

for 48 States and the hurricane season is not over yet. The Commerce Department said this year we have had 10 disasters, each with more than \$1 billion in damage, and \$1 billion is an understatement when you talk about what happened with Irene. They say that will reach \$25 billion, that one storm. That is the most we have had in decades—probably the most ever.

No one should be surprised that the Federal Emergency Management Agency is about broke. As of today, they have a few hundred million dollars left, probably in the \$300 million range. In just the last 2 weeks, FEMA spent almost \$400 million out of the fund for Hurricane Irene and other disasters. That should not be out of that fund. That should be forward funded. So FEMA is dangerously close to running out of money.

To make sure FEMA will have enough money to meet the immediate needs for food, water, and emergency housing for victims of new disasters, on August 28 FEMA stopped approving funding for disaster recovery projects from past disasters. This means funding is on hold to rebuild schools, hospitals, roads, public utilities from past disasters like Katrina, Rita, Gustav, and Ike, the Mississippi River flood of 2008—they are still doing work there to renovate that area—the Tennessee flood of 2010 and tornadoes in Missouri and Alabama of days past. So we have hundreds of millions of dollars that need to be spent in places such as Joplin, MO. They are not spending money there in Joplin, MO. After all they have been through there, no money.

The need is urgent. That is why we are seeking to move to the House-passed revenue measure to serve as a vehicle for disaster relief. The House insists, as they should, that because of our Constitution's Origination Clause, all appropriation measures have to originate in the House. So we had to take a bill—the House bill we have here on the calendar—and that is why we have to move to the Burma revenue measure tonight to allow the Senate to address this disaster assistance.

The Burma sanctions bill is a bill that the Republican leader has been out in front of for ages. He has been the watchdog of this terrible war and adverse nature that is taking place in Burma. He has been out front on this issue, and I appreciate that very much.

Every year we pass these Burma sanctions unanimously. No one opposes them. The only reason anyone might be holding up this Burma sanctions bill is because my friends on the other side of the aisle, the Republicans, do not want to allow the Senate to vote on disaster assistance. Why do we need to do that? How much more specific do I need to be? We need to help communities hit hard by flooding, tornadoes, hurricanes, and other acts of God. I would think twice if I were one of my Republican friends. I have gone over some of the areas where these tornadoes and these fires and other natural

disasters have occurred and this is our only hope of getting help for these States.

The House is indicating they are going to send us a bill, but they are playing around the edges of what needs to be done. We have a bill that was reported basically out of the Senate Appropriations Committee—from Democrats and from Republicans—supporting it. What is needed is about \$9 billion. We want to be in keeping with the Budget Deficit Reduction Act because in there we are allowed \$7 billion. That is the number we are going to put forward tomorrow on this bill. It would be a real shame if we are not allowed to move to this Burma sanctions bill because everyone voting no to proceed to this is voting no on assistance to these States. There is no other way to do it. We are not going to accept some small number the House sends over. We cannot do that. The House is planning on doing some of its usual stuff—I will say that in a positive sense—in sending us a continuing resolution that we must enact by the end of this month, and they want to stick in the funding for FEMA, which is very low. We cannot allow that to happen.

I hope everyone tonight at 5:30 will vote to allow us to go forward on this most important piece of legislation.

I would ask that the quorum call begin.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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 now closed.

#### APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.J. Res. 66, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Mr. REID. Mr. President, I ask unanimous consent that the time during the quorum call I am about to suggest be divided equally between the majority and the minority.

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. 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.

Mr. SESSIONS. Mr. President, our country is in a very serious economic crisis. We are told by Mr. Erskine Bowles and Senator Alan Simpson—Erskine Bowles was chosen by President Obama to head his debt commission. They gave a statement to the Budget Committee, on which I am ranking member, that this Nation has never faced a more predictable economic crisis based on the size of our debt. All of us know that.

The American people are angry with us. They cannot believe it is possible we are borrowing 40 cents of every dollar we spend. We are spending \$3.7 trillion this fiscal year ending September 30. We will take in \$2.2 trillion, give or take a few hundred billion. This is not acceptable. We cannot continue.

How did it happen? How is it possible we are borrowing 40 cents of every dollar that goes out the door, increasing the permanent debt of the United States? Well, one way is what is happening now before us on the bill that is being moved today by Majority Leader REID. It would add \$6.9 billion to the FEMA account for emergencies. We just saw the legislation less than an hour ago, maybe 30 minutes ago. Has anybody given any serious thought to that? Seven billion dollars? The general fund budget of the State of Alabama is \$2 billion.

