

is, Whose side are you on? I am on the side of small business and Main Street. I hope my colleagues will be as well.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Massachusetts is recognized.

#### APPROPRIATIONS

Mr. BROWN of Massachusetts. Mr. President, I enjoyed the previous speaker's presentation. I come to the floor to talk about the ongoing negotiations between the White House, Speaker BOEHNER, and my colleagues in the Senate regarding the appropriations for the current fiscal year.

Since the beginning of the 112th Congress, the House and Senate have been trying to find common ground to finish the appropriations for fiscal year 2011. Instead of reaching a long-term compromise, we passed no fewer than six short-term continuing resolutions.

Not only does that disrupt our military men and women who are trying to serve but also every other facet of government and people's lives throughout this country. The funding resolutions that provide little in the way of addressing our staggering deficit have little certainty with our trading partners and absolutely no certainty whatsoever to the world market in terms of our ability to manage our Nation's finances.

Sadly, rather than reaching a workable, bipartisan solution, responsibly addressing our staggering deficit, which is expected to reach \$1.5 trillion this fiscal year, our leaders have repeatedly given us false choices between continuing resolution proposals that don't go far enough to reduce Federal spending and proposals that I believe establish the wrong priorities for me and my State and many other people as well throughout this Chamber.

I believe many of the choices that were made disproportionately affect low-income families and seniors. One of my Senate colleagues, if you remember, characterized this process as a "Hobson's choice." I agree. The world right now is looking for two things—the world markets, financial markets—and the people who invest in this country are looking for two things. They want us to do a lean and mean budget, get our fiscal and financial priorities in line now. They are also looking for us to tackle entitlements, whether it is military, Social Security, Medicare, Medicaid, et cetera. Then they will know that, in fact, they can invest here.

When they invest, the money will be safe and they are actually going to get a good return. When Pimco doesn't even do more bonding with America, that is a sign. When we have other countries throughout the world being downgraded by the bonding services, it is a problem. We are in this financial kind of roll to negativity. We have to get our fiscal and financial house in order right away.

I have been absolutely disappointed, and I know everybody listening in the gallery and those watching today have been absolutely disappointed by the pace of negotiations between the two Chambers. We have had FAA legislation. I want to fly in a safe plane. I get that. We have done the patent bill, and I want safe drugs and everything. I get that. We are on the small business bill now, and the Senator before me spoke—I am on the committee. I am happy to do it, and I get it. But are you kidding me? We are in the biggest financial mess we have ever been in, and we are doing everything but dealing with the financial mess.

Here we are with over a \$14 trillion debt. For people listening, when I came here, we had an \$11.5 trillion national debt. Now it is over \$14.3 trillion and counting. The deficit, unfortunately—despite passing six different CRs and an understanding that passing it would move our negotiations further along, we are once again faced with the likelihood of a government shutdown.

I never, ever thought I would be a Senator from Massachusetts and come here and say: Oh, my gosh, I was here when they shut down the government. What do I tell the staff and the people back home? I am not going to participate in that. I am going to be a problem solver. If you are liberal or conservative, Republican or Democrat—I don't care what your party is—I am going to find solutions to try to avoid any type of government shutdown. I don't want one. Nobody I am talking to wants one.

We have to get these negotiations in perspective. We have to actually express to our leaders, as I just did, that, hey, we are concerned. I want to make sure we tackle these issues.

While the Federal budget is only a small part, gosh, I can't tell you—and Senator CARPER is here. How many times have we been in committee hearings and they are talking about wasting billions and billions of dollars—\$76 billion just through one program that we are attacking.

I was in the military budget hearing the other day. It is \$104 billion over budget for one weapon system. Are you kidding me? Really? It is phenomenal.

We are debating cutting, I guess, \$61 billion, give or take, but we don't have a problem with going over budget \$100-plus billion in various programs and wasting billions of other dollars. So, on one hand, we are fighting about a small, minute part of what we are doing, and on the other hand, we are giving away the money.

