

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Kentucky. Mr. PAUL. Has morning business concluded?

The PRESIDING OFFICER. The time for morning business has expired.

Mr. PAUL. I have a motion to present to the desk.

The PRESIDING OFFICER. We are not yet on the bill.

Mr. PAUL. Can we report the bill, please?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

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

The bill clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

Inhofe (for Johanns) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.

Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.

Paul amendment No. 199, to cut \$200,000,000,000 in spending in fiscal year 2011.

Sanders amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

Hutchison amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Coburn amendment No. 184, to provide a list of programs administered by every Federal department and agency.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

Landrieu amendment No. 244 (to amend-motion No. 183), to change the enactment date.

MOTION TO COMMIT WITH AMENDMENT NO. 276

Mr. PAUL. Madam President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] moves to commit the bill, S. 493, to the Committee on Foreign Relations with instructions to report back forthwith with an amendment numbered 276.

Mr. PAUL. Madam President, 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:

AMENDMENT NO. 276

At the appropriate place, insert the following:

It is the sense of the Senate, that "The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation".

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, we are engaged in a third war at a time when our country is struggling under an enormous debt, at a time when we are engaged in two wars. Historically, our country has fought war by asking for congressional authority. This was true in Iraq. This was true in Afghanistan. The President came to Congress, and there was a vote on use of force prior to him engaging in force.

Some say: Well, this is no big deal; the President should be able to fight war whenever he wants to fight war. I beg to differ, and our Founding Fathers begged to differ. Madison said that the Constitution supposes what history demonstrates, that the executive is the branch most prone to war and most interested in it. Therefore, the Constitution has, with studied care, invested the power to declare war in the Congress.

I think this is an incredibly important debate. When we talk about sending our young men and women into harm's way, into another war, the fact that we would have a President send us to war without any debate—your people's representatives have had absolutely no debate, and we are now involved in a third war.

The language of my resolution is not unfamiliar to many. The language of this resolution is the President's words.

In 2007, Barack Obama said:

The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation.

This was very clear, what the President said. I agree with what Candidate Barack Obama said. We should not go to war without congressional authority. These are the checks and balances that give you a say, that give the people of America a say through their representatives. This allows us to say when we go to war through our Congress, not through one individual but through 535 individuals whom you elect.

I think the decision to go to war is such an important one that we should

not leave it up to one person. Our Founding Fathers agreed with this.

In the 1970s, after Vietnam, we voted on something called the War Powers Act. We did give the President the right to go to war in certain circumstances. These circumstances were, one, if Congress had declared war; two, if Congress had authorized the use of military force, or three, if there was imminent danger to our country. I think all of us recognize that. If we were in imminent danger of attack, we would allow the President some latitude, but we would expect very quickly for him to come to Congress and ask for permission.

In this instance, even the Secretary of Defense has said that Libya is not in our national interest. There is no threat to our national security. Yet we are now involved in a third war. We have already spent \$600 million in the first 3 days of this war. There has been no constitutional authority given to the President to be committing troops to this war.

This is such an important constitutional principle that, while I am new here in the Senate, I am appalled that the Senate has abdicated its responsibility, that the Senate has chosen not to act and to allow this power to gravitate to the President. I think that the precedent of allowing a President to continue to act or to initiate war without congressional review, without congressional votes, without the representatives of the people having any say, is a real problem.

There was an article this morning in the Washington Times by GEN Mark Kimmitt. In that, he says that there is a climate of cognitive dissonance surrounding the discussion as the military objectives seem detached from U.S. policy.

The lack of connectivity between the use of force and campaign objectives, the subordination of the military to a nondecisive purpose, turns decades of policy on the use of force on its head.

This is from General Kimmitt this morning:

Vital national interests are not threatened. . . . Nor have sanctions failed or diplomacy been exhausted. . . . We are putting the lives of our troops at risk in a nondecisive role for a mission that does not meet the threshold of a vital or national interest.

General Kimmitt goes on further:

For a military carrying the burden of three wars on its back for the foreseeable future, a policy of more frequent intervention and suboptimal use of force as an instrument of diplomacy is a mistake.

