stealthily embedded in the government, there to serve the industry, not the administration or the public?

Well, how is it looking? It is not looking good. The Securities and Exchange Commission, for instance, gave up its watchdog role years ago and became the lapdog of the big Wall Street financiers, raising leverage limits, refusing to investigate Bernie Madoff, and helping to precipitate the biggest financial disaster since the Great Depression.

Twenty-nine miners were killed in a West Virginia mine with a safety record that President Obama called "troubled." The Mine Safety and Health Administration has been described as a "revolving door" with industry, staffed by people with mining companies' interests at heart, even at the expense of worker safety.

The Bush head of MSHA, for instance, oversaw the rewriting of regulations in 2004 that allowed conveyor belt tunnels to double as ventilation shafts, a practice that contributed to a fatal 2006 Massey mine disaster.

Who knows how far it leads? Think of the timber rights the taxpayer gives up every year, the grazing rights, the multibillion-dollar contracts to big government contractors, the oil and coal leases on land, the carnival of public wealth at which these big corporations feed.

The vital question is this: Are these assets of our Nation still in the hands of servants of the Nation or have the servants of the Nation quietly and insidiously become the servants of the big private corporations that want to profit from that public wealth—corporations for whom every dollar of a sweet deal, every avoided expense allowed by a cozy regulator, every corner cut in safety or environmental protection, goes straight to their bottom line and right into their pockets. The big multibillion-dollar corporations, is this who we want safeguarding our national assets? Is this who we want controlling agencies of the U.S. Government?

Winston Churchill once said in a phrase I like that history turns on sharp agate points. What is the sharp agate point on which the history of this gulf catastrophe should turn? What lesson of history, if left unlearned after this disaster, are we condemned to repeat?

I hope the lesson we learn is this one: that we can never, never again let

agencies of the Government of the United States of America fall so under the influence of the corporations they are supposed to regulate.

This government of ours, founded in a revolution pledging the lives and fortune and sacred honor of those early patriots; this government of ours, which has raised for more than two centuries the promise of freedom in human hearts; this government that lifts its lamp aloft to brighten the darkness of chaos and despair in far distant corners of the globe; this government, whose finely tuned balance, crafted by the Founders, has seen us through Civil War and World War, through westward expansion and Great Depression, through the light bulb and the Model T and the Boeing 747 and the iPod; this government of ours, formed by Washington and Madison, Jefferson and Adams, and led by each of them, and later led by Abraham Lincoln and by Harry Truman and by Theodore Roosevelt and by Franklin Roosevelt and by John Fitzgerald Kennedy; this American Government of ours should never be on its knees before corporate power, no matter how strong. It should never be in the thrall of corporate wealth, no matter how vast.

This American Government of ours should never give the American citizen reason to question whose interests are being served. Never.

In this complex world of ours, government must protect us in remote and specialized precincts of the economy. In those remote precincts, few people are watching, but big money is made. We must be able to trust our government, both in plain view in front of us, and in corners far from sight, to be serving always the public interest, not doing the secret bidding of special interests, of corporate interests because that is where the big money is at stake.

Have we now learned, have we now finally learned, with the financial meltdown and the gulf disaster, the terrible price of all those quietly cut corners? Have we now learned what price must be paid when the stealthy tentacles of corporate influence are allowed to reach into and capture our agencies of government? I pray let us have learned this. Let us have learned that lesson. I sincerely pray we have learned our lesson and that this will never happen again. But let's not just pray.

In this troubled world, God works through our human hands, grows a more perfect union through our human hearts, creates a beloved community through our human thoughts and ideas. So it is not enough to pray. We must act. We must act in defense of the integrity of this great government of ours, which has brought such light to the world, such freedom and equality to our country.

We cannot allow this government that is a model around the world, that inspires people to risk their lives and fortunes to come to our shores—we cannot allow any element of this gov-

ernment to become the tool of corporate power, the avenue of corporate influence, the puppet of corporate tentacles.

I propose a simple device in this country of laws—not men, of rule of law—and that is to allow our top national law officer, the Attorney General of the United States, to step in and clean house whenever an agency or element of government is no longer credibly independent of the industries and businesses it is intended to regulate.

When a component of government is deemed no longer credibly independent of the corporations or industry it is supposed to regulate, I suggest that the Attorney General be allowed to come in and clean up, hire and fire and take personnel action to ensure the integrity of the personnel; to establish interim regulations and procedures to ensure the integrity of the process; to audit permits and contracts and ensure they were not affected by improper corporate influence, and if they were, to rescind them where they are not in the public interest due to that improper corporate influence; to establish an integrity plan for that component of government, all subject to appropriate judicial review where private rights are affected. Then the Attorney General can get back out, with his or her job done, sort of like an ethics trusteeship or receivership.

I will conclude by saying that the damage to America from the corporate takeover of the SEC was nothing short of catastrophic. Just in my State of Rhode Island, 70,000 Rhode Islanders are unemployed. Many have lost their homes, retirement, health insurance. The toll is devastating. The damage from the corporate takeover of the Minerals Management Service has also been catastrophic. Who knows what potentially catastrophic damage lurks in whatever other agencies of government that have silently succumbed to corporate takeover but just have not yet exploded in disaster.

If the financial catastrophe and the gulf catastrophe and whatever other catastrophes lurk have any meaning at all, it is that business as usual is no longer enough to stem the tide of corporate influence—insidious, secret corporate influence—in agencies of the U.S. Government. It is an institutional problem—relentless, remorseless, constantly grasping and insinuating corporate influence. It will never go away. It will only worsen as corporations get bigger and richer and more global, and there has to be an institutional mechanism in place to resist it so that it no longer takes a catastrophe to call the failure of governance of an American regulator to proper attention.

I think this is the right way. If a colleague has a better idea, I am more than willing to listen. But one thing I know is that after an economic catastrophe and this environmental catastrophe, this much, at least, is clear: We can no longer wait for catastrophes to

root out improper corporate influence in our government, in this government of our United States. We have to, at long last, address the problem of insidious regulatory capture of agencies of our government, captive to the industries they are supposed to regulate.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the following be the next four amendments in order to the Baucus motion to concur, with each of the amendments in this agreement subject to an affirmative 60-vote threshold; that if the amendments achieve that threshold, then they be agreed to and the motion to reconsider be considered made and laid upon the table; that if they do not achieve that threshold, then they be withdrawn; that if there is a sequence of votes with respect to these amendments, then prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form and that after the first vote, any succeeding votes be limited to 10 minutes each; further, that no intervening amendment be in order during consideration of these amendments: No. 4371, Casey; Coburn, No. 4331; Whitehouse, No. 4324; and that the Whitehouse amendment be modified with the changes at the desk. And the final amendment in this sequence is the LeMieux amendment No. 4300.

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

Mr. REID. Mr. President, I ask unanimous consent that the next speakers be Senator COBURN—does the Senator from Oklahoma have any idea how long he will be?

Mr. COBURN. A fairly short period of time.

Mr. REID. Senator CASEY, how long?

Mr. CASEY. About 10 minutes.

Mr. REID. Senator STABENOW?

Mrs. STABENOW. About 10 minutes.

Mr. REID. We need not do a consent agreement. Everybody can watch the clock on their own.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

AMENDMENT NO. 4331 TO AMENDMENT NO. 4369

Mr. COBURN. Mr. President, I call up amendment No. 4331 to the Baucus substitute.

The PRESIDING OFFICER. The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 4331 to Amendment No. 4369.

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

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

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

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

The PRESIDING OFFICER. The Senator has a right to have his amendment divided.

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, this is an amendment that will actually pay for everything we are doing. It does several things that the American people are demanding that we do.

It discloses the true cost of borrowing and spending that we actually do in this body.

It reduces the budgets of the Members of Congress. We had a 4.8-percent increase in our budgets. This is going to decrease that by less than a third, making us suffer with the rest of the country in terms of trying to get control of our massive debt and deficit spending.

It enacts what President Obama has been asking his own agencies to do: it takes 5 percent from all the agencies, except Defense and Veterans Affairs, and says: Cut that amount. The size of the agencies has doubled since 1999. We are asking the agencies to find 5 percent of efficiency within their agency to help us not continue to add trillions of dollars of debt to our children.

It eliminates nonessential government travel. It will save us \$10 billion over 10 years. It doesn't eliminate essential; it just says that when you can do a teleconference, you do that. You don't necessarily fly and take a hotel room when you can accomplish it another way.

It reduces unnecessary printing and publishing costs of government documents. That saves us \$4 billion over 10 years. Nobody reads these. They are all available online. If we get rid of the ones that don't have to be printed, we save hundreds of thousands of trees every year—which absorb CO₂, by the way—but it also saves us \$4.4 billion by not printing stuff we all have on our computers already.

In working with the OMB, they are behind what we are trying to do in terms of unused and unneeded government property and government buildings. So what it does is it gives us \$15 billion in direct savings in revenue by getting rid of things that we are spending \$8 billion a year on maintaining that we are not using. So we save \$15 billion over 10 years, plus we get the savings of not having to maintain what we own but are not using.

We will sell unused and unneeded equipment. We have \$¼ billion worth just sitting there in warehouses. We are never going to use it, but it is sitting there. We can get good prices from the private sector that can go out and utilize this and put it to work.

It caps the total number of Federal employees. Why is that important? I am a supporter of our Federal employ-

ees. We had a speech on the floor today accusing those of us who want to limit the growth of the Federal Government in terms of employees and the size, saying we were against our Federal employees. We are not. What we are saying is that in a time when we are running a \$1.6 trillion deficit—that is what it will be this year; we said 1.4, but we have already borrowed \$200 billion more than that on this floor since February 12—we ought to be getting more productivity out of what we have, not because it is not the right thing to do—it is the right thing—but because we cannot afford to be lax in anything we are doing today. Every time we don't save a dollar, we are now charging that dollar to our children and grandchildren.

It puts a cap on the total number of Federal employees. There is plenty of flexibility within the Federal Government. The Federal Government has added 160,000 employees in the last 16 months. There are 441,000 for the census, but that doesn't count them. This is 160,000 full-time Federal employees in the last 16 months. How many more employees do we need? Can we afford more Federal employees at this time or should we get more with what we have?

We also put a temporary 1-year freeze on total salary. That doesn't mean people who work for the Federal Government cannot get a raise. They can. But they need to be more productive and recognized for it. But there should be no more automatic pay increases this next year because we are running a \$1.6 trillion deficit and also because the average Federal employee makes \$78,000 a year and has benefits worth \$40,000. The average private sector employee makes \$42,000 a year and has benefits worth \$20,000. Freezing that for 1 year will have a minimal long-term effect, especially when we saw today that we are actually in a deflationary period where the Consumer Price Index went down one-tenth of 1 percent. We had a nine-tenths of 1 percent decrease this year. So the cost of living is not going up; it is going down. All we are saying is, let's do this for 1 year and demonstrate that we understand the tough choices the public is making and that we are willing to make tough choices.

I agree, it is a tough choice. It is hard. But it does not mean that stellar employees cannot get raises. They can. That saves \$2.6 billion this year, for 1 year.

It collects unpaid taxes from employees of the Federal Government. We have employees of the Federal Government who owe \$3 billion. It directs a garnishee of those payments from the Federal employees. These are not disputed. These are not still under negotiation. These are things that have already been agreed to that are owed by Federal employees to the Federal Government. That gets us \$3 billion that we do not have.

We also have a section that excessive duplication and overhead within the Federal Government should be eliminated. Two easy examples: Across 60

different agencies, we have 70 different programs to feed people who are hungry. Why do we have 70? Why don't we have 7 or one? Not one of those 70 programs has a metric on it to see if it is effective in what it does.

We have 105 programs across seven different agencies that incentivize at the cost of billions of dollars a year people to go into math, science, engineering, and technology. Why do we have 105 programs? Why not one run by one set of overhead and one agency and measure the results? There are 640 other examples of duplication just like that in the Federal Government.

What this amendment says is we ought to be about eliminating that duplication. We ought to be able to increase productivity and also increase the results of the very programs for the people we are trying to help.

The other thing we do is we eliminate bonuses for contractors to the Federal Government who are not meeting performance requirements. That is \$800 million a year that your government is paying out to people who do work for the Federal Government who do not meet the minimum requirements for their contract, and yet we are paying them \$800 million in bonuses as if they were meeting the requirements of their contract. That saves \$8 billion over 10 years. None of us would do that with anybody who worked for us. Why do we allow the Federal Government to do that?

This government gives the United Nations 25 percent of its entire budget. But we also give voluntary payments to the United Nations. I just talked with Peter Orszag from OMB, and I am getting that report as we speak. It was due January 1. It is now mid to late June.

What we do is eliminate no more than \$1 billion more than what our obligations are in terms of peacekeeping or our dues to the United Nations. There are good reasons to do that. There was, with the last foreign appropriations, a requirement that the United Nations show us where our money is going. That got thrown out in conference. But we do not even know where the \$6 billion a year that we give to the United Nations is spent because they will not show us where it is spent. We would never tolerate that from any agency we fund. And yet we don't. We are saying do not give more than a billion more than that to the United Nations. We limit that. That is a \$10 billion a year savings.

Here is what we do know about the United Nations. In the peacekeeping money that we give, 45 percent of it is lost to fraud. Think about that. Forty-five percent of the \$3 billion that we give to peacekeeping operations is lost to fraud, documented. We found that one out by accident. They did not want us to find that out.

We ought to be good stewards with the money of the American people when it comes to contributing their money to the United Nations.

Returning excessive funds from an unnecessary, unneeded, unrequested, duplicative reserve fund that will never be spent: That is \$362 million. It is a one-time savings. It will never be spent. It is sitting there. We ought to take it back.

Rescinding unspent Federal funds: There is \$1.7 trillion sitting in accounts right now. Of that, \$690 billion has not been obligated for the future expenditure. We are saying move \$50 billion of that back into this year and use it to pay for things that are important, such as unemployment insurance, rather than borrow from our children.

Why is that important? If you have three bank accounts and each one had \$100 in it and you had to write a \$200 check, you would go to the accounts you had and write the check from the two accounts so you could pay the check. This money is rolling out there to the tune of \$600 billion every year that is not obligated.

Common sense would say we would be more efficient with our money rather than paying interest on that money. We would use it in a more timely fashion. Everybody does that except the Federal Government. We ought to be doing it as well.

Reducing wasteful costs at the Department of Energy. The Department of Energy is supposed to be setting the example for this country on energy efficiency. They are the worst agency as far as energy costs and efficiency in energy. All we are doing is you follow the rules you have set for everybody else. It saves \$13.8 million per year. That is just one agency following the rules they have told every other agency to follow.

Finally, we strike the new taxes that are in this bill because we do not need to pay for them because we can cut spending somewhere else. The last thing we need to be doing, as we have the threat of a double-dip recession, is taking more private capital out of the economy and putting it into government because the multiplier effect of government spending is very low. Private spending multiplier effect is about 1.5. That means for every dollar you spend, you end up generating about \$1.5 in economic activity. For every government dollar that is spent, you generate \$1.1 in economic activity. The last thing we ought to be doing is raising taxes. I don't care where it is in this economy. It is so precarious that we need private capital being invested to create jobs and opportunities for jobs in this country.

I have listed the vast majority of provisions that are in the bill. I will be back to discuss each one individually.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

AMENDMENT NO. 4371 TO AMENDMENT NO. 4369

Mr. CASEY. Mr. President, I ask unanimous consent to call up amendment No. 4371 to amendment No. 4369 proposed by Senator BAUCUS.

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

The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Pennsylvania [Mr. CASEY], for himself and Mr. BROWN of Ohio, proposes an amendment numbered 4371 to amendment No. 4369.

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

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

The amendment is as follows:

(Purpose: To provide for the extension of premium assistance for COBRA benefits)

At the appropriate place in the amendment, insert the following:

SEC. —. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

(a) IN GENERAL.—

(1) EXTENSION OF ELIGIBILITY PERIOD.—Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(a) of the Continuing Extension Act of 2010 (Public Law 111-157), is amended by striking “May 31, 2010” and inserting “November 30, 2010”.

(2) RULES RELATING TO 2010 EXTENSION.—Subsection (a) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(b) of the Continuing Extension Act of 2010 (Public Law 111-157), is amended by adding at the end the following:

“(19) ADDITIONAL RULES RELATED TO 2010 EXTENSION.—In the case of an individual who, with regard to coverage described in paragraph (10)(B), experiences a qualifying event related to a termination of employment on or after June 1, 2010, and prior to the date of the enactment of this paragraph—

“(A) paragraph (2)(A)(ii)(I) shall be applied by substituting ‘6 months’ for ‘15 months’; and

“(B) rules similar to those in paragraphs (4)(A) and (7)(C) shall apply with respect to all continuation coverage, including State continuation coverage programs.”.

(3) EFFECTIVE DATE.—The amendment made by this subsection shall take effect as if included in the provisions of section 3001 of division B of the American Recovery and Reinvestment Act of 2009.

(b) ELIMINATION OF ADVANCE REFUNDABILITY OF EARNED INCOME CREDIT.—

(1) IN GENERAL.—Section 3507, subsection (g) of section 32, and paragraph (7) of section 6051(a) are repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 6012(a) is amended by striking paragraph (8) and by redesignating paragraph (9) as paragraph (8).

(B) Section 6302 is amended by striking subsection (i).

(3) EFFECTIVE DATE.—The repeals and amendments made by this subsection shall apply to taxable years beginning after December 31, 2010.

