

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

The nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, is confirmed.

The question is, Will the Senate advise and consent to the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California?

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 58 Ex.]

YEAS—96

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Grassley	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Hatch	Nelson (FL)
Bingaman	Hoeven	Paul
Blumenthal	Hutchison	Portman
Blunt	Inhofe	Pryor
Boozman	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Risch
Brown (OH)	Johnson (SD)	Roberts
Cantwell	Johnson (WI)	Rockefeller
Cardin	Kerry	Rubio
Carper	Kirk	Sanders
Casey	Klobuchar	Schumer
Chambliss	Kohl	Sessions
Coats	Kyl	Shaheen
Coburn	Landrieu	Shelby
Cochran	Lautenberg	Snowe
Collins	Leahy	Stabenow
Conrad	Lee	Tester
Coons	Levin	Thune
Corker	Lieberman	Toomey
Cornyn	Lugar	Udall (CO)
Crapo	Manchin	Udall (NM)
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Ensign	McConnell	Whitehouse
Enzi	Menendez	Wyden

NOT VOTING—4

Burr	Vitter
Graham	Wicker

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that at 2:15 today the Senate proceed to morning business, for debate only, until 5 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

At 2:15, the Senator from Wisconsin, Mr. JOHNSON, will be recognized for up to 20 minutes for the purpose of his maiden speech. Further, at 5 p.m., I ask unanimous consent that I be recognized.

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

Mr. REID. Mr. President, I have spoken to my counterpart, Senator MCCONNELL, this morning. We hope to get an agreement on a way to move forward on the small business bill. There are a few issues outstanding and we would like to get that done. We are going to do our utmost to get an agreement and complete that bill.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed and reassembled at 2:15 p.m., when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Wisconsin.

PRESERVING AMERICA'S FREEDOM

Mr. JOHNSON of Wisconsin. Mr. President, it is my honor to represent the good people of Wisconsin in the Senate. It is an awesome responsibility—a responsibility I take very seriously.

Today it is my distinct privilege to address this historic body for the first time. It is a moment in time when our Nation is in peril. Not only do we continue to face the very real threat of international terrorism, but we also face a threat of our own making, one that challenges the very foundation of this Republic.

Our Nation was founded on the basis of God-given rights and individual liberty. The genius of our Founding Fathers' vision was rooted in their recognition that more often than not government was something to fear. Government necessarily limited individual freedom and, therefore, government itself must be limited—its potential for growth highly constrained.

During America's first century, this vision was largely upheld. The last century, however, has been an entirely different story. In 1902, the Federal Government spent 2 percent of the Nation's gross domestic product; State and local governments spent 5 percent. Government was close to the governed. The size, scope, and cost of the Federal Government was constrained by the Constitution's enumerated powers. The individual was preeminent, and government's role was modest and pedestrian.

This body played a key role in limiting Federal Government expansion. Debate in the Senate was unlimited. The cloture vote did not exist. As George Washington had said, the Senate was the saucer that cooled the tea.

All that changed in the 20th century's second decade. The Senate adopted the cloture vote and America adopted the 16th amendment. The Federal Government now had the power to tax income, and the Senate had made it easier for government to grow. And guess what. Government grew.

It did grow in reaction to real problems. Trusts had been formed that concentrated power and created monopolies that threatened free markets. Capital did exert too much power over labor. Balance was needed. As our Nation's prosperity grew, the elimination of poverty and retirement insecurity became a public responsibility. Private charity was simply deemed not up to the task. So government acted and government grew.

From 2 percent in 1902 to today, where the Federal Government spends 25 percent of our Nation's economy, and combined all levels of government in the United States now consume 39 percent. By comparison, the size of government in Norway is 40 percent; in Greece it is 47 percent; and in France, 53 percent. In the end, I don't believe Americans want to be like France or Greece. We haven't reached that tipping point yet, but we are extremely close.

There is a reason America holds 5 percent of the world's population and yet accounts for 24 percent of the world's GDP. It is because of freedom, the free market system and the American people. America became a land of unlimited opportunity because we were a nation of self-reliant people. Hard work was valued, personal responsibility expected, and success was celebrated, not demonized. I grew up in that America.

I am very sad to say what I have witnessed during my lifetime is a slow but steady drift and, I would argue, over the last 2 years a lurch toward a culture of entitlement and dependency. This is not an America I recognize. It is not an America that will work.

Even worse, we have granted entitlements and encouraged dependency with little thought as to how we would pay for it. We have racked up enormous debt, and now the bill is coming due. Time is running out.

Last week, the government almost shut down because we were arguing over a few billion dollars, but our debt and deficits are measured in the trillions. Our problem is a thousand times larger than the current debate. Most of us recognize this is simply unsustainable. Most of us know what programs need to be reformed. Most of us want to fix the problem. So let's start addressing these issues now before it is too late.

These are enormous problems and it is easy to become pessimistic, but

there is reason to be hopeful. I have done a fair amount of traveling throughout Wisconsin over the last year, speaking to all kinds of people—Republicans, Democrats, union members, tea party folks. I talked about America, about how incredibly precious and exceptional it is, and how I fear we may be losing it.

What I will never forget is how many people came up to me after my speeches with tears in their eyes or tears running down their cheeks—not because I am a great public speaker but because people love this country. Their political affiliation makes absolutely no difference. Americans want this Nation preserved, and they are counting on us to do just that.

