

The NLRB this week came out with a new admonition. That is, they are going to change election rules so new elections, instead of being required to take 38 to 42 days, can have quickie union elections in 10 to 12 days, making it much more difficult for management to react to a union vote or a union movement.

All these things are job creators. I am not here to demagogue unions or to demagogue this President for that matter. I just think fair is fair. If you say you want to create jobs, don't stop job creation. If you say you want the economy to recover, do those things necessary to empower business.

Let me take another example; that is, the National Mediation Board. The National Mediation Board is the agency that regulates employment from the standpoint of airlines and railroads and transportation entities. The NMB is 75 years old. For 75 years, their rule on a union election in a covered company is that 51 percent of the number of people employed who would be unionized had to vote in order for a union to become established.

Summarily, 11 days after their appointment under the new administration, that 75-year-old rule was struck to become only a simple majority of the number of people who vote, regardless of how many people are going to be covered in employment. Now, that was specifically targeted at Delta Airlines—an Atlanta company that became the largest airline in the world after buying Northwest and merging the two.

Northwest had union flight attendants, Delta did not. Delta's flight attendants had twice in the last decade rejected unionization in a vote of 50 percent plus 1 of all employees covered. The change in this rule was specifically targeted to try to force Delta to go from a nonunion shop in their flight attendants to a union shop. But even after an aggressive change in law and by the unions, the flight attendants still voted—under the new rule, which is much easier—not to unionize.

Still not satisfied, the National Mediation Board has now filed an action against Delta alleging improper activities. I find this very ironic since in the FAA conference committee, which I am a part of today, we are trying to get a chance for airlines and those covered to be able to have a legal action against a ruling of the NMB if they suspect the NMB ruled unfairly. The NMB has rejected that entirely, the leadership of this body has rejected it entirely, and that conference report languishes—all over an issue that would create jobs, but instead they want to retard jobs.

My message in coming to the floor is very simple. Actions count, words don't matter, simply talking about creating jobs don't mean a thing if we are taking actions that stymie business or punish people from making investments that bring about employment.

It is time for this President, it is time for each of us in the Senate, it is

time for this administration, and it is time for the Congress to do what the American people have done: put our shoulder to the grindstone and do those things that bring American business back, our economy back, and bring jobs back to the greatest country on the face of this Earth—the United States of America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 679, which the clerk will report.

The bill clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

Pending:

DeMint amendment No. 501, to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and rescind related appropriated amounts;

DeMint amendment No. 510, to strike the provision relating to the Director, Bureau of Justice Statistics;

DeMint amendment No. 511, to enhance accountability and transparency among various Executive agencies;

Vitter amendment No. 499, to end the appointments of Presidential czars who have not been subject to the advice and consent of the Senate and to prohibit funds for any salaries and expenses for appointed czars;

Coburn amendment No. 500, to prevent the creation of duplicative and overlapping Federal programs;

Portman amendment No. 509, to provide that the provisions relating to the Assistant Secretary (Comptroller) of the Navy, the Assistant Secretary (Comptroller) of the Army, and the Assistant Secretary (Comptroller) of the Air Force, the chief financial officer positions, and the Controller of the Office of Management and Budget shall not take effect;

Cornyn amendment No. 504, to strike the provisions relating to the Comptroller of the Army, the Comptroller of the Navy, and the Comptroller of the Air Force.

The PRESIDING OFFICER. Under the previous order, there will be up to 30 minutes of debate, with the Senator from Louisiana, the Senator from South Carolina, the Senator from Nevada, or his designee, and the Senator from Kentucky, or his designee, each controlling 7½ minutes.

The Senator from Louisiana is recognized.

AMENDMENT NO. 499

Mr. VITTER. Mr. President, I would like to close on my czar amendment and encourage strong bipartisan support.

Mr. President, we have a bill before us about the Senate advice and consent process—the Senate confirmation process—and I think it would be a tragedy to consider any bill on that subject and not, in fact, address the biggest issue, the biggest problem with that process that exists now—certainly also in the eyes of the American people—and that is the abuse by the Executive, over several administrations but culminating in this administration, of appointing so-called czars as an end run around the U.S. Constitution, as an end run around the powers of the Senate and the balance of power of advice and consent and confirmation.

My amendment would fix that. It would defund czars and their offices. It is carefully crafted, it is carefully defined, and it would say we are not going to allow these czars to operate when they are essentially taking the place and the function of what should be a Senate-confirmed position. Again, the language is careful. It is carefully thought out, it is carefully crafted, and there are exceptions in the language which are important, so I commend all my colleagues to look at that. But the main point is simple and clear and important: We shouldn't allow any Executive, any administration, to end-run the U.S. Constitution, to end-run the Senate's important and appropriate role of confirmation, or advice and consent.

So I encourage all of my colleagues to support this amendment.

In closing, I thank several Members who have cosponsored the amendment—Senators PAUL and HELLER and GRASSLEY—and I also thank very much Senator COLLINS, who has been a leader on this effort and has freestanding legislation on the topic which I support. We have and will continue to consult on this issue until we properly get the job done.

Mr. President, I reserve the remainder of my time.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be equally allocated to both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEMINT. Mr. President I ask that the quorum call be suspended.

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

The Senator from South Carolina.

Mr. DEMINT. I would like to speak on my amendment which will be voted on in a few minutes.

## AMENDMENT NO. 510

This amendment would strike the Director of the Bureau of Justice Statistics from the list of the Senate-confirmed positions that would be removed from the confirmation process. I wish to explain why this is important because this seems to be something that maybe would not be important to pull out from this long list of nominees who no longer need be confirmed. It is very important that this particular position, this nominee for this position, be vetted and confirmed by the Senate.

It is often said statistics don't lie; people do. Particularly in this business, we have seen one set of statistics be interpreted and publicized in totally different ways, and that is why this position is so important. The role they have is critical. In a democracy and in a free country, one of the most important aspects to protect against is that risk of the government becoming a propaganda machine.

I wish to read what this particular position does: The Bureau of Justice Statistics collects, analyzes, publishes, and disseminates information on crime, criminal offenders, crime victims, and criminal justice operations.

It is very important. This information is acted on by local, State, and Federal officials. Lots of our laws are shaped and based on this information. Statistics are only as valuable as the reputation of the statistician, and that is what this position is.

Every Member of this body knows how to write a question so you get the answer you want. If we are going to have a Bureau of Justice Statistics, don't we want the public to have some level of trust in the data they publish? If we just put some political hack in this position—as, unfortunately, has happened over administrations of both parties, not necessarily for this position but we know in some positions—it would totally discredit what this person does. So do we want the public to think they are cooking the books to promote policy ends on issues such as gun control, hate crimes, racial profiling, immigration, drug policy, and so forth? If we cannot absolutely trust the impartiality of the management of the Bureau, we should abolish it and give the money back to the taxpayers.

We know we are \$14 trillion in debt. Our Nation is on the brink of financial collapse. My constituents have no interest in borrowing money from the Chinese to fund the Bureau to compile crime statistics if we can't trust the numbers. If there is even a hint of bias of a political agenda or of the head of this Bureau being friendly to the perspective of whatever party is in the White House, then we should abolish the agency.

In the past, those on the right have been suspicious that the Bureau of Justice Statistics has had a bias against gun rights and against the first amendment. Whether that is true, who knows. BJS statistics are used to form

policy decisions. If the agency becomes a tool of the party in power, that will no longer be the case.

When James Lynch, the nominee for the Director of the Bureau of Justice Statistics, was asked in his confirmation hearing what the biggest challenge for the Bureau of Justice Statistics moving forward was, he responded: "I think the biggest challenges of the Bureau of Justice Statistics moving forward are the perennial challenges to a statistical agency; that is to say, to maintain its credibility as an independent Federal statistical agency."

It is important we hear that. It is important Americans hear that, and we will not have that opportunity if this position is no longer confirmed.

It is not often that you hear a nominee suggest that the No. 1 challenge he faces in assuming a position is to maintain the credibility and independence of the agency he is about to run. But, as Dr. Lynch said, that is the nature of a statistical agency, and it is precisely the reason why we should not remove this position from the confirmation process.

The questions at the live hearing and the submitted written questions appropriately focused almost exclusively on this issue of credibility, independence, and accountability.

How do we protect the Director from political influence and tampering by the executive? There was discussion about ways to restructure the office to make it more independent and further reinforce its independent roll. There was discussion of moving the director to a 6-year term to further reinforce his independence, a proposal that the nominee supports. Of course, a 6-year term would imply Senate confirmation.

In every way possible, the committee and nominee discussed ways to solidify the independence of the position and protect it from political influence. In the context of these discussions, it was once suggested that we remove the position from the confirmation process.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. Mr. President, I ask unanimous consent for 2 more minutes.

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

Mr. DEMINT. With all the nominees who are confirmed in the Senate with no debate or vote, it would seem the confirmation process is serving a purpose.

First, there are things that happen behind the scenes to vet and review these nominees and their backgrounds. Unfortunately, as we have seen, the President, in some cases, with what we call czars in other positions and recess appointments, has sidestepped that. That has reduced the credibility in these positions, but let me just focus again on this one position.

We never want the American Government to be accused of being a propaganda machine, as we see from governments all over the world. This one area

of statistics, where they are disseminating information all over the country that so many respond to, needs to be credible and independent. I encourage my colleagues to keep this one position in the confirmation process so we will have an opportunity to make sure that, regardless of which party is in power, we have a credible, independent voice dealing with these statistics.

I thank the President for yielding me a little more time. I yield back.

The PRESIDING OFFICER. The Senator from Louisiana.

## AMENDMENT NO. 499

Mr. VITTER. Mr. President, I ask unanimous consent that Senator BARASSO be added as a cosponsor.

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

The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I just wish to indicate my support for the amendment offered by the Senator from Louisiana.

Although it is drafted a little differently than I would have done it, it does address a real problem; that is, when the President—this President or any President—creates a new position within the White House that is duplicative of a Cabinet member's responsibilities, the result is we lose our ability to exercise accountability for the policies that individual comes up with. Let me give you a specific example.

EPA is a Senate-Presidential appointee, Senate-confirmed position, the Administrator of the EPA. Yet President Obama created a position within the White House where there is essentially an environmental czar, and this individual—Carol Browner, who has since left, actually negotiated a deal with the automobile industry having to do with emissions. Well, the problem with that is, it is circumventing Congress's ability to hold accountable the person who is involved in making and coordinating that policy.

What the Senator from Louisiana is trying to get at is the creation of these unaccountable czars within the White House who are doing the job that is supposed to be done by a Cabinet official, by a Presidentially appointed, Senate-confirmed official.

So I support the amendment.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from New York is recognized.

Mr. SCHUMER. Mr. President, before I get into the substance of my remarks, I ask unanimous consent that notwithstanding the previous order, the vote in relation to the Vitter amendment No. 499 occur at 12:30 and the vote in relation to the DeMint amendment No. 510 occur at 2 p.m., with the remaining provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Ms. COLLINS. Mr. President, I want to make sure this has been cleared with the Senator from South Carolina?

Mr. SCHUMER. It has.

Ms. COLLINS. I have no objection.

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

Mr. SCHUMER. Mr. President, it is our intention to work on setting up additional votes this afternoon following the vote on the DeMint amendment No. 510.

Mr. President, I rise in strong opposition to the amendment offered by my colleague from Louisiana, Senator VITTER. As you know, the underlying bill is the product of a bipartisan gentlemen's agreement reached earlier this year that seeks to streamline and otherwise improve the efficiency of the Senate's confirmation process. The Senator from Maine, the Senator from Tennessee, the Senator from Connecticut, and myself, as well as the leaders, Leader REID and Leader MCCONNELL, have been heavily involved in this process.

The amendment offered by Mr. VITTER runs counter to the spirit of comity behind this important bill. It is a poison pill designed to handcuff the President's ability to assemble a team of topflight advisers and aides. The amendment is nothing new. It has been introduced several times in several iterations.

Now is the time to move forward. It is one of those moments when we can bridge the partisan divide and make the Senate a more efficient body. It is not the time or place to relitigate old and, frankly, silly political battles about so-called czars.

It is our constitutionally mandated duty as Senators to ensure that the most important positions in government are confirmed in a timely manner. With the underlying bill, we finally begin to break the logjam that holds up senior positions by taking midlevel, nonpolicy positions off the docket.

I oppose the amendment and urge my colleagues to vote against it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 510

Mr. SCHUMER. Mr. President, I also rise now because of the change in the time schedule to speak against the amendment offered by Mr. DEMINT. Like the Vitter amendment, this amendment is opposed to the great spirit of comity behind the underlying bill.

I would like to remind my colleague from South Carolina that the bipartisan working group labored over every decision we made. Far from lifting our

index fingers to the wind, we carefully debated the nuances of the changes that were ultimately proposed.

The change the Senator from South Carolina finds fault with involves the Bureau of Justice Statistics. Let me tell you about this position. The Director of the Bureau of Justice Statistics reports to the Senate-confirmed Assistant Attorney General for the Office of Justice Programs, who then reports to the Senate-confirmed Associate Attorney General, who then reports to the Senate-confirmed Deputy Attorney General, who—you guessed it—reports to the Attorney General, also confirmed. How much more oversight do we need for one man? Is four levels of congressional oversight not enough?

It is clear to me that this amendment is really designed to hamper our goal of improving the way the Senate functions. After all, there are four similar positions at the Department of Justice with parallel lines of reporting that we plan to remove from Senate confirmation, but the Senator from South Carolina does not take aim at those. Simply put, this is a prime example of the type of amendment that slows the Senate down, the type of amendment that is really aimed at preventing the passage of this bill.

The number of Senate-confirmed positions has increased by hundreds over the last few decades. As you know, this proliferation has slowed the confirmation process to a near standstill. What used to be a flowing, functioning faucet now trickles.

This position is one of those midlevel positions that should be removed to free up our process so we can focus our time on the positions that are more senior, that do not report to so many other levels of Senate-confirmed positions. Removing Senate confirmation for this position does not in any way weaken our constitutional advice and consent power or give any extra power to the President. This power was given to us to be used to confirm the most senior policymaking positions, and the President has power to appoint his midlevel and lower level appointees.

I oppose this amendment, which will be voted on after our respective lunches, and urge my colleagues to join me in voting against it.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. 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. BROWN of Ohio. I ask unanimous consent to speak in morning business for no more than 10 minutes.

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

#### CURRENCY MANIPULATION

Mr. BROWN of Ohio. Mr. President, last week Minority Leader PELOSI and

some of her colleagues signaled their intention to introduce a discharge resolution for a vote on H.R. 639, the Currency Reform for Fair Trade Act. I applaud those in this body and in the House of Representatives who want to push on currency reform and encourage the Speaker and House leadership to support this position.

Similar legislation to this passed overwhelmingly with strong bipartisanship in the last Congress. Senator SNOWE from Maine and I introduced that legislation in the Senate. It would strengthen countervailing duty laws to consider undervalued currency as an unfair subsidy in determining duty rates.

What does that mean? What that means is that in essence we have lost jobs in this country because too often the playing field in our trade relationship with the People's Republic of China is simply not level. We know that China in far too many cases subsidizes energy. We know they subsidize land. We know they subsidize capital. We know they subsidize production in various ways. We also know in terms of currency that China does not play fairly.

When an industry such as the coated-paper industry in Hamilton, OH, in southwest Ohio, north of Cincinnati, or the aluminum industry in western Ohio, in Sidney, or the steel industry in Lorain, OH—when an industry petitions the International Trade Commission for relief against unfair subsidies, currency manipulation would be part of that investigation. That bill would make sure that happens. It is simple, it is straightforward, and it is achievable. It sends a signal to our trading partners that we will not accept unfair advantage over American workers and American businesses. I can't count the number of times—I know that in North Carolina the Presiding Officer has seen the same situation in textiles and other industries—where, simply put, American workers have trouble competing and American businesses have trouble selling their products because of unfair trade advantages that countries have inflicted on the United States.