I come from a State—Kentucky—that has two military bases. I see our young men and women going to war, and I worry about their families and themselves engaged in two wars. Some of these young men and woman have been going to war for 10 years now. And the President now is going to engage us in a third war without any consultation, without any voting in Congress, and without any congressional authority.

I believe this is a very serious breach of our Constitution. It is something we should not let happen lightly. It is something that we should object strenuously to and that we should force a debate on in this body. Many debates historically have happened here, many important debates. And what is happening now is we are abdicating our duty and allowing this to be made unilaterally by one individual. I think it is a mistake, I think it is a travesty, and I think it should end.

There have been some questions about who these people are whom we will be supporting in this new war. I think there is no question that Qadhafi is a tyrant, an autocrat, and someone whom freedom-loving people would despise. However, do we know who the rebels are?

During the 1980s, we supported the Freedom Fighters in Afghanistan. Do you know who turned out to be the leader of the Freedom Fighters, or one of the leaders? Osama bin Laden—now our mortal enemy—was receiving money from the United States and support from the United States for over a decade. In fact, the State Department's stated goal in Afghanistan during the 1980s was "radical jihad." We were in favor of radical jihad because we thought the Islamic radicals hated the Russians worse than us. They did until they got rid of the Russians, and now they hate us as much or more.

I think we have to be very careful in going to war. I told my constituents when I ran for office that the most important vote I would ever take would be on sending their men and women, the boys and girls, the young men and women in my State or anywhere else in the United States, to war. To me, it is amazing—amazing—that we would do this so lightly without any consideration by this august body, send our young men and women to war without any congressional approval.

There have been some reports in the media about possible ties of al-Qaida to the rebels. This morning in the Washington Post, a former leader of Libya's al-Qaida affiliate said he thinks freelance jihadists have joined the rebel forces. A NATO commander said that some of al-Qaida and Hezbollah forces are fighting Qadhafi forces. Former jihadist Noman Ben Otman estimates there are 1,000 jihadists in Libya. These are the rebels.

We have to ask ourselves, when Qadhafi is gone, who will take his place? A 2007 West Point study showed that 19 percent of foreign al-Qaida fighters in Afghanistan hailed from Libya. Libya has been supplying the second leading amount of jihadists to the war in Afghanistan. Interestingly, where do these fighters go? Do the fighters come back to Libya to haunt us? When Qadhafi is gone, will we now have an al-Qaida-supported government in Libya?

But I think most important are not the practical aspects of going to war, it is that we didn't follow the Constitution in going to war, and we should have. The Constitution says very clearly that the power to declare war is the

power that was given to Congress and not to the President. James Madison in the Federalist Papers was very explicit that this was a power given to Congress and not to the President.

The President's own words are incredibly important here. The hypocrisy is amazing. In 2007, the President said:

The President does not have the power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation.

Yet here we have a President cavalierly taking us to war. He seems to have had a lot of time to talk to people. He talked to the Arab League. They had time to get together and vote on it. He talked to the U.N. They had time to get together and vote on it. But he had utter disregard and contempt for the most important body in the United States that represents the people—the U.S. Congress. Utter contempt. He has gone to NATO. He has gone to our allies. He has gone to the U.N. He has gone to the Arab League. But he has not had one single minute of debate in Congress.

To add insult to injury, he chose to go to war while in Brazil, while Congress was not even in session. This really should not be the way we operate as a constitutional republic.

I am saddened that no one here seems to stand up and say: Why in the world would we let a President take us to war without any debate? Why in the world, when we are involved in two wars, would we get involved with a third war without having a debate in Congress?

This, to me, is a remarkable and really tragic set of events. I hope that the Congress and the Senate in particular will see fit to pass this motion which sends the bill back to committee with specific instructions. The specific instructions are the President's words, and I will be more than interested to see whether his supporters here in the Senate will support the candidate Barack Obama or now the hypocritical version that has become our President.

I think this is an important question beyond any question we will address in this year. Our fiscal problems are really a tragic problem we face now, but this really pales in comparison, to usurp the power of war, to take that power upon himself unilaterally without any debate in Congress.