Mr. CASEY. Mr. President, Senator BROWN of Ohio and I have offered this amendment which will extend the eligibility period for the COBRA Premium Assistance Program until November 30. We appreciate the support of many Senators—Senators FRANKEN, STABENOW, REED, LEAHY, AKAKA, BEGICH, WHITEHOUSE, LAUTENBERG, KERRY, WYDEN, HARKIN, LEVIN, BURRIS, the Presiding Officer, GILLIBRAND, KAUFMAN, SPECTER, MENENDEZ,

MERKLEY, SCHUMER, MIKULSKI, DODD, DURBIN, MURRAY, SHAHEEN, ROCKEFELLER, and BOXER. All are cosponsors of the original amendment we offered the other day, first offered by Senator BROWN and me as an amendment to Senator BAUCUS's original amendment.

I thank Senator BAUCUS, the Chair of our Finance Committee, for his very hard work on this bill. We are nearing the end. We are working very hard to complete this bill.

As we do that, we are also mindful that we are recovering from this economic recession. We must continue, in my judgment, to support vital safety net programs that our citizens need to support their own families.

The national unemployment rate now stands at 9.7 percent. That translates in Pennsylvania into more than 584,000 people out of work. We got a report today that across the country, jobless claims are going up, unfortunately, after having gone down for a number of months. The economy is showing improvement. We are recovering. Jobs are being added every day. But certain industries are experiencing layoffs, and that is why we must continue this program to ensure that Americans have access to quality health care, especially those who have lost their jobs.

Without the extension of the COBRA Premium Assistance Program, a report from the National Employment Law Projects predicts as many as 150,000 Americans each month will lose out on the subsidies necessary to afford quality health care.

In the Senate, we do not have to worry about health care. We have both job security and health care that millions of Americans do not have today.

Today we received a report from the Treasury Department which outlines important information on the success of the COBRA Premium Assistance Program. The report is entitled "Interim Report to The Congress on COBRA Premium Assistance." It is dated June 2010 from the Department of Treasury. I commend this report to my colleagues.

In the report, it states that over 2 million households in America have benefited from the COBRA Premium Assistance Program. In Pennsylvania, that means over 100,000—107,311—Pennsylvania households have benefited from it. That is 2 million households across the country were able to afford quality health care while they were searching for a job. Millions of Americans had one less thing to worry about—their health and the health of their family—while they searched for that job.

In very brief form, I wish to highlight a section from the report that talks about how this program actually works, and many Americans understand this. I am quoting from page 2:

Workers eligible for COBRA premium assistance send a premium payment to their employers, plan administrators, or insurers for continuation coverage.

Because of the Recovery Act we passed in 2009, those individuals pay only 35 percent of the premium. Then, of course, the employers are allowed a credit against their payroll taxes for the remaining 65 percent. That is how it works. It works well, and it has shown results, according to this new report from the Treasury Department.

The total cost of this program in 2009 was \$2 billion. However, the score that the Congressional Budget Office gave it originally back in 2009 was \$16 billion. They predicted \$16 billion; it cost but \$2 billion. Of course, in 2009, we had a tremendously high job loss compared to this year.

That cost is going to go significantly down. Part of the reason for being so much cheaper is the efficiency of administering this program. The Treasury report I referred to states that the total cost to administer the program, with three Federal agencies involved, was \$8 million—.5 percent of the cost of the overall program. Based on the Treasury report, it is obvious this program is both effective and efficient and has assisted millions of Americans.

In addition to ensuring quality health care, the program is a lifeline for Americans across the country. I received a letter back in March from a woman in Pennsylvania, Lisa. I will not give her name and address. I do not have permission. But I want to highlight her personal situation without identifying her. I am quoting a pertinent part in her letter. She said:

I have been receiving chemotherapy nearly every other week for the past 18 months—

After being diagnosed in 2008.

The treatments were covered by my COBRA benefits and has kept me alive. I must continue chemotherapy but ran into a problem when an extension of my COBRA coverage was denied.

Lisa in Pennsylvania speaks for hundreds of thousands, if not millions, of Americans when she tells us what this program means to her. It is, in fact, a program which has kept her alive, to use her words, not mine. That is what this is about. It is about real life. It is about real families who are living through the double nightmare—the horror of losing a job and then being hit over the head again by losing their health care coverage.

There are countless stories similar to Lisa's across the country, and many of us have heard these stories. These stories relate to how COBRA, including this premium assistance program itself, gave people hope in the midst of despair from losing a job and also losing health care coverage.

So I would encourage my fellow colleagues in the Senate to support the amendment that Senator BROWN of Ohio and I have introduced, which includes an offset to the extension of the program so it is paid for.

With that, Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan is recognized.

MS. STABENOW. Mr. President, first I thank my friend from Pennsylvania

for his leadership and passion on this issue, and I am very pleased to join him in this amendment. I also thank the chairman of the Finance Committee for many hours on this floor working very hard to put together this very important jobs bill that we need to get done as quickly as possible.

I want to spend a few moments talking about the gulf and what has happened and what it more broadly represents—both in terms of what is happening on the Senate floor and in our country.

When I flip on the television and see what is happening in the gulf, like all of us, I know this truly is a tragedy. To see the workers who have lost their jobs, who can't go out on their fishing or shrimping boats, who haven't seen any tourists come their way in over a month; to see the environmental devastation, I know it is a terrible crisis that is testing our Nation and our government. The Obama administration inherited a perfect storm—an oil company known for a history of egregious safety violations, being given permits to drill a mile down under the ocean with no credible public oversight, and a public agency that believed oil companies should basically police themselves, even if there was a risk to American families. That is what they inherited.

The tragic events in the Gulf of Mexico started with an explosion that killed 11 workers onboard an offshore oil rig operating in waters deeper than it had ever operated before, with technology that wasn't designed for drilling that deep. It happened because the company operating the oil rig took risks with the lives of the workers. They cut corners, and they ignored the interests of millions of Americans in the gulf who would be affected by their actions.

This is a tragedy that was allowed to happen by an agency that was transformed by 8 years of Republican policies urging them to look the other way, an agency whose employees thought they worked for the oil industry rather than the American people, an agency that allowed the oil industry to fill out their own inspection reports.

There was a belief articulated by a current Republican Senate candidate who said it was un-American for President Obama to criticize BP.

Well, I don't think it is un-American for our President to stand up for the men and women who work in the Gulf of Mexico, whose livelihoods and lives have been jeopardized by this catastrophe. We are seeing millions of barrels of oil being spilled into the waters—waters that are owned by the American people—and I think it is the duty of the American President to make sure BP cleans it up and does everything possible in the gulf to make the people whole.

Just this morning, during an ongoing Congressional hearing, we heard another example of this belief in the words of a senior Republican House

Member who apologized—apologized—to BP for the President's actions in demanding that BP set up a fund to reimburse the losses of local small businesspeople and families in the gulf and for their tremendous hardships caused, I might add, by BP. This Congressman called it a shakedown, a slush fund. Mr. President, I call it leadership and standing up for the American people. That is his job, and that is our job as well.

But there is a larger issue represented in this disaster. Public accountability and commonsense regulations do matter. That is our job as well. My colleagues know that as a Senator from Michigan, there is no one who will fight harder for the auto industry than myself. But even while I will fight tooth and nail—and I have—for this industry and the success of this industry, I still support safety regulations.

When I put my grandkids in a car, I want the car to have seatbelts and airbags, and I want to make sure that automobile has gone through a rigorous crash test. Our economy and our quality of life depend on vibrant successful businesses, but our quality of life also depends on public accountability, on commonsense regulations to protect the health and safety of our families.

Someone has to stand and protect the water and the air we breathe. Someone has to stand for our children and for our elders. Someone has to stand for the safety of workers—the 11 workers who were killed on that rig or the 29 workers who were killed in the mine collapse in April or the millions of fishermen and shrimpers and tourism workers whose livelihoods are at risk today on the gulf coast.

When we look at our record in this Congress, we have seen this same debate played out time and time again. Even this week, two different beliefs, two different sets of values. The first bill that President Obama signed into law was named after a woman named Lilly Ledbetter—the Lilly Ledbetter Fair Pay Act—to require equal pay for equal work. On that very first bill, we saw two different views and beliefs: the Republican view that essentially said corporations should be able to discriminate against women or people with color if they choose to and on our side we stood with a woman, Lilly Ledbetter, who for years had gotten paid significantly less than her male coworkers for doing the exact same job just because she was a woman. We passed that bill, and it was signed into law so that women, so that people of color would not have to go through that in the future. We happen to believe in fair play. We happen to believe in equal pay for equal work.

Then there was the Recovery Act. There, again, we saw a very big difference. After the biggest bailout of Wall Street in the history of our country, on one side was a belief that government shouldn't get involved to help

the American people hurt by the financial crisis in the face of the worst economic crisis since the Great Depression; that the proper course would be to sit back and let the economy fix itself, even though those who caused the financial crisis were, in fact, being helped. Never mind that millions of people who used to live comfortable middle-class lives lost their jobs, their entire life savings and their homes to a bunch of traders on Wall Street who made some bad deals with no public accountability.

But we believed something different, Mr. President: that when the economy is on the edge of a cliff and millions of middle-class families have been hurt due to no fault of their own, you don't just sit back and hope for the best. That is not leadership; you do something. So we passed a historic Recovery Act focused on the American people—focused on jobs, on helping small businesses grow by building clean energy technology, schools, bridges, and roads—and making investments in our future and, yes, helping people who had been caught in that economic tsunami so they could keep the lights on at home and have a roof over their head and take care of their families.

When President Obama took office in January of 2009, we were losing 750,000 jobs a month. Today, thanks to this Recovery Act and other work done here, we are creating jobs. It is not as fast as I would like, certainly coming from Michigan, where we have been hit harder than anyone else, but we are moving in the right direction. It wouldn't be the case if we had done nothing last year.

We heard for years that Wall Street needed less regulation, more freedom to innovate, and for nearly a decade there were policies in place that took a hands-off approach. What we saw was an over-the-counter derivatives market that grew to be worth over \$500 trillion, completely in the dark, completely unregulated, with no oversight and no transparency. There were many people who thought this was great. Here was an example of a market with no public oversight at all, and it was making money hand over fist.

Then the bubble burst, and it turned out the whole thing was smoke and mirrors. Because there was nobody there speaking out for the American public, it was the American families who paid the price, and we paid a heavy price. That is why we recently passed Wall Street reform, and we need to get it to the President to create public accountability and commonsense regulation to protect investors and consumers. That is our job.

We passed a bill to give consumers the power to get their mortgages modified so they could stay in their homes and prevent foreclosures from emptying out entire communities. We also passed a law giving new tools to law enforcement and prosecutors to help them crack down on mortgage fraud and securities fraud. On each and

every issue our Democratic majority has been fighting for the people of this country. Our Republican colleagues believe and have expressed—and I assume this is sincere—that the old policies of deregulation and no public accountability are better. They believe that large corporate interests—mining companies, oil companies, Wall Street, big banks—should police themselves and things will be OK.

But for the 11 workers on the oil rig in the gulf and the millions of people who live in that region of our country, those policies just didn't work. For the 29 miners who lost their lives in West Virginia, those policies just didn't work. For the millions of Americans who lost their jobs or their life savings because of Wall Street's recklessness, those policies just didn't work. I can't believe the American people want to go back and relive all of that again. I certainly don't.

When President Obama took office, we saw the wreckage left behind after 8 years of deregulation and, frankly, it was time to put people first. So that is why we got to work. From day one we have seen unprecedented obstruction—the Republican leadership using every trick in the book to stop us from making the changes the American people want. But we have kept on fighting, we have passed now 242 bills, 175 of them signed into law to move our country forward.

Frankly, though, this isn't about numbers. Numbers don't matter. What matters is whether things are getting better for people. But let me just review some of what has been put in place to begin to turn things around.

The Recovery Act I mentioned to focus on jobs, the expansion of health insurance for children so that working moms and dads can know at least the kids are going to be able to see a doctor, protection of our public lands and national parks so our kids and grandkids can enjoy our beautiful land and our beautiful parks in this country, credit card reform, veterans health care so our troops coming home get the care they need and the care they deserve, that is the least we can do.

We have increased support for our disabled veterans. We have enacted tobacco regulation to keep our kids from smoking. We have stood up to the tobacco industry on behalf of our children's health. We also passed the Serve America Act to support our young people and seniors and help get them involved to give back to the community—a very important value that we believe in as Americans. We also passed an FAA bill to modernize our air traffic control systems so that we have safer air travel; a national Defense bill that gives a pay raise to our men and women in uniform, which is the least we can do, and that helps our veterans who don't have a home; a jobs bill to help our small businesses expand and local communities have the tools they need to create jobs; a health care bill that saves families money, makes sure

that every family can have a family doctor and improve the quality of care in this country; student loan changes to stop subsidies to banks and putting more money into making sure students can get some help to go to college and that it costs less so they can afford to go; and major financial industry reform so we never see another Wall Street bailout.

As I said, we know none of this matters if you do not have a job and if you are fighting to keep your home. We have to make sure that all of this—and we are working hard to make sure—adds up to real improvements in people's lives and economic security.

We are beginning to see things turn around because we have changed the values, we have changed the priorities back to what is best for the American people, what is best for middle-class families—the people we all talk about who are playing by the rules and want to know they will have a fair shot to be able to care for their families and be successful.

At every issue we run into roadblocks and opposition from the other side because they believe—and I believe it is an honest belief; we hear it over and over again—that more tax cuts for wealthy Americans and less regulation is always the answer. If that were true, given what has happened in the former administration when they controlled the House and Senate and the White House, things would be great. I wish things were great. But that view has not worked for the majority of Americans.

Today, every American with a television set can see the results of those beliefs. We had 8 years of that and we cannot go back. But this is not only about the past, it is also about the differences we debate every day in the Senate. It is about this week, last week, and I am sure next week. It is about the future. We need someone to be a check on the mining and the oil and the banking industries. We need commonsense regulators who do not think they work for the industry they are supposed to oversee. That is what this new administration is about and what we are about. We have to hold companies accountable when they ignore the rules and put the public or their workers at risk. We have to move America forward and continue making the changes this country needs. That is what we have been fighting for. That is what all of the actions we have taken have been about. That is what we will continue to do.

But it is not about growing the government. We know that overregulation is not the answer either. But we want the government we have to work. That is the question: Who should our government work for? The special interests, those with great wealth and power, or families working hard to make ends meet and hold onto the American dream—small businesses and entrepreneurs with a great idea; people who want to know that the rules are fair for

them, that if they work hard they will be able to have a job and they can be successful in our economy; families who want to know that somebody is making sure the rules protect their 401(k), their pension, their savings; that they can drink the water and breathe the air and eat the food they buy without getting sick.

We all want to be able to trust that the safety rules are enforced. If you or a loved one work on a mine or on an oil rig—or if you are getting in the car to take your kids to a soccer game—we all want to trust that when you get permits to drill in our precious waters, we will be looking out for the fishing jobs and our Nation's tourism industry and that we will not allow risky drilling without strong, commonsense regulation and accountability.

Our country cannot afford to go back to the previous beliefs that created the crises that President Obama and this Congress have been forced to deal with every day. We believe, the majority believes, it is our public responsibility to be on the side of the American people and that is what each of these legislative battles here in Congress is all about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS-CONSENT REQUEST—S. 3347

Mr. VITTER. Mr. President, I welcome following my distinguished colleague from Michigan and her impassioned plea against obstructionism. I have been facing the same challenges in particular with certain programs that are absolutely crucial for Louisiana but more broadly for the country. One that is absolutely important for all of us in Louisiana is the National Flood Insurance Program. It is a national program. It is important for our economy. It is important for the real estate industry. It is important for homeowners and closings around the country, for economic activity to move forward, particularly when we need every bit of economic activity in these tough times of recession. But it is really important in Louisiana. We face enormous flood threats so it is important there.

Unfortunately, the extension of the present National Flood Insurance Program—which everyone, as far as I know, supports—is being held hostage, essentially, in this extenders bill. I have been trying to pry it loose from that so we can extend the program, not let it expire as it has expired—it expired June 1; it is not in operation today—get it back in place, get it fully extended through the rest of the calendar year.

I would have thought this would be a “no brainer,” this would be consensus, this would not be partisan. It should not be. This is a simple extension of the National Flood Insurance Program. What is more, this extension does not create any additional deficit. Obviously, a big part of this debate about this larger bill on the floor is about in-

creasing deficit spending. Lots of folks, including me, have real concern about that. I think that is a legitimate concern that all of us have at some level. This extension does not increase the deficit at all.

I came to the floor before the Memorial Day recess because I saw this train wreck coming. I asked unanimous consent to simply extend that National Flood Insurance Program with no deficit impact, extend it by unanimous consent until the end of the year.

The distinguished majority leader, Senator REID, objected. I tried to engage in a meaningful debate, because I think the American people deserve it, about what is wrong with the program, what is wrong with the extension, what is wrong with the proposal. It has no deficit impact.

The silence from the distinguished majority leader was deafening. He objected because he could object. That is his right—no explanation, no justification.

The result has been the train wreck I was trying to avoid. The program expired on June 1. The program is not in place today. That is stopping and making a lot more complicated real estate closings—people trying to buy their first home, people trying to buy another home. Lord knows we need every real estate closing we can get to happen in this economy. We cannot create unnecessary barriers to that when we are trying to come out of this real-estate-led recession. Yet this majority, this Senate, this Congress let that absolutely crucial National Flood Insurance Program expire June 1. So here we are again.