Don't forget the stakes. We are all concerned about the budget deficit, to be sure, and we heard Senator CONRAD earlier talking about that in a convincing and persuasive way. Cut the budget. Set it up long term, medium term. Don't do it right now, as Chairman Bernanke, a Republican appointee, says. That will cost us jobs. But build in deficit reductions. Think about the budget deficit, but don't forget the trade deficit.

Over the last 10 years, particularly since most favored nation with China and NAFTA and the Bush administration's trade agenda on CAFTA and the other trade agreements and lack of enforcement on those trade agreements, we have seen job losses because of those trade agreements.

President Bush once said that \$1 billion in trade surplus or trade deficit

translates into 13,000 jobs. Why is that? If you have a budget surplus of \$1 billion, you have 13,000 more jobs in your country. If you have a trade deficit of \$1 billion, you have 13,000 fewer. The reason is clear: If you have a \$1 billion trade deficit, it means you are buying \$1 billion worth of goods more from country X—China, let's say—than you are selling to China. That means \$1 billion worth of more production is taking place in China than in the United States. That is OK, but when the numbers are hundreds of billions of dollars—our trade deficit is fluctuating between \$400 and \$750 billion, between \$1 billion a day and \$2 billion a day—that is real jobs. Multiply those job numbers—13,000 for \$1 billion—and you see the kind of job losses we have in the United States of America, especially in manufacturing, hitting those communities such as Lorain or Mansfield or Springfield or Dayton or Youngstown or Cleveland or cities in western New York, in Syracuse or Rochester or cities in North Carolina. You can see what it has done in small towns and urban areas alike to our job growth.

In April 2011, our total trade deficit in that month alone was \$54 billion. Our trade deficit with China in that month alone was \$21 billion.

Paul Krugman, a columnist with the New York Times, said:

If you want a trade policy that helps employment, it has to be a policy that induces other countries to run bigger deficits or smaller surpluses. A countervailing duty on Chinese exports would be job creating; a deal with South Korea, not.

I am not here today to argue or debate or even be critical of the free-trade agreement with South Korea. I think it is a bad idea. I hear the promises of administration after administration. This administration at least has not overpromised, as the Bush and Clinton administrations did, on the creation of jobs and trade, but we know that every time there is a trade agreement, the trade deficit goes up and job loss accelerates, especially in manufacturing.

The point is that one major thing we can do about this is what the House of Representatives is trying to do; that is, pass the Currency Reform for Fair Trade Act. It will simply mean that China and the United States are on a more even, more level playing field, a more even relationship. It will save and help to increase manufacturing jobs. We know manufacturing jobs are a ticket to the middle class.

In Germany, 20 percent of its workforce is in manufacturing. Only 10 percent of our workforce is in manufacturing. Germany has higher unionization rates, higher wages, and a trade surplus.

The United States has, as I pointed out, almost a \$1 billion-a-day trade deficit with China—somewhat less than that; not much—and up to a \$2 billion-a-day trade deficit with the world as a whole. Clearly our trade policy is not

working. Currency reform is one major step in fixing that. It is something that I hope this Senate takes up sooner rather than later and that the House of Representatives does the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Under the previous order, the question occurs on agreeing to amendment No. 499, offered by the Senator from Louisiana, Mr. VITTER.

Ms. COLLINS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—47

Alexander	Graham	McConnell
Ayotte	Grassley	Murkowski
Barrasso	Hatch	Nelson (NE)
Blunt	Heller	Paul
Brown (MA)	Hoeben	Portman
Burr	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kirk	Snowe
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lugar	Vitter
DeMint	Manchin	Wicker
Enzi	McCain	

NAYS—51

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson (SD)	Reid
Blumenthal	Kerry	Rockefeller
Boxer	Klobuchar	Sanders
Brown (OH)	Kohl	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkeley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Boozman	Moran
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The PRESIDING OFFICER. On this vote the yeas are 47, the nays are 51. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

The Senator from Pennsylvania.

AMENDMENT NO. 514

Mr. TOOMEY. Madam President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows: The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 514.

Mr. TOOMEY. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows: (Purpose: To strike the provision relating to the Governors and alternate governors of the International Monetary Fund and the International Bank for Reconstruction and Development)

On page 63, strike lines 3 through 18.

Mr. TOOMEY. Madam President, I ask unanimous consent to add Senator VITTER as a cosponsor of this amendment.

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

Mr. TOOMEY. I rise to offer an amendment to retain the Senate confirmation process for two positions: the position of Governor and Alternate Governor of the IMF and the International Bank for Reconstruction and Development.

The Board of Governors at the IMF is the highest level of governance of the IMF. Currently, the Governor and the Alternative Governor are both subject to Senate confirmation. This bill would change that. This bill would remove them from the Senate confirmation process.

I think I understand the rationale behind that thinking. It is probably because, by custom, the United States has appointed the Secretary of the Treasury as the Governor designate to the IMF and the Chairman of the Federal Reserve as the Alternate Governor. So since those folks have already been through a Senate confirmation process, no doubt the thought was that we did not need to have a separate one.

Here is the reason for my amendment; that is, the decision to appoint these two individuals to these two posts has been by custom, and there is nothing in statute or otherwise that requires the President to appoint these two individuals. The President—any future President—could choose to nominate anyone he or she may like. I think it is very important in that event the Senate would continue to have the oversight that comes with the advice and consent that my amendment would retain.

The truth is, the United States is the largest lender to the IMF, and right now the IMF is in the process of using U.S. taxpayer dollars to bail out Greece and perhaps other countries. At a time when Greece and Europe are virtually drowning in debt, I do not think the Senate should be conceding its confirmation authority and potentially

thereby reducing its oversight over the key IMF officials responsible for overseeing tens of billions of U.S. taxpayer dollars.

I think we all know, the United States does not even have its own fiscal house in order.

Yet here we are giving over \$100 billion to the IMF for them to, in turn, lend money to insolvent governments. That doesn't make sense to me. We are running a \$1.5 trillion deficit, nearly 10 percent of our entire economy. Our debt is at 69 percent of our GDP and rising rapidly. It seems to me that American taxpayers should not be asked to bail out European governments that clearly haven't been able to get their act together. But recently, we actually expanded the liability U.S. taxpayers have to the IMF.

Let me comment for a minute specifically on this idea of bailing out Greece because I think it is a very bad idea. Greek debt exceeds 150 percent of their total economy now. The Brookings Institute estimates that bribery and corruption alone amount to 8 percent of GDP annually. The Greek workforce has a very low productivity rate. There is a very low percentage of their population engaged in the workforce. By any measure, this is an economy that is in a downward spiral.

Despite that and despite a \$160 billion bailout last May, in 2011, the Greek Government decided to increase its total expenditures. While running this staggering and unsustainable government, their government's decision was to increase spending. The fact is, unfortunately, no loan, no matter how large, no matter from where it comes, is going to solve Greece's problems. It is not that Greece has a problem with liquidity; their problem is solvency. Greece is insolvent. It cannot, and therefore will not, repay all its debt.

The danger is going down this road and having the IMF and other multinationals lending money to Greece now, and we are effectively replacing the existing loans made by private banks—essentially European banks—with taxpayer dollars provided by these big institutions.

Essentially, the Greek Government is going to default on the debt. The only question is, Upon whose debt? Will it be that of the private banks that lent them the money, as I believe it ought to be—those are the people who made the imprudent decision when they extended money to a fundamentally insolvent government—or will it be taxpayer-funded institutions because those institutions have taken out the debt of the private banks?

I am afraid that is where we are heading, and that will include U.S. taxpayer dollars. I think it is a big mistake. It is also an unusual transaction for IMF, primarily for two reasons. It is unusual to lend money to developed economies. Usually, this kind of program goes to developing nations. But it is even more unusual in the magnitude, the sheer scale of this.

In 2010, the IMF bailout of Greece was more than 3,000 percent of Greece's IMF quota. Typically, the size of loans such as this is no more than 200 to 600 percent of a nation's quota. This was 3,000 percent.

One of the biggest problems with going down this road of having multinational institutions bailing out insolvent countries is the moral hazard. There are a number of countries around Europe that are in substantial trouble, with varying degrees of fiscal problems, and some are teetering on the edge of insolvency. What is the message we are sending to those governments if multinationals come in and bail out Greece? The message is: Don't make the tough decisions now and impose the kinds of austerity you need because someday somebody will come along and bail you out of this problem. That is a very bad policy.

Most of all, we ought not to be putting U.S. taxpayers in this position of taking on this liability, which I am afraid is not going to be repaid. The reality is, Congress has very limited oversight over IMF, by design—very limited authority. One of the few checks we do have is the ability to provide or to withhold our consent with respect to those who are nominated to that powerful governing board. I don't think, at a time when the IMF is going out putting tens of billions of U.S. taxpayer dollars at risk, bailing out irresponsible and insolvent foreign countries—at a time such as this, I don't think we should be doing anything to relinquish that authority we have, to diminish the opportunity we would have to provide that advice and consent.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. 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.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized for the purpose of speaking as in morning business.

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

#### LIBYA AND AFGHANISTAN

Mr. MCCAIN. Mr. President, I speak today on a day that appears to be positioned between two very consequential decisions.

Yesterday, the President announced his plan to draw down U.S. forces in Afghanistan, pledging to pull out 10,000 troops this year and the remaining 23,000 surge forces by September of 2012.

Tomorrow, the House of Representatives will likely vote on a measure to limit the use of U.S. funding for U.S. military operations in Libya to only "nonkinetic activities"—in other

words, noncombat activities—meaning no limited strike missions to suppress air defenses or predator strikes against Qadhafi forces, which we are doing very little of already. The only military actions for which the Commander in Chief could commit our Armed Forces would be supporting missions from search and rescue to aerial refueling to intelligence.

Those are the provisions in what is very likely to be voted on and passed by the House of Representatives tomorrow.

Some may not see a connection between these decisions, but the connection is profound. We are having a profound debate in this country right now that I suspect will continue for some time. Critical questions are being asked and discussed: How should we in the United States define our national interests? What is the proper role for America in the world? How do we balance our commitments abroad and the global demands for U.S. leadership with an American public that is justifiably war weary after a decade of conflict and that is rightly concerned with our unsustainable levels of government spending and national debt?

These are vital questions. They will determine the future of our Nation and, indeed, the future of the world. Reasonable Americans can disagree over what the right answers are. Although our disagreements may be heated and passionate, we should always remember that we are all Americans, that we are all patriotic, and that we all want to do what is best for the Nation we love.

The discussions we are now having over Libya and Afghanistan go right to the heart of this broader debate, and this is where we see the real practical impact of the decisions all of us in public life must make and be accountable for. We are all trying to define America's interests and role in the world, to separate that which we can and must do from that which is beyond our capacity and our benefit to try to accomplish. We are all striving for a balanced approach to America's interests abroad, and it is for that reason I am very concerned about both the President's decision on Afghanistan and the House's pending vote on Libya.

I agree with the President that, thanks especially to the sacrifice and courage of our fighting men and women, we are making amazing progress in Afghanistan. This progress is real and it is remarkable. But as our commanders on the ground all point out, it is also fragile and reversible. Our commanders also say what will be decisive is the fighting season next year—the warmer spring and summer months—when the insurgency historically picks up its operations after resting and regrouping a bit during the colder months. This will be our opportunity to consolidate our gains in southern Afghanistan and begin transitioning more and more of that fight to our Afghan friends, while increasing numbers of U.S. forces shift

their main effort to eastern Afghanistan where the Haqqani network, al-Qaida, and other regional militant groups are still present and operating actively.

The reason our commanders had to take this sequential approach is because they did not get all the forces they requested in 2009—40,000 troops as opposed to the 33,000 the President gave them. What this means in practice is that our commanders in Afghanistan still need next year's fighting season to deal the same crushing blow to al-Qaida and the Taliban in the east as our forces have dealt them in the south. However, under the President's plan, which calls for having all of our surge units out of Afghanistan by September, those troops will begin flowing out of Afghanistan right at the time the Taliban, al-Qaida, and their allies begin stepping up their operations, especially in eastern Afghanistan.

This is the irony of it all. The President's decision in December 2009 had the effect of making this war longer and costlier by forcing our commanders to tackle our enemies in southern and eastern Afghanistan sequentially over 2 years rather than simultaneously in one decisive action over 1 year. Now, just at the moment when our troops could finish our main objective and begin ending our combat operations in a responsible way, just when they are 1 year away from turning over a battered and broken enemy in both southern and eastern Afghanistan to our Afghan partners, the President has now decided to deny them the forces our commanders believe they need to accomplish their objective.

I hope I am wrong, I hope the President is right, that this decision will not endanger the hard-won gains our troops have made with the decisive progress they still need to make next year. I hope that proves correct. But I am very concerned the President's decision poses an unnecessary risk to the progress we have made thus far to our mission and to our men and women in uniform.

Our troops are not exhausted. They are excited that after 10 years we finally have a winning strategy that is turning this war around. Anyone who says that our troops are exhausted should go out and talk to them. They want to stay at this until the job is done. We have sacrificed too much. America has a vital national interest in succeeding in Afghanistan. After all that we have given to this mission, the money we have committed to it, the decade we have devoted to it, and the precious lives we have lost throughout it, why would we do anything now that puts our mission at greater risk of failure?

I would offer the same counsel to my Republican friends in the House with regard to our mission in Libya. I know my colleagues in Congress are angry with the administration and its Libya policy, and they have every right to be. From the disrespect and disregard the

administration has shown Congress, to their bizarre assertion we are not really engaged in the hostilities in Libya, to the lack of resolve with which they have prosecuted this fight and made the public case for it, the administration has done an unfortunate amount to earn the ire of Congress. But we can't forget the main point: In the midst of the most ground-breaking geopolitical event in two decades, at least, as peaceful protests for democracy were sweeping the Middle East, with Qadhafi's forces to strike at the gates of Benghazi, and with Arabs and Muslims in Libya and across the region pleading for the U.S. military to stop the bloodshed, the United States and our allies took action and prevented the massacre that Qadhafi had promised to commit in a city of 700,000 people.

By doing so, they began creating conditions that are increasing the pressure on Qadhafi to give up power. Yes, the progress toward this goal has been slower than many had hoped, and the administration is doing less to achieve it than I and others would like. But here are the facts: We are succeeding in Libya. Qadhafi is going to fall. It is just a matter of time.

So I would ask my colleagues: Is this the time for Congress to turn against this policy? Is this the time to ride to the rescue of an anti-American tyrant, when the writing is on the wall that he is collapsing?

Is this the time for Congress to declare to the world and to Qadhafi and his inner circle, to Qadhafi's opponents who are fighting for their freedom, and to our NATO allies who are carrying a far heavier burden in this conflict than we are, is this the time for America to tell all of these people that our heart is not in this and that we won't see this mission through; that we will abandon our best friends and allies on a whim?

This all comes back to how we, as Americans, define our national interests and act on them. We can all agree that none of us are averse to doing what is necessary to defend America and our allies when we face a clear threat in the world.

In that way, we are like any other nation in history. But what sets us apart from those other nations, what makes us exceptional, what makes us the United States of America is that we define our interests more broadly than that. Our interests also encompass the fact that we are the leader of the free world; that the circle of nations that want us to play that role is growing, not diminishing; and that this position of leadership also confers responsibilities that are greater than our own immediate and material self-interests. It is the responsibility we have to the universal ideals of freedom and justice and human rights, of which our Nation is both the greatest embodiment and the greatest champion in human history.

That is not to say we can or should be involved everywhere. That is not to

say we must act wherever and whenever our ideals are threatened. This is not to say military action is always the right answer, nor is this a recipe for endless conflict and commitment. America is powerful, but we are not omnipotent. We must make hard choices about where to spend our blood and treasure.

