

part of a major effort to integrate the hospitality and entertainment industry. Later, Reverend Scott was selected to serve as executive director of the Nevada Equal Rights Commission and authored an autobiography, "Pioneer for Social Justice."

Today, Reverend Scott is the assistant pastor at Second Baptist Church of Las Vegas and is the former pastor of Second Christian Church in Las Vegas. He is still carrying out his life's mission of social advocacy by working with Nevada's nonviolent ex-offenders to provide job training and employment. He also promotes education for children and is aligned with initiatives that help students graduate from high school and provide scholarships to college-bound young men and women.

Madam President, I ask the Senate to join me in paying tribute to Reverend Jesse Scott for his lifetime of service to Nevada and our Nation.

NOMINATION OF BARBARA KEENAN

Mr. DURBIN. Madam President, today the Senate confirmed Justice Barbara Keenan to be a judge on the U.S. Court of Appeals for the Fourth Circuit by a vote of 99-0. But the vote took place only after an unsuccessful Republican filibuster of her nomination.

This is just the latest example of the new low to which Republicans have sunk when it comes to the treatment of judicial nominations.

When the Democrats were in the minority under President Bush, we voted against cloture on a handful of his judicial nominees, but only the most controversial and only those for appellate court positions.

Under President Obama, Senate Republicans have filibustered and stalled almost every judicial nominee sent forward, regardless of the court and regardless of the controversy.

Take the case of Virginia State Supreme Court Justice Barbara Keenan. You would be hard pressed to come up with someone less controversial for this Fourth Circuit vacancy.

Justice Keenan had the strong support of her home State Senators, JIM WEBB and MARK WARNER. She sailed through the Senate Judiciary Committee without a single vote of opposition. She received the highest possible rating from the American Bar Association. And she will be the first woman from Virginia to sit on the Fourth Circuit.

Yet here we are—over 4 months after Justice Keenan was reported unanimously out of the Judiciary Committee—and the Republicans refused to agree to have an up-or-down vote on the Keenan nominee and forced the Democratic majority to waste time filing and voting on a cloture motion. They have used similar tactics with other judicial nominees.

Why are the Republicans making us jump through all these procedural hoops?

It is simple: the Republicans are trying to make us burn precious Senate floor time so we are unable able to work on pressing legislative business for the American people like job creation.

Justice Keenan had to wait 124 days between her Senate Judiciary Committee vote and her floor vote. Some other circuit court nominees of President Obama had to wait even longer than that. Fourth Circuit Judge Andre Davis was forced to wait 158 days—over five months—between his committee vote and his floor vote. Seventh Circuit Judge David Hamilton was forced to wait 168 days.

How does this compare with the treatment of President Bush's circuit court nominees?

Under President Bush, 61 judges were confirmed to the appellate courts. Their average wait time from committee vote to floor vote was a mere 29 days, according to statistics from the Congressional Research Service.

Justice Keenan was forced to wait over four times longer than the average Bush circuit court nominee who was confirmed.

This is part of a larger pattern of obstruction on judicial nominations. During President Obama's first year in office, due to Republican filibusters and holds, the Senate confirmed only 12 lower court judges. Only 12.

You have to go back to President Eisenhower to find a President who had so few judicial confirmations. President Eisenhower only had nine judicial confirmations during his first year in office. But President Eisenhower only made nine judicial nominations that year.

Every other President in the modern era had more judicial confirmations than President Obama during their first year in office.

President George W. Bush had 28, and that was with a Democratic Senate majority. President Clinton had 27, President George H.W. Bush had 15, President Reagan had 41, President Carter had 31, President Ford had 22, President Nixon had 25, President Johnson had 18, and President Kennedy had 56. But President Obama had only 12, due to unprecedented Republican obstruction.

Today is March 2. By this time in his Presidency, President George W. Bush had 39 judicial confirmations. And, it bears repeating, that was with a Democratic Senate majority. By contrast, President Obama has only 16 judicial confirmations, less than half as many as his predecessor.

There are 15 judicial nominations pending on the Senate floor. Most of them were approved in committee without a single vote of opposition. Yet, due to anonymous Republican holds, many have been waiting months and months for a vote.

This Republican obstructionism is unacceptable and it must be exposed.

WHEN DEFICITS BECOME DANGEROUS

Mr. KYL. Madam President, I recommend to my colleagues a February 11 Wall Street Journal column by Stanford economist Michael Boskin, entitled, "When Deficits Become Dangerous."

Boskin's premise is that the new taxes and "enormous deficits and endless accumulation of debt" in President Obama's budget will create a ripple effect of problems through our economy.

He explains that the debt will eventually force additional growth-smothering taxes: "Such vast debt implies immense future tax increases. . . . It's hard to imagine a worse detriment to economic growth."

