

There were 1.7 million fewer asthma attacks in 2010 because of the Clean Air Act. If we keep going, and we don't interfere with the EPA, by 2020 there will be 2.4 million fewer asthma attacks.

Let us take a look at that child again. I am saying to America and to my colleagues, this is a baby who is struggling for breath. If you knew you could save him, if you knew you could save another child from this, you would do it. By leaving the Clean Air Act alone, by letting the EPA do its work, it is a fact—it is not fiction, it is a fact—that more than a million kids won't have to do this.

I don't know any colleague, I don't know one, who doesn't love children—love their own, love everybody's, love their constituents' kids, love their grandkids. I hardly know anyone who doesn't talk about our kids, whether it is in the context of our debt or their health or any context. I am saying right here and now if you love our kids, don't support weakening the EPA, because our kids are the most vulnerable to dirty air. Why? Because they are little, because the breath they take in takes up so much of their body. What they breathe in is more potent because they are so little and they are developing.

So again, whether it is business groups, whether it is former EPA Administrators, whether it is these incredible groups that have come together with nothing on their agenda except the health of the people—groups such as the American Lung Association or the Physicians for Social Responsibility—I have given a lot of facts to back up what I have said. And, believe me, they are irrefutable facts. They are facts.

The reason given for stopping the EPA from enforcing the law is: Oh, it hurts the economy. I have shown that argument has been made by big business forever and it never was accurate. I guess they have stopped saying the EPA doesn't have a successful track record, because I have shown specifically how many early deaths were averted, how many asthma attacks were averted. Let's go back to that again—how many missed days of work were averted. We have the facts, so they can't argue that.

So what do they argue? Oh, it is a recession. Well, let me say, if you want people to work, I have got news for you: If they can't breathe, they can't work. That is a fact. That is irrefutable. The Clean Air Act in 2010 alone prevented 130,000 acute heart attacks. By 2020 it will avert 200,000 acute heart attacks.

Again, put yourself in the position of somebody who sees somebody about to be hurt, and you know you could pull that person back from the cliff, or you could pull that person back and make sure they are safe, and don't vote for these amendments because we know it is our constituents who will suffer.

In 2010, the Clean Air Act prevented 3.2 million lost days at school. Why is

that? Because when a kid is gasping for air, they are not going to go to school. That number is projected to rise to 5.4 million lost days at school. Do you know why we have these facts? Those who are skeptical demanded that the EPA do this study. So EPA did the study and we found out.

I would challenge anybody in the Senate to show me an agency that can boast of this kind of result. It explains why almost 70 percent of the American people say to us: Keep your hands off the EPA. Don't mess with success. Let them do their job. Let them protect our health. Let them protect our kids' health. EPA has a great record.

They are up against the biggest, most powerful interests in this country—they are. They took a full-page ad yesterday, those big interests: Stop the EPA.

OK, I ask rhetorically, why stop an agency that is preventing the deaths of the American people? Why stop an agency that has this kind of track record?

I will close with this: There is a series of these amendments, the worst of which is the McConnell amendment because the McConnell amendment says forevermore the EPA can never, ever do anything to protect our people from carbon pollution. It says never, ever can the EPA set standards for tailpipe emissions from automobiles. That is what it does.

The American Lung Association, the American Public Health Association, the American Thoracic Society, the Asthma and Allergy Foundation of America, the Physicians for Social Responsibility, the Trust for America's Health—this is what they say about the McConnell amendment:

The McConnell amendment would strip away sensible Clean Air Act protections that safeguard Americans and their families from air pollution.

With whom do we stand? This is the question we all ask in our campaigns. Whose side are you on? With whom do you stand?

I made a decision, a strong one. I am going to stand with the kids. I am going to stand with their families. I am going to stand with these leaders who are working day and night just to protect our health. I am not going to stand with a rightwing ideological amendment. I am not going to stand with amendments that are "McConnell lite" because if it is not broken, don't fix it.

No agency is perfect, we know that. The EPA is not perfect, but the record is clear. Actions by the EPA along with local and State officials have saved countless lives. If we leave our hands off of it they will continue to have a stellar record.

I will be back on the Senate floor when these amendments come up for a vote. I hope and pray people will think about this very hard before they cast their votes.

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

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KIRK. 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. KIRK. I ask unanimous consent to speak for up to 20 minutes.

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

LIBYA

Mr. KIRK. Madam President, this morning our former National Security Adviser, Chairman of the Joint Chiefs of Staff, and Secretary of State Colin Powell will visit the White House, and I expect they will discuss the current mission against the Qadhafi dictatorship in Libya.