There will be more occasions than not when we will choose not to intervene, either because our interests do not warrant it or because we don't have the capacity to do so or because greater American involvement will not improve the situation. When we choose not to intervene forcefully in places where the cause of justice is calling out to us, be it Sudan or the Congo or Syria or countless other places where I and others have argued against intervention, we will be assailed as hypocritical and inconsistent. That is unfair, but it is nothing new for America.

What we can never forget is that our Nation's interests are forever colored by our values. America has always believed that the success of freedom and democracy in other lands does not just make our world more just; it makes it a safer, more secure, and better place for Americans and our children.

We can never afford to define our interests so narrowly that we would have sat back as an anti-American tyrant slaughtered his own people, thereby destroying one of the most historic attempts by millions of Arabs and Muslims to build better and more stable governments. That would have served neither our moral nor our strategic interests. Similarly, once we are engaged in a fight, as we are now in Libya and Afghanistan, and when we still have a clear path to succeed, as we do in both countries, it is in our moral and strategic interests to finish the job even if it is difficult and costly and unpopular. Failure is the only cost we truly cannot afford.

America cannot make the world perfect, but we can make it better, freer, more just, more prosperous. That is what has always made us an exceptional nation. That is what has always been the greatest source of our national security. That is what has always made us America. And that is how we must remain.

Mr. President, I ask unanimous consent that the following articles be printed in the RECORD: the Wall Street Journal article from this morning entitled "Libya and Republicans," the Washington Post editorial from this morning entitled "End of a Surge," and the Wall Street Journal article entitled "Unplugging the Afghan Surge."

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

[From the Washington Post, June 23, 2011]

END OF A SURGE

THE MISMATCH BETWEEN PRESIDENT OBAMA'S STRATEGY AND HIS TROOP WITHDRAWAL TIMETABLE

President Obama failed to offer a convincing military or strategic rationale for

the troop withdrawals from Afghanistan that he announced Wednesday night. In several ways, they are at odds with the strategy adopted by NATO, which aims to turn over the war to the Afghan army by the end of 2014. For that plan to succeed, military commanders believe that U.S. and allied forces must hold the areas in southern Afghanistan that have been cleared of the Taliban through this summer's fighting season as well as that of 2012. They also must sweep eastern provinces that have not yet been reached by the counterinsurgency campaign.

By withdrawing 5,000 U.S. troops this summer and another 5,000 by the end of the year, Mr. Obama will make those tasks harder. By setting September 2012 as a deadline for withdrawing all of the 33,000 reinforcements he ordered in late 2009, the President risks undermining not only the war on the ground but also the effort to draw elements of the Taliban into a political settlement; the militants may prefer to wait out a retreating enemy. It also may be harder to gain cooperation from Pakistan, whose willingness to break with the Taliban is linked to its perception of U.S. determination to remain engaged in the region. U.S. allies, which have committed 40,000 troops to the 2014 plan, may revise their own exit strategies.

An accelerated withdrawal of American forces would make more sense if Mr. Obama had decided to abandon the modified counterinsurgency plan he adopted at the end of 2009, which was later expanded and endorsed by NATO. Vice President Biden, among others, has pressed for a more limited counterterrorism strategy focused on combating al-Qaeda. But Mr. Obama offered no indication in Wednesday's speech that he has altered his objectives. Instead, he argued that the reduction is possible because "we are achieving our goals. . . . We are starting this drawdown from a position of strength."

Mr. Obama correctly pointed out that the killing of Osama bin Laden and operations in Pakistan have weakened al-Qaeda and limited its ability to attack the United States. But a Taliban resurgence in Afghanistan, which Mr. Obama's withdrawals risk, would be deeply destabilizing for a region that includes nuclear-armed Pakistan and India. If the Afghan government or army crumbles, there would be a considerable chance that the United States would lose the bases it now uses for drone attacks against al-Qaeda.

Perhaps the best justification for Mr. Obama's decision is U.S. domestic opinion. As senior administration officials have pointed out, Americans have grown weary of the war; polls show that a majority support a rapid withdrawal of U.S. forces, and that view is increasingly reflected in Congress and even among Republican presidential candidates. Many in Congress cite the cost of the war—though the few billion dollars saved through a faster withdrawal will have little impact on a deficit measured in trillions.

By announcing these pullouts, Mr. Obama may ease some of the political pressure while still allowing his commanders enough forces to complete the 2014 transition plan. The president's supporters point out that at the end of 2012, there will still be twice as many U.S. troops in Afghanistan—68,000—as when Mr. Obama took office. We hope those prove sufficient. But Mr. Obama's withdrawal decision, with no clear basis in strategy, increases the risk of failure.

[From the Wall Street Journal, June 23, 2011]

#### LIBYA AND REPUBLICANS

CUTTING OFF FUNDS IS WHAT DEMOCRATS DO TO GOP PRESIDENTS

Back in the day—this would be March 7, 2011—Newt Gingrich offered a compelling case for intervening militarily in Libya:

"Exercise a no-fly zone this evening," he told Fox News Channel. "Communicate to the Libyan military that Gadhafi is gone. . . . Provide help to the rebels to replace him. I mean, the idea that we're confused about a man who has been an anti-American dictator since 1969 just tells you how inept this Administration is. . . . We don't need to have the United Nations. All we have to say is that we think slaughtering your own citizens is unacceptable."

Mr. Gingrich has since, er, clarified his position, so that today the former Speaker is one of several prominent Republicans, along with fellow Presidential candidates Michele Bachmann and Jon Huntsman, opposing President Obama for doing most of what he advised a few months ago. Add the House vote expected Friday seeking to limit funding for the Libya effort, and we are witnessing at the very least some unsightly political opportunism, if not yet the rebirth of pre-Eisenhower GOP isolationism.

We understand the argument—we've made it often ourselves—that Mr. Obama has prosecuted the Libya campaign half-heartedly. The major part of the U.S. combat mission lasted days and has been over for months. The U.S. is supplying logistical help to NATO, but the alliance hasn't been able to dislodge Moammar Gadhafi. U.S. aid to the Libyan rebels has been of the "non-lethal" variant—mainly MRE rations—when what they most need are guns and munitions.

About a dozen countries, most recently Germany, have formally recognized the Benghazi-based Transitional National Council as Libya's legitimate government. But the U.S. hasn't done so, and only now is Congress advancing the legislation that would allow Gadhafi's frozen assets to be sent to Libya's people in the form of humanitarian aid. The evidence we've seen does not suggest, beyond isolated examples, that the rebels are linked to al-Qaeda, while Gadhafi's record in promoting terrorism is clear.

But all of this is an argument for prodding Mr. Obama to win the wars he starts, not to cut off funding and guarantee defeat. It is also an opportunity for Republicans to point out that Gadhafi has the blood of hundreds of Americans on his hands, and that to allow him to remain in power would give the vindictive tyrant a chance to strike back. It would also likely mean the collapse of NATO as a credible military alliance. These are the kind of U.S. security interests that Republicans have defended as a core party principle for decades.

Instead on Libya, Republicans are wrapping themselves in the 1973 War Powers Resolution, a Watergate-era law the constitutionality of which no President has recognized, and which Mr. Gingrich rightly attempted to have repealed in the 1990s, saying at the time that "I want to strengthen the current Democratic President because he is the President of the United States."

Trying to defund U.S. military operations has been the habit of Democrats in Congress going back to the Vietnam era, to no good end. In 1975, they slashed support for our allies in South Vietnam, signaling to the North that it was open season to invade. Saigon fell, and a generation of detention and murder descended on Southeast Asia.

In the 1980s, Democrats cut off funds for the contra rebels in Nicaragua, delaying their liberation from Communist Sandinista rule. And most recently, they tried to shut down the war in Iraq, emboldening the terrorist insurgents until the GOP-backed surge defeated them. Is this the kind of example that Republicans want to follow?

It's true that the Senate probably won't join any fund cut-off, and Mr. Obama can veto the bill. In that sense the House vote is purely symbolic—and even more politically

cynical. But such nuances will be missed in Tripoli, where the Gadhafi family will take it as a sign to hold out longer. There's a reason the dictator sent a thank-you missive to Speaker John Boehner after the House Libya vote three weeks ago.

For half a century, and especially since Vietnam, the Republican Party has stood for a strong national defense and the projection of military power to defend U.S. interests and to spread freedom around the world. Running to the left of Nancy Pelosi and John Kerry is not the way to win elections, much less to enhance America's security.

[From the Wall Street Journal, June 23, 2011]

#### UNPLUGGING THE AFGHAN SURGE

PRESIDENT OBAMA DECLARES VICTORY BEFORE IT'S BEEN ACHIEVED

President Obama delivered a remarkable speech last night, essentially unplugging the Afghanistan troop surge he proposed only 18 months ago and doing so before its goals have been achieved. We half expected to see a "mission accomplished" banner somewhere in the background.

Not long ago, Secretary of Defense Robert Gates spoke about only a token drawdown this year, but he's now on his way out of the Pentagon. This time Mr. Obama overruled his military advisers and sided instead with Vice President Joe Biden and his political generals who have their eye on the mission of re-election. His real generals, the ones in the field, will now have to scramble to fulfill their counterinsurgency mission, if that is still possible.

Mr. Obama said the U.S. will start to remove troops next month, returning 10,000, or three or four brigades, by the end of the year. The entire 33,000-soldier Obama surge will be gone by next summer, and withdrawals will continue "at a steady pace" after that. So the full surge force will have been in Afghanistan for only a single fighting season, and even the remaining 68,000 troops are heading out. Mr. Obama reiterated NATO's previously agreed on date of 2014 for the full transfer of combat operations to Afghan forces, but that date now seems notional.

The President rightly pointed to the coalition progress against the Taliban in Helmand and Kandahar provinces in the south, in building up an Afghan army and eliminating terrorist sanctuaries in Pakistan. But the military knows these gains are tentative, and it pressed the White House to keep all the fighting brigades in Afghanistan to press the advantage. We don't envy the task of Lt. General John Allen, who is taking over the Afghan command this summer from General David Petraeus. He'll now have to take the battle to the remaining Taliban strongholds in the east, while protecting the gains made in the south and elsewhere, even as he also manages the withdrawals. The expanding Afghan forces will be able to fill in only some of the gaps, and the U.S. troops who remain will be exposed to greater risks. The burden of long deployments is hard on the troops, but those we talk to would rather finish the job than leave too soon and risk having their sacrifice washed away in a Taliban resurgence.

In justifying the withdrawal, Mr. Obama repeatedly stressed the damage we've done to al-Qaeda. Yet most of those successes have been mounted from Afghanistan, including the killing of Osama bin Laden. Mr. Obama stressed that he'll continue to press Pakistan to cooperate in attacking terrorist havens, but his accelerated withdrawal schedule will make that persuasion harder. The Pakistan military will now almost surely not act against the Afghan Taliban. The Pakistanis will press instead for a "reconciliation" between the Afghan government

and Taliban leaders, who will be the most relieved by last night's speech.

The President wanted to accentuate the progress of the surge last night to explain his decision to short-circuit it. But the real message was political and could not have been clearer: "America," he said, "it is time to focus on nation building here at home." And "the tide of war is receding."

Mr. Obama was laying out his re-election theme as a Commander in Chief who ended George W. Bush's wars and brought the troops home from Iraq and Afghanistan. He could bring the troops home from Iraq because Mr. Bush had already won the surge before Mr. Obama took office. Let's hope America's generals can still conjure a similar success from Afghanistan, despite a preempted surge and a Presidential march to the exits.

Mr. MCCAIN. I note my friend from South Carolina here today. The Senator from South Carolina, as many of us know, is a reserve colonel—a terrible mistake by the promotion boards—in the U.S. Air Force JAG Corps. He has spent more time in Afghanistan than any Member of Congress, including more than most Members of Congress combined. He has observed closely in Afghanistan the surge, its success, its impediments. I ask unanimous consent to engage in colloquy with the Senator from South Carolina.

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

Mr. MCCAIN. I wonder if my friend saw General Keene, the architect of the surge in Iraq, on one of the networks this morning describing his views on the President's decision concerning drawing down our troops from Afghanistan.

Mr. GRAHAM. I did. And if I could respond to my colleague about his statement on the floor, I would like to associate myself with it. I thought it was a very well articulated statement about the times in which we live.

For about 18 months, we have had additional military capacity that was never known to Afghanistan, all because of President Obama's decision to send 33,000 troops at General Petraeus' request. Now, the request was for 40,000, but at the time, I said: I do appreciate President Obama giving the commander the resources that could do the job, but you have to do it differently.

General Keene is the architect of counterinsurgency. He is a mentor of General Petraeus. He and General Petraeus and others came up with the strategy that succeeded in Iraq. Here is what has happened, from my point of view.

I go about every 3 months. About 2 years ago, I was very afraid we were going to lose.

How could the Taliban come back with about 100,000 NATO forces in Afghanistan? The truth was that the rules of engagement for NATO really were law enforcement rules. The NATO forces could not engage the enemy in an effective way.

We were looking at this from the eyes of a law enforcement activity, and

the number of American forces was about 30,000. That wasn't enough to help build the Afghan Army, train and equip the Afghan Army, control the population, provide safety, and give governance a chance to flourish through better security. That is why we needed more troops.

To all the commanders before General Petraeus, you were holding Afghanistan together, in many ways with duct tape.

I believe Iraq is a pivotal moment in the war on terror, but it is a fair observation to make that because of the war in Iraq, resources were taken away from Afghanistan. The truth is that even though we have been there almost 10 years, we really have only been there with the capacity to bring about change for the last 18 months.

So what has happened in the last 18 months? The 30,000 surge forces were sent to the southern part of Afghanistan. This really is a Pashtun civil war. It is a fight between the Taliban, a radical element of the Pashtun community, and a majority of Pashtuns and other Afghans who want a different way.

Kandahar is in the south. It is the spiritual home of Mullah Omar. That is the place he lived, and there is an American operating base within a mile of his compound. You can get up on the roof of a prison there, and you can see Mullah Omar's compound. So the argument is, if we can win in the south, we can win anywhere. So we took 30,000 troops into the southern part of Afghanistan, and we broke the enemy's back. We have allowed the Afghan Army and security forces to develop.

In September 2009, there were 800 people a month joining the Afghan Army and 2,000 a month leaving. I am not very good at math, but that is not a way to build an army. From December 2009 to the present, we have been recruiting 6,000 a month in the army, 3,000 in the police. What happened? Better pay and a sense that we were going to win. So in 17 months, we have built up the Afghan security forces by 90,000. We will have 305,000 by the end of this year.

What is the problem with the President's drawdown of forces? Why can't you do it with the numbers we have? Counterinsurgency is a very labor-intensive operation. Its goal is to provide population security and focus on training by fighting with a unit. Instead of training them during the day and hoping they do well at night, you literally go out and live with the police and the army. It is a very labor-intensive activity, but it is the best way to provide training and build capacity.

Here is the problem. The surge forces under President Obama's withdrawal plan are now going to compromise next summer. Drawing 10,000 down this year is going to make it hard to finish out the fighting season we are engaged in now.

But here is General Allen's dilemma. Because we had 30, not 40, we couldn't

go to RC-East, where the Haqqani Network exists, and fight the Taliban in the south at the same time. So we took our full force of the surge and put it against the Taliban in the south. We broke their back. We have been holding RC-East, and the game plan was to take those surge forces out of the south and go to RC-East next summer and deliver a decisive blow to the Haqqani Network. That way, the two forces undermining Afghanistan would be put at bay.

Because of the President's decision and the rejection of General Petraeus' advice, come next summer the surge forces will be all gone by September, and General Allen is in a box. How does he hang on to the security gains in RC-South? Because the enemy's will has been broken, they have been put on their knees, but they are not yet defeated because they can go across the border to Pakistan. So next summer, the surge forces we were going to have available for General Allen are going to be gone, and RC-East cannot be engaged in the same fashion as RC-South.