My plea is the same. Everyone, as far as I know, supports the extension of the National Flood Insurance Program which is now expired. Everyone, as far as I know, says, rightfully, that it is a necessary program. We need to reinstate it to get the economy humming again, to make these real estate closings easier and not harder, to help recovery, not hinder it. And everybody admits, including the Congressional Budget Office, there is zero deficit impact with this extension. It is a clean extension. It does not increase the deficit in any way.

Let's do the right thing. Let's extend that. Let's not make something partisan which should not be. It is not an ideological difference. Many members of our community—homeowners, folks in the real estate sector—strongly support this effort. In that vein, I ask unanimous consent to have printed in the RECORD this letter from 22 trade associations, including the National Association of Realtors and many others strongly in support of this sort of stand-alone extension of the program.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 15, 2010.

TO ALL MEMBERS OF CONGRESS: On behalf of our organizations, we want to share with you our respective memberships' frustration

with the fact that Congress, on May 31, 2010, again allowed the National Flood Insurance Program (NFIP) to expire—the third time this year. We urge you to immediately reauthorize the program.

Five and a half million taxpayers depend on the NFIP as their main source of protection against flooding, the most common natural disaster in the United States. Without flood insurance, no federally-related mortgage loans may be made in nearly 20,000 communities nationwide.

The frequent lapses in the NFIP program are undermining homeowner and commercial property owner confidence in this vital program. Given the fragile state of residential and commercial real estate markets, Congress should take immediate action to restore confidence in the NFIP through a long-term, stand-alone extension.

The NFIP is critically important to American citizens and the U.S. economy. We urge you to immediately approve a reauthorization and extension of the NFIP and avoid exacerbating the uncertainty for taxpayers who rely on the NFIP to insure residential and commercial properties.

Sincerely,

American Escrow Association; American Insurance Association; American Land Title Association; American Resort Development Association; Building Owners and Managers Association; CCIM Institute; The Chamber Southwest LA; Credit Union National Association; Financial Services Roundtable; Greater New Orleans, Incorporated; Independent Community Bankers of America; Independent Insurance Agents and Brokers of America; Institute of Real Estate Management; Mortgage Bankers Association; National Apartment Association; National Association of Federal Credit Unions; National Association of Home Builders; National Association of REALTORS®; National Multi-Housing Council; National Association of Mutual Insurance Companies; Property Casualty Insurers Association of America; The Real Estate Roundtable.

Mr. VITTER. Mr. President, the letter truthfully says—it is very simple:

The frequent lapses in the National Flood Insurance Program are undermining homeowners and commercial property owner confidence in this vital system. Given the fragile state of residential and commercial real estate markets, Congress should take immediate action to restore confidence in the National Flood Insurance Program through a long-term, stand-alone extension.

That is what my stand-alone bill is. It is not complicated. It is not controversial—should not be. Not partisan—should not be. It doesn't increase the deficit in any way, shape or form—not by a penny.

Again, I will ask what I asked before the Memorial Day recess, trying to avoid this train wreck which has now happened for over a couple of weeks.

I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 372, which is my bill, S. 3347, a bill I introduced that extends the National Flood Insurance Program through December 31, 2010; that that bill be read a third time, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. FRANKEN). Is there objection?

Ms. STABENOW. Mr. President, reserving the right to object, let me say

I very much understand and appreciate the concerns of the Senator. This is in the bill we have in front of us today that we hope will be passed today. The complete language is in the bill. I understand his concern. I feel the same about extending unemployment benefits which usually is overwhelmingly supported on a bipartisan basis but has been held up as well. I have been in the same situation on that. To me it is a “no brainer.” I would love to see that extended as well. I would have loved to have seen that extended a month ago. But the reality is these items have been put together in a package and we will have the opportunity, hopefully later today or tomorrow, to vote on that. So on behalf of the leader, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Mr. President, again, I think it is a shame. If the distinguished Senator from Michigan wants to propound a UC to separate unemployment insurance, I will support that. I will not object. I think it is a good idea. I think we need to come together around things on which we agree. I think those things are and should be bipartisan and we should not bend over backwards to somehow make them partisan in this silly game. So I would support that unanimous consent request. I am sorry she cannot, at least on behalf of the leader, support mine.

I understand it is part of the larger bill. It was 2½ weeks ago and that is exactly why the program lapsed on June 1—because it was part of the larger bill and that larger bill was not going to pass then, did not pass yesterday, probably is not going to pass today.

In the meantime, it is not some theoretical bill that is being held hostage. It is American citizens who are being held hostage. It is first-time home buyers who are being held hostage. It is people in the real estate industry who need every darned closing that they can close who are being held hostage. It is not right. It is politics ahead of people, purely and simply.

I am very sorry that again the majority leader has rejected this simple idea. I will keep making the request because this program has now lapsed. It has not existed since June 1 and that is hurting people and that is hurting the economy.

I would like to move on to another aspect of this bill which is hurting people, which is particularly offensive to me, representing Louisiana. This is only getting worse in terms of this bill going from one version to another; that is, the aspect of this bill on the Senate floor that pertains to the Oil Spill Liability Trust Fund.

I represent Louisiana. More importantly, I live in Louisiana. I am all for oilspill cleanup. If there is anybody in the world who is for that, nobody is for it more than folks in Louisiana for obvious reasons. I am for a healthy and vibrant Oil Spill Liability Trust Fund.

That trust fund has to be increased and grown. And lots of things about the Oil Pollution Act are clearly outdated. I have put forward proposals to update those, but unfortunately that is not what is going on.

In this bill, there was initially an increase in the tax into the Oil Spill Liability Trust Fund from 8 cents a barrel to 41 cents a barrel. That is over a five-times increase. Now, if that was needed for oilspill cleanup and was going to be used for oilspill cleanup, I would be the first to say, great. The problem is, it was stuck in this bill not for that reason at all but to be stolen—that money to be stolen and used for other spending. As soon as that money went into this so-called trust fund, it was going to be grabbed out and used for completely unrelated spending, nothing to do with any oilspill.

I had an amendment on the floor, and the amendment was very simple. It did not disrupt the tax increase—did not touch that. It simply said that anything going into the oil fund has to be used to clean up oilspills—radical idea—and No. 2, anything going into the Oil Spill Liability Trust Fund cannot be used as an offset, double-counted—Enron accounting to mask, to hide other deficit spending, which is going on in this bill.

Unfortunately, that amendment was defeated. But we had a good vote, quite frankly. I want to note and thank the Democratic majority chairman of the Budget Committee for voting yes on that. I think he voted yes because of the simple reality of what I am saying. That money should only be used to clean up oilspills. That money should not be double-counted, should not be used in Enron accounting to offset, to mask other completely unrelated deficit spending.

In the new version of this so-called extenders bill recently unveiled, unfortunately we are going from bad to worse because they just increased the tax from 41 cents to 49 cents. Originally, it was 8 cents, and it jumped to 41 cents—that is over a fivefold increase—and now to 49 cents. Between those two versions of the bill, we actually had President Obama meet with BP and set up a huge escrow fund to make sure BP, as the responsible party of the ongoing spill, pays for everything, as they absolutely should do. So in between the 41-cent version of the bill and the 49-cent version of this bill, we set up this escrow fund to ensure, as we should, that BP pays for everything.

So the increase has nothing to do with the real crisis in the gulf; the increase has to do with politics in Washington because that first version of the bill did not get the votes because it had too much deficit spending. So what do we do? We are going to steal more. We are going to offset more out of the Oil Spill Liability Trust Fund. And that is why it went up again, from 41 cents to 49 cents.

Well, I have to say that I find all of that pretty darn offensive. We have a

real crisis in the gulf. It is an ongoing crisis because the flow is not stopped. Rather than deal with that real crisis through action, some folks up here are using and abusing that crisis to advance their own agenda—deficit spending, unrelated spending—through politics. I think that is wrong. I think it is wrong in a pretty raw way, and I find it offensive. And I say that on the Senate floor. It is going from bad to worse. We are now, under the current proposal, stealing even more from the Oil Spill Liability Trust Fund, using it even more to mask other unrelated spending. We have a real crisis on our hands. Let's address it. Let's not use and abuse it politically.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEMIEUX. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 4300 TO AMENDMENT NO. 4369
(Purpose: To establish an expedited procedure for consideration of a bill returning spending levels to 2007 levels)

Mr. LEMIEUX. I send an amendment to the desk, No. 4300, and I ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Florida [Mr. LEMIEUX] proposes an amendment numbered 4300 to amendment No. 4369.

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

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

(The amendment is printed in the RECORD of June 7, 2010, under "Text of Amendments.")

Mr. LEMIEUX. I have offered amendment No. 4300 today. It is a piece of legislation in which Senators WICKER, RISCH, and GREGG have joined me. It is called the 2007 Solution.

The No. 1 problem facing this country is our out-of-control spending. It is to a point where it is unsustainable.

I am new here to the Senate. I came last September. My background is in business as well as in State government in Florida. In both of those venues, I had the responsibility, both in chairing a business I helped to run as well as being the Governor's chief of staff in Florida, to make sure ends met. In the business I worked in, I would look at receipts, and we could only spend as much money as we took in. In State government, we had a balanced budget requirement. We had a balanced budget requirement in Florida.

When the economy went bad in 2007, when I was the Governor's chief of staff, I would be on the phone with the budget people almost weekly moni-

toring how much money was coming in because I knew we could only spend as much as we had. We had three choices if revenues declined: We could raise taxes, we could cut spending, or we could find a new source of revenue. We did not have the option of spending money we did not have.

So I always knew there was a problem in Washington when Washington did not understand those basic dynamics that families in Florida and around the country had to deal with in terms of making ends meet, the same decisions families make around their kitchen tables to decide: Well, we cannot afford it this month, so we are going to have to put it off until next month or we are going to have to cut down on some of this spending so we can make sense of our fiscal house. I knew that didn't happen in Washington, but I never knew the degree to which it did not happen.

When I came here and was sworn in in September of last year, the national debt of this country was \$12 trillion. That is a staggering amount, and it is a number that is hard for us to get our brains around.

One trillion—what does it mean? Well, 1 trillion is 1,000 billion—\$1,000 billion—and 1 billion is 1,000 million. Just to put it into some perspective, if you took dollar bills and put them on the floor and laid them side by side, \$1 million would cover two football fields; \$1 billion would cover Key West, FL—3.4 square miles of one-dollar bills carpeting Key West, FL; \$1 trillion would cover Rhode Island twice. If you stacked 1 trillion one-dollar bills on the ground up to the sky, it would go 600 miles into the sky.

When I came here in September, this government owed \$12 trillion in money that it shouldn't have spent in the past, that it couldn't afford to spend, and it was carrying that debt. That was bad enough, but time has elapsed and now we are in June of 2010, and now the national debt is \$13 trillion. The debt has gone up \$1 trillion in less than a year's time. It took 200 years for this country to amass its first trillion dollars in debt, and we just did another trillion dollars in less than 1 year's time.

Right now in our budget, we spend \$200 billion a year paying interest on the debt. That is on expenditures we shouldn't have made in the past—\$200 billion. At our current rate of spending, as projected by the White House, by the end of this decade we will spend \$900 billion a year just making interest payments on debt. By 2020, it is estimated that our debt, our national debt, will not be \$13 trillion, it will be \$25.7 trillion. And when we get to that point, our country is going to fail. This is not just a problem for our children or our grandchildren, it is a problem for all of us. And \$900 billion is more than we spend fighting both wars and all of the expenditures for the Defense Department right now. And we are going to be paying that just in interest?

Perhaps most troubling of all is this fact: Today the money we take in in revenues is only enough to cover Social Security, Medicare, and Medicaid—the entitlements. Every other dollar we spend for every other function of government—from the men and women who keep us free and safe in the military to the FAA that guides your plane, to the roads you drive on, to the Department of Labor, the Department of Commerce, the Department of Agriculture—every other function of government is borrowed. It is unsustainable.

I am new enough to Washington to not think this is normal. This still seems bizarre to me. What this body and what the body down the hall fail to do is set priorities and say: We are going to afford this, but we cannot afford that—just as families do, as the State government in Tallahassee does, as businesses do every day.

We do not go into the agencies now that are spending all this money and say, are they spending money on things that are effective, efficient? Are they getting bang for the buck? No. What we do in Washington is create new programs. We pass this financial regulatory reform bill, and instead of firing all the people at the SEC who failed to do their job in policing Wall Street, we create a new governmental institution because that is what Washington does—more and more layers of government on top of government, with nobody looking to see what government is doing now and whether your tax dollars are being spent effectively and efficiently because there is no mechanism in place to balance the budget.

I wish we had a balanced budget amendment. I wish we had to do what our States have to do. This past spring, in Florida, our State leaders had to sit down, when there were less revenues than there had been in the past, and they had to make decisions about what to cut. That is what leaders do. We do not do that in Washington.

But I have an amendment, a proposal, that would get us into a mechanism to at least have the debate about how we can save this country by stemming this uncontrollable spending. It is called the 2007 Solution. It would require this, simply: Each year, the majority leader will be required to offer a piece of legislation that would have 50 hours of debate, where we would have to go back to 2007 spending levels. Why 2007? Well, 2007 was the last year we had a robust economy. It was not until December of that year that we entered into recession.

When I talk with most Floridians, they would be happy to have the money they made in 2007 as income in 2010. It was before the stimulus. It should be enough for us to live off of. And it is not as though things were being done efficiently and effectively in 2007. It is not as though someone was going into the agencies trying to chop out waste and abuse, set priorities. It was not being done then, either. So there should be plenty of wiggle room.

So if we go back to 2007 level spending at \$2.729 trillion, by 2013 we would balance the budget, and by 2020, instead of having a \$25.7 trillion national debt, we would cut the current national debt in half, and it would be somewhere around \$6 trillion, and we would save America.

What this amendment does, what this proposal does, is require the majority leader to offer an amendment where we will have 50 hours of debate on the floor of the Senate—as they will in the House—to set spending levels at 2007 levels. And guess what we are going to have to do then. We are going to have to be adults. We are going to have to be leaders. We are going to have to make decisions about what is important.

The \$90 billion Washington spends every year to subsidize different businesses around the country—is that important? The billions of dollars that go into earmarks—are they important? Could we not cut 10 percent from each agency, 20 percent from each agency? The \$100 billion of Medicare fraud a year—could we not combat that? Would we not then have a motivation, an impetus, to actually start doing better by the American people and watching the dollars they send to us, and spending them as if they were our own, and doing it wisely?

My amendment does not say what has to be cut. It does say there will not be any tax increases. We do not need to create more revenue and create more of a problem because, trust me, if we create more revenue, this Congress will spend it. We do not have a revenue problem. We have a spending problem.

Let's have this debate. Who is afraid of a discussion? Let's go back and forth and say what we could cut. Should we cut things in the Department of Defense? Is there not waste, fraud, and abuse in the Department of Defense? Sure there is. Let's cut it. Secretary Gates wants to cut spending in defense. No one wants to cut our capabilities. But are there things we could do without, and do things more efficiently, not just in defense but in every department of government?

There are 100,000 people working at the Department of Agriculture. By best estimate—and it is less than this—there is 1 person at the Department of Agriculture for every 30 farmers. What are all these people doing? Has someone looked under the hood at that agency?

The President is now asking all the agency heads, the Cabinet members, to look for 5-percent cuts, some of which would go toward deficit reduction, some which would go toward other programs they could spend money on. When is the last time we cut any agency? We have not had fiscal sanity in the Congress since the mid 1990s when we balanced the budget. We are talking 13 years, 14 years. Someone needs to look under the hood of these agencies and set priorities.

This amendment will require that discussion to happen. We are going to

have to look at the entitlement programs.

We are going to have to look at Medicare. We are going to have to look at Social Security. This is not a popular thing to talk about. You are not going to see my colleagues come to the floor of this body and talk about reforming entitlements because it is politically dangerous. But the truth is, if we do not reform them, they are not going to be there for our seniors in the generations who follow. We are going to have to have the courage of our convictions. We are going to have to care about the next generation more than we care about the next election.

I hope the 2007 Solution will pass. It does not require any specific program be cut. It just requires that we have a debate about it every year. If the majority leader does not introduce it, the minority leader can. If the minority leader does not introduce it, any Senator can. There would be 50 hours of privileged debate. It can go through committees, but only for 30 days so it does not get stuck in the committees. It would require a three-fifths majority to pass. That is a peculiarity of the Senate—our 60-vote rule. So it makes sense, and it is consistent with the history and the precedents of this body.

I want to conclude with this: For us to be here and to do anything else, without tackling this debt issue, is unfair to the American people. I have four little kids. My wife and I just welcomed a new daughter into the world. It is our first daughter because we have three young sons. My greatest fear is that my four kids—or one of the four kids—someday will come to me and say: Dad, I am moving to a foreign country. I am going to Brazil or India or China or—pick your country—because the opportunities in that country are greater than the ones in the United States.

The greatest threat we have to this country today is our inability to control this out-of-control spending. If we do not do it, we will violate the American creed, which is that we leave this country a better place than we found it for each generation that follows.

I hope my colleagues on the other side of the aisle will embrace this amendment. Again, it does not require anything to be cut. It requires a discussion and a good debate on what should be cut. It sets the parameter that if we hold ourselves to that cap, we could save this country. There are folks I know on the other side of the aisle who care about this issue. I have talked to them. This is not a Republican issue. This is not a Democratic issue. This is a moral issue. It is a moral obligation of the people who serve in this body and the one down the hall to fix this out-of-control spending.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I did not intend to speak again, except after hearing my colleague, I do feel it is im-

portant to say—I am not speaking to the specifics at all in terms of a proposal—but I do feel it is important to talk for a moment about how we got to where we are with the deficit. Because it is pretty hard to listen to folks who were involved in policies that got us where we are and are now talking to us about how terrible it is as to where we are.