I urge the passage of this motion to commit to the committee.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, in response to the Senator from Kentucky, I would like to say that he is new to the Senate. I do not question his sincerity when it comes to the enforcement of our Constitution. I share his feelings about the responsibility of Congress under that Constitution to declare war. I have held previous Presidents of both political parties to that standard and believe that this President should be held to that standard as well. I may regret some of his characterizations of our President, but I will not go into that at this moment. I will say the following:

Let's make the record clear about how we got into this situation and why we got into the situation, which the President said the other night. This was not a matter of waiting until Congress came back from its vacation; it was a matter of innocent people being killed in Libya.

It was no mistake what Qadhafi was going to do. He said pointblank: I am going to Benghazi. I am going house to house and room to room and kill people, my own people.

It should not come as any surprise because he has a history of that, not only killing his own people but killing those innocent passengers on Pan Am 103. He is a ruthless, bloody dictator, so much so that the Arab League of Nations broke precedent and called for Libya to be suspended as long as Qadhafi was in charge. His own Arab League of Nations suspended him. They then turned to the United Nations and said: Please stop him from killing his own people.

Mr. PAUL. Will the Senator yield for a question?

Mr. DURBIN. When I finish my statement, I will be happy to yield.

They then said: Go to the United Nations and create the authority, an international authority to stop him. This was done.

It was in the midst of all this that the President was leaving for South America and Congress was leaving for a 1-week scheduled recess. That is a fact. On the Friday, which is now about 10 days ago, before we left, the President had a conference call and invited all members of the leadership, Democratic and Republican, House and Senate, to listen to a briefing from the Situation Room about the exact military situation we faced and invited questions and comments from all Members of Congress who were part of that conversation. I was part of that conversation. I listened to it carefully. It became clear to me that the President had laid down certain conditions to U.S. involvement.

No. 1, the President said: No American ground troops.

No. 2, the President said: This is a war of short duration as far as the United States is concerned; in his words, "days," not weeks, and he went on to say that the United States would use its unique capabilities to help those allies of the United States who wanted to stop Qadhafi's killing. He used the phrase "unique capabilities" several times in that conversation.

I wasn't sure what he meant. I learned later in press reports. The United States used technology on the initial air invasion for the no-fly zone that stopped the radar of the Libyans so our planes and the planes of our allies could travel across Libya and stop their planes and tanks without danger. So that was the commitment made by the President.

What does the law say? The law passed by Congress over the veto of

President Nixon, the War Powers Act, requires the President to notify Congress when he initiates this form of military action. Did he do it? He did. As a matter of fact, the President submitted a notification to Congress within 48 hours of the initiation of these operations consistent with the War Powers Resolution. So to argue that the President is circumventing Congress is not factual. He did exactly what the law requires him to do.

If this President were planning a full-scale invasion such as we had in Kuwait under President George Herbert Walker Bush, with a long period of buildup—I insisted, and President Bush complied with, a request to come to Congress for authorization. He did it. Credit should be given to President Bush. But it was a different circumstance.

What the Senator from Kentucky is suggesting is that President Obama should have waited until he could summon Congress back into session—how many days would that be—waited until Congress deliberated and voted before he took emergency action to protect our allies' planes and our planes, to stop Qadhafi from killing people. I am all in favor of constitutional powers, but I believe there are moments when a President has to have the authority to exercise that kind of military decision when he believes it is in the best interest of the United States.

I don't think it is hypocritical. I am sorry that word was used. I think what the President has said is that he is trying to redefine the role of the United States in the world, standing up for our values, fighting for peace, trying to stop the carnage in Libya, without committing tens of thousands of American soldiers for years at a time. I happen to think that is a worthy foreign policy goal. I also believe the ball is now in the court of Congress. It now is up to the Senate Foreign Relations Committee and House Foreign Affairs Committee to decide if they want to have hearings on this Libyan action, whether or not we take action in response to the President's filing this notice under the War Powers Resolution. But to argue that the President has just ignored the Constitution or ignored the law ignores the facts. The President filed the notification required by law under the War Powers Act. Now the ball is in our court. Are we going to move forward? Will we have hearings? Will we take action? It is up to Congress now. I sincerely believe there should be hearings. I hope this matter is over before we even have the requirement or necessity to have such hearings. But at this moment in time, as I see it, the President has complied with the law.