What does that all matter? That means one of the enemies of the Afghan people is getting a reprieve and the ability to develop security forces all over the country so that when we leave, they can fight and win has been compromised. Counterinsurgency requires math. You need a certain amount of soldiers against the enemy.

I was asked last night: There are only 50 al-Qaida. Why do you need so many troops? One Navy SEAL could defeat 50 al-Qaida.

Those who suggest that simplistic formula don't understand what we are trying to do. We are trying to take a country that has been beaten down and involved in civil war for 30 years and provide better governance through better security.

The way you beat the Taliban is you go and take them on with an overwhelming show of force. You inspire the local population to come your way and get off the sidelines because they don't want the Taliban to win, but they are afraid that at the end of the day we are going to leave and the Taliban will take over. Because of this surge, the people in the south jumped our way. And this is what is so heartbreaking. We are on the verge of being able in two summers to deliver decisive blows to two enemies of ours and the Afghan people—the radical element of the Taliban and the Haqqani Network in the east. But because of this adjustment in strategy, I think we now have lost capability, and General Allen is going to have a much more difficult job.

Things to watch.

Mr. MCCAIN. According to the Washington Post this morning, the editorial "End Of A Surge. The mismatch between President Obama's strategy and his troop withdrawal timetable":

Mr. Obama's withdrawal decision, with no clear basis in strategy, increases the risk of failure.

The only other issue—and I think the Senator from South Carolina is very well qualified to describe it—I hear over and over, especially from those who are opposed to our involvement in this conflict, the troops are exhausted, the troops are exhausted. Yet General Keene, this morning on one of the news channels, said: They are not exhausted. They are exhilarated because they are winning. They know they have sacrificed so many of their comrades, killed and wounded. They are not exhausted. But they certainly, certainly don't want to come home in defeat, something that I saw a long time ago.

Mr. GRAHAM. That is a very good question. Who are these people and what makes them tick? Why would people who could leave by just not reenlisting keep going back to Iraq and Afghanistan? My view of our forces is that they see the face of the enemy, they believe they have a strategy that is working, and they don't want their kids to go back. So when you use the troops as a reason to shortcut this war, I don't think you are really listening to what they say and what they do. If they were exhausted and hopeless, they would change careers.

I have never seen Afghanistan change as much as I have in the last year, and my fear is that the successes we have achieved are going to be compromised for no good reason. Both of us believe that you could, at the end of 2012, if you do this right, remove all of the surge forces. But what we have been trying to argue to the President and anyone else who will listen is that this fighting season and the next fighting season are the best chance we will have in our lifetime to bring about permanent, sustainable change. And I think General Petraeus has been trying to tell the country and the President: Give General Allen the ability to take the fight to the east like we did to the south.

From the troops' point of view, the reason they go to Afghanistan and Iraq over and over is they understand this enemy better than you and I. They see what the enemy is capable of doing. They saw it in Anbar, where children were killed in front of their parents by al-Qaida. They see what happens when the Taliban hangs a 9-year-old boy because they believe he is providing information to the coalition forces.

I think our troops understand the danger America faces, to the point that they are willing to leave their families time and time again to protect all of us back here at home.

If you do not believe Afghanistan matters, then I think you are going to be in for a rude awakening. If it goes bad in Afghanistan, if the Taliban can survive and wait us out and they begin to reemerge, a lot of people who helped us, I say to Senator McCAIN, are going to get killed. And when America goes off to some future conflict to help the oppressed, we are going to be seen as an unreliable ally and our enemies are going to be stronger.

One final thought. This is a consequential week. The negotiations dealing with our national debt have broken down. My colleagues in the House, whom I respect, are about to vote to cut off funding, which will send a signal to Muammar Qaddafi that I think is unhealthy. At the end of the day, the decisions we make here in Congress are going to affect our Nation long after you and I leave this body. Qaddafi is on the ropes. NATO has limited capacity, but if the American Congress tells Qaddafi we are out of the fight, I am afraid that is going to give him a sense of hope he does not have today.

What does it matter if he stays? I think logically you can expect, if he outlasts NATO, the Arab spring is over. We can't go into Syria, but he will take it out on his people. I think it will affect the price of oil. That will be the end of NATO, because with NATO taking on Qaddafi and losing, it is going to be very hard for that organization to go off to another war and be taken seriously.

I hope we can survive this week, that cooler heads will prevail. I am going to tell Mike Mullen, when you come to get confirmed for this job, please let us know if you are having to make hard decisions because of a lack of resources. Give the President that information and let Congress know so we can adjust the strategy. I hope the President is right and that we are both wrong. But General Keene and General Petraeus have come up with a strategy that I think, given time and patience, will work. This new strategy is something that is untested, that is unnecessarily risky.

The way to keep America safe, Ronald Reagan said, the way to prevent a war—he said: When people who love freedom are strong, not weak, that is the best way to prevent war.

Mr. McCAIN. Can I say in summary—and I thank the Senator from Connecticut for his forbearance—I agree with the Senator from South Carolina, obviously. I say to my friends on the other side of the Capitol, although it may fall on deaf ears at this moment, I hope they know that we understand their frustration about the President's failure to recognize the War Powers Act exists, and the failure of the administration to consult and brief Members of Congress on the situation in Libya, about many aspects of the way this conflict has been conducted where America is "leading from behind."

But I want to repeat what the Senator from South Carolina said: This could mean the end of NATO. If NATO cannot defeat a third-rate military power, then NATO is probably going to go out of business. If we do not succeed in Libya and oust Qaddafi, as is the President's policy, you will see a center for terrorist activities, you will see a return of al-Qaida to Libya—certainly a dramatically increased influence. And, frankly, it will send a message to the world that even though we

say about a dictator and a brutal killer and murderer such as Qaddafi that it is our policy that he be removed from power, we are either unwilling or unable to do so.

I again caution my colleagues on the other side of the aisle, I hope they would not do anything that would enhance the ability of this brutal dictator to remain in power and continue to perpetrate the murders and crimes for which he is so well known.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### GASOLINE PRICES

Mr. BLUMENTHAL. Mr. President, I am honored to follow that very articulate colloquy between my colleagues from Arizona and South Carolina and certainly draw inspiration from what they have outlined in that colloquy, the consequences internationally and at home in this very important week. I rise to call attention to developments in an area that is among those consequences—the price of gasoline, the supply of fuel internationally and at home.

I rise to commend the President of the United States for releasing today some 30 million barrels of oil over the next 30 days, which already has brought down the price of oil by about \$5 per barrel on the New York Mercantile Exchange. This consequence certainly cannot be the end of the campaign that we must continue to wage. I commend the President for heeding the calls from myself and my colleagues to address the pain felt across Connecticut and the country as prices remain too high, at close to \$4 a gallon. The drop we have seen today should be followed by additional reductions. That can happen only if the administration and this body continue to campaign to achieve those lower prices.

This development follows the decision by the Federal Trade Commission to conduct an investigation, again heeding calls from me and my colleagues, that a searching, penetrating, comprehensive investigation is necessary to forestall and prevent manipulation and speculation on the markets. We have seen over these months that supply and demand is not the cause of increases in the price of oil internationally or here at home. It is directly and substantially a consequence of speculation by traders and the hedge funds, as well as potentially illegal manipulation.

The FTC investigation is in response to those calls we have made, based on what we have seen in those markets. Clearly the FTC is reacting, for example, to the fact that U.S. refiners' margins have increased more than 90 percent since the beginning of 2011. Over that same period of time the amount of capacity has been reduced by 7 percent. It is 81.7 percent over this same period of time, a 7-percent reduction from the same period in 2010. Those indicia of potential forces in the market that

have nothing to do with supply and demand are certainly more than sufficient basis for the FTC investigation. Combined with the release of product from the Strategic Petroleum Reserve, they have helped to bring down prices.

But the campaign must continue. We must deter speculation and illegal manipulation. We must send a message to those speculators and manipulators who are on the wrong side of these markets, who are on the wrong side of history: You will lose and you will lose big time. This kind of message is what is necessary to protect Connecticut and national consumers. We have seen in Connecticut that the price is still above \$4 on average in many places.

This issue is not just one that affects consumers, it is an economic issue with broad and far-reaching ramifications. It affects small business people who have to drive their cars to get to work, to deliver product, to arrive at places where they are working and spending time. It has ripple effects throughout our economy. It is crushing to families and small businesses.

The rise in prices in this country for fuel and gasoline has been crushing families and small businesses. It had ramifications throughout the economy that these two steps, release of product through the Strategic Petroleum Reserve and the FTC investigation, will help to counter.

More is necessary—stronger enforcement and regulatory steps to stop and prevent abusive speculation and manipulation. I will be announcing a number of proposals for my part that I hope will be followed in the next days and weeks.

These two steps are important, but they must be followed by others, they must be the beginning, not the end, of a comprehensive strategy to bring down the price of fuel—not just gasoline but soon heating oil—for Connecticut families as well as consumers across the country. This pattern must continue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 510

Mr. ENZI. 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 question is on agreeing to amendment No. 510.

The clerk will call the roll.

The bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 41, nays 57, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS — 41

Ayotte	Graham	McConnell
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Brown (MA)	Heller	Risch
Burr	Hoeven	Roberts
Chambliss	Hutchison	Rubio
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Snowe
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	Wicker
Enzi	McCain	

NAYS — 57

Akaka	Gillibrand	Murkowski
Alexander	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Inouye	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Reid
Boxer	Kohl	Rockefeller
Brown (OH)	Kyl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING — 2

Boozman Moran

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 57. The amendment is rejected.

The Senator from Delaware.

AMENDMENT NO. 517

Mr. CARPER. Mr. President, I would like to take a few minutes, if I could, just to speak on—

Mr. REID. Would the Senator from Delaware yield?

Mr. CARPER. I would be happy to yield.

Mr. REID. Mr. President, we are trying to arrive at an end to this legislation. We are not there yet. We hope there will be no more votes today. We feel positive there will not be, but we are not ready to make that decision right now. We should within the next hour.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I would like to begin my remarks this afternoon by congratulating several of our colleagues who have worked long and hard on this legislation, and their staffs who have worked equally long and hard: Senator SCHUMER and Senator ALEXANDER; I see Senator COLLINS is on the floor; Senator LIEBERMAN; our leaders, Democrat and Republican leaders, Senator REID and Senator MCCONNELL.

Anyone watching this debate from across America on C-SPAN might be wondering why is this important? Why are they doing this? Why are we spending several days, literally, in session in the Senate to focus on a nominations bill? Why? For those folks who might be wondering why, let me just offer these thoughts.

This administration has been in office for roughly 2½ years now. If we look throughout the Federal Government, the executive branch of the government, most of the positions that require Presidential nominations and Senate confirmation have now been filled. But a number, including a number that are in highly important, highly critical positions, have not been. Until fairly recently this administration looked like what I describe as “executive branch Swiss cheese.”

People sometimes wonder why the Federal Government in Washington does not work better and maybe why does it not work as well as our States. I want to take a moment, if I can, to compare the approach we used in Delaware. I know Senator ALEXANDER is a former Governor. It is probably the approach they use in Tennessee, to fill key leadership positions in the executive branch of those State governments.

In my State, for example, the Governor nominates people to serve as cabinet secretaries in a dozen or so different departments. Those nominations have to be confirmed before the senate. They hold hearings and generally report those nominations favorably. In fact, in my 8 years as Governor, we never had the senate fail to report and to vote for one of our nominees for an executive branch department—for example, secretary of transportation, secretary of education, those kinds of appointments. Within those various departments of State government, the division directors are appointed by the Governor without confirmation by the senate. The rest of our line departments within State government in Delaware are not appointed by the Governor; they are literally chosen through the merit system and report up the chain of command through the director of the division to the secretary of the department. That is the way it works.

I remember when I was about to be sworn in as Governor. I met with the senate—it was a Democrat majority at the time—and they were interested in knowing who I was going to nominate to different positions. I explained who we had in mind. They said: We do not know some of those people. Some of them are from other States. We are not sure that we ought to be confirming them.

I asked them: Look, why don't we make a deal. Give me the team I feel that as Governor I am entitled to have, make sure they are honorable people, smart people, that sort of thing. But at the end of the day, let me have my team and go forward and try to govern in partnership with the legislative branch, and judge us in the end on how we perform.

To their credit, that is what the State senate decided to do. That is the way we operated for 8 years. They were 9 very good years. I was fortunate to be Governor at the same time that Bill Clinton was President, and we managed

to balance our budget for 8 years in a row. We actually cut taxes 7 years in a row. We got ourselves a AAA credit rating for the first time in State history and still have it. That is the way we operated.

It does not look that way or operate that way here, and there are a number of reasons this administration, the last administration, and I suspect the one before that, a year or 2 years even into those administrations, the executive branch—if we look through the senior ranks of the leadership of the various departments—looked too much like executive branch Swiss cheese.

Senator ALEXANDER and Senator SCHUMER, to their credit, are trying to change that. I commend them for their efforts. I think it is enormously important.

If you are trying to be the President and lead this country, you need your team. It is important that they be capable people, honorable people. But at the end of the day, a President of either party needs a good team, a strong team, filled sooner rather than later.

There are a number of reasons it is so difficult to get many of these vacancies filled. One of them is a reluctance on the part of some people to go through the process, the confirmation process. It takes forever in some cases. These nominees are asked to bare, not their souls but largely bare their lives to go through a process where they can be maybe not crucified but certainly exposed to anything they have ever done wrong in their lives. None of us is perfect.

I think that in itself deters people from wanting to go through this process. I was once nominated when I was Governor to serve on the Amtrak board by President Clinton. I remember how long it took just to fill out the paperwork—one set of paperwork for the executive branch, a totally different set of paperwork for the legislative branch.

I remember saying to my wife, after spending a weekend just to fill out the paperwork: I am not sure it is really worth doing all of this. I am really not sure it is worth it. I am sure for other folks who go through this process they probably reach the same conclusion at least once during the time they go through the paperwork.

We need to have not separate questionnaires, we need to synchronize, homogenize at least the paperwork, and hopefully put it in an electronic form so we can do it electronically—those nominees can do it electronically one time and be done with it and send it off to the right folks to look at.

One of the reasons we go slowly is—I will share with you—I was riding in Afghanistan or Pakistan, one of those countries a couple of months ago, riding around with a codel on a bus going from place to place. One of the folks on the bus said they were looking for somebody to put a hold on a nomination in order to get some leverage on something that Senator was trying to get from the administration—that is

with a Democratic President and a Republican Senator. But I want to tell you, that conversation could have happened 4 years ago with a Democratic Senator and a Republican President. A lot of folks have used for years the ability to put a hold, to stop a nomination from moving forward, in order to gain some kind of political advantage, which has nothing to do maybe with the nominee or the nominee's ability to serve.

The other point I want to make—I shared this with some of our colleagues in our caucus, the Senate Democratic caucus, the other day. I talked to my colleagues about the work of the Government Accountability Office, GAO. Every year they publish, as most of us know, something called a High Risk List. And a high risk is just a whole lot of initiatives or problems that exist throughout the Federal Government that either are costing us a lot of money or are going to cost us a lot of money unless we do something different.

One of the top items on the GAO's High Risk List for years now has been major weapons systems cost overruns. In 2000, GAO determined that major weapons systems cost overruns—Department of Defense—was \$42 billion. That is a lot of money.

They update that list every year. They updated it for 2010 not long ago, and they concluded that major weapons systems cost overruns in 2010 had gone from \$42 billion—10 years ago—to \$402 billion in 2010.

I chair a subcommittee called Federal Financial Management, part of Homeland Security Government Affairs. We have held a number of hearings in recent years to try to figure out how we can get better results for less money—how we get better results for taxpayers for less money or better results for maybe not much more money.

As we drilled down on major weapons systems cost overruns, here is one of the things we found out. Through testimony offered by a fellow from—one of the top three people in acquisition in the Department of Defense, a fellow named Jim Finley, who reported to John Young, the top acquisition guy in the last administration, who reported to Bob Gates, the Secretary.