I want to stress, when I came to the Senate in 2001, we were trying to figure out what to do with the largest budget surplus in the history of the country. I was in the House when we made the very tough vote to balance the budget under President Clinton.

Unfortunately, for all of us—I mean that sincerely—rather than doing what many of us had proposed—which was to take that large budget surplus and take a third of it to do strategic investments in tax cuts and a third of it for investments in things such as health research and education and jobs, and a third of it to prefund the deficit for the future; that was a proposal we had—instead, all of it went to top-down tax cuts for the wealthiest people in the country. It put us in a situation where we had no backup, no surplus. Then we went to war with two countries and put it on the credit card, which we have now used for 10 years.

Then we saw a huge new Medicare entitlement. I certainly believe strongly in providing prescription drug help for seniors, but that was not paid for either. There was item after item after item—until President Obama inherited now the largest deficit.

So as we are trying to dig our way out of this now, it is very disconcerting to hear over and over, with all due respect, about how deficits matter. Deficits did not matter when it was the Republican agenda. And my guess is, if we were talking about another round of huge tax cuts, it would not matter either. It matters now when we are talking about things that middle-class families want. It matters now when we are talking about jobs or the cost of college or whether we are going to be able to have families be able to have a family doctor for their kids—or all the other things. Now it matters. It did not matter—the Wall Street bailout? OK. A people's bailout? A families bailout? Oh, no, no, no, no, that is deficit spending.

I will say this, with all due respect: with over 15 million people on unemployment benefits right now and another how many—who knows—working part time or who completely had to leave the labor market—millions and millions of people—we will never get out of deficit until people get back to work. We will never get out of this deficit ditch until people get back to work and they are back contributing and being a part of the economy and being able to care for their families and being able to get this economic engine going again.

That is a basic philosophical difference we have. It is a basic difference

in beliefs that I was talking about earlier today: about whether it is important to focus on people and putting people back to work on things that middle-class families need or now—when it is a different agenda, when we have different priorities and different values, and we are fighting for different people—now, all of a sudden, despite the former Vice President's claim that deficits did not matter, now they matter.

I believe they do matter. I believed they mattered in, I think it was 1997, when I voted for a balanced budget under President Clinton. I believed they mattered in 2001 when I was a member of the Budget Committee. I voted for efforts to have us be fiscally responsible. And I believed they mattered when we voted to reinstate rules that were taken off for 8 years—that you should pay as you go when you do something. I know we have to make sure we are actually living up to that.

But with all due respect, we have a very different view of the world. Coming from the great State of Michigan right now, our folks would say it is about time somebody focused on them and their jobs and what is happening to their families. That is what this bill is all about that is on the floor. That is what we are all about. I think it is the right course.

I thank the Chair.

Mr. LEMIEUX. Would my friend yield for a question?

Ms. STABENOW. I would be happy to.

Mr. LEMIEUX. Your State has high unemployment and my State does too. I think you are at 14-some percent, and we are at 12 percent. Everybody cares about trying to get folks back to work, but shouldn't we find a pay-for on this bill? Everybody wants to extend unemployment compensation, but why should we put it off on our kids and our grandkids? Is there not \$55 billion we could find to pay for this bill?

Ms. STABENOW. Mr. President, with all due respect to my friend, the reality is that we have an economic emergency in this country. If 15 million people out of work isn't an emergency, I don't know what one is. So I would just fundamentally disagree with the Senator.

In order for something to be an economic stimulus every economist—from Reagan economists to Clinton economists to Bush economists to Obama economists—has said by funding this as emergency spending, we jump-start the economy. For every dollar we put into a family's pocket, we get \$1.60 in economic turnaround, economic benefit because families who are out of work are forced to spend the money that is put in their pockets.

So, no, I would fundamentally disagree. We have had economists testify who would fundamentally disagree with that premise. It sounds good. It sounds good. I wish we had paid for the huge tax cuts that were done a number of years ago. I wish we had paid for

that. But right now what we are saying is, where we ought to focus our energies is on taking away the stimulus that comes from unemployment benefits, and somehow we have to get our focus back on people who have lost their jobs. So I fundamentally have a disagreement.

Mr. LEMIEUX. Mr. President, if I could just ask one more question. I don't disagree with the Senator about spending the money; I would like to extend unemployment compensation. But would my friend not agree with me that there is \$50 billion we could find somewhere in this government, money that has not been spent that is sitting in accounts, wasteful spending, programs that aren't working? Why can't we as a body get down to the business of looking at government and all of the trillions of dollars we spend and find money and set priorities and pay for this?

Ms. STABENOW. I guess I would ask my friend back, would you agree that rather than decreasing the estate tax for less than one-half percent of the public, maybe we should make sure any dollars there should go back to somebody who doesn't have a job and maybe help create a partnership with a business to create a job? Would you say that is a better priority than what is going to be coming up not too long from now on the Senate floor to try to help folks who already make millions of dollars a year?

Mr. LEMIEUX. Respectfully, I think the estate tax issue is a different issue, but I will address it.

Ms. STABENOW. I don't think it is a different issue, with all due respect.

Mr. LEMIEUX. Ma'am, I let you finish. If I may, we don't have an estate tax right now. The joke is, don't go hunting with your children because right now there is no estate tax in this country this year. So we all agree that needs to be fixed.

We have a difference in belief on taxes, but I am talking about just this spending issue. You and I and many of us in this Chamber all agree that we should continue unemployment compensation. People in your State are hurting; people in my State are hurting.

My question is, Is there not \$55 billion we could find somewhere in the more than \$2 trillion that we are going to spend this year—actually, more than \$3 trillion—could we not find an offset so we don't put this upon our kids and our grandkids?

Ms. STABENOW. Finally, I would say before having to leave the floor, I appreciate that in theory. I guess I would ask my colleague to come up with what your list would be of priorities, because—

Mr. LEMIEUX. We will do that.

Ms. STABENOW. From my standpoint, unfortunately, what I see over and over again are middle-class families and folks who are out of work are the ones who get hit over and over again. That is my concern. That is my

concern when we get into tax policy, about who we are going to give a tax cut to, who is going to get money back in their pockets. Not too many folks in my State believe it has gone to them. So that is why I raise the estate tax.

In general, I would just simply say we know President after President, Republican and Democrat, has extended unemployment benefits as emergency spending for decades. I am just very disappointed that now, suddenly, that is trying to be changed.

Thank you, Mr. President.

Mr. LEMIEUX. I thank my colleague for the good conversation, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

MOTION TO REFER

Mr. DEMINT. Madam President, I send a motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] moves to refer the House Message to accompany H.R. 4213 to the Committee on Finance with instructions to report the same back to the Senate with changes to include a permanent extension of the 15 percent income tax rate on capital gains and dividends under section 1(h) of the Internal Revenue Code of 1986, and to include provisions which decrease spending or increase net revenues as appropriate to offset such permanent extension.

Mr. DEMINT. Madam President, we are obviously considering a tax bill in the middle of a recession, with a lot of folks out of work. Yet we are talking very little about the fact that, within 6 months, tax rates for every American and every business are going to go up. It is already beginning to create uncertainty in our economy. Folks who would otherwise take risks and invest are holding back because of the increase in taxes.

One of the main focuses of what we are doing needs to be on capital gains taxes as well as dividend taxes. Right now, the capital gains tax, in January, is going up—if we do nothing—from 15 to 20 percent. This will discourage investment. The dividend tax will go up from 15 percent to the top rate of nearly 40 percent.

The Heritage Foundation estimates that if we would hold tax rates the same on these two taxes, we would save over 250,000 jobs next year alone.

I am asking my colleagues to consider the urgent need to keep our current tax rates the same, particularly on capital gains and dividends, as we know a lot of seniors are living in part off dividends they receive. If we raise the tax rates on them, it is not going to do anything to help them or our economy.

I am asking that this bill be referred back to committee, that they add this requirement that the capital gains and dividends stay the same, at 15 percent, and bring it back to the floor for a vote.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Madam President, I want to address my colleagues on a couple of different issues. One would be to speak in support of part of the Coburn amendment, and the second one would be to speak on the issue of taxes.

I want to speak in favor of Senator COBURN's amendment that would repeal a special deal for California. As I have said before, Medicare's payment system for physicians is flawed in many ways. One of those flaws has resulted in unfairly low payments to physicians in my own State of Iowa and many other rural States over the course of many years.

Medicare payments vary from one area to another based upon geographic adjustments made by the Centers for Medicare and Medicaid Services. These adjustments are supposed to reflect the differences in the cost of providing care in different areas and equalizing physician payment. But the geographic adjustments have been a dismal failure. They do not accurately represent the costs in rural States. Instead, they have created unfairly low Medicare rates and have, in fact, even discouraged physicians from practicing in rural areas such as Arkansas, New Mexico, Missouri, Iowa, North Dakota, and maybe, you could say, a lot of rural States.

Last fall, I offered an amendment to reform the unfair formula that has caused these unduly low rural payments during the Finance Committee markup of the health care reform bill. My amendment requires CMS to use accurate data rather than inaccurate proxies to calculate the geographic adjustments for physician practice costs. My amendment was accepted unanimously by the entire Senate Finance Committee, and it was included in the Patient Protection and Affordable Care Act that was signed into law by the President in March. It is a national solution to this problem that has plagued so many rural States.

Unfortunately, the rural equity that my amendment would finally achieve has been endangered by the Democratic majority's sweetheart deals. One of these sweetheart deals was added to the Senate health care reform bill that is now law. This special deal was added behind the closed doors of the Senate majority leader, and it addressed the unfairly low payments in rural States.

It was included in the Senate health reform bill for two of my Democratic colleagues from so-called frontier States. It is what I call the frontier freeloader provision. And it can be called that because it just helped five States at the expense of 45 others.

The frontier freeloader deal gives higher Medicaid payments to just five States—North Dakota, South Dakota, Montana, Wyoming, and Utah—and it is at the expense of every other State. Even though Iowa, New Mexico, Arkansas, Missouri, and other rural States do not benefit from this deal, they have to pay for it. Here we are. Taxpayers in your State and mine—all the other 45 States—have to kick in to pay the \$2 billion for higher Medicare payments for these 5 so-called frontier States. This is another example of how the secret deals made by the Democratic majority leader to get votes during health care reform led to bad policies such as the "Cornhusker kickback," the "Louisiana purchase," and the Florida "Gator aid." I introduced legislation in April to repeal this sweetheart deal for frontier states. My bill, the Medicare Rural Health Care Equity Act, would eliminate this special deal for these five States. We should improve physician payments for all rural States, not just a select few.

The Coburn amendment would address a similar concern—yet another special deal for just one State has been included in the Democrat's tax extender bill. Section 522 of the Democratic substitute would provide \$400 million over 10 years to create yet a new system for calculating payments for physicians in rural areas, but you know what, only in one State—California. This is just one more example of the sweetheart deals that have permeated the Democratic leadership's efforts during these times. Will these special deals ever stop? I strongly oppose these sweetheart deals, and I will continue to speak out against them, and I will continue to work to pass legislation to repeal these special deals, such as the Medicare Rural Health Care Equity Act, that I introduced this year.

That is why I strongly support the amendment by my colleague from Oklahoma to strike this \$400 million sweetheart deal for California from the bill, and I urge my colleagues, especially those from other rural States, to do the same. You see, what happens here when you start doing something for 1 State here and 5 States over here—there are about 30 States, maybe 35 States that have similar problems. We ought to attack these similar problems with the same principle, as I see it.

As I said, I wish to continue to address my colleagues on the subject of time-sensitive tax legislative business. I have already spoken on other items. I have a chart here that says what the four items are that are time sensitive that we ought to be working on and how far we have gotten on some of

them. Obviously, as you can see from the Xs there, we have not gotten very far on most of them.

Last week, I discussed the unfinished tax legislative business. This chart gives you an update of the legislation before the Senate. It deals with only one small, however important, part of unfinished tax legislative business.

These tax extenders are on their second Senate stop. This is the bill now before the Senate. As this chart shows, the tax extenders which are overdue by almost half a year are not alone. There are three other major areas of unfinished business.

One area is the one I discussed a couple of days ago—the alternative minimum tax, the AMT patch. That issue, if you do not deal with it, is going to raise the taxes of 24 million Americans, middle-class Americans who, frankly, were never intended to pay the alternative minimum tax. If we do not fix it, 24 million people are going to see their taxes go up.

Yesterday, I addressed the issue of the death tax. That is an area which is very important. I took a lot of time of my colleagues last night to explain the issue and particularly the impact on small, family-owned businesses that may be sold off because we do not have a good estate tax policy.

The third area and the one I am going to address now is the 2001 and 2003 tax rate cuts and family tax relief package. That is the one that, if Congress does nothing between now and December 31, starting January 1, 2011, the American people are going to have the biggest tax increase in the history of the country and without even a vote of Congress. Existing law, with the tax reductions of 2001 and 2003, sunsets. "Sunset" simply means that if Congress does nothing, the biggest tax increase in the history of the country happens without us even casting a vote here in the Senate.

As important as the AMT patch and the death tax are, these two I just mentioned are dwarfed by the impact of this third package of expiring tax provisions. I am referring to the marginal rate cuts and the family tax relief of the bipartisan tax relief that was enacted in 2001 and 2003. Efforts to make these tax relief packages permanent were rebuffed. The resistance was the result of a hard and determined minority back then, marshaled by the Senate Democratic leadership. It was reflected in the budget resolutions offered in filibusters.

Even more inexplicable than the Democratic leadership's failure to extend popular and bipartisan tax relief enacted in 2001 and 2003 were some of the reasons given. It was basically said that since Republicans wrote the law, it is our—meaning Republicans—problem. The left wing of the blogosphere echoed the Democratic leadership's position.

Some of those reflections in the blogosphere even alleged that the sunset was a Republican conspiracy. I

came across a 2007 posting on Daily KOS blog. The posting referred to the provisions of the Tax Increase Prevention and Reconciliation Act of 2005, which was enacted in May 2006. That legislation contained two basic pieces. One was an extension of lower rates for capital gains and dividends. Another was the extension of the alternative minimum tax patch. The poster's analysis concluded that the bill was a "poison pill" designed—can you believe it—to sabotage the economy, which supposedly would increase the prospects of Republican candidates in 2012. I know that sounds a little far-fetched, but that is what the KOS posting on their blog said. The argument seems to be that having popular and bipartisan tax relief from 2001 and 2003 all sunset at the end of 2010 would cause such an economic mess that the Democrats, assumed by the posters to be in power at the time, will take the blame and suffer at the polls.

In the posting titled "The Monster Republican Tax Hike," the poster stated that:

Republican Congresses chose not to make their tax cuts . . . permanent.

The argument seems to be that Republicans put sunset clauses in the bill solely to improve long-term budget projections and that responsibility for the expiration of tax relief rests completely with Republicans. The implication is that by lowering taxes, Republicans are responsible for a tax increase that would occur when the Democratic majorities control both Houses of Congress. That is a little far-fetched because it is just some sort of conspiracy that you can control the electorate and these things are going to exactly work out this way. That is obviously stupid, but that doesn't keep bloggers from talking—whatever they want to believe.

The commentaries I just referred to are available to anyone in the April 12, 2007, edition of the CONGRESSIONAL RECORD.

I have heard some Members on the other side as well as key staff have made similar assertions. As one who was involved in the writing of these tax relief plans of 2001 and 2003, I want to tell my fellow Senators without reservation that these assertions are absolutely untrue, besides being ridiculous. To begin with, it is completely ridiculous to suggest that President Bush and Republicans in general did not intend or desire the permanence of tax relief. President Bush and Republicans in general have favored tax relief permanence. You need to look no further than the budgets to which I referred. The administration and Republican Congress budgeted for extension of the bipartisan tax relief provisions. That action affected the bottom lines of those budgets.

We heard over and over the criticism of those budgets. We heard it from the Democratic leadership, liberal think tanks, and some sympathetic east coast media. As a matter of fact, after 3½ years of congressional control, we still hear the Democratic leadership's criticism every day. Just recently, the Speaker of the House was asked when the Democratic leadership would cease laying the blame for all fiscal problems on Republican budgets of the years 2001 to 2006. MSNBC's Chuck Todd recently interviewed the highest ranking Democrat in the House. Mr. Todd asked if there was a statute of limitations on placing responsibility on the Presidency of Mr. Bush.

At what point do you think the public says something [like this]? "You know what, yes, we were unhappy with the Bush administration . . . [but] stop blaming the Bush administration."

Mr. Todd went on to say:

When does that run out?

But then the Speaker specifically replied:

Well, it runs out when the problems go away.

The blame game is no substitute for doing the job you have been hired to

do. People elect folks to public office to do—what? To govern; govern at the will of the people. Governing is not just about enjoying the benefits of public office. This is a public trust we hold. We work for the American people; they don't work for us. Part of governing is also about making choices. Some of those choices are tough, as we know, and those of us in public life need to be accountable for those choices.

The Democratic leadership cannot have it both ways. They cannot continue the bipartisan tax relief and not be responsible for the deficit impact those policies carry. No family can make decisions about its budget and evade the consequences by blaming their next-door neighbors. No business can make decisions about its budget and evade the consequences by blaming a competing business. The fiscal consequences are an important part of that decision.

