

been popularized not only in Alaska by her distinguished father—elected at the same time I and others were elected to this body—and it is not certain but it looks pretty likely that Senator MURKOWSKI will be remaining in the U.S. Senate.

So when the electorate understands what the issue is—and there was so much publicity that the electorate did—and when they are aroused and motivated to action, I think it is very strong evidence that America, illustrated by Alaska, wants to be governed from the center. So I think that is something that ought to be noted by this Congress in the last 45 days of this year as we look over a tremendous number of very important issues.

I have not covered the entire range of issues which we ought to consider, but I think I have covered some which ought to be handled by this session of the Congress and that the duck ought to spread its wings, show it is not lame, and get something done to operate in the interests of the American people.

I thank the Acting President pro tempore and yield the floor.

EXHIBIT 1

[From the Philadelphia Inquirer, Oct. 31, 2010]

THE AMERICAN DEBATE: SECRET DONORS VS. DEMOCRACY

(By Dick Polman)

Can we all agree that secret money in politics is a bad thing?

OK, you're with me. So far, so good.

And can we all agree that the Republicans have been hypocrites on this issue—having long declared that they were against secret money, only to flip-flop in 2010 and declare that they were for it?

OK, now I've probably lost half of you. But bear with me.

Thanks to a number of factors—a historic Supreme Court decision that has inspired wealthy donors to pony up, a tax code riddled with loopholes, and toothless federal watchdogs—a record amount of secret money, topping \$250 million, is flooding the Senate and House races. We have no idea who these donors are, yet we've all seen their handiwork in TV ads. From the shadows, they create front groups with vacuously pleasing names—something like Concerned Citizens for the Betterment of Mankind, or Americans for Puppies, Apple Pie, and the Fourth of July.

By the way, even though it's true that the Republicans have trumped the Democrats in the secret-money race by more than 2-1, I don't mean to imply that the GOP is poised to win big Tuesday night simply because its anonymous donors wrote big checks. Nancy Pelosi may think so—the House speaker recently said, “Everything was going great, and all of a sudden secret money from God knows where, because they won't disclose it, is pouring in”—but she is wrong. Long before the GOP's richest fans ever got involved, hardly anything was “going great” for the Democrats.

But the secrecy, in itself, is an affront to democracy and the principle of transparency. People give big money for a reason; we may never know what they got in return. We have essentially legalized the practice of backstage bribery, and 2010 is a mere tune-up for the presidential race in 2012.

Last winter, after the U.S. Supreme Court freed up corporations, unions, and other special interests to spend campaign money

more easily, rich people felt more emboldened to finance the GOP's efforts. But they didn't want the public to know who they were. So, a few intrepid Republican strategists, including Karl Rove, came up with a clever fix. They created nonprofit groups under a section of the tax code reserved for “social welfare organizations” that allows donors to fork over unlimited money without being publicly named. And the secret money has flowed unabated ever since.

So you might be wondering, “Doesn't the public have a right to know who these donors are? How come Congress hasn't done something about this?” Well, guess what? Congress has tried. In the spring and summer, the ruling Democrats sought to pass the Democracy Is Strengthened by Casting Light on Spending in Elections Act (which proves that Democrats will never work on Madison Avenue). Known commonly by its acronym, the DISCLOSE Act, it would essentially force these donors into the open. It passed in the House—with virtually all Republicans voting no. It went to the Senate, where it lingers today because Republicans won't let it come up for a vote.

I warned you that I would bring up the Republicans' hypocrisy, defined here as the chasm between what they once professed to believe and what they now practice.

Back in the days when Republicans were strongly opposed to campaign-finance reform (this was a decade ago, when John McCain was maverick in his efforts to curb big money in politics), they insisted that full disclosure was the best solution, that as long as the voters could see who's giving the big money, voting decisions could be made on that basis and democracy would be alive and well.

So said George W. Bush, for instance, when he first ran for president in 2000. But let's go down the list.

Here was Sen. Mitch McConnell, the chamber's current GOP leader, during a 2000 appearance on *Meet the Press*: “Republicans are in favor of disclosure.” That year, he also said that “the major political players in America” should be subject to disclosure; in his words, “Why would a little disclosure be better than a lot of disclosure?”

Here was Lamar Alexander, now a Tennessee senator but speaking as a presidential candidate in 1999: “I support . . . free speech and full disclosure. In other words, any individual can give whatever they want as long as it is disclosed every day on the Internet.”

Here was Texas Sen. John Cornyn's philosophical stance just six months ago: “I think the system needs more transparency, so people can reach their own conclusions.”

Here was Alabama Sen. Jeff Sessions, just six months ago: “I don't like it when a large source of money is out there funding ads and is unaccountable . . . I tend to favor disclosure.”

All four have been blocking the DISCLOSE Act. Meanwhile, on the House side, GOP leader John Boehner said in 2007, “We ought to have full disclosure, full disclosure of all of the money that we raise and how it is spent. And I think that sunlight is the best disinfectant.” But when the DISCLOSE Act came up in the House this year, Boehner voted for darkness.