We brought in Jim Finley for testimony on major weapons systems cost overruns. Again, this is Secretary Gates, John Young, top acquisition guy at the Pentagon, and then Jim Finley. We asked Mr. Finley—I asked him a question: How long have you been in your job?

He told me how many months he had served in his job.

I asked him what kind of turnover he got from his predecessor.

He said: My predecessor left 18 months before I was confirmed for this position.

So I said: You mean, for like 18 months, there was no confirmed person in your position for acquisition to oversee the major weapons systems?

I said: How many direct reports did you have once you got into your job—how many folks were directly reporting to you?

He said: There are six direct reports to me in that job but only two of them were filled.

Just think about that. Here we are, the Department of Defense, hundreds of billions of dollars of weapons systems to oversee in acquisitions, and arguably the No. 2 person in acquisitions in the Department of Defense, that position was vacant for 18 months—18 months.

When he finally got confirmed, of the six direct reports, only two were filled. No wonder we have these huge weapons systems cost overruns—and it is not just an isolated incident. We brought in Jim Finley's counterpart today in this administration, a fellow named Frank Kendall. Good man. He testified earlier this year. Again, it is Bob Gates, the Secretary. Now it is Ashton Carter who is the top acquisition person in DOD. Then we have Frank Kendall.

I said to Mr. Kendall: How long have you been in the job?

He told me how many months.

I said: What kind of turnover did you get from your predecessor?

He said: My predecessor left 15 months before I got here.

My friends, I do not know how good we all are at connecting the dots, but when we have one of the top two people at the Department of Defense responsible for riding herd on the defense industry, all our contractors, and these contracts are for very expensive weapons systems—when we have a vacancy for 18 months in one administration, the next administration, pretty much like a vacancy for 15 months—that is no good. That is an invitation for disaster.

When we see the major weapons systems cost overruns go from \$42 billion in 2000 to \$400 billion 10 years later, I would suggest one of the reasons is because of this confirmation process, the vetting process. Really, the biggest problem of all is the administration. The administration takes forever to identify people to go in these positions, to vet these positions and actually give us a name.

There are no silver bullets in terms of solving this problem. We need a lot of silver BBs. One of the good things about the legislation before us is it provides a number of very helpful tools to expedite the consideration of nominees, to better ensure that the next administration, or even this administration a year or two from now if the President is reelected, that we do not end up with more and more executive branch Swiss cheese, which really translates to the taxpayers an enormous cost, costs we cannot afford with the budget deficit of over \$1 trillion.

The last thing I want to say, if I may, I know people are offering amendments. I am going to call up an amendment to this bill in just a moment. It

is an amendment that involves again our friends at GAO, the Government Accountability Office. Our amendment is pretty straightforward. It would require GAO to investigate and conduct a survey on the number of Presidentially appointed positions that are not Senate confirmed in each agency, a category of jobs that also routinely go unfilled for extended periods of time.

The study would provide recommendations as to whether eliminating or converting certain appointees to career positions would be more efficient. In addition, the survey should evaluate whether it is beneficial to reduce and convert specialized categories of appointees, such as inspector generals, chief financial officers, or acquisition officers to career status, not as politically appointed.

The purpose of the amendment is that the proposal, we believe, would provide an analysis of what is an efficient amount of Presidentially appointed positions governmentwide. It also would provide recommendations on how to further reduce or convert these positions.

As far as I can tell, it is not a controversial proposal. GAO does a lot of good work for us to help figure out how to operate more efficiently, also to use some common sense. My hope is that my colleagues will see fit to support it.

That having been said, I ask unanimous consent to call up amendment No. 517, which I filed earlier today.

The PRESIDING OFFICER (Mrs. MCCASKILL). Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 517.

Mr. CARPER. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide that the Government Accountability Office shall conduct a study and submit a report on Presidentially appointed positions to Congress and the President)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REPORT ON PRESIDENTIALLY APPOINTED POSITIONS.**

(a) DEFINITIONS.—In this section—

(1) the term “agency” means an Executive agency defined under section 105 of title 5, United States Code; and

(2) the term “covered position” means a position in an agency that requires appointment by the President without the advice and consent of the Senate.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Government Accountability Office shall conduct a study and submit a report on covered positions to Congress and the President.

(c) CONTENTS.—The report submitted under this section shall include—

(1) a determination of the number of covered positions in each agency;

(2) an evaluation of whether maintaining the total number of covered positions is necessary;

(3) an evaluation of the benefits and disadvantages of—

(A) eliminating certain covered positions;

(B) converting certain covered positions to career positions or positions in the Senior Executive Service that are not career reserved positions; and

(C) converting any categories of covered positions to career positions;

(4) the identification of—

(A) covered positions described under paragraph (3)(A) and (B); and

(B) categories of covered positions described under paragraph (3)(C); and

(5) any other recommendations relating to covered positions.

Mr. CARPER. I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

**U.S. CREDIT SCORE**

Mr. DURBIN. Madam President, most Americans have a credit score. We don't know much about it until we start to borrow money. Then you find out what your score is, and that will determine whether you are going to get a loan and, if you get one, how much interest you will pay for it.

Several years ago, I got a phone call from a bill collection agency to my home in Springfield, saying: DURBIN, we finally caught up with you; I don't know how you thought you could get away from us, but the charges that you have run up here at Home Depot in Denver, CO, haven't been paid for months. I said I had never been to the Home Depot in Denver, CO.

Well, I was a victim of identity theft. Somebody got enough information about me to apply for an account there and run up some charges. They said: Prove it. So I sent them some information and they came back and said: We are satisfied you weren't the person who ran up the charges, and you better check with your credit agencies to see what your credit score is now because everybody has been reporting this default on payment on the Home Depot in Denver, CO. I checked and, sure enough, my credit scores, which I never pay any attention to because I don't borrow a lot of money, were terrible. I went through about 3 months of reconstructing what happened and clearing my record, and at the end they said everything is fine. It can be done.

Why do I bring up this example? The credit score of the United States is now in question. On August 2, the Secretary of the Treasury tells us that if we don't extend the debt ceiling of the United States, we are going to be in a terrible financial situation.

What is the debt ceiling? The debt ceiling is America's mortgage—the amount of money we borrow as a government, as a nation, to sustain ourselves. We borrow a lot of money—40 cents for every \$1 we spend, whether it is on a missile or a food stamp. The creditors—our creditors around the world—of course, get paid interest for loaning us money to cover our debt. The level of interest they are paid reflects their confidence that we will ultimately make payments and be good for the debt.

Right now, you can pick up the newspaper and read what is going on in Greece. The Popoulias government barely survived this week because they have had to initiate austerity measures, cutbacks in spending that aren't politically popular. If they didn't, they were going to watch the Greek credit rating fall further and the cost of borrowing money go up even higher.

So when the time comes on August 2, our deadline on our basic debt ceiling, our creditors around the world will look and see what happens. What happens, without fail, in the history of the United States, is we do the right thing and extend the debt ceiling. They say: Fine, so the full faith and credit of the United States can be relied on confidently. They can say they made another payment as they said they would, and we can go forward with our business.

Now there is a hue and cry, primarily from the other party, that we should not pay any attention to this debt ceiling. We should ignore it. Many of them have made arguments which, frankly, are stunning.

Just to give you a couple of examples, a colleague from the State of Pennsylvania, Senator PAT TOOMEY, said today that “failure to raise the debt limit upon the deadline submitted by the Treasury Secretary does not equate to a default on our debt at all.”

I will remind him what Ronald Reagan said:

The full consequences of a default—or even the serious prospect of default—by the United States are impossible to predict and awesome to contemplate. . . . The Nation can ill afford to allow such a result.

Senator DEMINT of South Carolina, a Republican, said:

Republicans must do everything they can to block an increase in the debt limit.

Here is what the Chairman of the Federal Reserve, Ben Bernanke, said:

Failing to raise the debt ceiling in a timely way will be self-defeating if the objective is to chart a course for the better fiscal situation for our Nation.

Congressman PAUL RYAN, chairman of the House Republican Budget Committee, said that holders of U.S. Government debt would be willing to miss payments “for a day or two or three or four.”

Tim Geithner, the Treasury Secretary, said this:

Even a very short-term or limited default would have catastrophic economic consequences that would last for decades.

Mr. President, I am not sure you follow the stock market, but if you did, today you know it is off. It is off because news about employment is not encouraging. Too many Americans are out of work. So there is a question mark about this economy and where it is headed. We are doing our best to turn it around, and I think we have done some good, but we need to do more. We can talk more about that.

If we, for some reason, do not extend the debt limit of the United States, the credit rating of the United States

would go down in the eyes of people who loan us money. What would happen next? As predictable as I stand here, interest rates would go up. People loaning money to the United States would say: If they are not going to extend the debt ceiling when they are supposed to, then we want to cover our bets and have a higher interest rate. What happens when the interest rate paid by the United States of America on its debt goes up? All interest rates go up. Interest rates would go up on people buying homes and cars and on businesses that want to expand or buy more inventory.

Can you think of a worse thing at this moment in our economic history? Where the Federal Reserve has announced this week that they are going to try to keep interest rates down so we can get out of this recession, Congress, if it fails to meet its responsibility on the debt ceiling, would end up raising interest rates—exactly the opposite of what the Federal Reserve says we need to get the economy back on its feet and get America back to work.

This is the introduction to a point I wish to make that has a lot to do with a speech made on the floor today. Senator MCCONNELL, the Republican leader, came to the floor this morning to explain he has decided the Republicans will walk away from the budget negotiations with Vice President BIDEN. Congressman CANTOR, a leader in the House of Representatives, and today Senator KYL, one of our leaders in the Senate, have said that after weeks of sitting in the room with the Vice President trying to work out some kind of agreement on the budget deficit, they were walking out, and they did. The two Republican leaders in the room walked away from it.

Senator MCCONNELL said this this morning in explaining it:

We're not in the majority. We can't sign anything into law. That's the President's job. That's his job. He has acted as if it is not his problem. This is his problem to solve.

As if that wasn't bad enough, the House majority leader announced soon after that he will no longer participate in the bipartisan negotiations.

Congressman CANTOR said:

It is up to the President to come in and talk to the Speaker. We've reached the end of this phase.

How does this break down? How does the Republican walkout on budget negotiations and the extension of the debt ceiling come together? We can't extend the debt ceiling without the support of the House Republican majority and without the support of Republicans in the Senate. They have said they will not vote for it unless we have an agreement on the budget.

Well, the clock is ticking. At this point, we know August 2 is looming, and we know if we fail to extend the debt ceiling, it will be the worst thing we can do for the American economy at this moment in time. If there were ever a time when both political parties ought to stop making some of these

speeches and come together and work it out, this is it. What it means is that both sides—our side, the Democrats, and their side, the Republicans—have to come together and put everything on the table. It means that some of the things we hold dearest, such as Medicare and Social Security and entitlement programs, we need to talk about their future in honest terms. It means that the Republican side has to come forward and accept the reality that we will need some new revenue to deal with our budget deficit situation. That is the reality.

I only know this a little better than some because I spent the last year and a half working on it—on the President's deficit commission and with a group of four or five other Senators from both parties trying to come up with some kind of agreement. That is where we are today.

This breakdown of the discussions on the Biden budget negotiations, because of the walkout of Congressman CANTOR and Senator KYL, is not promising. Next week, the Senate will be back in session, the House will not. It is one of their recess weeks. The following week, after the Fourth of July, we are out of session, and the House is back in. So for 2 weeks now, we are not going to have both Houses in Washington. That will make it more difficult to reach an agreement, but we have to do it.

As bad as things are with this economy, if we send a signal that we are unable to responsibly lead on a bipartisan basis, I am afraid we are going to have very negative consequences. I implore the Republican leaders to reconsider their position. Walking away from their congressional responsibility to negotiate for a good budget agreement and to extend the debt ceiling is the height of economic irresponsibility. It would create a disaster that would touch innocent people across the United States and around the world. What we need to do—and it is so hard in this town—is to try to put this partisanship aside. At one point early in the session, the Republican leader said the most important thing we can achieve during the course of this session—I will quote him:

The single most important thing we want to achieve is for President Obama to be a one-term President.

That was a quote Senator MCCONNELL made several months ago. We are all partisan to some extent, but that isn't the most important thing Senator MCCONNELL or Senator DURBIN can achieve. The most important thing to do is to deal with our debt responsibly and get the economy moving forward in a bipartisan way. Running up filibusters on bill after bill on the floor of the Senate may give somebody a quick temporary victory, but it doesn't solve the problems we face. We need to work together to create jobs and pass legislation, get a budget agreement together, and extend the debt ceiling.

I urge my colleagues on the other side of the aisle to reconsider this

walkout from the budget negotiation. We need to work in good faith to solve the problems of this country. After all, that is why we were elected.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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. REID. Madam President, I ask unanimous consent that all first-degree amendments to S. 679, with the exception of the managers' amendment, must be offered prior to the close of business today.

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

Mr. REID. Madam President, there will be no further rollcall votes today. The next vote will be Tuesday before the caucus. There will be no votes on Monday or tomorrow.

I ask unanimous consent that the pending Coburn amendment No. 500 be withdrawn; that when the Senate considers S. Res. 116, it be in order for Senator COBURN to offer his duplication amendment to the resolution; that there be up to 1 hour of debate on the amendment, equally divided between Senator COBURN and the majority leader or their designees; that the amendment be subject to a two-thirds threshold; that the amendment not be divisible; that no amendments, motions or points of order be in order prior to any vote in relation to the Coburn amendment other than budget points of order and the applicable motions to waive; and that all other provisions of the previous order with respect to the resolution remain in effect.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

#### THE BUDGET

Mr. CORKER. Madam President, this is very much out of character, what I am getting ready to do, but this morning I was in a Foreign Relations hearing on Afghanistan and Pakistan and my staff tells me the majority leader came down and happened to castigate me for speaking about the fact we had not taken up some of the Nation's most important business this year; that we have spent a lot of time on bills that

were not as important as our Nation's debt crisis and other kinds of things.

I can't imagine there is anybody in this body who feels, as a Senator, and it being June 23, that we have taken up very serious business this year. I can't imagine there is anybody who is proud of what we have been able to accomplish this year as it relates to addressing our country's most pressing problems. And that was the point of the speech I made yesterday on the floor which, I might add, a number of Democrats have since come up to me and said they could not agree with me more.

The point is we need to deal with our Nation's No. 1 crisis today, which is spending. I talked a little bit about what is happening with the Blair House negotiations and the fact that, basically, the goal the Blair House negotiators have attempted to achieve—their aspirational goal—probably is not strong enough for most people on either side of the aisle to support, and so we need to be far more serious about our country's spending problems.

However, I know we are not busy, and when we are not busy, sometimes we say things we don't mean and we get ourselves in trouble. It is my understanding, again, that the majority leader came to the floor and found a quote I had made 2 years ago about EDA to try to, if you will, castigate me for the comments I made yesterday, which he said were out of line.

I know we haven't taken up a budget in 785 days in the Senate. We have not taken up a budget. Two years ago a budget was passed out of committee, but there was an unwillingness to take up that budget on the floor. This year, the Budget Committee didn't even pass a budget out of committee. So here we have a country that is spending \$1.5 trillion a year that we don't have—and borrowing 40 cents of every dollar we spend—but here in the Senate we are basically hoping others will solve this problem for us. Candidly, I hope that happens. I do hope we come to a conclusion sometime soon.

I understand how the majority leader would be defensive. He is the majority leader of the Senate—the greatest deliberative body in the world, some say—and we haven't even taken up a budget to account for the \$3.7 trillion we spend of our country's money each year. So I know he is embarrassed; I know he is defensive; and I understand that. But I would say that my words—the essence of what I said yesterday—still stand. This body has not done the serious work the Senate should do. We have a looming crisis coming before us, with a debt ceiling vote coming up on August 2 and, to my knowledge, there has been no public debate about solutions toward that.