The statutory pay-go or pay-as-you-go regime was enacted as part of the last debt limit increase. It covers only part of the revenue loss of making permanent the bipartisan tax relief plans of 2001 and 2003. For instance, the alternative minimum tax patch is extended for only 2 years. Death tax policy is extended at 2009 levels only through 2011. How do you plan estates when you only have a tax law in place for 2 years?

Even with those limitations, the Joint Committee on Taxation states: Complying with the pay-go rule means a revenue loss of over \$1.5 trillion over 10 years.

I ask unanimous consent to have printed in the RECORD a copy of the Joint Committee on Taxation's estimate of the tax relief covered by statutory pay-go. And this is a summation of that.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

8-Mar-10 11:08AM

#10-2 026
VERY Preliminary
8-Mar-10

- Committee on the Budget -
ESTIMATED BUDGET EFFECTS OF ADJUSTMENTS FOR CERTAIN CURRENT POLICIES AS OUTLINED IN
THE, "STATUTORY PAY-AS-YOU-GO ACT OF 2010"

Fiscal Years 2010 - 2020

[Millions of Dollars]

Provision	Effective	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-15	2010-20
Make Permanent Certain Tax Cuts Enacted in 2001 and 2003:														
A. Permanently Extend Capital Gains and Dividends 0%/15% Rates for Certain Taxpayers.....	tyba 12/31/10	---	-1,766	-8,329	-10,010	-10,555	-11,018	-11,368	-11,748	-12,158	-12,559	-12,976	-41,677	-102,488
B. Permanently Increase the Maximum Amount and Phaseout Threshold Under Section 179 that are Scheduled to Expire After 2010	tyba 12/31/10	---	-2,789	-5,110	-4,479	-3,871	-2,948	-2,018	-1,330	-1,009	-989	-1,150	-19,197	-25,693
C. Reductions in Individual Income Tax Rates	tyba 12/31/10	---	-30,815	-44,810	-45,811	-46,779	-47,159	-46,966	-46,779	-46,351	-46,121	-45,778	-215,375	-447,369
1. Retain 10% bracket [1]	tyba 12/31/10	---	-12,649	-18,824	-19,884	-20,960	-21,642	-21,847	-21,867	-21,686	-21,592	-21,602	-93,960	-202,553
2. Retain the 25%, the 28%, and part of the 33% income tax bracket.....	tyba 12/31/10	---	-9,047	-45,389	-46,094	-46,498	-46,695	-47,068	-47,531	-47,872	-48,303	-48,645	-193,724	-433,144
D. Extend the \$1,000 Child Tax Credit, Refundability, and AMT rules [1]	tyba 12/31/10	---	-6,343	-13,553	-13,724	-13,784	-13,720	-13,508	-13,306	-13,187	-13,064	-13,075	-61,124	-127,266
E. Marriage Penalty Relief [1]	generally 1/1/11	---	-792	-1,664	-1,714	-1,809	-1,913	-2,072	-2,178	-2,281	-2,361	-2,358	-7,892	-19,142
F. Education Incentives [2]	tyba 12/31/10	---	-184	-668	-692	-704	-709	-712	-715	-728	-735	-740	-2,956	-6,586
G. Other Incentives for Families and Children [1] [3]	tyba 12/31/10	---	-167	-355	-398	-441	-481	-511	-537	-558	-579	-604	-1,841	-4,630
H. Repeal Overall Limitation on Itemized Deduction and the Personal Exemption Phaseout for Certain Taxpayers	tyba 12/31/10	---	-64,552	-138,702	-142,806	-145,401	-146,285	-146,070	-145,991	-145,830	-146,303	-146,928	-637,746	-1,368,871
Total of Make Permanent Certain Tax Cuts Enacted in 2001 and 2003.....		---	---	---	---	---	---	---	---	---	---	---	---	---
Estate and Gift Options - Extend 2009 Estate and Gift Tax Through 2011 and Index the Exemption Amount	dda & gma 12/31/09	34	4,901	-17,351	-1,007	-110	-444	-32	112	128	132	136	-13,977	-13,501

Mr. GRASSLEY. The expiring tax relief I am talking about today includes the marginal rate cuts and family tax relief. Under the statutory pay as you go, the amount permitted in this area is about \$1.4 trillion as you can see at the top of the chart on the right. It covers about 80 percent of extending all of the marginal rate cuts and family tax relief from the 2001 and 2003 bipartisan plan.

That number makes sense because the bipartisan tax relief plans cut taxes for virtually every American family who pays income tax. How significant and how widespread is this tax relief? This chart here, drawn by the Congressional Budget Office—and I want to remind people throughout the Nation that CBO is a professional group of people who see numbers as what they are, void of politics, and make predictions. So I hope this may shed some light on the question of how significant and widespread is the tax relief.

The line measures the effective tax rate paid by the top 5 percent of the taxpayers. That is at the top, the top line. This group roughly represents those taxpaying families with incomes over \$250,000. Under the Democratic leadership's budget, this line will go back up to where it was in the year 2000. That is also where the President's budget, meaning President Obama's budget, and the statutory pay-as-you-go regime would take the rates.

The Republicans believe this significant tax increase will be a mistake. We hope we will be able to debate this policy in the House and Senate, in committee and on the floor. That was, after all, the process that was followed when the bipartisan tax relief plans were passed in years 2001, 2003, and 2005.

We will point out that about half of the heavy tax increases will fall on small business owners. The top marginal rate on small business owners will rise by 17 percent. Democrats and Republicans agree, small businesses are a key job creator of the future and for a long period of time in our country. President Obama correctly points out that small business creates 70 percent of new jobs. I do not argue with his percentage.

The rest will also hit investment hard. The top capital gains rate will rise by 33 percent. The top dividend rate could rise by almost 275 percent. All of this is set to occur not at some far distant future point, it occurs a little over a half a year from right now.

We all hope the economy is on a path to recovery. But does this heavy tax increase on small business owners and investments ever make sense? Because even the most liberal Members on the other side might wonder whether it makes sense right now to increase taxes at this time. Is the recession ending? There is good news some days, bad news some days. But the uncertainty is a factor that people do not want to move forward with investment and creating jobs.

Do we think then that the private sector will grow if we hit small busi-

nesses and investors this hard 6 months from now? They are not going to wait 6 months from now to make some decisions. They are making those decisions right now. If we can give them some certainty, I think it would be a big boost for our economy.

You can see that the broad bipartisan tax relief brought the effective rate down with respect to the bottom 95 percent of taxpayers. This is the red line. Some of my colleagues on the other side of the aisle may be thinking to themselves, sure, this is true for income taxes. But what about other Federal taxes such as Social Security, which make up a large percentage of the taxes paid by middle and low-income individuals?

Well, this chart is not just a depiction of Federal income taxes, it includes all Federal taxes. This includes Social Security, other payroll taxes, excise taxes, frequently referred to by my colleagues on the other side of the aisle as regressive taxes, everything, including all Federal taxes over the last 30 years.

The top 5 percent has paid a lot higher effective tax rate than the bottom 95 percent. It has been that way no matter which party has controlled the White House or controlled Congress or controlled both. It shows something you would never know if you listened to the rhetoric from the other side or even the punditry of the media and the left.

Here is what it shows: A progressive income tax system is very deeply embedded into our culture. The bipartisan tax relief plans of 2001 and 2003 made the system yet more progressive. Those plans brought the rates down for the bottom 95 percent of taxpayers. The 2001 and 2003 tax relief plans dropped the effective tax rate for taxpaying families under \$250,000 to their lowest levels in a whole generation.

This is the current law level of taxation. In a little over half a year, these rates will pop back up for all of these taxpayers. I have a couple of charts that illustrate how significant the tax hit will be. Middle-income families will run right through these tax walls. I have used these charts several times in the last few months.

For a family of four with an income of \$50,000, that is a tax wall of a \$2,300 tax increase. For a single mom with two kids earning \$30,000, that tax wall will be \$1,100. The President, as powerful as he is, cannot unilaterally hike or cut taxes. He needs a bill from Congress to do that. On our side, we want all of the tax relief made permanent. We want the opportunity to debate and to amend a bill that deals with this basic level of taxation.

As has been made clear for the last 3½ years, Republicans do not control this Congress. We cannot decide the fate of the marginal rate cuts and family tax relief. This is unfinished business. It is unfinished tax legislative business that affects every American taxpayer. It will have fiscal con-

sequences. They are pretty significant fiscal consequences, as you can see by the figures on this chart. That is going to raise taxes an awful lot. If the Democratic leadership wants to keep these levels of taxation low, then they have to deal with the fiscal consequences. Alternately, the Democratic leadership can raise taxes and claim the revenue.

Not changing the law by failing to act is the same as raising rates on virtually every American taxpayer. But they will have to explain to the taxpayers why they raised taxes by almost 10 percent, on average. In the 2006 election, almost 4 years ago, the American people provided the Democratic leadership with control of the Congress. In the 2008 election, over 18 months ago, the American people provided the Democratic leadership with yet the largest majority in more than a generation. They also provided the Democratic leadership with a President of their party.

The Democratic leadership spent the periods of 2001 to 2006 thwarting our efforts to make bipartisan tax relief of 2001 and 2003 permanent. It would seem okay to keep Republican bills from 2001 through 2006 from being made permanent, but the 2001 tax bill was very bipartisan.

Upon assuming control, they have spent 3½ years with no legislation to make permanent or even extend marginal tax rates and family tax relief packages. My friends in the Democratic leadership need to step to the plate. We have had budgets and statutory pay-as-you-go. We have debated this and voted on the breadth and composition of marginal rate cuts and family tax relief in those contexts, yet no legislative action; no House committee and floor action; no Senate committee and floor action. And that would be the bottom line there. The Xs show nothing happening on something to give permanence to tax law, to give predictability to the future of those people who have to put up money to create jobs that expand our economy.

Without it, the biggest tax increase in the history of the country could be a fact. So I say once again, step to the plate. Blaming former President George W. Bush and Republican Congresses of many sessions ago is no substitute for running this time-sensitive tax legislative business through the process. Put forward proposals. Let us debate those proposals. Let's allow for amendments. Allow votes on amendments. Do the people's business. It is time to check every one of these boxes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I offered a rather lengthy amendment to this bill, not because I was trying to be cute, but I think the American people have got to hear from us on whether we are going to make some of the commonsense changes they would expect us to make.

There are a lot of easy votes in this amendment. I mean, to not pay contractors when they do not deserve to be paid, whether to continue to do it, we did it to the tune of \$6 billion at the Pentagon in the last 6 years. That is not hard.

To quit printing and wasting money on printing things we should not be printing, that is not hard. But the debate is.

It is just as important as taking care of those people who are unemployed. If we don't cycle through to a good recovery, we are going to have less opportunity to borrow money to help those people who are unemployed. We now stand at a crossroads we have never been at before. Our gross debt is in excess of \$17 trillion. Our net debt is at \$13.2 trillion. The difference between that is the money the Congress has stolen from Social Security and myriad other trust funds that are much smaller. But we have borrowed it and put a piece of paper in that says: We will pay you back.

The fact is, we have to pay interest. It is compounded. We will eventually have to pay it back. Only in Washington would we talk about net debt when, in fact, we are paying interest on the gross debt.

We had testimony before the debt commission 2 weeks ago by Dr. Reinhart, one of the leading economists in the country, who said we are in excess of 90 percent of our GDP, our debt. What did they tell us? We are struggling with a recession. We are trying to come out of a recession. They told us with that much debt, it is suppressing the growth of our economy by 1 percent a year. One percent a year is \$170 billion in productivity and economic activity that didn't happen. If we calculate that in terms of jobs, that is about 3 million jobs that are not going to be created next year because Congresses before us and this one as well have refused to live within their means.

We have, in terms of Washington, a relatively small bill now, \$100 billion plus. It was pulled from the floor to make it smaller—not to pay for a significant amount more, just to make it smaller—when, in fact, what the American people want us to do is find something within the Federal Government that doesn't make sense, don't borrow it from our children, do the hard work of finding what is not working here.

We are going to have a cloture vote on this legislation. My hope is, unless we change this bill, that this bill does not proceed until we accede to the demands of the American public. It is simple: Congress, start living like we are living. Start making the hard choices. When you have a limited budget, do what is most important first. Do what is least important last. Get rid of waste, get rid of things that should have been gotten rid of a long time ago and do what is best for the future.

We are not doing that with this bill, and we can't get anybody to debate on

the other side. They will not defend it. You cannot defend borrowing \$50 billion more against our children and grandchildren when we have \$300 billion of waste, fraud, abuse, and duplication in the government right now that we have rejected every time when those amendments come to the floor. You can't do it.

So we play the political game in Washington. We had it in February, when our colleagues passed pay-go. It is really to pay-go or not to pay-go. What pay-go means is, you American taxpayers, you pay, and we will go spend your money.

The statute said we would no longer spend new money on anything unless we paid for it. Since February 12 when this bill was signed into law, on February 24 we borrowed \$46 billion. We waived pay-go. We said the rule doesn't apply now. This is more important. It was the highway trust fund. Rather than cut some of the waste, fraud, and abuse, rather than cut out some of the things that are duplications, we borrowed that from our grandchildren. We did it twice in March, \$99 billion out of the Senate and \$10 billion. One was for an extension; one was for the overall tax extenders. We didn't quit there. April came, \$18 billion more. May came, May 20, we did \$20 billion more. Pay-go didn't apply. We waived it. We said it doesn't count. The rule doesn't count.

What good is it to have a rule or a statute that says we are not going to steal from our children anymore, and every time something comes up we steal from our children? It is a farce. It is meaningless. That is why we didn't vote for it, because it was just a charade to tell the American people somebody was doing something they actually weren't.

The proof is in the pudding. Then we borrowed \$59 billion on May 27. Now we have a bill out here on June 17 that is going to borrow another \$50 billion. How valuable are the lives of our children that we would steal opportunity? That sounds like a fallacious claim. It is not.

I want you to meet Madeline. Madeline is a little girl. I saw this on the Internet. I actually got to meet her. Her sign actually said \$37,000 6 months ago. In the last 6 months, she has gone from owing \$37,000, every individual, man, woman and child in this country, to owing \$42,000. What is her life worth? What is the opportunity for her worth? Are children just a toy, or do we owe it to them, based on what has been given to us, to create opportunity and a chance for a better life for the Madelines of this country?

The problem is, as we are set up right now, 9 years from now, that number is going to be \$187,000 per man, woman, and child. In 25 years, if we don't change what we are doing—and we will change because the world financial community will quit loaning us money—it will be over \$1 million.

Put your calculator on for a minute and calculate 6 percent of 1 million.

That is the interest cost for what we will have spent in money that we didn't have per person in this country. That is \$60,000 25 years from now that every one of us who is still alive will be paying each year just in additional interest before we do anything with the Federal Government.

This government is so far out of control. It is not President Obama's fault, it is the Congress's fault. Presidents can't do things without us. We allow it or don't allow it. We have been rebellious against the principles and values that made this country great. There has never been a country that has achieved—economically, culturally, and scientifically—anything close to what we have created. Congresses are destroying it. This bill is another drop that will eventually turn the statute over that says the future is not here.

This isn't a partisan debate, this is a generational debate. We are thieving. Generational theft is what we are about because we lack the courage to confront the real problems we have and embrace, though it may cost us politically, doing the right things to ensure an American dream for the Madelines of this world. We are failing to do that. What an abandonment of our oath, what a rejection of what was given to us. Yet we have the gall to come out here week after week and spend money we don't have on some things that are necessary, some that are not, but that allow us to continue to spend billions of dollars on things that we should not be spending it on because, basically, we lack courage. It is cowardice.

I am committed not just to Madeline. This doesn't have anything to do with the Republican or Democratic Party. It has to do with the survival of our country as we know it.

Yet we continuously hear: No, we can't. We can't do this. We can't do this. We can't get rid of the easy things to get rid of because somebody well healed or somebody well connected somewhere doesn't want us to. So who runs the country? Do the people of this country control us or is it the well healed or the well connected or those who will be advantaged by us continuing to waste money?

Is it a fact that we spent \$6 billion over the last 5 years paying performance bonuses to companies that contract with the Federal Government on performance they didn't earn, and we will not pass a law in a bill that says they can't do that anymore? Who is getting that money? Whose palms are we greasing? The fact is, we will not vote that out of here and say it isn't going to happen anymore. You are either going to perform under your contract or you are going to lose the contract, and we are not going to give you bonuses for not performing. Yet three times the Senate has voted that down.

Who benefits? It certainly isn't the average American. It is some corporate client somewhere who has too good of a sweetheart deal contracting with the Federal Government and has allies

within the Congress who say: We will protect you on the basis of having helped them in a campaign before. Do we want a future or do we want well-heeled buddies for the short term when it all collapses around us?

What we are addicted to bad behavior. We are addicted to spending money that we don't have on things we don't need. We are addicted to not confronting the very real problems in the government. Again, it is not President Obama or President Bush's fault. Congress has that responsibility. We reject our responsibility. We have abandoned our responsibility and, with that, our integrity by not doing what we should do.

As a physician, I know what addictive behaviors are all about. What do we need to do? One of the things President Obama wants us to do that we refuse to do is to end no-bid contracts. Let's end the sweetheart deals. Let's get rid of the no-bid contracts that the well connected, well heeled get to have at a higher price than what we would pay if we competitively bid it. Why don't we do that? That has been voted down by this body as well twice; we can't do that; we have to protect our friends; we are more interested in protecting our friends than we are in saving the country. Eliminate bonuses to contractors, I talked about that. Determine the total number, cost, and purpose of every Federal program. The Government Accountability Office can't give us that number. It is too big. The Congressional Research Service can't tell us all the government programs, what their cost and what their purpose is.