I am happy to yield to the Senator from Kentucky for a question.

Mr. PAUL. On December 7, 1941, we were attacked and the President declared war. We had a session within 24 hours. On 9/11, we were attacked by people coming from Afghanistan. We

met within 3 days and had a use of force authorization. I think there is a problem with sort of saying it is OK to declare that the President can go to war after he has already done it.

In Afghanistan and Iraq, with all the complaints from many people on the different wars in which we are involved, President Bush did come to ask for the authorization of force. We have had 2 to 3 weeks of this issue. They had time to go to the U.N. They had time to go to the Arab League. They had time to go to everyone. I think the Senator from Illinois should be as insulted as I am that they never came to Congress.

The War Powers Act has specific criteria that allows the President to use force: a declared war, when he has use of authorization, or when we are in imminent danger. Which one of those meets the War Powers Act with regard to Libya?

Mr. DURBIN. The Senator is correct in his statement that not only President George Herbert Walker Bush but also President George W. Bush came to Congress and broke precedent. That had not happened in Korea or Vietnam. We went back to what I considered to be the constitutional standard. Congress deliberated on those wars and voted.

I will tell the Senator from Kentucky, since he is my friend and is new here, it is one of the most compelling votes he will ever cast. I hope he never faces it. But if he does, it is one of the votes that will keep him up at night trying to think what is best for America and what is best for the young men and women who may lose their lives in the process.

In fairness to both Presidents Bush, they did come to Congress. The lead-up to the invasion of Iraq went on for weeks if not months. The same thing was true for Afghanistan. Remember, in the situation with Afghanistan, after 9/11, we were here in this building when it happened. We knew what 9/11 was about, and we responded accordingly.

The Senator from Kentucky has the right to express his point of view and debate it on the Senate floor and the right to pursue the War Powers Act which gives Congress the authority for hearings and a decision. What I disagree with the Senator from Kentucky about is the characterization that the President did not follow the law. He did notify Congress. The circumstances moved so quickly with human life hanging in the balance, the President made that decision and now stands with the American people making a judgment as to whether it was the proper decision to make.

At this point I would like to yield the floor to the Senator from Kansas for the purpose of debate only, with the understanding that when he has completed his debate, I will suggest the absence of a quorum.

Mr. PAUL. Will the Senator yield for a further question?

Mr. DURBIN. Fine.

Mr. PAUL. I know the word "hypocritical" is a strong word. I don't use it lightly. But the words we are using in this resolution that we will get a chance to vote on are the words from the President. The President said: The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the Nation.

How does the Senator from Illinois square that with his actions?

Mr. DURBIN. That was the question raised by the President in his address to the American people the night before last, as to whether it is in the best interest of the United States to step forward with our unique capability—in this case, our air power, as well as our technology—to protect innocent human life. There are some who will argue that he should not have done it, and we should have just waited to see if Qadhafi would keep his word to kill all these innocent people. I think the President made the right, humane decision.

Had we made a fraction of that decision in Rwanda, it might have spared tens of thousands of people from dying. The same thing might have happened in Darfur. I think the Presidents who were in power at that time both personally regret the fact that we didn't do anything as those genocides unfolded. President Obama did not want that to occur on his watch and thought the United States, in a limited military commitment, could help spare innocent people in Libya from this carnage.

We can debate as to whether that is appropriate, and I am sure we will. I know the Senator from Kentucky has his own beliefs on the subject.

I ask unanimous consent that the Senator from Kansas, Mr. MORAN, be recognized to speak in debate only and that following his remarks, I suggest the absence of a quorum and the clerk will call the roll.

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

The Senator from Kansas.

FINANCIAL CHALLENGES

Mr. MORAN. Madam President, I thank the Senator from Illinois for accommodating my ability to speak on the Senate floor this afternoon on what I consider to be a very significant and important topic.