The Presiding Officer and myself have offered a bill called the CAP Act to try to deal with that. It is the only bipartisan, bicameral act that has been introduced in both bodies. It certainly is not the total solution to our prob-

lem, but that, coupled with other fixes—some Medicare fixes, coupled with a 302(a) top line for a couple of years—to me is the essence of something that might solve our country's problems.

I have tried to offer some constructive solutions to our problem. I know the Presiding Officer has tried to offer some constructive solutions. To me, those are the kinds of things we here in the Senate should be dealing with today. The markets, rightfully so—and very soon, as they should—will become very volatile. It is my opinion we are close to a potential trainwreck. I know people have pulled away from the Blair House negotiations, and my sense is the two sides are very much in disarray at this point. There have been numbers of public comments that have been put forth. Again, I come back to the Senate, where we have gone 785 days without even taking up a budget.

So again, I know the majority leader is defensive and embarrassed, and I understand why he would be, but I stand by my comments yesterday.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 1271 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Illinois.

#### AMENDMENT NO. 493

Mr. KIRK. On behalf of Senator MCCAIN, I call up amendment No. 493.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK], for Mr. MCCAIN, proposes an amendment numbered 493.

Mr. KIRK. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To preserve congressional oversight into the budget overruns of the Office of Navajo and Hopi Relocation)

Strike section 2(w).

Mr. KIRK. I ask to be recognized for 10 minutes as in morning business.

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

#### AFGHANISTAN

Mr. KIRK. Madam President, under General Petraeus, the deployment of a local army is critical to winning a war. In Iraq he used extra U.S. troops to sustain military momentum against an

enemy until a well-trained local Army was trained and ready for action. Petraeus had the time he needed to stand up a 500,000-man local Army and then won the war. This has also been his model for Afghanistan. While Iraq and Afghanistan differ, the military challenge was the same: to train and deploy a local army that could sustain a fight until victory.

Starting with nothing, the United States and our NATO allies set a goal of building an Afghan Army and police force to eventually number 400,000. By reaching this goal, the combat mission of the U.S. and other NATO forces would disappear. We would remain helpful with supplies, repair and intelligence, but not frontline combat.

I agreed with President Obama's decision to surge to Afghanistan, and I was in the audience to show my support when he delivered a historic address at West Point. By following the recommendations of General Petraeus, Secretary Gates and others, President Obama gave the United States and our NATO allies the time needed to vastly expand the Afghan police and army.

Unfortunately, the President has changed course from establishing a sufficient Afghan security force before scaling down our military presence. To date, the Afghan police and army are short of their 400,000-man goal. As of April, there were 284,000 in both services, well over 100,000 people short.

Overall, the Afghan Army loses 32 percent of its personnel a year, while its police lose 23 percent. To expand the security forces, losses must be held to 24 percent annually. Therefore, according to our National Military Training Mission in Afghanistan, the commander of that training effort, General Caldwell, must train 23 Afghans for every 10 to be deployed. We find key shortfalls in the officer corps and among noncommissioned officers. To date, 82 percent of Afghan officer billets are not filled, along with 85 percent of noncommissioned sergeants and corporals. The Afghan Army is also short of recruits from the communities where the fighting is most difficult. Only 3 percent of the Afghan Army was born in the southern Pashtun regions where Afghan leaders traditionally originate.

The Afghan Army is also lacking in literacy. In 2008, only 14 percent of Afghan military personnel could read or write. Now, thanks to General Caldwell, that number has grown to 85 percent in both the police and Army. One of the critical factors in training an Afghan Army that can win this war is the number of NATO trainers. To date the training command lacks over 700 trainers due to personnel shortfalls among our NATO allies. Each of these facts paints a clear picture of a work in progress but one that is about to be strained by the President's decision to leave Afghanistan 2 years too early. Under the original Petraeus plan, the United States and NATO would have deployed an Afghan police and military

numbering 400,000 by 2014. Having trained together for 1 year or more, these Afghan units would likely endure the stress of combat and deliver victory in 2015 or 2016.

Unfortunately, the President has rejected his general's recommendations and decided to leave early—withdrawing one U.S. brigade combat team right away. Our NATO allies express quiet concern about this departure. U.S. and local commanders will have about 12 percent of their combat power taken off the battlefield right away. The President will then remove two more brigade combat teams by the election day in 2012, leaving U.S. and local commanders with only 66 percent of the current combat power.

These actions will severely strain the Afghan police and Army, just as Afghanistan prepares for a new Presidential election. It also provides some hope for the Taliban, whose strategy may be a 12-month rest and refit of their operations to then reenter the battlefield against a much weaker enemy in 2013.

We learned a painful lesson when we ignored Afghanistan in 1992. Without any domestic oil or a coastline, the United States paid no attention to the rise of the Taliban and al-Qaida, and we paid an awful price for that policy on September 11, 2001. In my view, the lesson of that day should move us to realize that the Petraeus plan should have been fully implemented and not ended early.

Separately, I would like to take a moment to applaud our Treasury Department and especially our Acting Under Secretary, David Cohen, for moving decisively today to designate Iran Air and a major Iranian port operator, Tidewater, responsible for facilitating Iran's transfer of weapons and other proliferation activities.

Both of these Treasury designations will significantly restrict shipping to and from Iran and will put even more pressure on the Iranian economy. Under Secretary Cohen has proven himself to be a worthy successor to former Under Secretary Levey, and he has my confidence.

In the weeks ahead, I urge the administration to move forward with our allies in Europe and Asia to implement a comprehensive strategy to collapse the Central Bank of Iran. The Central Bank of Iran facilitates the operations of the Iranian Revolutionary Guard Corps and the Ministry of Intelligence Services and lies at the center of Iran's strategy to circumvent international sanctions. It is time for the United States and our allies to decapitate the Central Bank of Iran and to place unprecedented stress on the Iranian economy.

With that, I yield back.

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

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

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

#### DEFICIT CRISIS

Mr. SANDERS. Mr. President, I think many Americans understand we are at a pivotal moment in American history, and decisions that will be made in the Senate, decisions that will be made in the House, decisions that will be made in the White House regarding the budget and how we deal with the debt ceiling will impact virtually every American—our children, working families, seniors—virtually every American for decades to come. The stakes are huge. The debate is not just about a budget but the question of which direction America goes forward in.

Today, the Republican leaders—ERIC CANTOR in the House, JON KYL in the Senate—withdrew from the bipartisan budget talks that have been led by Vice President BIDEN. Senator MITCH MCCONNELL, the Republican leader in the Senate, and Senator KYL said:

The White House and Democrats are insisting on job-killing tax hikes and new spending.

President Obama needs to decide between his goal of higher taxes or a bipartisan plan to address our deficit. He can't have both. But we need to hear from him.

We need to hear from the President.

I agree with Senator KYL and Senator MCCONNELL that we need—the American people need, the Senate needs—to hear from President Obama on this enormously important issue. But I believe we need to hear from the President in a very different way than what Senator KYL and Senator MCCONNELL and Congressman CANTOR want to hear.

Here is where we are in America today, and this is what the debate is about: Virtually every American understands that, to a very significant degree, the middle class in this country is disappearing. Median family income has gone down by \$2,500 in the last 10 years. Many millions of workers today are earning lower wages than they used to earn. They are moving in the wrong direction.

In a recent 25-year period, ending in 2005, 80 percent of all new income did not go to the middle class. It went to the people on top. So the overall dynamic of America now: The middle class is collapsing, poverty is increasing, young people are finding it very difficult to get decent-paying jobs. While all that is going on, the people on top have never had it so good. Almost all new income is going to the top 1 percent.

There was an interesting piece in the Washington Post this Sunday talking about the growing gap between the very rich and everybody else. Wall Street, whose thievery and illegal behavior and recklessness caused this recession, is now making more money for their executives than they did before the recession they helped cause.

The top 1 percent is earning more income than the bottom 50 percent. The

top 1 percent alone is earning 22 percent of all income in America. The top 400 individuals in this country own more wealth than the bottom 150 million.

I know the Presiding Officer has made the point about the gross inequities and unfairness in our tax system, that while the middle class is sinking, the people on top have been able to enjoy effective tax rates that are the lowest in recorded history, that janitors, cops, nurses—working people today—are paying an effective tax rate that is higher than millionaires and billionaires.

That is the reality economically this country faces today, and then that is the reality we have to deal with as we move toward a budget.

Every single poll I have seen says what is obvious: that if we are going to address the deficit crisis, it must be done in a way that is fair, that everybody participates in.

Our Republican friends have a very unusual idea about how to solve the deficit crisis. Yes, they say the rich are getting richer. Yes, they say corporations are doing phenomenally well. Some are making billions of dollars in profits, not paying a nickel in taxes. Yes, they understand the gap between the very rich and everybody else is growing wider, and their quaint and interesting idea, in the midst of that context, is that while the rich get richer, they should not be asked to contribute one nickel—not one penny—for deficit reduction.

Quite the contrary, under the Republican budget passed in the House, the so-called Ryan budget, while the rich get richer and corporations enjoy record-breaking profits, their budget proposes \$1 trillion more in tax breaks for the rich and large corporations.

Meanwhile, while the middle class disappears and poverty increases, their idea for deficit reduction is to make savage cuts in programs the middle class and working families depend upon to survive—to survive.

Under the Republican budget, they would end Medicare as we know it in a 10-year period. They propose to give a senior citizen an \$8,000 check, a voucher, and have that senior go out and get an insurance plan with a private insurance company.

Tell me what kind of plan a 70-year-old person dealing with cancer or another illness is going to get with an \$8,000 voucher? Are they living in the real world? Do they know what hospital care costs today? You eat up \$8,000 in the first day. Yet that is what a senior is supposed to live on for health care for 1 year.

But it is not only ending Medicare as we know it in order to give tax breaks to billionaires; it is savage cuts in Medicaid. Half the people on Medicaid are children. We are the only country today in the industrialized world that does not guarantee health care to all

its people. Fifty million people are uninsured. If you cut Medicaid by \$700 billion over a 10-year period, tens of millions more, including a lot of kids, will have no health insurance. They get sick. Working-class parents, where are they going to get the care? How do they get the care? I guess we have to do that in order to give a tax break to a large corporation that already is not paying anything in taxes.

Let me mention, for a moment, what is a fair way—a fair way—to move toward deficit reduction in a way the American people overwhelmingly support. You go out and you ask the American people: Do you think it makes sense, in terms of addressing the serious problem with deficit reduction, to give \$1 trillion in tax breaks to the richest people and make savage cuts in programs that working people need in health care, education, nutrition, environmental protection? The overwhelming majority of the American people say that is nuts; it does not make any sense; we must not go in that direction.

So when my Republican friends in the leadership say: There is a lot of responsibility now on the President, the President has to decide which direction he wants this country to go, they are right. My hope is the President of the United States listens to the American people and demands that deficit reduction consist of shared sacrifice, that we move toward deficit reduction not just on the backs of the elderly and the children and the sick and the poor but that everybody—I know even people who make large campaign contributions—I know that is heresy to say on the floor of the Senate—but maybe even large corporations that buy and sell politicians, maybe they should be asked to contribute toward deficit reduction. Maybe billionaires, who have more money than they are going to spend in 100 lifetimes, might be asked to pay somewhat more in taxes before we throw children off our health insurance or deny nutrition to low-income seniors.

There are many ways to go forward in addressing the deficit crisis that is fair, that does not decimate programs working families depend on, especially in the middle of a severe recession.

Let me mention very few. We should not extend the tax breaks President Bush gave the wealthiest people in this country. That is it. We have a \$1.5 trillion deficit, a \$14 trillion-plus national debt. Sorry, we cannot afford it. These guys have already received huge tax breaks. No more. We cannot afford it.

We have to take a hard look at our defense budget. We have to begin bringing the troops home from Iraq and Afghanistan a lot faster than the President has indicated. The defense budget has tripled since 1997. It has tripled. It is time to make cuts in the defense budget. We can do that while maintaining our strong defense capabilities.

There are studies which indicate that large corporations and wealthy individ-

uals are stashing huge amounts of money in tax havens such as the Cayman Islands and Bermuda, and collectively they are avoiding paying \$100 billion in taxes to the U.S. Treasury. I think that is absurd. We have to end those loopholes. They have to pay their fair share of taxes.

I can go on and on in terms of loopholes that exist for corporate America which have to be closed, the absurdity of the richest people in this country having an effective, a real tax rate lower than middle-class people.

But here is the issue if the Republicans walk away from those negotiations. The President of the United States has to accept that challenge. He has to go out to the American people. He has to rally the American people around a deficit reduction program which calls for shared sacrifice. That is what the call of the moment is. I hope the President does that.

#### AMENDMENT NO. 512

Mr. SANDERS. Mr. President, on behalf of Senator AKAKA, I call up amendment No. 512.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for Mr. AKAKA, proposes an amendment numbered 512.

Mr. SANDERS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To preserve Senate confirmation of the Commissioner of the Administration for Native Americans)

On page 48, strike lines 4 through 9.

The PRESIDING OFFICER. The Senator from Texas.

#### ANOTHER STIMULUS

Mr. CORNYN. Mr. President, I am reading in press reports that some of my colleagues across the aisle are advocating another stimulus package, sometimes called government investment, otherwise called spending taxpayers' money that we do not have and borrowing it from our children and most immediately from the Chinese, who own \$1 trillion of our national debt. It is astonishing to me that after the last stimulus package early in 2009 failed to meet the President's own stated target of keeping unemployment to 8 percent or lower, some of our colleagues are trying to double down on a bad deal by advocating more stimulus, when 43 cents out of every dollar that is being spent in America today is borrowed money.

I mention that the President in his speech on Afghanistan last night said the Federal Government needs to invest more. Well, I do not think anybody should be fooled by what he really means when he says the Federal Government must invest. The only money the Federal Government has is the money that comes from your wallet,

from taxpayers. When there is not enough money coming in to keep up with the reckless spending habits of Washington, DC, then they simply borrow the money or print money we do not have, and that is what "investment" means when the President talks about needing to invest more Federal Government money.

On the same day the President spoke, the Congressional Budget Office released a report that shows the Federal Government spending spree is not sustainable, and the Nation's fiscal position is getting worse. I do not think that is breaking news. I think most Americans could tell you that was the case, at least intuitively already.

Over the last 2 years, the Nation's debt has dramatically worsened. Gross Federal debt is expected to equal 100 percent of our entire economy in just 3 months—well past the 90-percent threshold where many economists believe the debt will seriously undermine economic growth. Some studies show that this increased debt, which crowds out private investment and borrowing, may result in the loss of at least 1 million jobs a year.

But getting back to my initial point about this stimulus notion in the negotiations with Vice President BIDEN over raising the debt ceiling, it seems that many have forgotten the trillion-dollar stimulus package passed back in 2009, that the "green shoots" predicted never materialized, that the "recovery summer" never happened, and, as I say, it failed to keep unemployment below the targeted rate of 8 percent. Indeed, now it hovers nationwide at a rate of 9.1 percent. It is much worse in many regions of the country. Only in Washington, DC, would someone advocate a repetition of a program that we know has failed to meet its stated goals and was, I believe, a total flop. First of all, it was borrowed money, so it wasn't even spending money that we had, it was exacerbating an already dangerously high debt. The first stimulus failed for one reason—because of our massive deficits in jobs and our budget.

We know the American people believe, as the Gallup organization tells us, a large majority of Americans believe that spending too much money on unneeded and wasteful government programs is to blame for Federal budget deficits. And if you ask any business owner—anyone, really, outside of the beltway—the reason why jobs are just not coming back, it is in large part because of the uncertainty of what is coming out of Washington, not only legislatively but as a regulatory matter, whether it is the Environmental Protection Agency, the Department of Labor—all the alphabet soup of Federal agencies that exist here in Washington, DC.