The good news is they will support us if we make the hard choices together. So together let's roll up our sleeves and do what needs to be done.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I congratulate our new Senator from Wisconsin, a very important addition to our caucus and to the Senate—a man who has actually run a business, actually employed people and created wealth in his State and our country. Having someone in the Senate who knows how to do that at this critical moment is absolutely essential, and I congratulate the new junior Senator from Wisconsin.

The PRESIDING OFFICER. The senior Senator from Wyoming.

Mr. ENZI. Mr. President, I would like to congratulate the other accountant in the Senate. It is nice to have additional help with numbers. It will make a tremendous difference.

He has had both the business experience and the accounting experience, and he understands a lot of things that to us in the Senate are pretty simple but to the person working on the ground it is very difficult. He is good at expressing himself and, as I said, particularly good with numbers. So I congratulate him on his maiden speech.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Vermont.

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

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

BUDGET PRIORITIES

Mr. SANDERS. Mr. President, we are at an extraordinary crossroads in American history, both from a moral perspective as well as an economic perspective.

The reality today, as I think most Americans understand, is that the middle class of our country is collapsing. Over the last 10 years, median family income has gone down by \$2,500. Millions of Americans who have lost their jobs secured new jobs at substantially lower pay. Younger workers are finding it very hard to get a job at a livable wage.

Furthermore, what we don't talk about terribly often here on the floor of the Senate or certainly in the corporate media is the rather unfortunate reality that in the United States, we have the most unequal distribution of income and of wealth of any major country on Earth. Today, the top 1 percent of earners make 23 percent of all income. The top 1 percent earn 23 percent of every dollar, and that is more than the bottom 50 percent. The top 1 percent make more money than the bottom 50 percent. The percentage of income going to the top 1 percent has nearly tripled—nearly tripled—since the 1970s. Between 1980 and 2005, 80 percent—80 percent—of all new income in America went to the top 1 percent.

Today, when we talk about distribution of wealth—not income—the numbers are, frankly, beyond belief. Today in America, if my colleagues can believe it, the wealthiest 400 Americans—400 Americans, a very small number out of a nation of over 300 million people—own more wealth than the bottom 150 million Americans. So 400 on one side, 150 million on the other, and that gap between the very, very rich and everybody else is growing wider.

I don't have to describe economically what is going on in this country because almost everybody understands it. Real unemployment today is not 8.9 percent; it is closer to 16 percent. Today in America, 50 million people have no health insurance. Today in America, seniors and disabled vets understand they have not received a Social Security COLA in 3 years.

So what we start with when we look at America today is a middle class which is disappearing, poverty which is increasing, and the people on top doing phenomenally well. Given that reality, one might think the Congress would be actively involved in trying to protect the middle class and working families and lower income people, but if one believed that, one would be sorely mistaken.

Just last December, 4 months ago, Congress passed legislation to provide huge tax breaks for millionaires and billionaires by extending the Bush tax cuts to the top 2 percent and by even more by lowering the estate tax for the top three-tenths of 1 percent. So at a time when the people on top are already doing phenomenally well, what Congress did against my vote in December was make the wealthiest people even wealthier.

Four months ago, after giving huge tax breaks to millionaires and billionaires and growing the deficit, our Republican friends and some Democrats

come back and they say: Well, now we have a real deficit problem. We made the problem worse in December, so now we really have to deal with the deficit, and we are going to do it by making devastating cuts to programs that low- and moderate-income Americans desperately depend upon.

What we are looking at is the Robin Hood principle in reverse: We are taking from working families who are struggling to survive—taking hundreds of billions of dollars and giving it to millionaires and billionaires. In my view, this is grossly immoral, and it is also very bad economics.

Let me touch on some of the cuts that are coming down the pike in this, the 2011 budget. At a time of soaring fuel prices—in the State of Vermont and I am sure in Minnesota, a lot of people heat with oil—the cost is going up. The Low Income Home Energy Assistance Program, LIHEAP, would be cut by \$390 million. In Vermont, many of the people who use the LIHEAP program are low-income senior citizens. So we give tax breaks to billionaires, and we go after low-income senior citizens and say: Sorry, you may have to go cold.

At a time when the cost of college education is getting unaffordable for many low- and moderate-income families in this country—hundreds of thousands of young people have given up their college dream because of the high cost of college—Pell grants would be reduced by an estimated \$35 billion over 10 years, including a nearly \$500 million cut this year, and Pell grants are the major source of Federal funding to help low- and moderate-income college students go to school.

At a time when 50 million Americans have no health insurance, community health centers would be cut by \$600 million. This is an issue on which I have worked very, very hard. Community health centers provide access to primary health care, dental care, low-cost prescription drugs, and mental health counseling for some 20 million Americans right now. Our hope was to expand that to 40 million Americans. When we do that, we save money because people do not end up in the emergency room; they do not end up in the hospital sicker than they should have been. So \$600 million for community health centers was cut. The Children's Health Insurance Program was cut by \$3.5 billion.

At a time when poverty is increasing, the WIC Program—women, infants, and children—a nutrition program for pregnant women and children, will be cut by \$500 million.

At a time when we have such high unemployment rates and we want to put Americans to work rebuilding our crumbling infrastructure, including our rail system, which is now far behind Europe, Japan, and even China, Federal funding for high-speed rail will be eliminated in the budget we are going to be voting on very soon, representing a cut of \$2.9 billion. Public