Our country is facing significant financial difficulties. In the coming weeks, the United States will reach its \$14.29 trillion limit for borrowing. Unfortunately, this is the 11th time in the past decade that Congress will vote on whether to allow the country to take on even more debt. These financial challenges we face, if left unchecked, will have a disastrous impact upon our country today and upon citizens in the future.

For way too long members of both political parties have ignored this growing fiscal crisis and have allowed

our country to live well beyond its means. Delaying difficult decisions and simply increasing the debt ceiling once again should not be an option. The time to correct our failures is now.

Officials from the Obama administration warn that the failure of Congress to raise the legal debt limit would risk default. But the bigger economic threat that confronts our country is the consequences of allowing our country's pattern of spending and borrowing to continue without a serious plan to reduce that debt. Our out-of-control debt is slowing our economic growth and threatening the prosperity of future generations who will have to pay for our irresponsibility.

In the next three decades our debt very well could grow to more than three times the size of our entire economy. This level of government spending is unsustainable and cannot continue. Our Congress is engaged in a serious and significant debate now about a continuing resolution. That resolution is the result of the failure of the past Congress to pass a budget and appropriations bills to fill in the blanks of that budget. In fact, we are now dealing with the next 6 months of spending, the end of the fiscal year which ends September 30 of this year. We are having an argument about the magnitude of the reductions of spending to include in the final 6 months of this continuing resolution.

I certainly wish to participate in the debate. I admit it is an important issue, but there is more significant issues yet to come. While it is important how we resolve the next 6 months, it is even more important we adopt a budget for the next fiscal year, 2012; that we return to regular order and have an appropriations process in which we can determine levels of spending within that budget, establish our priorities, eliminate programs, decrease spending where appropriate, and move this country to a balanced budget.

In addition to a CR for the next 6 months and to next year's budget and appropriations process, there is looming the more serious consequences of so-called mandatory spending which comprise 56 percent of our entire budget. We have to get beyond the CR debate of today and get to the spending problems of 2012 and beyond and to the issue of so-called mandatory spending that consumes our budget and drives up debt now and in the future.

We need to be responsible and quickly resolve the spending bill for this year and move on to these issues that will determine the future of our country, especially the economic future for citizens today and into the future.

The President ought to consider in his budget—but he didn't—the recommendations of his National Commission on Fiscal Responsibility and Reform. We have seen, once again, the failure of the budget as proposed by this President to include any of those provisions that his own commission

recommended in getting us out of our financial difficulty.

It seems to me that often, at least throughout my lifetime, we have heard the discussion here in Washington, DC—I, as an American citizen, as an observer of the politics and the policies of our Nation's capital, have heard year in and year out about the need to reduce spending, to balance the books, to quit spending so much money, to be more fiscally responsible. Our fiscal house has to be put in order. Those are words I have heard throughout my entire adult life, and yet I am fearful they have once again just become words.

We do not have the luxury of those words meaning nothing this time around. I would suggest there are those who may observe the proceedings of this Congress this year and say: Once again, there is a political debate going on. It is rhetoric between Republicans and Democrats. It is a battle between the House and the Senate, between the Congress and the President, without recognizing this debate has serious consequences to the American people today and into the future.

As I said earlier, spending beyond our means is no longer an option, and the failure of us to address these issues in a responsible manner means the standard of living American citizens enjoy today will be diminished. It means a lower standard of living for every American family. It means an increase in interest rates. It means a return of inflation. It means an increase in our imbalance of payments. It means our trade balance is exacerbated. It means we may follow the path of other countries in the world today that have failed to address these issues, and we will see the circumstances that many countries find themselves in, in which their credit ratings have diminished and their interest rates have risen.

If we fail to respond, if we fail to act as we should, if we let one more time this issue to pass for somebody else to solve because it is so difficult, we will reduce the opportunities the next generation of Americans has to pursue the American dream.