Instead of passing another unpaid-for stimulus plan or issuing more job-killing regulations, our focus should remain on ways to reduce and reform government spending and thereby help get the economy moving again. In fact,

I think we need to force the Congress and the Federal Government to live within its means by passing a balanced budget amendment to the Constitution and this should be the focus of our efforts here over the next couple of months as we tackle not only this unsustainable debt and these huge annual deficits but as we look for ways to put a straitjacket on the Federal Government to make sure it doesn't keep spending money it does not have. No families, no business—as a matter of fact, 49 States have balanced budget requirements. Only the Federal Government and only Congress can continue to spend money we don't have.

A balanced budget amendment to the U.S. Constitution would permanently change Washington's behavior. So far, 47 Senators in the Senate on this side of the aisle have endorsed and cosponsored a balanced budget amendment. We would invite our colleagues across the aisle to join us in this effort.

In summary, we need to unburden the economy from regulatory uncertainty or in some cases the certainty that the bureaucracy will overreach and make it harder, not easier, to create jobs. We need to pass free-trade agreements that should be pending before the Senate to help create more jobs here at home by producing things here that we can then sell abroad. Then we need to develop our domestic energy production with the great gifts we have been given in this country. I know the Presiding Officer, coming from an energy-producing State—Alaska—agrees with me that we need to produce more domestic energy, which will also have the added benefit of creating jobs right here in America rather than continuing the bad habit and the dangerous habit of importing about 60 percent of our energy from abroad, from some dangerous parts of the world.

I wish to close with a couple of other thoughts.

Listening to my colleague from Vermont calling for shared sacrifice in meeting some of the deficit reduction plans, I would just suggest to the distinguished Senator that 9.1-percent unemployment reflects a lot of sacrifice among a lot of people who can't find jobs in this bad economy. That is shared sacrifice, but that is a sacrifice which I know they and we would prefer they did not have to share. When you don't have a job, it is pretty hard to make your mortgage payments, and when you can't make your mortgage payments or you can't move because your mortgage is more expensive than the value of your home—your home is underwater—you are simply stuck. A lot of people are finding themselves defaulting on their mortgages and losing their homes, which is usually the largest single investment any of us will make.

I want to close on this thought. I want to ask my colleagues across the aisle who have been so critical of the proposals that have been made by the House of Representatives and others,

where is your plan? Where is your budget? It has been 2 years since the Congress has passed a budget, since it has been in control of our Democratic friends. Where is your plan to save Medicare, which the Medicare trustees have said will go insolvent—that means there is more money going out than coming in—by the year 2024? How do we keep the promise to our most vulnerable seniors that Medicare will be there for them if we don't do something to shore up this insolvent program?

Unfortunately, I believe the President is listening too closely to his political advisers rather than listening to those who are telling him: Mr. President, we have a problem we need to solve. The first place he ought to look for a proposed solution is his own bipartisan fiscal commission that reported back in December in a report, 66 pages long. It is scary but important reading. The title of that is "The Moment of Truth."

We have reached a crossroads in this country where we simply cannot kick the can down the road, where we cannot keep spending money we don't have, where we cannot keep relying upon Communist China to buy our debt and to bail us out. We simply cannot continue to pass these responsibilities on to our children and grandchildren. We have important promises to keep to our seniors, to make sure that safety net of Medicare and Social Security is going to be there for them, but we can't do it unless we have willing partners join us across the aisle.

Right now, the only one in this country who is in a position to make this happen is the President of the United States, but so far the President has been AWOL on this issue. After his bipartisan fiscal commission issued the report I referred to a moment ago in December of 2010, in his State of the Union speech, the President barely mentioned, if at all, this mounting debt crisis and the problems with the pending insolvency of Medicare and Social Security.

The budget that the President proposed was never acted on by the majority leader or the Budget Committee on which I sit. And being in the minority, we can't force this issue; it can only happen if the chairman of the Budget Committee marks up a budget and if the majority leader, Senator HARRY REID across the aisle, will put it on the floor of the Senate where we can debate it and offer amendments. But they chose not to do so, relying instead on their political consultants who said: You know, if you offer a constructive proposal, there may be some across the aisle who will criticize it, and, you know what, you may just have to take some hard votes.

Well, anybody who has come to the Senate who isn't willing to vote their convictions, whatever those convictions are, and be held accountable by their constituents back home doesn't deserve to be in the Congress. We are

here to take hard votes and to make hard decisions because it is not about us and our political career, and it is not about the next election; it is about addressing these problems we have been sent here to try to fix the best we can under the circumstances.

It is beyond unbelievable when I hear some of our colleagues across the aisle—the senior Senator from New York, among others—talking about another stimulus spending as part of this debt reduction deal.

Beyond that, we have the chairman of the Senate Finance Committee making clear that an insistence on tax increases was a central element of any deal on raising the debt limit. The Vice President himself was quoted as saying, in the Politico publication:

The piece that is most important to us Democrats—revenue.

The word "revenue" is Washington-speak for tax increases. The President and Republicans and Democrats got together after the last election and agreed to extend expiring tax provisions because all of us agreed, on a bipartisan basis, that the worst thing we could do for a fragile, recovering economy was to raise taxes on small businesses, which are the engine of job creation, and on individuals who would be able to then invest that money into starting a business or growing an existing business.

There is a reason the private sector is afraid of Washington, DC. They see these mounting debts and deficits, and they realize one of the things we might be tempted to do is raise their taxes. Do you know what. The business model for their small business may not be able to withstand that tax increase or the regulatory overreach of some Federal Washington bureaucrat. So they are scared, and they are sitting on the sidelines.

The two things we need to do the most are to bring down that spending curve by reducing Federal Government spending and begin to attack that debt and make sure we don't have to keep raising the credit limit on the Nation's credit card but, rather, we can bring it down, and within sustainable limits. Second, we need to take our boot off the neck of the private sector, the free enterprise system in America, so it can create jobs, grow businesses, and pay taxes. We can begin to close the gap between what the Federal Government is spending and what it brings in in terms of revenue.

In 2007, when our Democratic friends took control of the House and Senate, President Bush was still President of the United States, and our annual deficit was roughly 1.2 percent of our GDP, our entire economy. Today, it is roughly 10 percent. The reason it was 1.2 percent is not because we weren't spending a significant amount of money; we were. It was because the economy was booming and revenue to the Federal Treasury was at an all-time high. That should tell us that we need to do two things: cut spending,

not just raise taxes so Washington can spend some more and throw a wet blanket on the economy and the job creators, we need to cut spending and fix these entitlement programs so we can keep our promise to our seniors who are relying on these programs. We also need to get the economy moving again by growing jobs in the private sector and by adopting a national energy policy that says we prefer domestic, or American, energy sources rather than those from abroad.

Mr. President, we need to do it soon. I am saddened to see that as a result of the insistence on the part of the Vice President and our friends across the aisle that tax increases must be a part of any package of debt reduction; that the majority leader in the House of Representatives and the assistant minority leader in the Senate, Senator KYL, have reached an impasse and said they don't see any point in continuing the negotiations at this point.

I hope the Vice President, or indeed the President of the United States himself, who is the only Democrat who can get this deal done, will reconsider their approach and work with Republicans to live within our means, reduce spending, and try to get our economy moving again so we can alleviate our children from the debt burden they are inheriting from us.

Every child born in America today will come into this world with \$46,000, roughly, in debt. That is because of what we have not been doing, which is living within our means. It is time to do that, and we need to work together to solve the problem.

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

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

#### THE BUDGET

Mr. SESSIONS. Mr. President, we heard an announcement today that the so-called "Biden talks" have broken down. It is not something that surprises me terribly. I have always said that I didn't think this was the right approach—to negotiate in secret some of the most important decisions this Nation has to make.

In truth, we have never been in a more severe financial condition than we are today. Many remember the government shutdown in the 1990s and the fact the Nation ended up, out of that difficult contentious time, balancing the budget in 3 years. Well, I serve on the Budget Committee—the Presiding Officer is an able member of the Budget Committee—and we know it is not going to be easy. It is going to be very difficult to get this country on the right financial course. So I think the decision of the House majority leader and Senator KYL to withdraw from the

negotiations over the debt ceiling underscores the inherent problems with this kind of nonpublic meetings, designed to come up with some global, comprehensive settlement of apparently all our financial difficulties. It is just not easy.

I think it underscores additionally a very important fact: that a President cannot lead from behind in dealing with the most pressing crisis our Nation faces—our exploding debt and the increasing damage that the debt is doing to the American economy right now. It is taking too long for a proposal to be presented to the Congress, and it is clear now that optimistic statements about progress have been too generous. It will be unacceptable for the White House talks, or any talks, to produce a controversial agreement at the eleventh hour and to then come before Congress in a panic and say: You have to enact this solution we came up with in secret, or the country will have a serious debt crisis.

That is the path we are heading down, just as we did with the CR—the continuing resolution—that was passed. That is not what the American people want; that is not what they deserve. They want regular order. They want Congress to have the opportunity to debate and vote. If it takes weeks—and it should take weeks for us to work through a challenge as serious as this one—then so be it. It just takes weeks. If it takes hundreds of votes, with people going on record and being criticized back home by one group or another for the vote they cast, so be it. That is what we are paid to do, and we are not guaranteed reelection. That seems basic to me.

Congress and the American people deserve an opportunity to fully review and consider any debt limit deal that is struck behind closed doors.

It has also been reported—in one publication at least—that in order to make the numbers look better, we are going to resort to certain budget gimmicks. In other words, let's say we eliminate a \$100 million program. Well, we have been talking about how much that would save over 10 years, whether it would save \$100 million over 10 years. That would be \$1 billion. One of the gimmicks that was floated around, and was in fact used in the President's debt plan, was to say that we are going to do it over 12 years instead of 10 years as the deficit commission recommended. So we haven't actually cut any more; we have just added a couple of years to the timeframe that we are considering to make it seem like we reached the goal.

We have had gimmicks in which a big military payment to soldiers or a Social Security payment falling near the end of the month is pushed over to the next fiscal year—so it is due on September 30, and they make it payable October 1—and the numbers look better. We don't show the expenditure, but it is still there. The money is still going to be spent. Nothing has been

changed except the date when the money is paid. These so gimmicks are unacceptable. Any plan that is presented on this floor, however it comes forward, must be free of gimmicks and accounting tricks. It must be an honest, fact-based budget. Additionally, raising the debt ceiling should not be accomplished by tax hikes. A punishing tax increase would not only threaten the growth we have to have in our economy, but it would also give a free pass to the egregious overspending of Washington. It would bail out the big spending excesses that have been put in place here. This overspending behavior is morally and economically culpable for our current crisis.

Federal Government spending already controls nearly 25 percent of our economy. It amounts to that much—the highest we have ever had. Some of that is because the economy is down. Some of it is because spending is up. But 25 percent of the economy is now driven by the Federal Government, with tax money and borrowed money. Sixty percent of what they spend is tax money; 40 percent-plus is borrowed. We take in \$2.2 trillion, and we spend \$3.7 trillion. That is why all the experts tell us this is unsustainable—and we know it is true. That is why we cannot do business as usual. That is why we have to do something. And that is why the House of Representatives produced a budget that cut spending. Some people didn't like it, but unless we have massive tax increases—tax increase that will damage the economy—we have to reduce spending; right? Certainly this is correct. So that is where we are.

The difficulty is the spending and the resulting debt that is projected by the Congressional Budget Office—at least as they have analyzed the budget presented by the President. The current spending path, if it is just continued, is very dangerous. They are setting us on an even worse path.

Now, the President did submit a budget to the Congress. I offered it, and it was voted down 97 to 0. It made the already unacceptable debt path we were on much worse. Indeed, it would have doubled the country's debt, from \$13 trillion to \$27 trillion in 10 years. That is the path they projected, and the debt in the out years would be increasing, not decreasing; an unsustainable path.

So, ultimately, the numbers we have been hearing—like \$2 trillion in cuts—are not sufficient. It is only a part of what we would have to do to get our country on a sound fiscal path. We hear this figure—that we need \$2 trillion in cuts. A lot of people don't realize that the House budget reduces spending by \$6 trillion over the next 12 years. By the way, over the next 12 years we are projected to add \$13 trillion to the national debt, doubling it. So cutting \$6 trillion is pretty significant. It requires us to take firm action.

This makes some people uneasy. They think we can't cut that much. But many of our States and cities and

counties have been cutting more than that on a percentage basis, and they are going to survive. They know they have to live within their means, but Washington has not gotten that message.

It is rumored that an unseen draft of the Senate Democratic budget proposes only \$1.5 trillion in cuts. This is according to reports. They have tried to make the number bigger by counting interest savings, including those from tax hikes. This is a gimmick, because \$1 in spending cuts is not equivalent to \$1 in tax hikes. It just simply is not.

Cutting spending restores economic confidence and makes room for private sector growth. Studies show that this approach results in more significant deficit reduction. Cutting spending allows us to pursue a more competitive Tax Code. Hiking taxes is a less successful way to trim the deficit. That is the reality. Hiking taxes punishes families for the waste of Washington, and it enables a bloated government that needs to be trimmed and whipped into shape.

Raising taxes to pay for excessive government spending is a refusal to recognize there are limits to how much we can spend and how much we can tax. There is a limit to how much we can spend and how much we can tax if we want to be a government of democratic ideals, freedom, and free markets; and limited government is what our Founders intended.

A plan to reduce the deficit by \$4 trillion and only cut \$2 trillion in actual spending contains only a fraction of the savings we can and must achieve. That is my firm view, and I think we have many people in Washington, including, I have to say, our President, who are in denial about the challenges and difficulties we face.

This is not a situation in which a few little cuts here and there can put us on the path to fiscal solvency and get us off the path to fiscal destruction. It is going to take stronger steps, the kind of steps they are taking in New York State, the kind of steps Governor Christie is taking in New Jersey. We are not even reaching the level of cuts Governor Brown has achieved in California or what the English are doing in the U.K. We have to wise up. We cannot continue down this path.

Let me share a few other thoughts about debt because debt is a dangerous thing. It hurts us right now. Most of us have gotten into the habit of saying we are worried about our children and our grandchildren, and certainly we are worried about their future because of the debt burden we are placing on their shoulders. But the truth is, the debt threatens us right now. It is a danger to our economy. It is a danger and it is a drag on the economy. Let me explain how debt destroys jobs and why this Senate should pass a budget.

The House of Representatives has passed a budget; they have made it public and they have defended it and explained it. Let's see what the Senate

Democratic majority will do about a budget.

Higher debt leads to slower economic growth. Empirical studies show that high levels of government debt inhibit economic growth by creating uncertainty, displacing needed private investment and placing upward pressure on interest rates and raising burden on the government itself through interest payments on the debt.

For example, the very well-respected and much commented-on study by Reinhart and Rogoff, Harvard and University of Maryland economists, found that in advanced economies with gross government debt above 90 percent of GDP—in other words, a total debt equal to 90 percent or above the size of the American economy—median economic growth tends to be between 1 and 2 percent lower, depending on the time period analyzed, when compared to countries with lower debt-to-GDP ratios.

What do we mean by 1 percent to 2 percent lower? In the first quarter of this year, we were expecting almost 3 percent growth. In reality, it was shockingly lower. It adversely impacted the stock market. What did it come in at? 1.8 percent. The second quarter may not be so good either. We are already above 90 percent of debt to GDP; so presumably, if this study is accurate, we should have been at 2.8 percent growth. In a sense, it is not a 1-percent reduction; it is 36 percent less than the growth we need to have.

Another study has shown that 1 percent growth in the gross domestic product, 1 percent growth in our economy, creates 1 million jobs.

When asked about this Reinhart-Rogoff study, President Obama's Secretary of the Treasury, Timothy Geithner, told the Budget Committee he considered it an excellent study—not only that, he told us in the committee he thought it underestimated the problem. Because when you get debt the size of 90 to 100 percent of GDP—and we are projected to reach 100 percent of GDP as our debt by the end of this year—he said it creates the danger of an economic crisis, some sort of spasm like we had when we had the financial crisis or even something similar to Greece. Something that could put us into another recession, which would be the worst thing that could happen to our economy.