When we look at this mission, I think it is important to review the wise words of General Powell in his recommendation in considering any military mission for the United States in her coming years. When we think about his advice—many times, it has been called the Powell doctrine, and it was memorialized in a 1992 article in *Foreign Affairs* magazine called "U.S. Forces: Challenges Ahead." This article became known very much as the Powell doctrine, with two additions that the public and press often put on his thoughts about military missions for the United States.

In short, the Powell doctrine includes answers to a number of questions that any President, Secretary of State, or Secretary of Defense should answer prior to or at the very least during a military mission involving the United States. Those questions are as follows:

Is the political objective we seek important, clearly defined, and understood?

Next, have all other nonviolent policy means failed?

Third, will military force achieve the objective?

Fourth, at what cost?

Next, have the gains and risks been analyzed?

Finally, how might the situation that we seek to alter, once it is altered by force, develop further and what might be the consequences?

Added to this, the press and public have offered two more additions often called part of the Powell doctrine: Can we hit the enemy with overwhelming force, and can we demonstrate the support of the American people for the mission as shown by a vote of the U.S. Congress?

When we look at the current Libyan mission and apply the Powell doctrine, we see a mixed picture, one that should be fixed by a rigid application of its questions and answers to them reported back to the American people.

I support our mission in Libya, and I think the President's address to the Nation was a good start. But I think we

would serve our troops well if we proceeded to answer the Powell doctrine questions rigidly.

First, is the political objective we seek to achieve important, clearly defined, and understood?

I think the end of the Qadhafi regime is important. I think the protection of civilians from an impending massacre is also important. And I think it would be clearly understood by the American people. But in practical terms, we cannot protect, for example, the people of Benghazi unless we stop the killer, and the only way to stop him is to disarm him and remove him from power. I think that objective would be clearly understood, would be welcomed by our European and Arab allies, and would bring about the long-term protection of the civilian communities by which the administration first justified this action.

Secondly, have all nonviolent policies means failed?

There is a 30-year record of diplomacy with regard to the Libyan dictatorship. Muammar Qadhafi has shown himself to be one of the most violent, corrupt, and at times even crazy leaders from the continent of Africa. While the United States has had difficulties with him for three decades, while Secretary Gates has referred to the imposition of Jersey barriers here in Washington, DC, as early as 1983 when there were reports of potential Qadhafi threats to our President—at the time, President Reagan—it took several decades for the rest of the world to lose patience with Muammar Qadhafi.

The decision by the United Nations and Arab League and surrounding nations not just to support resolutions in internal forums but then for some of those nations, numbering over a dozen, to take military action, shows that finally the international community has broken with Muammar Qadhafi and feels that diplomacy and nonviolent means no longer can work with regard to managing him and the threat he poses.

Will military force achieve the objective?

I think it can. But here is a situation that is somewhat mixed. If air power is only applied to a combat air patrol to enforce a no-fly zone, there is the potential for Libyan armor and artillery to overwhelm what is a very disorganized and rag-tag civilian army that initially made gains against Qadhafi, then lost them and stood at the gates of Benghazi, then retook key communities, such as al-Bayda, Brega, and came to the outskirts of Sirte, then relost nearly all of those gains this week.

When we look at how we should support the end of this dictatorship and the final protection of civilians in Libya, we should understand that the provision of close air support to take out Libyan armor and artillery is essential to this mission and that we should develop the means to command, control, and direct this effort.

I am concerned that today, I am unsure—maybe uninformed but unsure—as to how the close air support mission is handled. Originally when this mission was undertaken, it was falling under the command and control of standard U.S. military doctrine. Since Libya is part of the AFRICOM combatant command area of operations, this operation, as I understood it, fell under the command of the President of the United States, to the Secretary of Defense, to GEN Carter Ham, commander of AFRICOM. As the United States then moved to more internationalize internalize the military effort, it sought to transfer command to the North Atlantic Treaty Organization, NATO, and its commander, who also happens to be an American, Admiral Stavridis, who stands not only as the commander of U.S. forces in Europe but as Supreme Allied Commander of NATO.

I understand the administration has put forward a task force to be commanded potentially by a senior Canadian general who would command this operation. I understand that diplomacy went well with regard to the command of the anti-air operation in this endeavor, but the negotiations with regard to the provision of close air support were much more difficult.

