

grown up in a generation that says marijuana doesn't count, and they are wrong. Or they are engaged in other drugs. They just cannot expect to be taken seriously as a job applicant if they cannot pass a drug test. They will not get through the front door.

Those three things—basic skill and training, attitudes of families toward jobs in manufacturing, and the drug tests—have turned out to be the three obstacles that have been raised time and again all across Illinois. But we can overcome each one of them, and we should. We can fill these jobs, good American jobs, with skilled set people who can produce for this country for many years to come.

#### CITIZENS UNITED

Mr. DURBIN. Mr. President, this year's political campaigns are different than just 2 years ago. There is a dramatic infusion of money from so-called super PACs. Now we are starting to learn the identity of those who were behind it. Just yesterday there were disclosures about some of the contributors. Many of the names are familiar—the same very wealthy people who have, time and again, been engaged in our political process. The new approach, of course, is that there is no limitation in what they can spend. In addition, there is little disclosure on a timely basis.

There are a lot of reasons for that. One of them is the Supreme Court decision in *Citizens United*. It may be as flawed a decision as that Court has ever made: to equate corporations and special interest groups with average Americans when it comes to our political process and say speech is money, money is speech, and say, basically, there are no rules or limits in terms of what a special interest group or a corporation can spend in our political process.

I cannot think of a more corrupting influence. We know politics and campaigns have become more expensive in this country every year. Those of us who are engaged in this business have, over our political lifetimes, seen a dramatic evolution in terms of how money is raised and spent. I can recall, in my first race in 1982 for the U.S. House of Representatives, raising and spending what was then almost a record amount in a House race against an incumbent Congressman of \$800,000. It was a huge amount of money then, as I said, one of the most expensive congressional races to date. I waited anxiously for a \$25,000 check from the Democratic National Campaign Committee they had promised, but it never showed up. But \$25,000 was a big deal.

Look where we are today. It is not unusual for candidates for Congress and the Senate to spend millions of dollars routinely in electing and reelecting Members of the House of Representatives. On our side of the Rotunda just dramatically increase those numbers, and you will see the basic po-

litical field we play on in political campaigns.

The *Citizens United* decision was a step in the wrong direction. It wasn't that long ago when two of our own—a Republican, JOHN MCCAIN, and a Democrat, Russ Feingold of Wisconsin—teamed up to end soft money in politics and to try to bring down the infusion of money from outside interests. They took years to reach their goal. Finally, when they did, after being challenged in court, they were picked away at over the years, and now with *Citizens United*, they have been toppled completely. Now the field is wide open.

Whether we are talking about the need to reduce the deficit, reform the Tax Code, create jobs, most everybody knows different parties have different ideas. What many people don't know is that there are special interest groups that have their own agenda and ideas on these and so many other issues. It is just hard for Presidential candidates and Members of Congress to navigate through or around the special interests that have now become such an integral part of campaigns. The major donors in the *Citizen United* decision are a major force in American politics.

I believe the overwhelming majority of people serving in the House and Senate in both parties are honest and hard-working people. I believe they are guided by good intentions. We are nonetheless stuck in a terrible, corrupting campaign financing system. That decision by the Supreme Court 2 years ago made our system so much worse that I think the only thing that can save it—literally save it so our democracy is protected—is a dramatic change.

After *Citizens United*, corporations and unions can spend as much money as they want to influence the Presidential race, as well as congressional elections, and the Federal and State and local elections as well. In 2010, for the first time ever, spending on House and Senate races exceeded \$1.6 billion. Outside groups spent 335 percent more on congressional campaigns than just 4 years earlier. Those numbers are still like a drop in the bucket compared to this year, this election cycle. The super PAC money is being used, as we have seen in the Republican Presidential primary, to fund negative, deceptive ads in support of candidates who are loosely, albeit not officially or formally, connected to those running super PACs.