This is not an academic or a political party discussion. It is not a philosophical debate. It has true economic consequences to every American. We are not immune from the laws of economics that face every country, and by the failure to get our financial house in order and borrowing under control, interest rates will rise, our creditors may decide we are no longer creditworthy, and we will suffer the same consequence that countries in our world today are suffering that followed this path.

This is the most expected economic crisis in our lifetime, perhaps in the history of our country. We know what is going to happen if we do not act, and we would be acting so immorally and without responsibility should we look the other way because the politics of this issue are too difficult.

Americans deserve, are entitled to leadership in Washington, DC, to confront these problems and not to push them off to the next generation of Americans, and I am sorry to say that, in my view, to date the President has provided little leadership on what I consider to be this most important issue of my generation.

My interest in public service and politics is one that has lots of beginnings, but what has me committed to public service today is a belief that I and people in my generation—in fact, every American citizen—have the responsibility to pass on to the next generation of Americans the ability to pursue the American dream. Our failure to act today, our failure—to simply raise the debt ceiling one more time—means we will have abdicated our responsibilities and the burdens will fall to those who follow us. We will have lacked the morality and the courage necessary to do right.

Earlier this week, I informed the President, in correspondence to President Obama on March 22, with these words:

Americans are looking for leadership in Washington to confront the problems of today, not push them off on future generations. To date, [Mr. President,] you have provided little or no leadership on what I believe to be the most important issue facing our nation—our national debt. With no indication that your willingness to lead will change, I [write] to inform you [Mr. President,] I will vote “no” on your request to raise the debt ceiling.

I do that because I believe in the absence of serious and significant spending reductions, in the absence of serious and significant reform in the budget and spending process, in the absence of a constitutional amendment that restricts our ability to spend money we do not have, in the absence of statutory guidelines that tell us we cannot spend and borrow ad infinitum, that our country's future is in grave danger. I do this with a sense of responsibility to Americans today and a sense of responsibility for Americans to come.

I ask the President to provide that leadership, to address the issues of not only this continuing resolution and next year's spending level and the so-called mandatory spending, but also to help us create an economy in which growth can occur, in which business men and women make decisions to employ new workers, and that the American people have the opportunity, when they sit around the dining room table and discuss their future, to know they have the chance to keep the job they have or to find a job they do not have.

That will require the leadership of President Obama and Republicans and Democrats in the House and Senate. In the absence of any indication that leadership is going to be provided, and that we are going to be serious in addressing our problems of today, and resolving them for the future, I will vote “no” on extending the debt limit.

Mr. WHITEHOUSE. Madam President, as we continue to debate important small business legislation, I rise

today to discuss an amendment to further support investment and job creation in U.S. companies.

In particular, my amendment would bolster our domestic manufacturing industry, which has historically been the engine of growth for the American economy. The manufacturing economy has been especially important in the industrial Northeast, including my State of Rhode Island. From the Old Slater Mill in Pawtucket—one of the first water-powered textile mills in the nation—to modern submarine production at Quonset Point, the manufacturing sector has always been central to our economy.

Sadly, as American companies have faced rising production costs and increased—and often unfair—competition from foreign firms, U.S. production has plummeted. According to the Bureau of Labor Statistics, the number of manufacturing jobs declined by almost a third over the past decade from 17.2 million in 2000 to 11.7 million in 2010. This decline has been felt most sharply in old manufacturing centers like Rhode Island. In Rhode Island, the loss of manufacturing jobs over the past decade has topped 44 percent. The decline of the manufacturing sector is a primary reason why Rhode Island has had greater difficulty than most states in recovering from the recent recession.

Over and over, I have travelled around Rhode Island to meet with local manufacturers, listening to their frustrations and discussing ideas to help their businesses grow. During these visits I have heard one theme over and over again: unfair foreign competition is killing domestic industries. One Pawtucket manufacturer told me that they recently lost eight percent of their business to a Chinese competitor. It is clear to me that if we want to keep manufacturing jobs in Rhode Island, we need to level the playing field with foreign competitors.