Mr. President, \$7 billion is a lot of money, and we have not looked at it, we have not thought about it. It is above the budget, I guess above our budget numbers. We do not have a budget. Senator REID said earlier this year it would be foolish to have a budget—foolish to have a budget. We are now well over 860 days in this Senate without having passed a budget. Is that another reason we are spending the country into bankruptcy?

Well, I do not think this is an appropriate thing. I strongly oppose adding another emergency debt spending bill where we have not carefully examined every penny of it to make sure it is all necessary and appropriate. No one has seen those numbers and the analysis that would justify it.

I come from a State that was hammered with the worst series of tornadoes we have ever suffered in Alabama. I have been to those communities and towns and seen those families who have lost all they had, who have lost loved ones and have injured family members. I know we are going to need to have emergency spending for those programs. We have fires in Texas and we also have flooding. We know that.

We have certain money set aside for emergencies already. How much more do we need to spend? I do not know yet.

I wish to have some very careful expert analysis done before we announce another \$7 billion.

Forgive me if I am frustrated. I think the American people are frustrated. We went through a continual battle for weeks, months, really, over the debt ceiling. I did not like the way that bill was written. I know we had to face up to it, though, and do some things. So we finally reached an agreement. I did not vote for it in the end. But it was supposed to save \$2.1 trillion to \$2.5 trillion—\$2,500 billion, \$2,000 billion—over 10 years.

Next year—the fiscal year beginning October 1—it would reduce the spending for next year by \$7 billion—the very same amount now the majority leader wants us to throw in on top of that as emergency spending, not within our spending limits, not controlled by our spending limits, wiping out that entire saving for next year.

Add on top of that, the President has now announced he wants to spend \$450 billion more. And do not worry, it will be paid for, he told us in the speech Thursday night. How would it be paid for? Well, we will have this debt committee—I will send them a note and say: You cut another \$450 billion over 10 years. Just promise that you will cut another \$450 billion over 10 years, and I will spend \$450 billion now. That is the way we are heading down the road to uncontrollable debt.

I understand the President has announced he wants to raise taxes on businesses and all by \$450 billion, and we may get a proposal on how to do that today. I do not know. We will see how it turns out. I expect to read it. I would expect the President, if he is serious, would tell us precisely what taxes he intends to increase and how much they will bring in. We have to pass it now, we are told, but we have not seen the legislation, to my knowledge, yet. They promised it today.

This is not, in my humble opinion, sound management. The President of the United States has an Office of Management and Budget. Four hundred, five hundred people work there. He is the superintendent of every Cabinet department in our country. They all work at his pleasure. The subcabinet people work for him. He has the entire agencies he can call on to help produce proposals—the Commerce Department, the Treasury Department—on what taxes to raise and what taxes not to, how much should be brought in.

We have opportunities. The President has the staff to send us a detailed proposal about what kind of emergency spending we ought to be undertaking. I do not know if Senator REID conjured this up among his staff or whether he has gotten a detailed proposal from the House, from the President.

Suffice it to say, I hope my colleagues will not move forward to a bill that contains \$7 billion in new spending above our statutory limits that were passed in this debt ceiling—why? Basically to obviate the need of having a budget.

We need not to be moving to legislation and rushing through that kind of new spending program because that is precisely how it is that day after day, week after week, we have increased spending in this country to the point that it cannot be sustained.

Every witness before the Budget Committee has told us we are on an unsustainable path. I just had occasion to go over the food stamp numbers. I knew the food stamp numbers had been going up. When President Bush left office, we were spending \$31 billion, I believe it was, on food stamps. This year we will spend \$79 billion. President Obama will have doubled spending on food stamps—doubled it—in 3 years, not 4. His first year in office, food stamp spending increased 46 percent.

We need to look under the hood of the engine of this program. We want to be sure poor people have food. We are willing to do that. Everybody is. But at a time of fiscal challenge for our Nation, a time of the largest debt we have ever seen, we have to examine all of our programs. Can we justify those kinds of increases? Can we justify emergency spending that is unthought out and not carefully accounted for? I do not think so. I think we should not go to legislation that seeks to do that, and I would oppose cloture on this legislation if that is what is happening, as I believe it is.

Mr. WEBB. Mr. President, as the Senate votes on H.J. Res. 66, a joint resolution to renew the sanctions in the 2003 Burmese Freedom and Democracy Act, it is important to acknowledge that over the past year Burma has undergone a series of changes that may have the potential to point toward a new direction for the country, after years of isolation and repression. On November 7, 2010, Burma held its first election in 20 years. With limited international observation, most will argue that the election was neither free nor fair. Yet it cannot be denied that the election process initiated a new political dialogue in the country, with candidates participating from more than 37 political parties.