There was just a report that came out that said we are wasting billions of dollars on duplication. Executive order No. 1: Let's fix it so we don't have to worry about that, and that money we save can be used for seniors, kids, Pell grants, and all of the things people are fighting about right now. I will say, however, a government shutdown absolutely serves no purpose and is in nobody's best interest—not our country's,

not the workers', and it is not in the global economy's best interest.

I, for one, stand ready to work with any Senator or any Congressman or member of the administration who wants to get together and solve these very real problems. However, I am encouraged about the recent developments in the negotiations, which was the news breaking yesterday that a possible deal is close. That is great. They are talking about \$33 billion. I just cited \$104 billion in one military program. In Medicare, \$76 billion goes out every year just because—I am happy doing it, but the world is looking for that fix, the lean and mean budget, but also for us to get entitlement reform, eliminate the waste and abuse—commonsense things that every person in this Chamber and everybody listening does in their homes and businesses.

Why can't we treat the Federal Government like a business for once? This makes no sense to me. I am not the new guy anymore. You are the new guy, Mr. President. Congratulations for being the Presiding Officer today. Being the new guy, I hope you agree with me that we have to kind of work together—and we have tried to do that, you and I, Senator CARPER, and others—to try to find that common ground. I think we agree on the number. It is just a question of do we tackle it here or there.

I am from the approach of let's do a little of everything and satisfy every special interest and political interest and just get the problem solved. It will take real choices, tough choices right now. Everybody listening now absolutely understands that everything is on the table. We have to be fair and judicious in our cuts. How do we go from A to Z overnight? There is no transition period or no consideration for jobs, and, actually, the safety of people in some of these cuts.

I stand ready to work with each of you to do what it takes and put politics aside. Listen, is there an election this year? I don't think so, because I am looking at 2011 right now—2011, as the one year, the one chance we have to actually solve problems, folks. In 2012, we can do whatever we do in the political season. I get it. For right now, we have a great opportunity to send a message to all those folks who say Washington is broken. In Washington, it is like, you are great, you are great, everybody is great. Senator CARPER is great. He is one of my best friends here. But, listen, outside Washington, they have no clue what we are doing. They don't trust us or think we are addressing the real problems that affect our great country.

Our collective work begins by having a clear understanding of the seriousness of our budget concerns. I know we have had bipartisan meetings. I am so encouraged, as a relatively new Member, that we have had about 60, 65 people come together to hear the number. Is it fact, fiction, or real? What is it?

We agree we are in trouble. So why aren't all the leaders of this great country—and there is plenty of blame to go around—getting together and seriously letting us know what the priorities are? Why doesn't the President call my office, or anybody else, and say: Scott, these are my priorities. I challenge you to work with me to get them done.

What are his priorities for cuts? Does anybody up there know? I don't know. If he called you or me, I know we would give him the respect the office deserves, and we would go out and say: I will work with my colleagues, Mr. President, or Mr. Leader, or Mr. Minority Leader, and we will find those common things we can do. We can start with the report that just came out and eliminate all that duplication. In some instances, I think it was 26 agencies doing the same thing. Are you kidding me?

I believe the responsibility we have been given is huge. Look at these young people. A lot of them came to the charity basketball game we had last night. It was so exciting to see their faces. They are excited to be here. Every one of them is saying: Oh, my gosh, I have been in the Senate, working for these people. We look up to them, and we expect them to do better and be better. They challenge us on a daily basis just by those bright eyes, the fact they are out back studying when they have a few minutes—some more than others, I might add—and they are looking for us to solve problems. It is really not even them we are worried about; it is their great-grandchildren.

If we do nothing—is that what you want us to do, folks, nothing? I am not going to be part of the do-nothing caucus. I am going to look to find commonsense solutions and work toward commonsense goals, regardless of the outcome. If I lose, whatever, but I will have played a role in history. Right now, at this time, we need to make a difference, a change.