Actually, Rove's group, American Crossroads, has engineered the best flip-flop. It was launched this year as a full-disclosure enterprise; one of its board members, ex-GOP national chairman Mike Duncan, said in May, “I'm a proponent of lots of money in politics and full disclosure in politics”—the traditional GOP position. He voiced his support for “full accountability.” But when the potential big donors voiced their distaste for sunlight, the Crossroads gang deep-sixed its

disclosure talk and created an offshoot in the aforementioned secrecy section of the tax code. That got the bucks flowing.

And don't expect the feds to police this behavior. Under the tax code, these social-welfare organizations are supposedly barred from spending more than half their money on politics. But the Federal Elections Commission has a well-deserved reputation for allowing political operatives to play fast and loose with the rules. Indeed, the FEC is set up for stalemate; even if its three Democratic commissioners wanted to move against secret money, its three Republican counterparts would likely block the move.

All told, if sunlight is indeed the best disinfectant (as Boehner once believed, when he borrowed the phrase from Justice Louis Brandeis), then I suppose we must now gird ourselves indefinitely for the toxins that flourish in the dark.

[From the *New York Times*, Nov. 4, 2010]

CAMPAIGN MONEY TO BURN

After Tuesday's vote, there is no limit to the ambitions of stealth political groups bankrolled by anonymous check writers. Two of the flushest pro-Republican operations, American Crossroads and Crossroads GPS, plan to extend their campaigning into the lame-duck session of Congress with waves of misinformation about tax and immigration issues.

The moment could not be more pressing for lame-duck senators to revisit—and pass—the “Disclose Act.” It has been approved by the House and would mandate that the public at least be told which deep-pocketed corporate and union donors are politicking from the underbrush. The measure failed by one vote in a September filibuster by Republicans.

The Democratic majority needs just a few Republicans to break party lock step and stand up for politicking in the sunshine. Republicans who once made disclosure their mantra (as an alternative to robust limits on contributions) are predictably backing away.

One Republican newcomer, Senator-elect Mark Kirk of Illinois, did offer a ringing endorsement of disclosure in the campaign. Asked in a debate about the \$1.1 million in advertising support that he received from Karl Rove's Crossroads GPS, Mr. Kirk firmly insisted special-interest groups writing campaign checks “should reveal their donors and be fully transparent.”

And after winning a special election for President Obama's former Senate seat, he will be eligible in the lame-duck session. He can deliver for his voters, and make his mark early, by supporting the Disclose Act.

The so-called Republican moderates—Olympia Snowe and Susan Collins of Maine and Scott Brown of Massachusetts—have been critical of what seem to be peripheral details. If it takes a stripped-down version to win enactment of true disclosure, that is worth pursuing.

The Democratic majority leader, Harry Reid, back from the brink of defeat in an election rife with murky check writers, needs to push hard and be ready to deal. The lame-duck session offers the last realistic chance for a donor disclosure law before secretive organizations up the ante and mayhem for the 2012 presidential campaign.

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

START TREATY

Mr. DORGAN. Mr. President, as I walked in the door to the Chamber I heard the Senator from Pennsylvania talk about the START Treaty. Let me

say that it is such an important thing for this Congress to ratify. It is very important that be an urgent requirement for this Congress. The work that has been done on that I think is some excellent work. In the subcommittee which I chair dealing with energy and water and the funding of nuclear weapons and the Life Extension Programs for those weapons, we have added the funding that a number of people on the minority side felt was necessary to make certain we had confidence in the Life Extension Programs.

So I do hope and I will join my colleague in saying I believe it is critically important for this Congress in the lame-duck session to move on the START Treaty and the work that has been done and negotiated with the Russians to begin reducing the number of nuclear weapons and delivery vehicles. So I wanted to start by saying I appreciate what the Senator from Pennsylvania has said.

TAX CUTS AND THE ECONOMY

Mr. DORGAN. Mr. President, this morning I read a little piece in the newspaper that a man named Jacob Carroll had died in Afghanistan, a U.S. soldier. He died in Afghanistan on the battlefield. I did not know Jacob Carroll, but he is one of 438 American soldiers who have died fighting in Afghanistan. He has not only joined in the 438 who have died in Afghanistan but also the over 4,400 who have died fighting in Iraq.

I think most Americans perhaps hear the news, see the news, and move on to what else is covered that day in the newspaper. I was thinking about that when I read something that Franklin Delano Roosevelt had said about the shared sacrifice and shared responsibilities of our country. We have been at war for 9 years in the Middle East, Iraq, and Afghanistan. If you look around our country, and especially look around this Chamber, and evaluate what we have done and what we are preoccupied with, it is very hard to see that our country is at war.