My amendment would remove one incentive to move jobs offshore and help to make competition fairer for companies struggling to keep their factory doors open here in the United States. Based on the Offshoring Prevention Act, cosponsored by Senators LEAHY, SANDERS, BOXER, DURBIN, BROWN of Ohio, HARKIN, JOHNSON, and LEVIN, my amendment would end a costly tax incentive that rewards companies for shipping jobs overseas. Under current law, an American company that manufactures goods in Rhode Island or in the Presiding Officer's State must pay Federal income taxes on profits in the year that the profits are earned. But if that same company moves its factory to another country, however, it is permitted to defer the payment of income taxes, and declare them in a year that is more advantageous—for example, one in which the company has offsetting losses.

It makes no sense that our Tax Code allows companies to delay paying income taxes on profits made through

overseas subsidiaries, and my bill will put a stop to this practice for profits earned on manufactured goods exported to the United States. To put it simply, we should not reward companies for eliminating American jobs.

In addition to ending an incentive to ship jobs overseas, my amendment would reduce the Federal deficit by \$19.5 billion over the next decade. At a time when Republicans are promoting painful cuts to popular Federal programs to save similar amounts, these are savings we cannot afford to pass up. If we are going to be serious and fair about deficit reduction, we need to look at these corporate loopholes and giveaways, not just at cuts to Head Start, NPR, and Planned Parenthood.

I hope that my colleagues will show their support for American jobs and for deficit reduction by supporting my amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. 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.

RECESS

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess until 6 p.m. tonight for the purpose of the Senators-only briefing on Libya.

There being no objection, the Senate, at 4:57 p.m., recessed until 6 p.m. and reassembled when called to order by the Presiding Officer (Mr. COONS).

The PRESIDING OFFICER. The Senator from New Hampshire.

MORNING BUSINESS

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Mrs. SHAHEEN. Mr. President, if I could begin in the spirit of morning business, I am here to talk about the importance of passing the reauthorization of the Small Business Innovation Research Program. I think it is important because our future economic prosperity depends on whether this country can continue to be a leader in science and innovation. We can't compete with India and China for those low-wage manufacturing jobs. That is not the fu-

ture of America. Our future is to be the global leader in science and technology. America makes the best, most innovative products and services, and that ingenuity and excellence is our chief economic strength as a nation.

As a former small business owner, I know it is business and not government that creates jobs, but I also know government has a critical role to play in fostering a positive business climate. I believe there are a few things we need to do to unleash the innovative spirit that is so alive and well throughout this country, and particularly in my home State of New Hampshire.

To maintain the creative dominance that has allowed us to lead the world in innovation, we do need to enact a long-term reauthorization of the Small Business Innovation Research Program, or the SBIR Program.

SBIR is not just a typical grant program. Under the SBIR Program a small business is able to compete for research that Federal agencies need to accomplish their missions—agencies such as the Department of Defense. Small businesses employ about one-third of America's scientists and engineers and produce more patents than large businesses and universities. Yet small business receives only about 4 percent of Federal research and development dollars. SBIR ensures that small business gets a tiny fraction of existing Federal research dollars.

In the last few months, as we have been talking about the SBIR Program in the Small Business and Entrepreneurship Committee on which I serve, I have had the chance to visit a number of New Hampshire companies that are doing cutting-edge research and are growing their businesses because of the SBIR Program. This research has allowed them to develop new products and customers and to hire new workers. I wish to talk specifically about one of those companies because they have such a great story. It is a company called Airex, and it is in Somersworth, NH. Their story shows just how the SBIR Program encourages innovation and creates jobs.

When I visited Airex, I had a chance to see some of the impressive technologies the company has developed. Airex specializes in electromagnetic motors and components. As they explained to me, their motors don't go round and round, they go back and forth. Its employees design and produce everything from motors used to make Apple's iPad, to gyroscopic coils that are used to stabilize the artillery system on Abrams tanks. So they produce a wide divergence of products.

In the past decade Airex has more than doubled its revenues and its workforce largely because of the products it developed with the support of the SBIR Program. Jim Sedgewick, who is the President of Airex, told me SBIR was critically important for the development of the products that enabled the company to add several good-paying jobs in New Hampshire.