The election resulted in a new governmental system and opportunities for engagement. Burma is now in the midst of a key transitional period that has yielded greater opportunities for interaction with government leaders and civil society, and restructuring of government and military institutions. The release of Aung San Suu Kyi from house arrest after the election has also been an important benchmark in this process. Her repeated interactions with government leaders are a significant step forward in encouraging a democratic process and reconciliation within the country.

There are clear indications of a new openness from the government, and the United States should be prepared to adjust our policy toward Burma accordingly. In reauthorizing this legislation, it should be noted that the 2003 Burmese Freedom and Democracy Act

gives the President the authority to waive the prohibitions on any or all imports from Burma if doing so is in the national interest of the United States. I am hopeful that there will be opportunities to closely examine any substantive improvements in our relations during this transitional period, and to take advantage of all of the tools at our disposal to facilitate Burmese economic development, political reconciliation, and ultimately greater progress toward democratic governance.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the joint resolution to renew the import ban on Burma for another year.

I am proud to be joined in this effort once again by Senator MCCONNELL, a true champion for democracy, human rights and the rule of law in Burma.

The House passed this resolution unanimously on July 20 and I urge the Senate to begin action on it now by supporting the motion to invoke cloture on the motion to proceed.

These sanctions expired on July 26 and we should extend them as soon as possible.

We must send a message to the people of Burma that we continue to stand with them in their struggle for a truly representative government.

I have been involved in the struggle for freedom and democracy in Burma for over 10 years.

In 1997, former Senator William Cohen and I authored legislation requiring the President to ban new U.S. investment in Burma if he determined that the Government of Burma had physically harmed, re-arrested or exiled Aung San Suu Kyi or committed large-scale repression or violence against the democratic opposition.

President Clinton issued the ban in a 1997 Executive order and the ban remains on the books today.

In 2003, after the regime attempted to assassinate Aung San Suu Kyi, Senator MCCONNELL and I introduced the Burmese Freedom and Democracy Act of 2003 which placed a complete ban on imports from Burma. It allowed that ban to be renewed 1 year at a time.

It was signed into law and has been renewed one year at a time since then. A renewal of that ban is now before us today.

Since we last debated the import ban on the Senate floor, we have received one piece of good news.

On November 13, 2010, Nobel Peace Prize laureate and leader of the democratic opposition, Aung San Suu Kyi, was released from house arrest.

Her latest detention lasted more than 7, and in total she has spent the better part of the last 20 years in prison or under house arrest.

Her release was wonderful news for those of us who are inspired by her courage, her dedication to peace and her tireless efforts for freedom and democracy for the people of Burma.

Yet our joy was tempered by the fact that her release came just days after a

fraudulent and illegitimate election for a new parliament that was based on a sham constitution.

The regime's intent was clear: keep the voice of the true leader of Burma silent long enough to solidify their grip on power using the false veneer of a democratic process.

Neither I, the people of Burma, nor the international community were fooled.

We all know that the last truly free parliamentary elections were overwhelmingly won by Suu Kyi and her National League for Democracy in 1990, but annulled by the military junta, then named the State Law and Order Restoration Council or SLORC.

In 1992, this military government announced plans to draft a new constitution to pave the way for a return to civilian rule.

Yet the human rights abuses and the suppression of Suu Kyi and the democratic opposition continued and no constitution emerged.

In 1997, the junta changed its name to the State Peace and Development Council, SPDC, in a vain attempt to put a more positive spin on its oppressive rule and lack of democratic legitimacy in the eyes of its people and the international community.

Again, nothing changed.

The new constitution was drafted in secret and without the input of the democratic opposition led by Suu Kyi and her National League for Democracy.

It was approved in an illegitimate referendum held just days after Cyclone Nargis devastated the country in May 2008 setting up elections which eventually took place in November 2010.

It set aside 25 percent of the seats in the new 440 seat House of Representatives for the military.

That is in addition to the seats won in the November, 2010 elections by the Union Solidarity and Development Party, which was founded by the military junta's Prime Minister Thein Sein and 22 of his fellow cabinet members who resigned from the army to form a so-called "civilian" political party.

The constitution barred Suu Kyi from running in the parliamentary elections.

And it forced the National League for Democracy to shut its doors because it would not kick Suu Kyi out of the party.