Oh, there are some young men and women who are sent halfway around the world to strap on ceramic body armor in the morning, get shot at in the afternoon, and perhaps get killed. They are at war. They understand sacrifice. But I wonder if it is not too much business as usual in our country and has not been for some long while. I ask that in the context of the discussion I heard this weekend on the interview shows. I was not in town here this weekend, but I heard some of the discussion, and it was about: Well, how about the tax cuts? Who can get additional tax cuts at this moment? And who supports maximum tax cuts versus other tax cuts?

Well, we are at war. We have people dying who serve this country on the battlefield. We have a \$13.6 trillion Federal debt. We have a \$1.3 trillion budget deficit this year. And the issue

is, who should get more tax cuts? That is almost unbelievable to me.

Let me read what Franklin Delano Roosevelt said so many decades ago. He said:

Not all of us have the privilege of fighting our enemies in distant parts of the world. Not all of us can have the privilege of working in a munitions factory or a ship yard, or on the farms or in the oil fields or mines, producing the weapons or raw materials that are needed by our armed forces. But there is one front and one battle where everyone in the United States—every man, woman and child—is in action . . . That front is right here at home, in our daily lives, and in our daily tasks. Here at home everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men, but to keep the economic structure of our country fortified and secure . . .

I find it a little disheartening that we have so many people now who have decided that the biggest issue is additional tax cuts.

I travel a lot through Minneapolis to get to North Dakota on weekends, and occasionally at the Minneapolis Airport it will be cold. Yes, it will be 40 below, and the wind will be howling at 35, 40 miles an hour, and you will see a group of people huddled outside the door at the Minneapolis Airport smoking cigarettes because there is no smoking inside the terminal. I figure somebody who goes out to smoke when it is 40 below zero and the wind is blowing 45 miles per hour has pretty much given up their claim forever that they can quit anytime they want to quit. They have pretty much given up that claim.

I would say similarly that those of us in this Chamber who have talked to us about the danger of Federal debt and Federal budget deficits have pretty much given up their claim forever to say that they care about the economic policy and deficits and debt that overhang this country if they bring a satchel to the floor with them that says: My priority is to give tax cuts to the wealthiest Americans when we are at war and have a \$13 trillion in debt. Don't tell me you have a claim about caring about Federal budget deficits if that is the agenda you are pushing.

Let me give just a little bit of history on this question of tax cuts. The first time in 30 years that this country had a Federal budget surplus was in the last year of President Clinton's 8 years. At that point, we had a Federal budget surplus. All of the economists and others estimated that we would have budget surpluses from that point throughout the following 10 years.

So the new President, President George W. Bush, said: If we are going to have surpluses, an estimated \$5.6 trillion of Federal budget surpluses over the next 10 years, let's take aggressive and quick steps to give back the surpluses in the form of tax cuts.

I stood here on the floor of the Senate and said: Wait a second. Don't be quite so hasty. We don't have those surpluses yet. We have just had 1 year of surpluses, and the rest of them are

just projections. Why don't we wait and be a little conservative.

The answer was: You know what, you don't understand economics. We are going to do this because we are going to have all of these surpluses.

So very large tax cuts were put in place—the largest for the wealthiest Americans—and at that point, we stopped seeing any surpluses at all. The tax cuts were for the purpose of giving back surpluses that were to exist when, in fact, none existed. Almost immediately, in 2001, we found out that we were in a recession. Very quickly, we found that there was an attack against our country on 9/11. Then we were at war in Afghanistan, then at war in Iraq, then a 9-year war against terrorists and all the security costs that attend to that. So there haven't been any budget surpluses.

The most unbelievable thing to me is that this country has asked men and women to go off to war and risk their lives, and some have given their lives, and this government has not paid for the cost of that war. We have paid for that war in blood and death—blood and death—no, not the blood of those who serve in this Chamber but blood and death for sure.

Now the question is, with a \$13 trillion debt and a deep recession, the deepest since the Great Depression—having gone through and now starting to come out of that recession, the question is the extension of the tax cuts that were provided in 2001. In 2001, those tax cuts had a termination date, and that termination date was this December 31st. So the question, then, is, If tax cuts are to be extended, for whom shall they be extended? It will cost about \$3 trillion to extend them for middle-income taxpayers and another \$1 trillion in 10 years to extend them for upper income Americans. Let me tell my colleagues what I mean by that. The Center for Budget and Policy Priorities has said that if you extend them for those over \$250,000 a year, it costs about nearly \$1 trillion with interest over the 10 years, and in addition, those who make \$1 million a year will get a tax cut of \$104,000 a year—\$104,000 a year.

So here is the question: A country that is deep, deep, deep in debt and projected to go deeper into debt, should this country borrow \$1 trillion in order to give a tax cut of \$104,000 a year to someone who makes \$1 million a year or should we perhaps mind the words of Franklin Delano Roosevelt, who says that perhaps that front in which every man, woman, and child can contribute at a time when a country is at war, that front is here at home in our daily lives. Here at home, everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men but to keep the economic structure of our country fortified and secure.

So a young man named Jacob Carroll dies today. He is from Clemmons, NC. I didn't know him, nor do I suspect anyone in this Chamber knows him, but he