Boskin also notes that "so worrisome is this debt outlook that Moody's warns of a downgrade on U.S. Treasury bonds, and major global finance powers talk of ending the dollar's reign as the global reserve currency." He describes President Obama's budget as "the most risky fiscal strategy in history."

I ask unanimous consent that this article be printed in the RECORD, and urge my colleagues to consider the facts and arguments it contains.

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

WHEN DEFICITS BECOME DANGEROUS—DEBT-TO-GDP RATIOS OVER 90 PERCENT HAVE SIGNIFICANT IMPACT ON THE PACE OF ECONOMIC GROWTH

(By Michael J. Boskin, Feb. 11, 2010)

President Barack Obama's 2011 budget lays out a stunningly expensive big-government spending agenda, mostly to be paid for years down the road. He proposes to increase capital gains, dividend, payroll, income and energy taxes. But the enormous deficits and endless accumulation of debt will eventually force growth-inhibiting income tax hikes, a national value-added tax similar to those in Europe, or severe inflation.

On average, in the first three years of the 10-year budget plan, federal spending rises by 4.4 percent of GDP. That's more than during President Lyndon Johnson's Great Society and Vietnam War buildup and President Ronald Reagan's defense buildup combined. In those same three years, spending on average hits the highest level in American history (25.1 percent of GDP), save the peak of World War II. The average deficit of \$1.4 trillion (9.6 percent of GDP) is over three times the previous 2008 record.

Remarkably, President Obama will add more red ink in his first two years than President George W. Bush—berated by conservatives for his failure to control domestic spending and by liberals for the explosion of military spending in Iraq and Afghanistan—did in eight. In his first 15 months, Mr. Obama will raise the debt burden—the ratio of the national debt to GDP—by more than Reagan did in eight years.

Some specific proposals are laudable: permanently indexing the Alternative Minimum Tax for inflation, part of the increased R&D funding, reform of agriculture subsidies, a future freeze on one-sixth of the budget (only after it balloons for two years). But these are swamped by the huge expansion and centralization of government.

True, as he often reminds us, President Obama inherited a recession and fiscal mess. Much of the deficit is the natural and desirable result of the deep recession.

As tax revenues fall much more rapidly than income, these so-called automatic stabilizers cushioned the decline in after-tax income and helped natural business-cycle dynamics and monetary policy stabilize the economy. But Mr. Obama and Congress added hundreds of billions of dollars a year of ineffective “stimulus” spending—more accurately characterized as social engineering and pork—when far more effective, less expensive options were available.

The Obama 10-year budget—unprecedented in its spending, taxes, deficits and accumulation of debt—is by a large margin the most risky fiscal strategy in American history. In his Feb. 1 budget message, Mr. Obama said, “We cannot continue to borrow against our children’s future.” But that is exactly what he proposes to do.

He projects a cumulative deficit of \$11.5 trillion by 2020. That brings the publicly held debt (excluding debt held inside the government, e.g., Social Security) to 77 percent of GDP, and the gross debt to over 100 percent. Presidents Reagan and George W. Bush each ended their terms at about 40 percent.

The deficits are so large relative to GDP that the debt/GDP ratio keeps growing and then explodes as entitlement costs accelerate in subsequent decades. So worrisome is this debt outlook that Moody’s warns of a downgrade on U.S. Treasury bonds, and major global finance powers talk of ending the dollar’s reign as the global reserve currency.

Ken Rogoff of Harvard and Carmen Reinhart of Maryland have studied the impact of high levels of national debt on economic growth in the U.S. and around the world in the last two centuries. In a study presented last month at the annual meeting of the American Economic Association in Atlanta, they conclude that, so long as the gross debt-GDP ratio is relatively modest, 30 percent–90 percent of GDP, the negative growth impact of higher debt is likely to be modest as well.

But as it gets to 90 percent of GDP, there is a dramatic slowing of economic growth by at least one percentage point a year. The likely causes are expectations of much higher taxes, uncertainty over resolution of the unsustainable deficits, and higher interest rates curtailing capital investment.

The Obama budget takes the publicly held debt to 73 percent and the gross debt to 103 percent of GDP by 2015, over this precipice. The president’s economists peg long-run growth potential at 2.5 percent per year, implying per capita growth of 1.7 percent. A decline of one percentage point would cut this annual growth rate by over half. That’s eventually the difference between a strong economy that can project global power and a stagnant, ossified society.

Such vast debt implies immense future tax increases. Balancing the 2015 budget would require a 43 percent increase in everyone’s income taxes that year. It’s hard to imagine a worse detriment to economic growth.

Presidents and political parties used to propose paths to a balanced budget. After almost doubling it, Mr. Obama proposes to substitute stabilizing the debt/GDP ratio, a much weaker goal.