It should come as no surprise that the military-backed party won nearly 80 percent of the seats in the new parliament.

In addition to preventing Suu Kyi and the National League for Democracy from competing in the elections, the regime ensured that no international monitors would oversee the elections and journalists would be prohibited from covering the election from inside Burma.

President Obama correctly stated that the elections "were neither free nor fair, and failed to meet any of the

internationally accepted standards associated with legitimate elections."

The National League for Democracy described the elections and the formation of a new government as reducing "democratization in Burma to a parody."

Indeed, the new parliament elected Thein Sein, the last Prime Minister of the junta's State Peace and Development Council, as Burma's new president.

He is reported to be heavily influenced by Burma's senior military leader and former head of state, General Than Shwe.

The names change—the State Law and Order Restoration Council, the State Peace and Development Council, the Union Solidarity and Development Party—but the faces, the lack of democracy, the human rights abuses and the lawlessness remain the same.

So while we celebrate the release of Aung San Suu Kyi, we recognize that Burma is not free and the regime has failed to take the necessary steps to lift the import ban.

As called for in the original Burmese Freedom and Democracy Act, we must stand by the people of Burma and keep the pressure on the military regime to: end violations of internationally recognized human rights; release all political prisoners; allow freedom of speech and press; allow freedom of association; permit the peaceful exercise of religion; and bring to a conclusion an agreement between the military regime and the National League for Democracy and Burma's ethnic minorities on the restoration of a democratic government.

By every measure, the regime has failed to make progress in any of these areas.

We cannot reward the regime for 2,100 political prisoners, the use of child soldiers or the persecution of ethnic minorities. We can't reward the use of rape as an instrument of war or the continued use of torture. And we can't reward the use of forced labor or the wholesale displacement of civilians.

Until the regime changes its behavior and embraces positive, democratic change, we have no choice but to press on with the import ban as a part of a strong sanctions program.

This must include tough banking sanctions.

I would like to take this opportunity to once again urge the administration to put additional pressure on the ruling military junta by exercising the authority for additional banking sanctions on its leaders and followers as mandated by section 5 of the Block Burmese Junta's Anti-Democratic Efforts Act.

Some of my colleagues may be concerned about the effectiveness of the import ban and other sanctions on Burma and the impact on the people of Burma.

I understand their concerns. I am disappointed that we have not seen more progress towards freedom and democracy in Burma.

But let us listen to the voice of the democratic opposition in Burma on the efficacy of sanctions:

A paper released by Aung San Suu Kyi and the National League for Democracy in February 2011 argues that sanctions are not targeted at the general population and are not to blame for the economic ills of the country.

Rather, the economy suffers due to mismanagement, cronyism, corruption and the lack of the rule of law.

The best way for the Burmese government to get the sanctions lifted, the paper argues, is to make progress on democracy, human rights, and the rule of law. It concludes:

Now more than ever there is an urgent need to call for an all inclusive political process. The participation of a broad spectrum of political forces is essential to the achievement of national reconciliation in Burma. Progress in the democratization process, firmly grounded in national reconciliation, and the release of political prisoners should be central to any consideration of changes in sanctions policies.

I agree.

So, let us once again do our part and stand in solidarity with Aung San Suu Kyi and the people of Burma.

I urge my colleagues to support this important legislation and vote yes on the motion to invoke cloture on the motion to proceed.

I yield the floor.

## MORNING BUSINESS

### REMEMBERING 9/11

Mr. LEAHY. Mr. President, yesterday, Americans across the country gathered to remember the thousands of innocent lives that were taken so cruelly and indiscriminately in the terrorist attacks on September 11, 2001. Although a decade has passed, I vividly remember that tragic day. I was right here in Washington when American Airlines flight 77 struck the Pentagon. It was a defining moment for our country. Congress acted swiftly to create a fund to aid victims of the attacks, and we worked in a bipartisan manner to update our laws to counter these new enemies. In the years since September 11, 2001, the threat that violent extremists pose to America has endured, if not increased. Fortunately, the increased attention to preventing terrorist attacks by both the Bush and Obama administrations has prevented another large scale attack, and foiled numerous plots.

As we remember the victims of the September 11 attacks, and the soldiers and National Guard members who we have lost in the wars in Iraq and Afghanistan, we should also reflect on the lessons we have learned. In the aftermath of this tragedy, it became clear that turf battles between Federal law enforcement and intelligence agencies, and a resulting lack of information sharing between these agencies, contributed to the failures that allowed the hijackers to enter the country and evade authorities. In addition,