That is why this is serious business. We are feeling the impact of this debt right now. It is pulling down economic growth. It is costing us jobs. It is creating uncertainty and fear in the marketplace. We have to get off of it.

President Obama appointed the fiscal commission, cochaired by Alan Simpson, a former Senator, and Erskine Bowles, former chief of staff to President Clinton. Erskine Bowles and Senator Simpson told the Budget Committee we are facing the most predictable debt crisis in this Nation's history—the most predictable economic crisis in our Nation's history.

In other words, they explained that the debt trajectory we are on guarantees an economic crisis. The question is when.

So that is why we have to change. We don't want to have to cut any spending. The last thing politicians want to do is cut spending. The reason we are talking about this is because we have to. I do believe President Obama deserves severe criticism for not being out front leading on this, not telling the American people what his own experts are telling him. This was his expert, Mr. Bowles, and his Treasury Secretary, Mr. Geithner, telling us we have to change the debt path we are on. He needs to help explain to the American people why this is necessary, while it will be painful in the short run, but it can put us on the road to prosperity and not on the road to decline.

Other studies, including Caner, Grennes, and Koehler-Geib's 2010 study of 99 countries between 1980 and 2008, reached a similar conclusion about debt.

Successful debt-reduction measures relying on spending cuts, not tax increases, have consistently resulted in stronger economic growth. Research from Harvard economist Alberto Alesina, as well as a Goldman Sachs report, found that fiscal consolidations—reductions in spending—that focused on cutting government spending, including on subsidies, transfer payments, and government worker pensions, were successful in cutting fiscal imbalances, typically boosted economic growth, and were followed by improved equity—that is the stock market—and bond market performance. That is what their study found, an empirical study by Goldman Sachs and a professor from Harvard, economist Alberto Alesina—not JEFF SESSIONS. These are independent analyses.

Examples of successful spending reductions include Canada, which is in some ways doing far better than we are. We are at 9.1 percent unemployment and our unemployment numbers still seem to be going up; whereas, Canada is at about 7.1 percent and going down.

New Zealand had a dramatic turnaround in the early 1990s. They went from 22 consecutive years of deficit spending to now 16 years of surpluses. It was a deliberate, systematic decision by the people of New Zealand through their government to change what they were doing. They reduced spending. They created ways to make sure the government was productive and saved money. They privatized a lot of activities the government had taken over that didn't need to be government functions, and the country has been progressing solidly ever since.

Financial markets have issued dire warnings about the consequences of our inaction. Against the backdrop of a spreading euro zone debt crisis, the International Monetary Fund—certainly not a rightwing organization—the International Monetary Fund recently urged the United States to act

swiftly to address its soaring budget deficits saying: "You cannot afford to have a world economy where these important decisions are postponed."

The credit rating agencies Moody's and S&P have warned that they may place the U.S. Government's AAA bond rating under review for a possible downgrade within months.

Bill Gross, the head of PIMCO, the largest bond fund in the world, with hundreds of billions of dollars invested, has ceased buying U.S. Government Treasuries. None of that is in his portfolio. He said recently that what we are doing with our economy through the Fed, with this quantitative easing, and the government with its worthless stimulus package, is what he called a sugar high, not real, a temporary surge that has not changed the circumstances we are in. He is a man who deals every day with investments, and he has ceased to invest in U.S. Treasuries.

Yet the Nation has operated without a budget now for 785 days. The Democratically led Senate, even when they had a huge majority last year, perhaps the biggest majority in my lifetime—I can't remember a party having 60 votes in the Senate, when that last occurred—didn't pass a budget. You can pass a budget with just 50 votes. It was given priority. We know we need a budget. So we set up a Budget Act that allows even a bare majority of Senators to pass a budget, and set a plan for our Congress.

The Senate has not even allowed the Budget Committee to meet this year to mark up a budget resolution. The Budget Act calls for the Budget Committee to hold a markup by April 1. It calls for the Congress to pass a budget by April 15. The House passed their budget by April 15. We have not yet even had a markup to work on a budget resolution, and the leadership in the Senate has refused to pass a budget since April 29, 2009, 785 days ago. We wonder why this country is in a financial crisis when we will not even get together to pass a budget, as every city, county, and State has. I don't know of a single one that hasn't.

Over this time that we haven't passed a budget, the Nation has spent \$7.1 trillion and added \$3.2 trillion to the gross Federal debt.

The majority leader, my friend, HARRY REID—I know he has a tough job, but he made a big mistake. He recently said it would be foolish for the Democrats to produce a budget.

Foolish to produce a budget? Is this the kind of leadership the American people expect out of Washington, that the No. 1 Senator, the leader of the majority party, who has the power to control the flow of legislation in this body, says he is not about to produce a budget? Indeed, he says it is foolish to produce one, and he has basically sent word to the Budget Committee we are not to even have committee hearings.

I think nothing could be more foolish than refusing to provide the Nation's

job creators, investors, and taxpayers with a solid blueprint for our fiscal future. A blueprint in which the American people can see we have gotten it, we understand the debt course we are on is unsustainable, and now we have a plan to get us on the right track.

Why wouldn't the people who wanted to be in the majority, who asked to lead, step forward and lead? Why will they not lay forth a plan that can be analyzed and shown to the American people? Why aren't they proud to present their vision for what America should be like and how we should handle their future?

I will say in conclusion that the breakdown of the talks does not surprise me. The Gang of Six tried. Those talks seem to have fallen apart. Then we went to the Biden talks. Once again, people said that we were about to reach an agreement any minute, that all the rest of us Senators could relax and all we needed to do is walk up and sign our name to what these wise few have decided our financial future should be like.

I think most of us realize we were elected. We are Senators. We are not rubberstamps for Vice President BIDEN and some of our fine colleagues. The Presiding Officer is an independent American citizen. He is going to make up his own mind. So am I. But when you are talking about a budget, a financial plan, a program to raise the debt ceiling in this Congress, we ought to read it, we ought to know what is in it. Not only us, the American people should know what is in it. They need to have time to absorb what it means for them and their future, that there will be no gimmicks or tricks, and it will be honestly presented. That takes some time.

I am worried and have been worried if they reach an agreement, even if it is a somewhat good agreement—I don't expect it to be a great one, but if a decent agreement is made, it is going to be brought forward and we will have to pass it within days because of a panic that we will have an economic problem if we do not raise the debt limit and we cannot spend so much money. I don't think we should head that way.

I don't know what is going to happen now. It is late, I will acknowledge, for us to go back to the regular order and have Budget Committee hearings and amendments in the Budget Committee and have people stand up before the world and explain their view and offer amendments. I don't think it is necessarily too late. I do not know where it will go. But this has not been a shining hour for the Senate, and after this last election in which Senators and House Members took a shellacking by the American people, who were very unhappy with us, the House I think appears to at least have gotten the message. They put forth an honest budget that changes the debt trajectory and they put it forth and explained it and defended it.

What do we have in the Senate? We have the majority leader saying it is

foolish for us to produce a budget. We are not going to produce a budget. Did he mean it is foolish for America? No, he meant it is foolish for political reasons. He meant it was foolish for us as Democrats to step forward and lay out an honest plan because, wow, that plan may include tax increases. It might include spending reductions. It may not reduce the deficit very much, and we would have to defend that to the American people and we might not be able to defend it and people might be unhappy with us, as they were in the last election. So let's be clever, let's not produce a budget, let's let Mr. RYAN and the House lead with their chin, let them come out and make a plan and we will attack it. That is the Democratic leadership we have seen in this Senate.

It is not legitimate, it is not justified leadership. It is irresponsible and the President has not been engaged. He does not want to talk about it. He has not explained it in his State of the Union Address. He has not talked to the American people consistently about why his own debt commission chairman, Mr. Erskine Bowles, says we are facing the most predictable economic crisis in our history. No, he doesn't want to talk about that. Why? Because once you talk about it, it becomes obvious that spending needs to be cut and because it is obvious that you cannot fix your way out of this by raising taxes. If you are a tax and spender, you don't want to deal with that reality, in my view.

I am worried about it. I don't know where we are heading today. Senator REID is a good man. Senator McCONNELL is a good leader on our side. I don't know what Speaker BOEHNER is going to do, what Vice President BIDEN will do. But the time, as old Snuffy Smith, the mountaineer, used to say, "Time's a-wastin'." The deadline is coming closer and closer. We are going to have to figure out something to help secure the future of this country and I hope we can do it sooner rather than later.

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

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

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

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

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

AMENDMENTS NOS. 502 AND 503

Mr. SESSIONS. Mr. President, on behalf of Senator PAUL, I call up amendments Nos. 502 and 503, and ask unanimous consent that they be reported by number.

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

The clerk will report.

The assistant editor of the Daily Digest read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. PAUL, proposes amendments en bloc numbered 502 and 503.

The amendments are as follows:

AMENDMENT NO. 502

(Purpose: To strike the provision relating to the Treasurer of the United States)

On page 55, strike lines 12 through 22.

AMENDMENT NO. 503

(Purpose: To strike the provision relating to the Director of the Mint)

On page 55, line 23, strike all through page 56, line 5.

VOTE EXPLANATION

Mr. MORAN. Mr. President, today, I was unavoidably absent for votes No. 95 and No. 96. At the time of the votes, I was attending a memorial service at Fort Riley, KS, for six soldiers of the 2nd Brigade, 1st Infantry Division. Had I been present, I would have voted yea on the Vitter amendment No. 499 and the DeMint amendment No. 510 to S. 679.

Mr. BROWN of Massachusetts. Mr. President, I rise today to speak in support of the Presidential Appointment Efficiency and Streamlining Act of 2011. This is a good, commonsense piece of legislation that has bipartisan support.

When President Kennedy came to office, he had 286 positions to fill with the titles of Secretary, Deputy Secretary, Under Secretary, Assistant Secretary, and Administrator. By the end of the Clinton administration, there were 914 positions with these titles.

Today, there are more than 1,200 positions appointed by the President that require the advice and consent of the Senate.

The large number of positions requiring confirmation causes long delays in selecting, vetting, and nominating these appointees.

I strongly believe the confirmation process must be thorough enough for the Senate to fulfill its constitutional duty, but it should not be so onerous as to deter qualified people from public service.

The Presidential Appointment Efficiency and Streamlining Act removes the need for Senate confirmation for only 205 positions by converting these positions to Presidential appointment-only. They include positions involved with internal agency management and positions that are already accountable to other Senate-confirmed positions, such as internal management and administrative positions and deputies or nonpolicy-related Assistant Secretaries who report to individuals who are Senate-confirmed.

Some have argued that, through this bill, the Senate cedes some of its constitutional power to the executive branch. However, this bill actually represents an exercise of the Senate's constitutional prerogatives.

The Constitution gives Congress the authority to decide whether a particular position should be categorized as an inferior officer that need not go through the Senate confirmation process.

The Senate has a number of important responsibilities that it must un-

dertake, and it is questionable whether spending time confirming, for instance, the Alternate Federal Cochairman, Appalachian Regional Commission, is the most appropriate use of our limited time and resources. Prioritizing our work for the American people, by eliminating some Senate-confirmed positions, does not diminish the Senate's authority.

MORNING BUSINESS

TRIBUTE TO CLYDE BROCK

Mr. MCCONNELL. Mr. President, I rise today to honor one of Kentucky's inspirational treasures. Ninety-four-year-old Clyde Brock is one of four residents of Laurel County, KY, who was chosen to share his remarkable story as part of London, KY's Living Treasures Project. Looking back, Clyde Brock has remembered for us the monumental events and cherished memories that helped shape his life.

Born April 9, 1917, in a small town called Roots Branch in Clay County, KY, Clyde Brock was the eldest of 10 children of Johnny and Mary Brock. Suffering from a staph infection in his leg, Clyde endured a childhood of doctor visits and constant operations. Though his disability left him with one leg shorter than the other, Clyde refused to let it hinder his ability to experience life to the fullest. He can recall the excitement of seeing his first Model T Ford, the growth and development of his hometown, the constant changes in prices, the Great Depression, and the effects of war. After being turned down for the draft, due to his leg, Brock went on to pursue a career in teaching after graduating Sue Bennett College in 1940.

Clyde also took the position of postmaster and remembers well when customers would bring eggs to pay for their stamps instead of money. Three eggs paid for a letter; eggs sold for 12 cents a dozen back then. Clyde also ran a rationing board during World War II. He can remember folks standing in line half a day to get their pound of lard.

Soon after, Clyde married his late wife Ada Brown and they had three children. Sadly, Ada passed away earlier this year after suffering a severe stroke. After many years together, Clyde says that his greatest accomplishment in life was getting her to marry him.

After 32 successful years at eight different schools teaching history and civics, Mr. Brock retired. While recollecting his memories of walking to school through the snow and the enjoyment of seeing his students become excited about learning, it's clear Clyde Brock still has a passion for teaching.

Clyde is a member of Providence Baptist Church, where he is a deacon and trustee. Realizing that life is short, Mr. Brock says that it has only been "by the grace of God" that he has been able to live for so long.

I know my U.S. Senate colleagues join me in saying Mr. Clyde Brock, who can look back with pride at a full life well lived, is an inspiration to us all. He is not only a living treasure to London, but a living treasure to the State of Kentucky.

Mr. President, the Laurel County Sentinel Echo recently published an article illuminating Mr. Clyde Brock's long life and career. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Laurel County Sentinel Echo,  
May 11, 2011]

LONDON'S LIVING TREASURES: PART 1  
(Transcribed by Tara Kaprowy)

Following is the life story of 94-year-old Clyde Brock, who is one of four Laurel Countians chosen to be part of London's Living Treasures project. Over a two-hour interview, while sitting in an easy chair in his Bush-area home, Brock shared many memories, from the day he saw his first car to the day his beloved wife Ada died "with just a curtain between them."

"I was born April 9, 1917 in Clay County in a place called Roots Branch because so many Roots lived there. I was born in a big log house. I was the first of 10 children to a young couple called Johnny and Mary Brock.

My dad bought a farm, I was about 5 years old when we moved from there. Then he decided to leave the farm and got a public job and we moved to Corbin. It must have been about 1924. I went to school one year there, Felts School.

I remember my grandfather had a brother that fought on the southern side during the Civil War. I just remember him. He'd come to see my grandfather and he had a mule and I just remember that. He didn't draw a pension. Then I saw one soldier that fought on the northern side and he drew \$100 a month.

In 1926, I had the misfortune of getting a staph germ. It was one Sunday evening, I was just out fooling around outside and it hit me, all at twice. The next morning there was a knot in my leg.

Well, they took me to Corbin Hospital. They scraped the bone, but it didn't help. Brought me to London, you know where the First National Bank is now. There was a little bank and it had a little hospital over it. Well, they took me in there and my temperature was 105.5. This doctor, he saved my life, Dr. H.V. Pennington. The kind of surgical tools he used was a hammer and chisel to chisel bone out.

I stayed there a month until they got the new hospital over on the hill. There was eight of us moved into that new building. There was four doctors in it: Dr. J.W. Crook, Dr. G.S. Brock, Dr. O.D. Brock and Dr. Pennington. I had two more surgeries there, and I stayed there from last of March in 1926 until some time in August. With staph going on up, they performed surgery on my knee. That didn't check it, and it got to my hip. They come in, all four of them one day with a big needle, they went into my hip and they found it had got up there. So, they told my mother and my father to come up because they'd have to perform surgery again. My dad picked me up in his arms and carried me to the operating surgery table. They took the ball out, I don't have that ball in my hip. It made my leg shorter so they put a 10-pound weight on a roller on the foot of the bed and held it six weeks to try to pull it down. It didn't work. They didn't have therapy then, they didn't have penicillin then, so that staph, it left my leg short and stiff.