I am so hopeful and I am an optimist. I believe we can do it better. I believe we have an opportunity to do it better right now. With our leadership and that of the other Senators who are going to be here soon, we can get together and solve the problems. We can battle in 2012. The country is looking at us now to make a difference. I hope we will find the ability to do so. If we don't, then we will have missed a great opportunity to solve problems.

Thank you. I appreciate the Chair's patience and his occasional smirks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I wish to say to the Senator from Massachusetts, I saw no smirks on the face of this Presiding Officer.

Mr. BROWN of Massachusetts. It was a good smirk.

Mr. CARPER. He is a breath of fresh air and so is the Senator.

I wish to follow up. I was not planning on doing this. I wish to talk a little bit about clean air and the responsibilities the Environmental Protection Agency has to meet the Clean Air Act. I wish to follow up on a point or two Senator BROWN has mentioned.

He talked about the deficit. I go back a little over 2 years ago, when then-Senator Barack Obama stood right over there and gave his farewell address to the Senate. It was a good time. A bunch of us were here to hear what the next President of the United States had to say.

When it was over, he went down to where all the pages were sitting. Senator Obama went down and shook hands with the pages. He walked up this aisle to walk out. I walked over to him—as he was speaking, I had written down six points I thought he should focus on to reduce the deficit during the time he is President. He looked at my list and said: I can't read your writing, Tom. I said: I will send you an e-mail.

By the end of the day, I sent him an e-mail amplifying on the six points I mentioned. Among the points I suggested is, we have a lot of improper payments in this government. We are overpaying billions of dollars, mistakes, and we need to do something about it.

I told him we have a lot of fraud in Medicare and Medicaid. We need to, once we identify the fraud, have private sector contractors recover the money, get it back for the Treasury.

I told him we have a problem with surplus property. There is a lot of property. We own thousands of pieces of property and land we do not use. We should sell it and stop paying utilities and security for that property.

I said: We have cost system overruns for major weapons systems, and we need to do something about that. I said that in 2000, a major weapons system cost about \$42 billion. By 2005, a major weapons system cost about \$200 billion. By 2007, it was like \$295 billion. I said: We have to do something about major weapons systems cost overruns. That should be on your to-do list, if I can be so bold.

I mentioned taxes. There is a lot of money owed by companies to the Treasury not being collected. The IRS thinks it is over \$300 billion a year.

That is a pretty good bucket list for a new President-elect. I urged him, when he put together his administration, to focus on those points.

Everything I just mentioned, the Committee on Homeland Security and Governmental Affairs has been working on. Federal financial management—everything I just mentioned we have been working on, not every day but every week. We have been working on this list.

Last month, we had a top official from the Department of Health and Human Services before our committee. Their responsibilities include overseeing Medicare and Medicaid. It turns

out that improper payments, honest mistakes made in Medicare, were about \$45 billion last year—\$45 billion. Overall in the government, not counting the Department of Defense, it is \$125 billion. This is not fraud. These are mistakes, accounting errors—\$125 billion. About half of it was Medicare. The administration testified before our committee about 1 month ago and said with regard to the improper payments for Medicare, which last year were \$50 billion: We promise to cut that in half from \$50 billion to \$25 billion—a huge reduction.

Eric Holder, our Attorney General, reports that in Medicare, he thinks the annual fraud numbers could be as much as \$60 billion. Last year, the Attorney General recovered about \$4 billion in fraud. The good news is that is more than we have ever recovered in any other year since keeping records. The bad news is there is \$56 billion more cash on the table we need to get.

We also put in the affordable health care law a number of tools for the Department of Health and Human Services and the Attorney General to reduce improper payments, reduce fraud, and get the money that has been misallocated and fraudulently taken. Those are a couple things.

It is not as if no one is doing nothing. Some of us are doing a whole lot. One of the things we are trying to do in our subcommittee—and Senator BROWN is the ranking Republican on that subcommittee. We have ROB PORTMAN, CLAIRE McCASKILL, and TOM COBURN—people who do care about spending and trying to make sure we spend the taxpayers' money more effectively.

