

You get into double digits when you are counting the number of programs all of us want to depend on and all of us think are important, but they are duplicative. They are doing the same thing. As I say, it is costing American taxpayers billions of dollars every year.

While separate from regulatory oversight, this study further amplifies the importance that we take a serious look at our Federal agencies and put in place appropriate oversight, review, and revocation where needed.

It is for these reasons that I believe Congress must move forward with solutions that remove overly burdensome regulations and create an environment that doesn't hinder energy production and use of those resources that make the most economic sense while still protecting, yes, our clean water, clean air, and do what we can in regards to CO<sub>2</sub> emissions.

Understanding this, last month, I, along with 30 other Senators, introduced the bill I was talking about—the Regulatory Responsibility for our Economy Act. The bill moves to codify and strengthen the President's January 18 Executive order that directs agencies within the administration to review, modify, streamline, expand or repeal those significant regulatory actions that are duplicative, unnecessarily overly burdensome, or would have significant economic impacts on Americans.

Those are the President's words right there. I agree with them. I applaud the President for saying that. While I agree in principle with President Obama that we need to take a serious look at both current and proposed Federal regulations, I don't believe his Executive order actually does what it purports to do. There are too many loopholes and no teeth.

Specifically, my bill moves to hold accountable independent agencies which are exempt under his Executive order, such as the FDIC, the SEC, and the EPA that are not covered under President Obama's Executive order. The EPA came up and said: We are doing the public good. Then they followed that crazy paragraph I will read in a minute and said: We are okay. We are not issuing any regulations that hurt anybody.

I just attended the Commodity Classic, made up of all farm organizations, all commodity groups out in Great Bend, KS, and the No. 1 issue: regulations. Why on Earth are you putting out all these regulations that are about to put us out of business? You go right down the line and any group, any association, any business all throughout America are saying: PAT, what are you doing strangling us with all these regulations? What are you guys doing? My response is: I am not a "you guys," I am an "us guy," and I am trying to do something about it.

Specifically, my bill moves to hold accountable these independent agencies. It also removes from the Execu-

tive order highly subjective language that directs each agency to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible, and—here comes the paragraph I defy you, Mr. President, and I defy any of our highly skilled and educated people on the dais, I defy this nice young lady taking down my words the best she can, or anybody listening to this to understand—each agency may consider and discuss qualitatively—this is the way they look at a regulation to determine whether they are going to issue that regulation or not—values that are difficult or impossible to quantify, including equity, human dignity, fairness, and distributive impacts.

That statement is amorphous. It is synonymous with amorphous. I defy anybody to try to determine what that means, except what you want it to mean. So that statement now wins the gobbledygook award of the month. I think I am going to come down here every month and award a gobbledygook statement in the regulatory field that is about to drown us all as the gobbledygook statement of the month—and that sure hits it. It doesn't take a legislative scholar to understand that this language creates a loophole large enough to drive a grain truck through and renders the order meaningless. That is why passage of my regulation is so critically important.

I invite my friends on both sides of the aisle to please sign on as a cosponsor of my legislation, realizing the immense opportunities it creates for meaningful review and possible revocation of regulations counter to our Nation's growth, along with the GAO report outlining specific duplication of Federal programs, a report that defies PowerPoints or charts—couldn't do it; a maze of too many programs trying to do the same thing. If we don't do this, we are going to cost the business community of America and all Americans billions of dollars and get nothing in return in regard to environmental benefits.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

#### GOVERNMENT SPENDING

Mr. MCCONNELL. Mr. President, as we reengage in the ongoing debate over government spending this week, it is worth noting that some on the other side appear to have already decided to fold up their tents.

Last week, Republicans showed we could change the status quo in Washington by cutting government spend-

ing. It was a small step but a step in the right direction. Some of us were hopeful momentum was finally building for the bipartisan consensus that would enable us to cut even more government red ink this week.