Today, I am not exactly sure who is in command of those operations. Is it General Ham at AFRICOM? Is it the Canadian general at the joint task force? Is it Admiral Stavridis, as the Supreme Allied Commander of Europe? My hope is that we identify one key allied commander who is not just in charge of combat air patrol enforcing a no-fly zone but also close air support to ensure that the rebels are not defeated, to attrite armor and artillery from Muammar Qadhafi's army, and to eventually achieve a lasting victory, which, in my mind, could only mean the end of the Qadhafi dictatorship.

I am particularly concerned today about key weapons systems that are available to the United States and not to other countries, particularly the A-10 Warthog and the AC-130 gunship. These are unique assets, critical in the ability to take out Libyan tanks and artillery.

If we internationalize this conflict and as I have heard potential talk of removing combat platforms of the United States from executing close air support missions, my question is, Would AC-130 gunships and A-10s be available for these missions? They are uniquely effective and would make this conflict shorter and more likely to end victoriously. And my hope is that they would continue to be provided to the allied commander so that the progress could move forward on eventually ending this conflict.

General Powell also asked that we estimate the cost of this operation. My understanding this morning is that this operation has cost roughly about \$500 million and would likely entail greater cost if it lasts for a long time.

We should estimate this cost, and we should also tell the Congress how we are going to pay for it. My understanding right now is that the administration will not seek a supplemental and will take this out of the core budget of the Department of Defense. What implications does this have for procurement, for military construction, for pay and benefits, and for other critical operations of the United States, led, in order of importance, the Afghan mission, the Iraq mission, and the dozen-plus ships that are now providing the critical humanitarian relief and nuclear recovery of our allies in Japan?

General Powell also asked us to ask the question, have the gains and risks been thoroughly analyzed?

While they may not have been thoroughly analyzed, I am comfortable with the administration's answers to those questions. Had Qadhafi taken Benghazi, had he defeated the rebel government, I think he would have then moved, over time, to destabilize the new government in Egypt.

An end to the Camp David peace accords would be a strategic reversal for the United States. It would put at jeopardy the operations of the Suez Canal. It would have increased the dangers to our allies in the State of Israel. And I think the administration was wise to see a tremendous additional risk had Qadhafi won this war. Now, at least we know the rebels are likely not to be defeated, but a stalemate is also not in our interest. And I would hope we would recall the advice of General Sherman, who said that we should make this as rough and as difficult as possible to the enemy so that, ironically, in most humanitarian terms, it ends, and it ends on the terms of the United States, our allies, and the new rebel government.

Powell also asked us how we might see the situation, once it is altered by force, further develop and what consequences there are there.

My hope is that we would quickly follow the direction of the French Government and recognize the Jalil government, to see that government as a growing potential partner for the United States and the allies so that the people of Libya would see who their potential transitional leaders are and so that we would have clear political authority for them. My hope is that a U.S. envoy would deal directly with the Jalil government and that we would follow the suit of our allies and we would make sure there are clear lines of authority, not just on the military side for combat air patrol and close air support but also political direction for the potential new leaders of Libya.

Added to the Powell doctrine are the two other points often included. One is, can we hit the enemy with overwhelming force?

I strongly support the administration's limitation on no combat boots on the ground. I think that is a wise decision by the United States, and I think we can still direct terrific, tremendous, overwhelming, and decisive

force to end this conflict as quickly as possible. My understanding is that other allied governments may not be so completely constricted on their ability to provide especially the critical role of forward air controllers, who will direct allied air power to the most effective targets to attrite and eventually eliminate the Libyan military. My hope is, though, that we bring all combat assets to bear of the United States and our allies so that we quickly eliminate especially Qadhafi's armor and artillery force and so that this comes to a quick end on the military battlefield.

Finally, the Powell doctrine often has included a final point, which is, Can the support of the American people be demonstrated?

I think in this case we have fallen short. While the Congress and the Senate have adopted a resolution calling for a no-fly zone in Libya, cosponsored by myself and the Senator from New Jersey, Mr. MENENDEZ, I think this is inadequate in fully demonstrating the American people's support for what our troops are doing over in Libya.

I think it is clear that our mission is sustained, and the critical political will of the United States is enhanced if we can formally express support for what our men and women are doing overseas. This has been done in some pretty tough conflicts in the past, particularly Afghanistan and Iraq.

For this conflict, the administration should call for a resolution of approval, and the elected representatives of the American people should vote. In general, I support the President's policy and would vote for this resolution. But I think it is essential for those who are on the field to understand that the Congress is formally with them in a vote cast up or down for this mission and for all of its unintended consequences, potential upsides or downsides.

As Colin Powell leaves the White House today, I hope he carries this advice. I hope all of us recall the key points he laid out. He has wisely put forward for past Presidents and this President a key checklist that all of us as citizens, or those of us who are Senators, as policymakers, can have in reviewing the Powell doctrine.