What we are trying to do is replace what I call a culture of spendthrift with a culture of thrift, to look at every program, whether it is domestic programs, defense programs, entitlement programs, tax expenditures, tax loopholes, tax credits, to make sure we are getting the best bang for our bucks and, where we are not, to do something to fix it. We are actively involved in that and actually getting some results. We obviously need to do a whole lot more. I was not planning on speaking to this issue, but I wanted to mention that.

Second, I wish to follow up on the comments of our Democratic whip, Senator DURBIN, who authored legislation called the interchange amendment. He talked about it before Senator BROWN did.

There have been times in my life as Governor and a former naval flight officer and in the Senate when I did things that had unintended consequences. I had the best intentions, but there were unintended consequences to what I did. In my view, flowing from the interchange amendment we adopted and adopted in conference are unintended circumstances. The intent was good, which was to try to make sure that more of the money from the fee that is collected from swiping our debit cards went to the

consumer, not to the banks and not to the merchants. There is reason to believe consumers may not benefit from this at all. There was an effort to try to protect credit unions and smaller banks in the interchange amendment. As it turns out, the people who have been lobbying the loudest and pressing the most are the credit unions and small banks, community banks, saying there are unintended consequences.

My hope is we can slow the process down, hit the pause button for 1 year and figure out what the unintended consequences are and see if we cannot let cooler heads prevail and avoid unintended consequences and do something that actually may be good for consumers.

#### CLEAN AIR ACT

Mr. CARPER. Mr. President, what I came to the floor to talk about—and I would like to do that now—deals with clean air, it deals with jobs, it deals with the responsibilities the EPA has with respect to clean air and to make sure that as they execute their responsibility, they are mindful of jobs.

A lot of people think we cannot have cleaner air without destroying jobs. As it turns out, we can have both. We can have cleaner air. We have had it for years. We adopted the Clean Air Act in 1970, with major amendments to it in 1990. We literally created millions of jobs from that act to reduce the emissions of sulfur dioxide, nitrogen oxide, mercury, and other forms of pollution that, in many cases, have killed people—hundreds of thousands of people—over the years. We not only save lives, we improve health in the country. We put a lot of people to work coming up with new technologies that reduce harmful emissions. We have a lot of people working in this country to reduce emissions from our cars, trucks and vans and doing it in a way that gives us better gas mileage.

When I filled up my car with gas over the weekend, it was about three and a half bucks per gallon. As the Presiding Officer knows, we are going to start building by the end of next year in our old GM plant new cars, Fisker, cars that drive about 80 miles per gallon. They are beautiful. Chevrolet is selling the Volt and will sell more in the years to come. They are making huge improvements in mileage. We are getting this greater improvement in mileage and reducing our dependence on foreign oil, cleaning up the air, and putting a lot of people to work. This is one of the deals where we can have our cake and eat it too.

I just came from a Bible study group. There were very nice comments, Mr. President, about you yesterday at the Prayer Breakfast. Before that I did a telephone townhall. Initially, I learned this from BOB CORKER, a Republican Senator from Tennessee, who shared this idea with me a couple years ago. You get a big conference call with people in your State. We had 5,600 people

on the call. We spent about an hour together. They raised all kinds of issues.

One of the ladies on the call asked me: Why are we letting EPA tell companies what they can do with respect to their emissions? We are going to destroy jobs. As it turns out, the premise is not correct. It is not that the EPA wants to do this; it is their job. The EPA is being told by the U.S. Supreme Court that under the Clean Air Act, if the EPA can show through good science that there is harm to our health or to the welfare of the people by virtue of our pollution, EPA has no other choice but to regulate it if we will not pass laws to do that.

We have not passed laws. Some people say: Why don't we put a tax on carbon, on things we burn and that have carbon in them to make it more expensive and maybe people will use less of it. We are not going to put a tax on carbon around here. I don't know that too many people have the political courage to do that.