We did get through, late last year, an amendment that is going to force the Government Accountability Office to tell us. Do you know how long it will take them to tell us? Three years. That is how big the problem is. With all their resources, it is still going to take them 3 years to tell us all the government programs.

What do we know that I found out and my staff has found out in researching this over the last 5½ years? We have identified at least 640 different areas where there are more than five programs that have the same goal run by different agencies in the Federal Government.

We know, for example, right now some American people are struggling and a lot of people are actually having trouble getting enough food. So we have to guess how many programs to help feed those people who are needing food? Across six different Departments, we have 70 government programs. Not one of them has a metric on it to say: Are you effective? How do you measure your effectiveness? But we have 70 sets of overhead in the Federal Government to do exactly the same thing.

You may say, How in the world did that happen? I will tell you how it happens. Some constituent comes up here and says: Here is a problem. Oh, yes, it is a problem. We do not research it to see what the Federal Government is al-

ready doing, so we author a bill. Because nobody wants to keep food away from the hungry, we pass a bill, not knowing that we already have 69 other programs. That happens time after time after time, still today, because we do not know what we have.

In math, engineering, science, and technology, which is where we would like for lots of our young people to go, we have documented 105 different programs that are funded by the Federal Government to incentivize our young people to go into those areas in eight different government agencies, eight different government Departments. Not the Department of Education—some of them are in there—but in every area. Why? Yet we do not want to do the hard work of eliminating those.

Let's identify the 105, and let's cut it to one. Let's put metrics on it. Let's have just one set of overhead. Let's accomplish that.

We have added 160,000 Federal employees in the last 16 months. Every business I know out there is doing more with less. That is not a denigration to our Federal employees. It is embracing reality that we cannot continue to add Federal employees. We cannot afford the government we have. Forty-three cents out of every dollar the Federal Government spends today is borrowed from China or Russia or countries with sovereign bank accounts, many of which would like to see us end. Can we continue to do that? Can we continue to have 40 percent of everything we are spending borrowed?

What we do know is, necessity becomes the mother of invention, and if we put the clamps and the brakes on both the growth and the size and the total amount the government spends, we will get more for the same amount—but not until we try, not until we mandate it has to happen.

Limit the overhead costs of the Federal programs. The overhead and the layers of duplication are unbelievable. A tremendous amount of savings can be done. I just visited with a three-star general who is working inside the Pentagon. One of the areas where I want to see us eliminate \$50 billion a year in spending is inside the Pentagon because they have that much waste. They are going through a process now to look at where they have redundancy. Do you know what. They are finding it everywhere. But the Pentagon is so big, unless you look for it you are never going to see it.

So we now have the military starting to do what they finally need to do. They have never done it before—starting to look at redundancy, starting to look at good management, best practices, to create efficiencies so more dollars can defend us and less dollars will be spent on overhead. We need to do that government-wide, but especially in the Pentagon because it is our greatest discretionary cost with the exception of interest.

Disclose the cost, purpose, and text of legislation that is considered by

Congress. There should not be a bill that comes before Congress that we do not adequately and accurately know what it is designed to do. Have a measurement on it so we know it did what we designed it to do, know what it is going to cost, and then force ourselves to evaluate it.

This is the 111th Congress. In the 109th Congress, I held 47 oversight hearings. That was more oversight hearings than the entire rest of the Senate combined. You see, we do not want to do the oversight because it is hard work and you do not get great press clippings. It does not help your campaign, your political career. But we were not sent up here for a political career. We were sent here to do the best, right thing for the country as a whole.

Most of the problems we are seeing are parochial in nature, where we have concentrated on what is best for our State at the expense of what is best for our country. I would posit that my State, Oklahoma, and the Presiding Officer's State cannot be healthy if the country is not healthy. They cannot be. Yet when our focus becomes more parochial than national, we actually undermine our future as a country.

No. 8, require the Congress to justify the creation of new government programs that duplicate existing ones. I am notorious for not letting bills get to the floor because they duplicate something that has already been done. We have created a new program, but we did not eliminate the old one, so now we have both of them running. I usually get beat. I usually get rolled with 60 votes and we create the new program. But we never eliminated the one that was not working, and we never changed the one that was not working. So we just create another program.

Mandate that Congress has to do oversight—has to do it. It must do oversight. We can do that by changing our rules. But we do not have any interest in changing our rules. It is easier to coast and not do the hard job of oversight.

I will just finish up.

One of the things I have thought about—I am not sure it will be helpful, but right now in the trouble we are in, everybody who walks through this Capitol ought to be informed of how much debt we owe and what it is per person. We ought to have that. It is in my office. If you walk by—the Rules Committee will not let me put it in the hall; they say it does not look professional—I have a computer screen where, if you walk by my office, you can see the national debt clock ticking. Your eyes will roll as fast as it is coming up. Remember, we are borrowing about \$4 million a second. That is how fast it is going up.

So, anyhow, there are a lot of things we can do to stop the addiction.

I see the Senator from Georgia.

I ask the Senator, did you want to have some time? I will be happy to yield to you if you would yield back to me.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I thank the Senator from Oklahoma for yielding. I will be brief.

But I spend a lot of time, as all of us do, listening to the speeches of our colleagues. I spend a lot of time thinking about what they say. I was compelled to come to the floor, as I heard the opening remarks by the Senator from Oklahoma, to tell a little story.

Talking about grandchildren, my wife and I are blessed. We have nine of them. This past Tuesday, June 15, was our 42nd wedding anniversary. Really, the rest of my life is about those grandchildren, to whatever extent I can do it, either as a grandfather or a legislator, trying to make sure we leave them a life that at least has the hope of opportunity as great as was left to all of us by the generations who preceded us.

A few weeks ago, in Albany, GA—actually a few months ago—I was making a speech, as all of us do, and used “a trillion” as easily as all of us do in our speeches. After my speech, I opened the floor for questions, and a gentleman at the back of the room said: I just can’t quite get my hands on how much a trillion really is. Can you explain it?

I was up there doing the best I could. I got the number of zeroes past a billion, and all this. But I could not quantify it to magnify the gravity of what that number means.

So when I got home that night, my wife of 42 years suggested: Why don’t you just figure out how many years have to go by for a trillion seconds to pass? I said: You know, that is a good idea. Everybody would understand that.

So I got the calculator out and multiplied 60 times 60 to get how many seconds are in an hour, 3,600; multiplied that by 24 to get how many seconds are in a day; multiplied that by 365 to get how many seconds are in a year. Then I divided that into 1 trillion. The answer is it would take 31,709 years for 1 trillion seconds to go by.

Thursday, 2 weeks ago, our debt went above \$13 trillion. So you can take that and multiply 13 times 31,709 and see how big that obligation is. If you spread it over a lot of people, you can reduce the number down to an amount that does not seem as big, but we are one country. It is our debt. To pay it off we do one of either three things: We inflate the dollar to a value that is so cheap that what everybody has is worthless, and you pay off the debt with cheap dollars, but you destroy your country or you can just look the other way and say: Well, maybe nobody else will care. Maybe they will still buy our debt. We are going to keep spending, which is kind of what appears to be happening now or you can do what American families have been doing all their lives, but in particular the last 18 to 24 months: you sit around the kitchen table—and in this case we sit around the conference table—and you start

setting your priorities to live within your means.

I just want to commend the Senator from Oklahoma because his examples about accountability for expenditures, doing away with redundancy and all those things—yes, that is hard to do, and, yes, it is tedious to do, and, yes, it is more fun to talk about other things, but that is what Americans are having to do, and they are having to do it big time right now.

So I just could not help but come to the floor, having just celebrated my 42nd wedding anniversary. Well, I did not get to celebrate it because I was here and she was in Marietta, but we are going to celebrate it this weekend. Thinking about my nine grandchildren and thinking about the challenges of the debt that is rising and the increase that is just in this bill alone—as well as some of the pay-fors in this bill, which actually are going to stunt growth even worse, like carried interest—I thought I would just come and commend the Senator from Oklahoma on being right on point.

We all might have different opinions of what ought to be cut and what ought to be moved and what ought to be removed from being redundant, but we ought to be at the table figuring out what those should be, making agreements we can live with, and making the future for our grandchildren at least as bright, as prosperous, and as free as the one our parents left to us.

I yield back to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I thank the Senator from Georgia. It does not matter if you are a Democrat or Republican, liberal or conservative or Independent, what your faith is, what your sexual orientation is: Out of many one. But if we are not careful, that one is going to fall based on what we do, and the debt affects a liberal as much as it affects a conservative. It steals opportunity from liberal children as much as it does conservative children. We have to come to a point where we say: Enough is enough.

I was just thinking, as the Senator talked, the \$50 billion we are going to borrow from our kids with this bill, it would run the government of the entire State of Oklahoma for 8 years—every branch, every employee, pay all the costs, build all the highways, do everything we do for 8 years, just on what we are going to borrow.

When you start putting it down into, how much is \$50 billion?—we throw away billions like they were pennies here.

And how many years for a trillion seconds?

Mr. ISAKSON. That is 31,709 years.

Mr. COBURN. That is 31,709 years. So we are going to have a \$1.6 trillion deficit this year. Well, that is 50,000 years of seconds. Just this year, it is 50,000 years of seconds.

Let me go into the amendment a little bit and talk about it. The first sec-

tion of this amendment would require public disclosure of the amount of any new borrowing or spending approved by the Senate. In other words, it is about transparency. It is about letting the American people hold us accountable. It means that on the Senate Web site, after we make new spending decisions and borrowing decisions, we have to publicize it so the American people can see it, rather than hide behind it. It is simple. There is no score for it on savings. I guarantee it will save money, because if we know the American people are going to know what the financial consequences are of what we do with every vote, it is going to change some votes around here.

The other question we ought to be asking is why shouldn’t they know what we are doing and the ramifications of it. It is pretty simple. It is pretty straightforward. I have told the Rules Committee that I would pay out of my personal office budget the cost of that program. In other words, I would turn back over \$500,000 every year. I will pay for it out of my budget and make sure that is available, so there is no cost to it whatsoever. I will pay for it out of my budget, out of my office, so it doesn’t cost us anything. But it gives the transparency the President and I worked on in this body, and he wants to see from this body, and it makes it available to the American people. So we are going to get a vote on that.

It is important to know that with this bill, if it passes, we will have borrowed 59 plus 20, that is 79; 89, 97, 143, 513, 252, plus 50—\$302 billion since February 14, outside of the budget. That is outside of the budget. Now, \$300 billion will run Oklahoma for 40 years. We could run the whole State of Oklahoma for 40 years on what we have spent in 6 months. So why shouldn’t we let the American people see what we are doing, since it is going to cost nothing, and it is transparency, so they can hold us accountable? Why should we not do that?

The second thing that is important is in the last year, we have markedly increased—not counting the stimulus bill—the discretionary spending of the Federal Government. We didn’t leave ourselves out on that. Inflation was nothing, but we increased our own budget by 4.8 percent. So the other component of one of these amendments is that 4.8 percent, I say we give \$100 million of it back, which would be a third of that. That means we still get three times what the rest of the country got in terms of an increase, but it shows at least we are willing to let—and if anybody ran their office with any appropriateness, they would have a surplus as well every year. So it is not a hard cut, but it is important, since we gave ourselves a budget increase, that we demonstrate to the American people we are serious about doing it. Vote against it and say you don’t think so or vote for it and let’s put it in this bill. Let’s start showing the American

people we get it. We will do the right, best thing for the country in the long term.

I have occasional conversations with the President, and one of the things he has told his administration to do, and we heard it flatly rejected—not just rejected but flatly rejected on the basis of a lack of knowledge by the chairman of the Finance Committee. He has told every agency to find 5 percent in cuts. Those are the instructions he has sent out to the head of every agency. Why has he done that? Because he knows we have to. This portion of the amendment says that is exactly what we are going to do. We are going to cut 5 percent of the discretionary spending of every branch of government save Defense and Veterans. Some would say, Well, that is 1/20th of the budget. Yes, it is. But when you look at it in light of the size of the agencies today, in the last 10 years they are twice as big as they were 10 years ago. They have grown by an average of 10 percent per year and we can't find 5 percent or one-fifth of the growth they have had over the last 10 years that can be done more efficiently or as a lower priority or not as important? We can't find that? Yet, as the Senator from Georgia said, almost every family in this country is having to do that. We refuse to mandate that the Federal Government get on a diet, do things more efficiently, more effectively; take another look to see if it can be done a different way. It is called productivity increases. We can get that.

We won't ever get it if we don't ask for it. It is not a hard concept. We can do that. We allow the agencies to make those recommendations, and that is one of the things President Obama has already asked all of his agencies to do, to go find that 5 percent. That sends a wonderful signal to the American people that we get it.

It does something else that is important, and so will the defeat of this bill, and if we pass it with it being paid for. Right now in this country the value of our dollar is pretty good. The reason it is good is because people are worried about Japan and the value of the yen, and they are significantly worried about the Euro because of what is happening to Greece and now what is getting ready to happen to Spain. So money is rushing in. Smart money around the world in these other economies is rushing to hide in dollars. In about 2 years from now, that money is going to be sucked back out of here, because those economies will have made the hard choices of austerity with which to restabilize the Euro or their currencies. They will have done it.

What we need to send to the international finance market is a signal that says we too are way overextended and we are going to start making the appropriate choices to secure our financial future.

It was 2 months ago that Moody's put a notice out that said if things don't happen and start to change with U.S.

Government bonds, they are going to be downgraded from AAA to AA. That is a big downgrade. We have never had an AA rating. So all of a sudden, the world rating system is going to say that maybe an investment in our product, our dollars, is not what it should be.

We need to make sure that doesn't happen. We need to make sure we have sent a signal to the world. When we start doing things where we are paying for new things by cutting lower priority items, we send that signal. We build that confidence back. When we start paying for new bills and the extensions of benefits, we extend that back up.

We are going to hear—actually, we won't hear, because we won't hear anybody come out and debate against these things. What they will choose to do is to ignore them and then vote against them. So the American people won't hear a legitimate debate on why we shouldn't cut 5 percent across the board, letting them decide what areas are most important and recommending them to us; we won't have a debate. We won't debate, and then we will kill it, thinking it will go away. Well, the American people have gotten that already. That is not acceptable to the American people. If you think we shouldn't cut spending in the Federal Government, come out here and defend it. Come out here and give us a philosophical, logical reason why we ought to continue to steal from our children and grandchildren. We won't see that. We won't see a strong debate against each of the points I am going to make associated with this amendment. The real question ought to be: Why? Because it is indefensible to vote against it. That is why. You cannot see the waste, fraud, abuse, and duplication in this government and not say we can do better.

Section 4 of the amendment eliminates nonessential government travel. Do my colleagues realize that almost every government office now has audiovisual equipment for the ability to carry on a teleconference anywhere in this country and overseas? Yet, last year, we spent—no, 2 years ago we spent—the data is behind—we spent \$13.8 billion on airline tickets and hotels for Federal Government employees of which over half was nonessential. In 2006, \$3.3 billion was spent on airfare. In 2007, \$3.5 billion was spent on airfare. In 2008, \$4 billion was spent on airfare. We can't get the numbers for 2009 yet. Hotel rooms, \$2.3 billion, up to \$2.5 billion. Car rentals, from \$423 million to \$437 million. Most of this can be done by teleconferencing. Why wouldn't we say at a time when we are borrowing \$1.6 trillion from our kids that maybe we ought to teleconference rather than get on an airplane? I can tell you it is a whole lot easier than traveling 1,600 miles twice a week. So what does this do? It saves us money.

One of my favorite ways of saving money is to cap the printing costs in

the Federal Government. We have examples of it right here. Every day, we put a Calendar of Business out, we put an Executive Calendar out, and we publish the CONGRESSIONAL RECORD, and we print hundreds of thousands of copies. You know what. It is all on line. We can save \$4 billion over the next 10 years by printing limited amounts of things we need and not printing some things everybody else has access to on a computer. Why would we not do that? Why would we not cap our printing costs? Think of the thousands of acres of trees we can save every year. What we know is every year, Federal employees, through our direction, spend \$1.3 billion on printing. The analysis by GAO says \$440 million of that is unnecessary. So over 10 years, that is \$4.4 billion. That is \$4.4 billion that we won't take from Madeline. Madeline and her other 3- and 4-year-olds won't have to pay it back. Remember, they won't be paying \$4.4 billion back; they will be paying the compounded interest that will double that debt in 10, 12 years. In 20 years, it will triple it. In 30, it will quadruple it. So they won't be paying \$4.4 billion back, they will be paying \$20 billion back. Why would we not do that? Why would we not make this decision to do that? It has been rejected by this body in the past.

Before the Bush administration left, I was working with them on unused Federal real property. We have billions, if not hundreds of billions, in underutilized Federal property owned by the taxpayers.

We spend \$8 billion a year maintaining buildings we are not using. Think about that. We are spending \$8 billion a year maintaining buildings we are not using. But we can't sell them because there is a little bill called the McKinney-Vento Act that says every used building in the Federal Government has to be offered as a homeless shelter first—even if it is an airplane hangar on a closed military base.