The assistant majority leader seems to have had enough. Yesterday, he said cutting \$6 billion pushes the limits of what is needed to live within our means. This is ludicrous, Mr. President. So far this fiscal year Washington has spent nearly \$650 billion more than it has taken in—this year. That is a little more than \$4 billion a day that Washington is spending over and above what it has to spend.

Senator DURBIN thinks Democrats in Congress have pushed the limits of responsibility by agreeing to cut \$6 billion more this year. Imagine if every American had the same approach to their credit card bills. Imagine calling up your credit card company and asking first if you could just freeze your out-of-control spending habits in place. Then when they say no, imagine telling them you don't want to cut down your monthly spending because you prefer living outside your means.

That is the logic of our friends on the other side. Now, according to this logic, they would rather draw a line in the sand than agree to cut another dime in spending at a time when Washington is spending about \$4 billion more every single day than it is taking in.

Republicans have been hopeful that we could make progress and reach a bipartisan solution on this issue. It is my hope that the assistant majority leader was speaking for himself and not for his entire conference.

This, of course, is the debate that most people in Washington will continue to be focused on this week, and it is an important debate. But focusing on day-to-day expenses threatens to obscure an even larger threat. Here I am talking about, of course, entitlement programs such as Social Security, Medicare, and Medicaid.

Anyone who has looked at these programs closely knows they are becoming unaffordable, that doing nothing risks not only the future of these programs themselves but our Nation's future as well. Anyone who looks at history also knows the best time to address a crisis such as this is a time such as right now, when two parties share power in Washington. This is the time.

I have made the case for action publicly and in private conversations with the White House. As Republican leader, I put this issue front and center my first day on the job. Four years ago, I came to the floor and said the demographic changes taking place in America made it incumbent upon us as a body to reform Social Security. Two years later, when the American people put a Democrat in the White House, I renewed my call to action. I said Republicans stood ready to work with the President on entitlement reform. I repeated that call again 4 months ago

when voters decided to put Republicans in charge of the House of Representatives.

Throughout this time, I have held out hope that our friends on the other side would rise to the occasion, if not when Republicans controlled the White House, at least when they did.

I was encouraged further when President Obama said repeatedly in 2009 that his administration would seek to work with us on serious entitlement reform that preserves the safety net for our seniors, for people with disabilities, and which also puts it on a firmer, stable footing for generations to come.

The President has acknowledged the seriousness of the problem. He has noted himself that costs are escalating, even as the population is getting older, creating a perfect storm for a fiscal crisis that dwarfs even today's budget crisis, as urgent as it is.

If both parties agree on all this, I thought, then there is no reason we cannot do this for the good of the country. The urgency for action has only intensified in recent months, as we have seen an uproar in a number of State capitals.

Every State is different, but the problems in every one of them can be summed up pretty easily. Lawmakers from New Jersey to California and just about everywhere in between made promises they could not keep. But the promises lawmakers in Washington have made put the States to shame. If you add up the unfunded liabilities in all 50 States, you get, by one estimate, about \$3 trillion total. Add up Washington's promises on Social Security and Medicare alone, and it is over \$50 trillion—\$50 trillion that we promised to the American people that we do not know how we are going to pay for.

Something must be done, and now is the time to do it. Republicans are ready and willing. Where is the President? Suddenly, at the moment when we can actually do something about this, he is silent. As one columnist in the Washington Post put it: "For a man who won office talking about change we can believe in, [the President] can be a strangely passive president."

On the greatest fiscal challenge of the day, he appears, at least so far, to have taken a pass. This is obviously deeply disappointing to me personally, given my repeated raising of this issue. But more importantly, it should be deeply disappointing to every American who had reason to hope we could tackle these issues in a moment of divided government. It should be disappointing to all those who believe this President when he pledged to shake up the status quo in Washington.

Past Presidents had the foresight to seize the moment, to reach across party lines, and solve an earlier funding problem with Social Security, in the case of President Reagan, and welfare reform in the case of President Clinton.