We argued about what President George Herbert Walker Bush did to reduce acid rain, reducing dramatically through market systems sulfur dioxide. We met our reduction targets in one-half the time at one-fifth the cost. People do not talk about acid rain anymore. There is an effort to take that approach and apply it to carbon dioxide. There are not the votes here to do that either.

EPA has basically little choice when the Supreme Court interprets the Clean Air Act. They have to do something. We have not done our part, so the job of EPA is to pass commonsense regulations which will be mindful of their impact on jobs. As it turns out, we are going to create a lot more jobs by virtue of cleaning up our air than we are going to lose in terms of employment opportunities.

The last point I wish to say, if I may, is the Presiding Officer and I live in Delaware, the first State to ratify the Constitution. We are enormously proud of our State, as our colleagues are of their States. In Delaware, we do not have mountains. One does not find the Blue Ridge Mountains or the Rockies there. We are a pretty flat, low-lying State, just north of Maryland, just south of Pennsylvania, and just west of New Jersey.

I joke with people. I say the highest point of land in Delaware is a bridge, and that is not much of an exaggeration. We are a low-lying State. Something is happening in our lovely little State. We do not have a lot of land. We are starting to see the sea level rise. It is not just on the Delaware beaches and shores, it is happening up and down the East Coast, in the gulf, and over on the West Coast as well.

We have great beaches—Rehoboth, Bethany, Dewey, and others. We used to replenish our beaches maybe every 5 or 6 years. The waves come in, storms—nor'easters, maybe an occasional hurricane. We have to replenish our beaches. We have to do it more fre-

quently now, not because of storms but because the sea level is actually starting to rise.

As the Presiding Officer knows, just north of Rehoboth Beach—a great little beach town—just north of Rehoboth Beach, about 10 miles, is a beautiful natural wildlife refuge called Prime Hook. It is right on the Delaware Bay. Prime Hook has a number of beautiful freshwater wetlands and marshes. It is a great place for people to hike, watch birds, and do all sorts of activities. It is a real national treasure. We are starting to see saltwater intruding and taking over what had previously been freshwater marshes and wetlands.

If we look at the Delaware River from the Delaware Bay, north up the Delaware Bay, it becomes the Delaware River and we head up to Pennsylvania and into New York. As we go farther and farther up the Delaware River, in recent years, we find that instead of turning from saltwater to brackish to freshwater, that line moves farther north.

Something is going on. Maybe people do not want to recognize or acknowledge that, but something is going on. We are seeing strange kinds of tornadoes, frequency of tornadoes, thunderstorms in the middle of winter. Out of the 10 hottest years on record, 9 of them have occurred in the last decade. Something is going on here. EPA is trying to figure out if there is some way we can gradually reduce the emission of greenhouse gases into our air and do so consistent with a strong economy and creating jobs, not destroying. I think we can do both. We have to be smart to figure that out and have a partnership with the executive branch, businesses and the legislative branch and be consistent with what the Supreme Court has ordered EPA to do.

One last, quick point. We spend more money for health care than Japan, by far. We spend more money on health care than any other nation on Earth, by far. In Japan, they spend half as much as we do for health care and get better results, everything from higher life expectancy to lower infant mortality. They cover everybody. Think about that: They spend half as much, better results, and they cover everybody. How can they be that smart and how can we be that dumb?

One way we can spend less money on health care is to, frankly, have cleaner air. We cannot only save billions of dollars—we have already made great progress—but we can save tens maybe hundreds of billions of dollars in health care costs by continuing to clean our air, to make it cleaner.

With that, I am happy to conclude. It is a joy to be here and see you, Mr. President, presiding in this Chamber and with all these young people to recount one of my favorite stories about Barack Obama and the six points I gave to him 2½ years ago to reduce the deficit. We are actually starting to do that, knowing we need to do a whole lot more.