We created a bureaucracy nightmare that doesn't allow us to do that. Consequently, we could take a tenth of the \$8 billion we are spending and appropriate that directly to the homeless and save \$7.2 billion a year. But this body has rejected that as well. They voted it down. They didn't give a reason, they just voted it down. We have 46,745 underutilized properties, 18,849 properties we are not using at all, and a total of 65,000 properties we are not utilizing with an estimated value of \$83 billion. That's \$83 billion of property you are paying the maintenance on that we are not using, that we could sell and pay for almost all of this bill. But we won't do it.

Of course, we don't buy many properties anymore. The reason for that is because of the way our budget scoring is, even though it would be smarter to buy it because the total cost of the building is charged to the agency in the year in which the building is completed. None of the agencies are buying buildings anymore, they are renting

them. We should not be renting the first building. We should be getting rid of the \$85 billion worth of buildings we don't need and buying a building, because you can own a building a lot cheaper than renting one—maybe not last year, but commercial rates are coming back up. Yet we don't do it.

Since 2005, out of this \$85 billion, because of the bureaucratic nightmare of steps you have to go through, we have only sold \$2.5 billion worth of an \$85 billion portfolio. None of you would do that with your own property. If you had property out there that you owned, and you were spending 10 percent of the value of that property every year maintaining it, and you weren't utilizing it, and you had an opportunity to sell it, you would sell it. Not the Federal Government. We ought to be asking why. Who took a stupid pill to say not to do that?

Some of the properties are not of any value, so we ought to demolish them, because it costs less to do that than to maintain them. I will give you a rundown on some of them. On the buildings we now have, which we are utilizing, we have a maintenance backlog of \$35.5 billion. We are spending money on buildings we don't want, maintaining them, but we can't take care of the buildings we have because we don't have enough money because we are spending it on buildings we don't use.

Section 7 provides that the Department of Defense would auction new, unused, or excellent condition excess inventory to the highest bidder, rather than transferring it at no cost to State agencies and others. You buy tons of stuff every year through the Defense Department that they don't need. As a matter of fact, they don't even know what they have. It is sitting in warehouses around the country. And what do we do when we figure out we don't need it? We give it away. When we are \$13.2 trillion in debt, it is time to stop giving it away. It is time to get some value for the American taxpayers who paid retail price for that and turn around and sell it. It has been voted on before and rejected.

I mentioned in my opening words about capping the total number of Federal employees this year. That is called a hiring freeze. But it is not a hiring freeze because if you have retirements, you can replace them. We added 160,000 Federal employees in the last 16 months. We have only have an increase in net new jobs of about 450,000. Almost 50 percent of the net new jobs have been Federal jobs—at a time when our deficit is going to be one of the highest on record.

I say time out. I say do it with whom you have. If you have retirements, or people who leave, replace them, but don't increase the numbers anymore. Those numbers don't include the census of 441,000 temporary workers we have hired and will go away. How else are we going to get our budget under control if we don't do it in terms of personnel?

The other thing is, if you look at the process over the last few years on Federal employees—and I will say it again—I will discuss the fact that those of us who think we are in a crisis moment in our country and feel we ought to be making tough choices would say we ought to freeze total salary costs. That is not a salary freeze per individual. That is just saying that in this department, this agency, here is how much you are going to spend on salaries, and we are not going to go up this year. We are not going to raise the total amount we spend on salaries this year. That still allows every manager great flexibility. You can promote and give raises to people who are performing. But you can't increase the total amount of money.

Why is that important? There is an article in today's paper that OPM is starting to look at it. We looked at it, and here is what we know: In 1999, the average Federal salary was \$49,536. It is now \$78,806. Inflation during that period of time averaged 2.4 percent. Salary increases during that period of time averaged 4 percent—1½ times the rate of private pay increases in this country.

What happened to benefits? Average personnel benefit per Federal employee is nearing \$40,000 per year. Depending on how much you make, that may seem like a lot, or not, but when you look at the average private sector pay, it is \$42,000. It is \$36,000 less than the average Federal employee is paid. I don't want Federal employees to get a cut. I just don't think we ought to increase them at a time when most people aren't getting pay increases. I don't think we ought to increase Federal pay.

The benefit differential is even more stark. The average for benefits for the average person in this country, who doesn't work for the Federal Government, is \$20,000 per year. So we have almost twice as rich a benefit, or 1½ to 2 times as rich a benefit for Federal employees as everybody else in the country who is employed. I am not saying cut them. I am saying for 1 year let's not let it increase. Let's do right by the American people, who are struggling, and let's do right by the grandchildren and young children in our country by putting some common sense into what is allowable, given that we are in a time of crisis. We voted on that before. It failed.

Federal employees also have, unpaid to the Federal Government, \$3 billion in back taxes, and that is not under dispute. Federal employees, who average \$78,000 a year, owe the Federal Government \$3 billion. I say they ought to be paying that. I say it ought to be coming out of their wages. It is time to not allow that as a condition of your employment anymore. It seems unconscionable to me that you cannot pay your taxes, when you make \$78,000 a year, and we are not going to force you to pay them. So it is a \$3 billion savings, but it is an important signal to

send to people: We are all paying taxes, and you ought to, too, since you make 1½ times what the average person in this country makes.

We talked earlier about section 11. It eliminates the awarding of bonuses to government contractors when they have unsatisfactory performance. That is a no-brainer. Nobody in the private sector is going to give a bonus to somebody who isn't performing. But the Federal Government does it all the time. We need to statutorily say you cannot do that anymore.

We now know that we spent \$6.2 billion at the United Nations last year. We have no transparency from them on how our money was spent. We know we account for 25 percent of their regular budget and 26 percent of the peacekeeping budget. We did get a little piece that leaked data on an audit. We know that nearly 40 percent of the money spent on peacekeeping is defrauded. Our voluntary additional contributions to the U.N. were \$1.3 billion last year.

All this amendment says is, don't give more than a billion to an incompetent organization where we cannot find out where they are spending our taxpayer money. It is a ridiculous commitment. Why would we even let them have a billion? At least save \$3 billion a year over the next 10 years, but by not allowing that to go forward.

I want to talk about one other thing I think is important that most of this body has voted against several times. We have \$1.7 trillion sitting in the bank—money that the Congress has appropriated to be spent in outyears. Almost \$700 billion of that has not been obligated for anything. Yet we have T-bonds and T-bills we are paying interest on while that sits over there.

Prudent management would say that rather than borrow more money, you would use money from the bank account you already have. So this portion of the amendment takes \$50 billion out of that \$700 billion. We ought to eliminate it all, if it is unobligated. I recognize they have to have some movement back and forth, but they will never notice that \$50 billion that isn't in the unobligated balances, and when that expenditure comes, we can appropriate money for it. We are letting money sit idle while we borrow additional money to do additional things. This simply says that we move \$50 billion out of that.

Section 18 is about getting energy efficiency at the Department of Energy.

Section 19—I talked to one of the Senators from California on this amendment. I am not opposed to fixing the problems with Medicare, the statistical inaccuracies in their payments, but I am opposed to not fixing it for the five other States that have it as well.

It is unfair to take the State of California when the States of Georgia, Minnesota, Ohio, and Virginia all have exactly the same problem. Yet in this bill, as we heard Senator GRASSLEY say

earlier, we only fixed one of the States. That is called an earmark. There is nothing wrong with fixing it for California, but there is plenty wrong with fixing it for California but not fixing it for these other four States. If it is something that needs to be fixed, why would we advantage California over these other States? It is called favoritism. It is called exceptionalism. It says that the citizens of California are worth more in this country than the citizens in Ohio and Georgia and Virginia and Michigan. They are not. If it is a problem that needs to be addressed, let's address the whole problem.

Why did they not address the whole problem? Because it would have cost more money. We are going to borrow \$400 million per year to fix it in California, and that is OK but it is not OK to fix it in the other States. That is inherently unfair, it borders on the unethical, and it is exactly the type of thing the American people reject. If there is a problem, fix it for everybody. Do not single out one group of people at the expense of the rest of Americans.

Finally, this amendment eliminates all tax increases in this bill. The last thing we need to be doing right now is decreasing capital formation in this country, decreasing the ability to invest in new ideas, decreasing the capability of small businesses, which this bill goes after in terms of their subchapter S status, and making it more expensive to start a new business or keep one running when 70 percent of the jobs that are created in this country—and we are hurting for jobs—are created by small businesses.

This amendment has 20 segments, and we are going to have 20 votes. We are going to see where this body lines up on these issues. Vote against common sense at your peril. Vote against the future of our country. Vote against Madeline and everybody else like her. Vote to increase the debt even higher. Vote to increase the size of the Federal Government. Vote to undo pay-go again. Continue doing what we are doing, and what we will see is the American people are going to reject that. They are rejecting it now. It is high time we started listening to the American people.

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

The PRESIDING OFFICER (Mr. BURRIS). The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I ask to speak as in morning business.

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

Mrs. HUTCHISON. Mr. President, I wish to talk about the oilspill that is absorbing so much of the time and at-

ention of our country. There is a minor point, one that I think needs to be addressed right now, and that is the Jones Act.

The Jones Act was put in place in 1920 to ensure that the United States was able to maintain a fleet of merchant ships. It was really for protection of U.S.-flagged carriers against competition from foreign carriers that might undercut our ability to have profitable merchant ships.

The Jones Act is currently preventing resources, however, from being used in the massive cleanup in the Gulf of Mexico. This legislation that has been on the books since 1920 is hindering foreign vessels from assisting gulf communities as they work to prevent oil from reaching their shores.

Currently, foreign vessels need to obtain a Jones Act waiver from the Federal Government in order to help with the cleanup efforts. For many of the vessels wishing to respond, this request needs to be reviewed by three separate agencies—the Coast Guard, the Maritime Administration, and Customs and Border Protection. That is three layers of bureaucracy when time is of the essence. During this crisis, we need to cut through the redtape. We must get all available assets on the scene as quickly as possible. I think everyone agrees.

Other countries have offered their services. They have offered to help. There are European countries that also drill in the oceans and waters on their shores, and they have offered to send ships to help to try to absorb the oil and skim it off. There are volunteers waiting with the right equipment, and they are willing to come to our aid. We should know that with oil leaking from the ocean's floor, the natural resources of the gulf are being destroyed as we speak. We need every resource at our disposal to prevent further destruction. In my State of Texas, I have a constituent who would like to provide equipment to aid in the cleanup—his ship has a foreign flag—but he is unable to help because no waiver has been issued to the Jones Act in this particular crisis.

There is precedent for waiving the Jones Act in disasters. It has been waived to speed up disaster responses in the past, including a waiver that was issued in the aftermath of Hurricane Katrina nearly 5 years ago. It was done by the Executive with an Executive order.

Without this key waiver, foreign vessels are prohibited from working with their American counterparts to skim the oils from the water of the gulf within 3 miles of shore. Of course, that is where we desperately need to have the most help to skim the oil before it reaches and damages our shores.

That is why next week I intend to introduce legislation that will waive the Jones Act for vessels whose sole intent is to assist in the cleanup of the Gulf of Mexico. We will ensure these foreign ships will work under the auspices of

the Coast Guard. We will make sure there is a clearinghouse for them, but we should not be waiting to have three different Federal agencies look at a Jones Act waiver request when we know what is happening in the Gulf of Mexico. We see the pictures every day. This waiver would be applied for a period of time that is necessary to respond to this oilspill and restore the waters of the Gulf of Mexico during this emergency.

The Federal response to this spill has been a little short of immediate. It has been a day late and a dollar short, and that is not acceptable. It is time that Congress does what we can with the resources we have to urge the administration to act while it can to mitigate the damages we know are already there. It is time for us to be proactive. It is time for us to act.

I look forward to having cosponsors. I am in the process of getting this bill in order now. I want to work with my colleagues on both sides of the aisle. Our Gulf States have a bipartisan senatorial delegation. I want to help to do everything possible. If we can waive the Jones Act for this disaster with all of the appropriate cautions that are necessary and get those foreign ships that are ready to help our country, that have offered to help our country, to get into the 3-mile limit before this oil does further damage to our coast and to the wildlife and to the natural resources on our coast, we need to do it. This is something that should have been done weeks ago. It was not done.

It is time for Congress to step in. I hope my colleagues will help us move this legislation expeditiously and urge the administration to do what is within their realm, even before Congress acts. That would be my wish. If the President would issue an Executive order, that would do it. But since he has not and since weeks have passed, it is time for Congress to take the reins and try to do everything that is within our power to mitigate the damage to the Gulf of Mexico.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on the Baucus motion to concur in the House amendment to the Senate amendment to H.R. 4213 with amendment No. 4369 occur at 7:30 p.m. this evening.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that my motion to concur in the House amendment to the Senate amendment to H.R. 4213 with an amendment be modified to provide for

technical changes to my amendment which are at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, I will have to object simply because we haven't read it yet. We are going to take a look at it. Quite possibly, after figuring out what it is, we might not object, but for the moment I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BAUCUS. I renew the request and let the leader reserve the right to object again. The modification is to provide that the enterprise value, the good will of a partnership interest which is sold, would be valued at 50 percent cap gains, 50 percent ordinary income. That is the provision those in the industry who cared about carried interest agreed to. That was the intent in the underlying substitute amendment. Unfortunately, when the amendment was drafted, there was a glitch which did not fully provide for what I just described. It is my full intent for the substitute amendment to provide for what I just stated; namely, that the good will value, enterprise value of the sale of a partnership interest, be valued at 50 percent cap gain and 50 percent ordinary income. It is unfortunate that we are unable to make that change.

Mr. McCONNELL. Mr. President, I appreciate that explanation. As the chairman of the committee knows, we still need to see the actual amendment, and we will take a look at it.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4213, the American Workers, State, and Business Relief Act of 2010, with the Baucus amendment No. 4369.

Harry Reid, Max Baucus, Patrick J. Leahy, Jeanne Shaheen, Byron L. Dorgan, Sherrod Brown, Edward E. Kaufman, Daniel K. Akaka, Christopher J. Dodd, Jeff Bingaman, Robert P. Casey, Jr., Jack Reed, Barbara A. Mikulski, Roland W. Burris, Jon Tester, Daniel K. Inouye, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur with amendment No. 4369 to the House amendment to the Senate amendment to H.R. 4213, the American Workers, State, and Business Relief Act of 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Missouri (Mr. BOND), and the Senator from Kansas (Mr. ROBERTS).

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

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 194 Leg.]

YEAS—56

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

NAYS—40

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

NOT VOTING—4

Bond	Graham
Byrd	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 210, H.R. 3962, and that the Baucus substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be read the third time, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto be printed in the RECORD, as if read, with no further intervening action or debate.

Mr. President, what this is, as of Tuesday, the doctor fix—the reimbursement for Medicare physicians—expired. The administration was able to—the Health and Human Services Department—extend that for 3 days. It runs out, I think, tomorrow. It is still good until tomorrow. So if we don't do this, not only will doctors who take Medicare patients get a 21-percent cut, in addition to that, so will others that are based upon Medicare reimbursements—veterans, insurance companies, HMOs, even TRICARE and the military. It will be a shame if this weren't agreed to. Remember, it is paid for. It

is not a question of running up the debt.

My friends on the other side have the opportunity to take care of the doctors for the next 6 months, fully paid for. If not, there is going to be havoc in America starting tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, reserving the right to object, we just got this a few moments ago. We are going to take a look at it. I think we are all hoping we can come up with a way to do the so-called doc fix and in a paid-for fashion, but for today I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a bill to provide for an extension of unemployment insurance provisions that are in this bill we just had a vote on, for an extension of unemployment insurance provisions; that the bill be read the third time, passed, and the motion to reconsider be laid upon the table; that statements relating to the matter be printed in the RECORD, as if read, with no further intervening action or debate.

Mr. President, this is extending unemployment benefits for people who have been out of work a long time. As Mark Zandi, Senator MCCAIN's chief economic adviser, says, nothing stimulates the economy more than giving an unemployment check to somebody who has been unemployed for a long period of time.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, we are still working together, on a bipartisan basis, to try to figure out how to go forward. For the moment, I object.

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a bill—the provision in this bill we just dealt with—to extend the temporary increase of the Medicaid FMAP through June 30, 2011; that the bill be read the third time, passed, and the motion to reconsider be laid upon the table; that any statements relating to the matter be printed in the RECORD, as if read, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. Mr. President, this issue is currently covered through the end of this calendar year. This matter doesn't have the urgency at the moment that some of the others arguably do. We still have 6 months to address this issue. Therefore, for the moment, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, here is one I hope we don't have objection to. If there were ever a bipartisan piece of legislation, this is it. This is legislation originally devised by the Senator from Georgia, JOHNNY ISAKSON. It has been good for the economy—the first-time home buyers tax credit.

Right now, there are hundreds of thousands of people who have qualified for this first-time home buyers tax credit. The problem is that the banks processing the paper are taking too long. If we don't extend this time, they will lose the opportunity to buy a home for the first time. It is fully paid for. It passed by a large margin. It seems that we should at least get this done tonight. It would allow these papers to be processed. I cannot imagine why something as bipartisan as this should not go forward.

I ask unanimous consent that the Finance Committee be discharged from H.R. 4994, and that the Senate proceed to its consideration; that the amendment we dealt with yesterday, the so-called Reid amendment, which is at the desk, be considered and agreed to; the bill, as amended, be read the third time, passed, and the motion to reconsider be laid upon the table; that any statements relating to this matter be printed in the RECORD, as if read, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, the majority leader is entirely correct that there is support on both sides for the step he recommends we take. Senator ISAKSON has been the leader on this issue on our side. However, incredibly, CBO has decided this costs money, which nobody can quite understand. So there is still a disagreement over how to pay for it. There is an agreement on the result, but there is a disagreement on how to pay for it, since CBO has decreed that it will cost the government money.