I think of the situation with former Speaker of the House Gingrich. One man and his wife have literally financed Gingrich's campaign in two States, with \$5 million contributions in each of those States, as I understand it. That, to me, is a corruption of the process. You can bet that big business isn't going to be shy about engaging in the *Citizens United* strategy of spending money to influence the outcome of elections, and you can bet it will impact those of us who serve in the Senate and House. We know every single

day as we vote, there is the potential for some special interest group out there deciding that is the breaking point; that from that point forward they will do everything in their power to defeat us, and they can spend as much as they want to get the job done. It is a humbling, sobering reality from the *Citizens United* decision.

Well, there is an alternative. One is a resolution that has been offered by the Presiding Officer, which I am cosponsoring. That is a constitutional amendment that would reverse *Citizens United*. We all know how uphill that struggle will be, but at least we have staked out a position to say we have to overturn this decision; we have to go back to the days of accountability and manageability when it comes to financing campaigns. I applaud the Presiding Officer, the Senator from New Mexico, for his leadership on that issue.

There is another issue too, one that I think we should continue to bring up and discuss. It is called Fair Elections Now. The Fair Elections Now Act is a bill that I have introduced in many Congresses. It would dramatically change the way congressional campaigns are funded. It would make super PACs irrelevant. The bill would allow candidates to focus on the needs of the people they represent regardless of whether those people are wealthy or whether they donate to a super PAC, attend a fundraiser, or try to find special access to a candidate.

Candidates in the fair election system would not need a penny from special interest lobbyists or corporations to run their campaigns. Under this system, qualified candidates for Congress—and to qualify, they would need to raise small contributions in volume in the State they are running in—those qualified candidates would receive grants, matching funds, and television broadcasting vouchers from the fair elections fund to help them run competitive campaigns. In return, candidates who voluntarily participate in the fair election system would agree to only accept campaign donations from small-dollar donors in their States.

We pay for the fund by asking businesses that earn more than \$10 million a year in Federal contracts to pay a fee of one-half of 1 percent, with a maximum amount of \$500,000 per year. That would fund it, and it would make certain that under the fair election system we would have public financing and we would put it into this money chase that I believe is not only corrupting our campaign system but could someday corrupt the very government we are proud of and represent as elected officials.

It is time to reform our system. I am afraid, as I said in one gathering recently, if you are a student of history, it takes a massive scandal or crisis to create a massive reform. I hope that doesn't happen. I hope we have the good sense to move toward reform

without that happening. In the meantime, what is happening to our political system is not in the best interest of democracy.

If the average person who is not wealthy cannot even consider the possibility of being a candidate for Congress without the backing of huge special interest groups or without their own personal wealth, then we have lost something. A lot of us who got engaged in public life many years ago might never have considered it under today's rules because it is so expensive and overwhelming. Any person who now steps up and says they are ready to run for Congress or the Senate is introduced quickly to what is known as the "Power Hour"—dialing for dollars. We sit them down in a chair and they get on the phone and call this list and beg every person they can reach for at least \$2,300, \$2,500. And they keep calling until the Sun goes down, and they start again the next day.

There was a time when many of these candidates would not be sitting talking to the wealthiest givers in America but would be out in their States and districts talking to the people whose needs they ought to appreciate. That time has changed. We can change it back. We need to have the support of the American public and the political will in both political parties to achieve it.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. I ask the President to notify me when I have used 30 minutes.

The ACTING PRESIDENT pro tempore. The Chair will do so.

#### RECESS APPOINTMENTS

Mr. ALEXANDER. Mr. President, last week we Republican Senators had an extraordinary experience that millions of Americans have had and will have in the future: We spent a day at Mount Vernon, George Washington's home, which is not more than about 40 minutes from the Nation's Capital.

Even in the middle of winter, it is a beautiful, historic setting. It is hard to imagine why George Washington and Martha Washington would ever want to leave the place.

Touring the rooms, we could imagine what life must have been like then. There are many things that impress any of us when we visit there.