That goal requires balancing the budget excluding interest payments, the so-called primary budget. But he never achieves this, even after five and a half years of economic growth, withdrawal from Iraq and Afghanistan, and repaid financial bailouts. The 2015 budget still calls for a primary deficit of \$181 billion.

For perspective, returning 2015 spending to population growth plus inflation produces a primary surplus of \$645 billion (3.3 percent of GDP). Mr. Obama’s spending turns a short-run crisis into a medium-term debacle.

Two factors greatly compound the risk from Mr. Obama’s budget plan. He is running up this debt and current and future taxes just as the baby boomers are retiring and the entitlement cost problems are growing, which will necessitate major reform. (Mr. Obama didn’t get any help from his predecessors: George W. Bush’s growing Medicare prescription drug benefit was not funded, and Mr. Clinton’s Social Security reform was a casualty of the Monica Lewinsky scandal.) And Mr. Obama’s programs increase the fraction of people getting more money back from the government than the taxes they pay almost to 50 percent, just as the demographics on an aging population will drive it up further. That’s an unhealthy political dynamic.

Former Senate Majority Leader Howard Baker famously called Reaganomics—with its defense buildup, tax cuts and budget deficits—a “riverboat gamble.” (Which, by the way, worked out well.) Mr. Obama’s fiscal strategy is more akin to the voyage of the Titanic. Let’s hope he changes course soon enough to prevent disaster.

HONORING OUR ARMED FORCES

LANCE CORPORAL JOSHUA BIRCHFIELD

Mr. BAYH. Madam President, I rise with a heavy heart to honor the life of Marine LCpl Joshua Birchfield from Westville, IN. Joshua was 24 years old when he lost his life on February 19 while serving in Afghanistan in support of Operation Enduring Freedom. He was assigned to the 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

Today, I join family and friends in mourning his death. Joshua will forever be remembered as a loving son and a friend to many. He is survived by his parents, Bruce Birchfield and Michelle “Shelley” Hacker; his grandmother, Frances Birchfield of La Porte; two sisters, Rachael and Emily Birchfield, both of Westville; his stepfather, Ron Hacker, stepgrandparents, Howard and Martha Hacker, and step-great-grandmother, Mary Dickinson, all of Westville; and countless family and friends who were privileged to know him.

Joshua was a Westville native. Prior to entering the service in 2008, Joshua graduated from Westville High School in 2004. A talented athlete, Joshua excelled at baseball in high school. Friends remember Joshua’s contagious passion for life.

Joshua served as a rifleman and was awarded the Purple Heart, the Combat Action Ribbon, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Sea Service Deployment Ribbon, and the NATO Medal.

While we struggle to express our sorrow over this loss, we can take pride in the example Joshua set as a marine, a son, and a brother. Today and always he will be remembered by family, friends, and fellow Hoosiers as a true American hero. We cherish the legacy of his service and his life.

As I search for words to honor this fallen marine, I recall President Lin-

coln’s words to the families of soldiers who died at Gettysburg: “We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.”

It is my sad duty to enter the name of Joshua Birchfield in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. I pray that Joshua’s family finds comfort in the words of the prophet Isaiah who said, “He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.”

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Joshua.

CORPORAL GREGORY SCOTT STULTZ

Madam President, I further rise today with a heavy heart to honor the life of Marine Cpl Gregory Scott Stultz of Brazil, IN. Greg was 22 years old when he lost his life on February 19 while serving bravely in Afghanistan in support of Operation Enduring Freedom.

I join Greg’s family and friends in mourning his death. Greg will be remembered as a loving son and a friend to many. He is survived by his mother Kim Stultz, and Kevin Jackson of Brazil; his father, Bill Stultz, Jr., of Spencer, IN; his brothers, Zach Stultz and Jeremiah Jackson of Brazil; his sisters, Jessie Stultz, Miriah Stultz, Haley Stultz, and Sienna Jackson, all of Brazil; and countless family and friends who were privileged to know him.

Greg was a Brazil native and graduated from Northview High School in 2006. He was a member of the football team and captain of the wrestling team, and his athletic talent allowed him to attend Rend Lake Junior College on a wrestling scholarship. Greg actively participated in ministry at House of Hope in Brazil alongside his father and his brother Zach.

Corporal Stultz entered the Marine Corps in November of 2007 and became a decorated Recon Marine. He was awarded the Sea Service Deployment Medal, the Global War on Terrorism Medal, the National Defense Medal, and a Meritorious Mast certificate for his outstanding service.

While we struggle to express our sorrow over this loss, we can take pride in the example Greg set as a marine, a son, and a brother. Today and always he will be remembered by family, friends and fellow Hoosiers as a true American hero. We cherish the legacy of his service and his life.

As I search for words to honor this fallen marine, I recall President Lincoln’s words to the families of soldiers who lost their lives at Gettysburg: “We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The