We are going to have to continue to work on this and, therefore, for the moment I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Mr. President, with respect to some of the previous consents, Americans are frustrated with the amount of spending and borrowing we are doing here. We have an opportunity to show the American people that we can be fully responsible and cut spending elsewhere. Earlier today, we voted for a bill that would have cut the deficit by almost \$70 billion. Let's not wave on through legislation that is going to worsen the deficit and dig an even deeper hole than we are currently in.

Americans want us to show that we are serious about lowering the debt. Therefore, I have a consent to extend all of these expired provisions, including unemployment insurance and the doc fix. I will propose that now.

I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 411, S. 3421; further, that the bill be read the third time and passed, and the motion to reconsider be laid upon the table.

Before the Chair rules, for clarity, this is a paid-for 30-day extension of the extenders bill, which includes un-

employment insurance, the doc fix, COBRA, flood insurance, and the extension of the small business loan guarantee program, and the 2009 Federal poverty guidelines.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, how is it paid for, I ask my friend?

Mr. MCCONNELL. With stimulus money.

Mr. REID. That is what I thought. First of all, that money is not there; it is obligated. I also say this. The economic recovery money—the stimulus money—has created millions of jobs in America today—at least 3 million. But the best bang for the buck will come in the next quarter of this year. All the economists say that. It has taken a while to get the programs up and running. This would be taking good money that will create lots of jobs. We are all aware of the deficit. We are all aware of that. We understand where it came from. We understand that President Obama found himself elected President in a huge hole created by the one who was President before him. That is the reason we passed the recovery bill. It wouldn't be right, with the country still struggling to gain its economic viability, to cut the legs out from under this program that has worked so well.

I think this is the wrong way to go. I think it is too bad that we are trying to take good money and abuse it. So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the pending business be set aside and I be allowed to call up my amendment No. 4313, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

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

The PRESIDING OFFICER. The Senator from Wyoming still has the floor.

Mr. BARRASSO. Mr. President, I am trying to get my amendment No. 4313 pending so we can have an up-or-down vote. It is unfortunate that this has been blocked.

This amendment fixes flaws in the Cobell v. Salazar settlement, which is important to Indian country. These fixes will benefit thousands of class members involved in this suit.

Congress has a responsibility, when they know legislation is broken, to fix it. The Cobell settlement legislation is no different. I will continue to raise this issue as long as the debate on this bill is occurring.

I yield the floor.

Mr. GRASSLEY. Mr. President, at around lunchtime, the Senate voted on Senator THUNE's alternative to the Democratic leadership's extender bill.

Senator THUNE's amendment took the exact opposite approach to the Democratic leadership's substitute. It cuts taxes by \$26 billion by extending current law. It cut spending by over \$100 billion, and reduced the deficit by \$68 billion. Those are Congressional Budget Office, CBO, and Joint Committee on Taxation estimates.

According to the Congressional Budget Office, CBO, the current version of the Democratic leadership's extenders substitute would increase direct spending by about \$105 billion through 2020 and raise revenues by about \$50 billion over that period, resulting in a net deficit increase of about \$55 billion for the 2010–2020 period.

The contrast couldn't be clearer. The Republican Conference, along with one member of the Senate Democratic Caucus, voted to change the bottom-line fiscal effects of the Democratic leadership's extender substitute. The Thune amendment would reduce the deficit by \$13 billion more than the amount the Democratic leadership's extender substitute would add to the deficit. Senator THUNE's amendment reached this better fiscal result by restraining Federal spending.

All but one of the Democratic Caucus who were present, 57 Senators, voted against Senator THUNE's amendment.

The junior Senator from Florida, one of the 41 Senators who voted for Senator THUNE's amendment, came to the Senate floor to highlight the differences between the Democratic Caucus and the Republican Conference in the approach to this extender bill.

The junior Senator from Michigan also made some comments on the current fiscal problems. She made her arguments in response to comments from the junior Senator from Florida. Last year, at about this time, there was a lot of revision or perhaps editing of recent budget history. I expect more of it from some on the other side.

The President signaled as much in an interview with George Stephanopoulos a few months ago. I agree with the President that there's a lot of revisionism in the debate.

The revisionist history basically boils down to two conclusions:

1. That all of the "good" fiscal history of the 1990s was derived from a partisan tax increase bill of 1993; and
2. That all of the "bad" fiscal history of this decade to date is attributable to the bipartisan tax relief plans.

Not surprisingly, nearly all of the revisionists who spoke generally oppose tax relief and support tax increases. The same crew generally support spending increases and oppose spending cuts.

In the debate so far, many on this side have pointed out some key, undeniable facts. The stimulus bill passed by the Senate, with interest included, increases the deficit by over \$1 trillion. The stimulus bill was a heavy stew of spending increases and refundable tax credits, seasoned with small pieces of tax relief. The bill passed by the Senate had new temporary spending, that,

if made permanent, will burden future budget deficits by over \$3 trillion. That is not CHUCK GRASSLEY speaking. It is the official Congressional scorekeeper, the Congressional Budget Office, CBO.

All of this occurred in an environment where the automatic economic stabilizers thankfully kicked in to help the most unfortunate in America with unemployment insurance, food stamps and other benefits.

That antirecessionary spending, together with lower tax receipts, and the TARP activities has set a fiscal table of a deficit of \$1.4 trillion for the fiscal year that ended several months ago. That is the highest deficit, as a percentage of the economy, in post-World War II history.

Not a pretty fiscal picture. And it is going to get a lot uglier with the budget put forward by the President this year. It's the same result under the budget crafted last year by the Democratic leadership. So, for the folks who see this bill as an opportunity to "recover" America with government taking a larger share of the economy over the long-term, I say congratulations. You have recovered America with a vast expansion of government and the American people have a lot of red ink to look forward to.

Members who voted for the budget and the fiscal policy envisioned in it put us on the path to a bigger role for the government. But supporters of that fiscal policy need to own up to the fiscal course they are charting.

That's where the revisionist history comes from. From the perspective of those on our side, it seems to be a strategy to divert, through a twisted blame game, from the facts before us. How is the history revisionist? Let's take each conclusion one-by-one.

The first conclusion is that all of the "good" fiscal history was derived from the 1993 tax increase. To test that assertion, all you have to do is take a look at data from the Clinton administration.

The much-ballyhooed partisan tax increase of 1993 accounts for 13 percent of the deficit reduction in the 1990s. Thirteen percent. That 13 percent figure was calculated by the Clinton administration's Office of Management and Budget, OMB.

The biggest source of deficit reduction, 35 percent, came from a reduction in defense spending. Of course, that fiscal benefit originated from President Reagan's stare-down of the communist regime in Russia. The same folks on that side who opposed President Reagan's defense build-up take credit for the fiscal benefit of the "peace dividend."

The next biggest source of deficit reduction, 32 percent, came from other revenue. Basically, this was the fiscal benefit from pro-growth policies, like the bipartisan capital gains tax cut in 1997, and the free-trade agreements President Clinton, with Republican votes, established.

The savings from the policies I have pointed out translated to interest sav-

ings. Interest savings accounts for 15 percent of the deficit reduction.

Now, for all the chest-thumping about the 1990s, the chest thumpers, who push for big social spending, didn't bring much to the deficit reduction table in the 1990s. Their contribution was 5 percent.

What's more the fiscal revisionist historians in this body tend to forget who the players were. They are correct that there was a Democratic President in the White House. But they conveniently forget that Republicans controlled the Congress for the period where the deficit came down and turned to surplus. They tend to forget they fought the principle of a balanced budget that was the centerpiece of Republican fiscal policy.

Do my friends on the Democratic side remember the government shutdown of late 1995? Remember what that was about? It was about a plan to balance the budget. Republicans paid a political price for forcing the issue, but, in 1997, President Clinton agreed. Recall as well all through the 1990s what the year-end battles were about.

On one side, congressional Democrats and the Clinton administration pushed for more spending. On the other side, congressional Republicans were pushing for tax relief. In the end, both sides compromised. That is the real fiscal history of the 1990s.

Let's turn to the other conclusion of the revisionist fiscal historians. That conclusion is that, in this decade, all fiscal problems are attributable to the widespread tax relief enacted in 2001, 2003, 2004, and 2006.

In 2001, President Bush came into office. He inherited an economy that was careening downhill. Investment started to go flat in 2000. The tech-fueled stock market bubble was bursting. Then came the economic shocks of the 9-11 terrorist attacks.

Add in the corporate scandals to that economic environment.

And it is true, as fiscal year 2001 came to a close, the projected surplus turned to a deficit.

In just the right time, the 2001 tax relief plan started to kick in. As the tax relief hit full force in 2003, the deficits grew smaller. This pattern continued up through 2007.

If my comments were meant to be partisan shots, I could say this favorable fiscal path from 2003 to 2007 was the only period, aside from 6 months in 2001, where Republicans controlled the White House and the Congress. But, unlike the fiscal history revisionists, I am not trying to make any partisan points, I am just trying to get to the fiscal facts.

There is also data that compares the tax receipts for 4 years after the much-ballyhooed 1993 tax increase and the 4-year period after the 2003 tax cuts.

In 1993, the Clinton tax increase brought in more revenue as compared to the 2003 tax cut. That trend reversed as both policies moved along. Over the first few years, the extra revenue went

up over time relative to the flat line of the 1993 tax increase.

So, let's get the fiscal history right.

The progrowth tax and trade policies of the 1990's along with the "peace dividend" had a lot more to do with the deficit reduction in the 1990s than the 1993 tax increase. In this decade, deficits went down after the tax relief plans were put in full effect.

No economist I am aware of would link the bursting of the housing bubble with the bipartisan tax relief plans of 2001 and 2003. Likewise, I know of no economic research that concludes that the bipartisan tax relief of 2001 and 2003 caused the financial meltdown of September and October 2008.

As I said, from the period of 2003 through 2007, after the bipartisan tax relief program was in full effect, the general pattern was this: revenues went up and deficits went down.

That is the past. We need to make sure we understand it. But what is most important is the future. People in our States send us here to deal with future policy.

They don't send us here to flog one another, like partisan cartoon cut-out characters, over past policies. They don't send us here to endlessly point fingers of blame. The substitute before us takes us in the direction of more deficits and debt. The Thune amendment, which was rejected by most of the Democratic Caucus, would have put us on a path in the opposite fiscal direction. My friends on the other side fool no one if they pretend that the fiscal choices made by the Democratic Leadership and the President over the last year have nothing to do with this rapidly rising debt.

President Obama rightly focused us on the future with his eloquence during the campaign. I would like to paraphrase a quote from the President's nomination acceptance speech:

We need a President who can face the threats of the future, not grasping at the ideas of the past.

President Obama was right.

We need a President, and I would add Congressmen and Senators, who can face the threats of the future. Grasping at ideas of the past or playing the partisan blame game will not deal with the threats to our fiscal future.

It is not too late to correct the excesses of the stimulus bill or the bloated appropriations bills that will come. The Senate missed an opportunity, with a partisan rejection of Senator THUNE's alternative.

Senator MCCASKILL's and SESSIONS' amendment, which calls for a time out on the exponentially rising levels of appropriations spending, is a good start. The President called on the Democratic leadership to do something similar. That is what the American people want and need. There is a way to reach a real bipartisan compromise, not just picking off a few Senators that frequently vote with the Democrats.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate go into a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

 75TH ANNIVERSARY OF
ALCOHOLICS ANONYMOUS

Mr. BROWN of Ohio. Mr. President, I rise today to honor the legacy of Dr. Robert Smith, cofounder of Alcoholics Anonymous, which is celebrating this year its 75th anniversary.

Dr. Smith, commonly referred to as Dr. Bob, was a prominent surgeon in my State in Akron, OH, when his friend, Henrietta Seiberling, an heir to the Goodyear fortune, introduced him to New Yorker Bill Wilson in 1935.

Dr. Bob and Bill Wilson's discussion that year on Mother's Day in Gate Lodge on the grounds of the Seiberling's Stan Hywet estate laid out the framework for the modern-day Alcoholics Anonymous.

Having shared the common disease of alcoholism, Dr. Bob and Bill Wilson recognized the need to offer dignified healing of sobriety for all people who struggle with the disease of alcoholism.

What started as an informal conversation in Gate Lodge on the Stan Hywet estate led to small group meetings and conversations at the home of Dr. Bob and his wife Anne on Ardmore Avenue.

Dr. Bob and Anne subsequently opened their home to those seeking sobriety, and the understanding of the 12 steps that Dr. Bob and Bill Wilson were refining.

As one of Akron's premier physicians at Summa Health's Akron City Hospital, Dr. Bob also understood that prevailing medical treatment was inadequate in treating a disease that did not discriminate among gender, age, culture, wealth, or social standing.

This was an era when alcoholism was not understood as a disease, so those seeking treatment were not admitted to hospitals.

Dr. Bob and Bill understood that the alcoholic needed the help of the "Angel of Alcoholics Anonymous," Sister Mary Ignatia and St. Thomas Hospital.

Dr. Bob took to bringing alcoholics from the back entrance of the hospital up to empty rooms in Sister Ignatia's unit.

Sister Ignatia would ask Dr. Bob: Are they sick?

Dr. Bob would respond: Very sick.

Sister Ignatia replied: Then they shall come to the front door—a very different treatment of alcoholism than ever before.

Sister Ignatia and St. Thomas Hospital then filled the void of the lack of formal treatment to help those battling alcoholism. They helped fill the gap in the lack of public and medical understanding of the disease.

Therein lies the root of the modern Alcoholics Anonymous—in Akron, OH, on Olive Street—where St. Thomas Hospital remains an institution committed to offering health services to those afflicted with alcoholism.

Since those early days 75 years ago in the 1930s, Dr. Bob and Sister Ignatia helped foment the public consciousness that alcoholism is, in fact, a disease; that it is never fully cured but only managed with self-determination and with family and community support.

Dr. Bob and Sister Ignatia imbued a sense of urgency in the movement where literally the common refrain for those who live the disease is to live one day at a time.

It is that sense of urgency that often found Sister Ignatia saying, "Time is running out and I must work while I can."

Earlier this week, the people of Akron gathered at St. Thomas Hospital to rename Olive Street "Dr. Bob's Way" to recognize his contribution to our Nation's history. And earlier this month, thousands of supporters of AA—alcoholics and family members throughout the Nation—traveled to Akron for Founders Day which celebrates the legacy of Dr. Bob and Sister Ignatia.

Many visitors traveled to Stan Hywet Hall where they walked along the pristine landscape, walking past the Gate Lodge where AA meetings continue to this day.

From that single conversation at Gate Lodge to Dr. Bob and Anne's home on Ardmore Avenue to St. Thomas Hospital on Olive Avenue, AA has turned into one of the most unified and diverse organizations in the world.

Since its earliest days, AA opened its doors and services to all those who seek it, regardless of gender, age, socio-economic status, or sexual orientation.

Fully self-funded, prominent statesmen and judges have sat alongside paupers and peasants—each seeking a shared experience and the support of each other.

Today, 117,000 groups totaling more than 2 million members live in more than 150 countries and are working with them and being helped by AA.

It all started in Akron, Ohio has often been an epicenter of our Nation's history—home of more Presidents, and poets to inventors and pioneers; first in light, first in flight—Thomas Edison, the Wright brothers, and so much else.

We are also part of our Nation and our world's basic humanity. Through the Great Depression to the wars in the

Pacific, Vietnam, Korea, Iraq, and Afghanistan, AA has been a source of strength for servicemembers and veterans.

Across borders and devoid of religious affiliation, AA has been a source of faith for one's self. Whether a factory worker or physician, parents and educators, all are alike. Regardless of one's station in life, AA has been a source of resiliency, demonstrating the capacity for all of us to see the better stronger angels within ourselves and within others.

To St. Thomas Hospital, now part of Summa Health, and the city of Akron, congratulations for carrying on Dr. Bob and Sister Ignatia's legacy for 75 years. More important, congratulations to the members and supporters of AA. Thank you for your service to our families, our communities, our Nation and for a greater humanity for all of us.

 TAX EXTENDERS

Mr. BROWN of Ohio. Mr. President, I want to talk about something else. I sat here, as did the Presiding Officer from Illinois, who was a strong supporter of passing this legislation that again failed because of the Senate's anachronistic, outmoded requirement of 60 votes, a supermajority. We could not get there because no Republicans—no Republicans—cooperated. We could not do today what we should do, and that is extend unemployment benefits to tens of thousands of Ohioans and millions of Americans. We could not extend the assistance to help them keep their insurance, which Senator CASEY has worked so hard on, something called COBRA, so that people who lost their jobs would not lose their insurance. We could not help those physicians who are about to face a 21-percent cut in their payments. We could not stop the outsourcing through our tax system of too many jobs abroad. We could not do any of that today because we did not get any cooperation.

I understand partisanship. I understand ideological differences. But what I don't understand is when I hear Republican after Republican stand on this floor and talk about the budget deficit, I am just struck. I have only been in this institution for 3 years. I was in the House of Representatives for 14 years before. I am struck by the utter hypocrisy when I hear Republicans all of a sudden decide deficits matter, all of a sudden decide everything needs to be paid for.

When I was in the House of Representatives, George Bush came to Congress and asked for the authority to go to Iraq and did not even try to pay for it. I voted no, but that is beside the point. It passed. It was not paid for.

Then President Bush came to the Congress again with a Republican majority and asked for huge tax cuts that overwhelmingly went to the richest Americans. They did not pay for that