One thing that especially impressed me was the fact that, despite the beauty of the place and Washington's love for farming, he was gone from Mount Vernon for 8½ years during the Revolu-

tionary War. He never went home; he was always in the war. Even when he was President of the United States for 8 years, he was only at Mount Vernon 10 times during those 8 years; and after the Presidency, of course, he soon died. So he gave up quite a bit to be President of the United States.

There were other things that impressed me about our visit to Mount Vernon. One was the reminder that our Revolution was a revolution against a King. George Washington, as commander in chief of the Continental Army, led a fight for independence from a King whom the signers of the Declaration of Independence stated, had a "History of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States."

Those were our Revolutionary Founders talking. As President of the Philadelphia Convention, George Washington presided over the writing of the U.S. Constitution which emphasizes, if it emphasizes any one word, the idea of "liberty" in creating the system of government we enjoy today.

Then there was another aspect to George Washington of which we were reminded which would be good for us to think about today and that was his modesty and restraint.

George Washington must have had remarkable presence. He never had to say very much, apparently, to command the attention and respect of his countrymen. He likely could have been general of the Army as long as he wished and President of the United States as long as he wished, but he chose not to do that.

It was he who first asked to be called simply Mr. President, rather than some grand title. It was Washington who gave up his commission when the war was over, and it was Washington who stepped down after two terms and went home to Mount Vernon. In fact, that aspect of his character was imprinted upon the American character, that modesty and restraint on the part of the executive branch and a recognition that our system depends absolutely on checks and balances.

I am struck by that attitude and the different attitude I see in the administration of President Obama, which has shown disregard for those checks and balances and the limits on Presidential power that our Founders and George Washington felt were so important.

This administration, over 3 years, has been arrogating more power to the executive branch of government and upsetting the delicate balance, which the Founders created for the purpose of—what? For the purpose of guaranteeing to each of us as individuals the maximum amount of liberty.

I remember Senator Byrd saying time and time again that the purpose of the Senate, more than anything else, was a restraint upon the tyranny of the executive branch of government. That is our purpose as a Senate.

This President's Executive excesses were first illustrated by the creation of more czars than the Romanovs had.

We have always had some so-called czars in the White House—the drug czar, for example. But now we have approximately three dozen of them. These czars duplicate and dilute the responsibilities of Cabinet members; they make it harder for the Congress, us, to have a supervisory role over exactly what they are doing. It is not only antidemocratic, it is a poor way to manage the government.

Equally disturbing to me has been this administration's use of regulation and litigation to bypass the Congress and the will of the people when the Congress has a different point of view.

For example, this was the case with the National Labor Relations Board and their decision in the Boeing case; which has now been apparently resolved but which was an enormous—an enormous abuse of power, in my opinion.

Then the President is taking to blaming almost everyone for the problems we see in our lives today: First, it was President Bush, then it was the banks, then it was business, then it was the insurance companies, then it was Wall Street, then it was 1 percent of us, and now it is the Congress, which of course is in a government that is primarily run by the President's own political party.

The President has taken to saying in his campaign speeches and his State of the Union Address the other day, "If Congress won't act, I will," and he has begun to show that is no idle threat.

Because now, on top of these other abuses, with his recent appointments to the National Labor Relations Board and the Director of the Consumer Financial Protection Bureau to head a new and unaccountable agency, the president has undermined the checks and balances that were placed in our Constitution and that George Washington so respected.

This Senate has always been the place—whether it was a Democratic Senate arguing about the appropriateness of President Bush using war powers, this Senate has always been the place that has insisted upon checks and balances and the liberty of the people as guaranteed by those checks and balances.

The President's recent actions have shown disregard for possibly the best known and possibly most important role of the Senate and that is its power of advice and consent of executive and judicial nominations as outlined in Article II, Section 2 of the Constitution.

These actions, four appointments during a period of time when the Senate, in my opinion, was in session, fly in the face of the principle of separation of powers and the concepts of checks and balances against an imperial President.

Let's look for a moment at the history and precedents of recess appointments. The exact length required for a