It is not a question of whether it is possible but a question of whether the

President has the courage to step up to the challenges we face. In this case, one cannot help but wonder if the President, who came into office promising change, has been changed by the office instead.

I hope I am wrong about all this, but all the signs point toward inaction on the part of the White House and, in my view, this would be a tragic failure of leadership.

The PRESIDING OFFICER. The Senator from Illinois.

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

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

#### BUDGET CRISIS

Mr. DURBIN. Mr. President, there was an interesting letter to the editor in the New York Times over the weekend, and it was sent by two Minnesota State representatives. I apologize for not having the names at my fingertips. Democratic and Republican Minnesota State representatives wrote a letter to the editor. It was in response to an article written by David Brooks. Brooks, whom I respect very much, is a conservative and a very thoughtful man and I read him with a lot of interest. Brooks had written about what to do with the State and Federal challenges when it came to budget deficits.

What these two Minnesota State representatives said—a Democrat and a Republican—is, we acknowledge in our State and Nation what we face. We face a situation where we have a weak economy, and we face a situation where the debts that are being incurred by our levels of government are going up too fast, having acknowledged that we have to find a solution.

I am going to probably not say this as accurately, but I thought they said it so well. They said we have come to the conclusion that we cannot just cut our way out of the problem and we cannot tax our way out of the problem, we have to think our way out of the problem. We cannot lurch from one budget battle to another budget battle without looking at the fact that our challenge is a structural, long-term challenge. It does not relate to the immediate budget but to a lot of things that are happening over a long period of time.

I reflected on that for a minute. I thought: There is real wisdom in what they say because, if we look at what we face at the Federal level, there are reasons why we are running into these budget problems, not the least of which, as Senator McConnell mentioned earlier, is that the population of America is changing. Baby boomers have reached the point where they will be drawing on the government benefits they paid for over a lifetime. As more and more draw on these benefits, there is an obvious question as to whether the reserves will be there to take care of them. How do we deal with that?

Let me speak to two particular issues Senator McConnell raised. The first is Social Security. Is there a program that is more important to America? I cannot think of one. That was the starting point of the New Deal when President Roosevelt said: We have to give seniors in America some peace of mind that when retirement rolls around and their senior years roll around, they will, in fact, have enough money to live on, not in a luxurious way but the basics.

There is a time I can remember in my family and many American families where grandparents moved back in with the kids because there was no place to go. They could no longer work and they could no longer afford their homes and they became part of the larger family. It happened in my family and it happened in others.

Then came Social Security, and with a little planning and a little saving and Social Security checks, senior citizens had independence. It was a critically important program. It was an insurance plan—not a welfare plan—an insurance plan that virtually every American paid into and from which every American drew.

Where are we today? I arrived in Congress in 1983 as a brand-new Member of the House from Illinois. They said: Welcome to Washington. Social Security is broke.

I said: Great. I thought I would get a little breathing space. But, in fact, there was not.

President Ronald Reagan and House Speaker Tip O'Neill—a political odd couple if you have ever seen one—got together and hammered out an agreement. The agreement we reached and voted for in 1983 resulted in Social Security remaining solvent from then until 2037. We wanted to buy 75 years of solvency, but we bought over 50.

Those who say today that Social Security is in trouble, I remind them, untouched with no action by Congress, Social Security will make every payment it has promised to every Social Security recipient with a cost-of-living adjustment every month of every year until 2037. There are not many things you can say that about in Washington; that for over 25 years, this program is financially sound.

The bad news is, in 2037, things change dramatically. Untouched at that point, Social Security benefits will go down 22 percent. That is a heavy hit on lower and middle-income retirees. We know that looming 25 years over the horizon is a terrific challenge.

President Obama created a deficit commission. Senator HARRY REID was kind enough—I guess "kind" is the word—was nice enough to appoint me to this Commission. I spent 10 months listening and then voted for the final Commission product. It went into Social Security, and it suggested some things that are inherently controversial. For example, if you are going to give Social Security a longer life, what