In the end, the Powell doctrine is a key checklist to use to make sure we resist the call for military action until absolutely necessary; but once necessary, that we hit the enemy with everything we have; that we make the conflict as short and, therefore, as humanitarian as possible; that we demonstrate the full support of the American people for the men and women of the Army, Navy, and Air Force; and that we give them a clear mission with one allied commander. I hope the President gets this advice directly from the general today. I hope the President and the Senate follow it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of Colorado. Madam President, I ask unanimous consent to speak for up to 15 minutes.

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

CREDIT UNION LENDING

Mr. UDALL of Colorado. Madam President, I urge the Senate to free up capital for small businesses to allow them to grow, expand, and begin hiring again. Unfortunately, there is a burdensome Federal regulation that currently limits the number of small business loans credit unions can make to family entrepreneurs. Credit unions have money to lend, and they know small businesses in their communities. They know these businesses desperately wanted to jump-start the economy by taking out new loans to grow their companies and hire more workers.

Two weeks ago I came to the floor to ask consideration of a bipartisan amendment, No. 242, which I offered to the underlying bill to raise this cap I have alluded to on small business loans. The amendment would simply get government out of the way and allow credit unions to increase small business lending in their communities without costing American taxpayers a dime.

I wish to repeat that. It would not cost American taxpayers a single dime.

When I spoke previously in support of this amendment and asked for the amendment to be considered, the chairman of the Small Business Committee, Senator LANDRIEU, objected to my request and indicated that Senator JOHNSON, chairman of the Senate Banking Committee, opposed the amendment. I wish to clear up some misinformation the American people may have heard at that time and thank Senator LANDRIEU for removing from the CONGRESSIONAL RECORD her assertion that Chairman JOHNSON opposed my amendment.

I understand that as new chairman of the Banking Committee, Senator JOHNSON has an interest in revisiting this legislation which I negotiated with the Treasury Department, the National Credit Union Administration, and the previous chairman of the Banking Committee, Senator Chris Dodd. But I wish to make it clear in the CONGRESSIONAL RECORD that Chairman JOHNSON does not in fact oppose the amendment.

I also wish to clear up some confusion related to the \$30 billion small business lending fund established as a part of the Small Business Jobs Act which arose when I tried to call up my amendment 2 weeks ago. As I pointed out in my original remarks, banks were given access to the small business

lending fund, but credit unions have not been allowed to expand their small business lending because of the very cap on loans my amendment addresses.

In our discussion on the Senate floor, it was pointed out to me that credit unions had been asked if they wanted to participate in the small business lending fund, but the credit union industry had turned down the invitation. I was unaware of such an offer; I appreciate being told of it. But unlike many banks, most credit unions do not need extra capital in order to make loans, which is what the small business lending fund intended to provide. Rather, as I have said, most credit unions currently have capital to lend to small businesses, but, unfortunately, they are being prevented from making those loans due to the arbitrary cap limiting their small business lending to no more than 12.25 percent of their assets.

It is no wonder credit unions didn't have an interest in the \$30 billion bank fund because they don't need the money and couldn't use it anyway because of this burdensome cap that is put on small business loans.

I appreciate the opportunity to discuss the confusion about amendment No. 242. I thank the chairman and ranking member for their great work on the underlying bill which is important to my home State of Colorado.

I wish my amendment would get a vote today, but regardless of what happens I will continue to work with Chairman LANDRIEU, Ranking Member SNOWE, and the rest of my colleagues to find innovative means to free up credit for small businesses in a responsible way.

On a final note, the Presiding Officer hails from a great State that has significant banking and credit union sectors. We know they don't always see eye to eye, which is the root of the objection to my amendment. Yet they still manage to operate side by side to serve the community's credit needs. They both make up the fabric of America and continue to grow our economy. It is simply the way we do business in the United States.

I wish to highlight that spirit, which is in stark contrast to the kind of divisive politics that have been brewing in America; one that furthers disagreements and draws ideological lines in the sand and, frankly, sows disrespect at the expense of shared interests and collective prosperity. The American people are seeing a disappointing example of that today. There is a vocal minority outside this very Capitol demanding acrimony and a combative approach for Members of Congress which I believe—and many of us believe—in the end will further disable our capacity to get the economy back on its feet.

While this is happening outside, many of us are inside doing the people's business. We treat each other with respect, and we are working on a bill to help small businesses invest in R&D. We are also negotiating a compromise to keep our government running.