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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, sustainer of us all, give today to our Senators reverence to realize Your presence, humility to know their own needs, trust to ask You for help, and obedience to accept Your guidance. Remind us all that all great things have their price.

May we remember that there is no purity without vigilance, no friendship without loyalty, no joy without service, and no crown without a cross. Help us to be willing to pay the price that we may enter into our reward.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Madam President, I now move to proceed to Calendar No. 365, S. 2343.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to calendar No. 365, S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

Mr. REID. Madam President, following my remarks and those, if any, of the Republican leader, the Senate will begin debate on several motions to proceed to Republican budget resolutions. Consent was asked last night, I am quite sure, that the first hour be equally divided between the two leaders, with the majority controlling the first half and Republicans the final half. That is already done?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. There will be up to 6 hours of debate on the motions to proceed to the budget resolutions. Senators should expect five rollcall votes around 4 p.m. if all time is used, and it probably will be.

MEASURE PLACED ON CALENDAR

Mr. REID. Madam President, S. 3187 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee

programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. Madam President, I would object to any further proceedings with respect to this legislation at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill shall be placed on the calendar.

OBSTRUCTIONISM

Mr. REID. Madam President, it is almost universally acknowledged that Republican obstructionism has reached new heights in the Senate. There are separate articles written about it. There are even now books written about it. Democrats would have to break a filibuster, I guess, to declare the sky blue or the Earth round, and passing the most commonsense and consensus legislation could take weeks or months. So with a mile-long list to do, we can't afford to waste any time. Yet today Republicans will force the Senate to waste a day on a series of political show votes. We will spend hours debating and voting on a handful of nonbinding budget resolutions even though we already have a legally binding budget. If one of the Republicans' budgets passed—which it won't—by law, it is nonbinding. We have a binding budget resolution.

The Senate could spend the day passing tax cuts for small businesses that grow and hire people or even legislation to keep the Food and Drug Administration running. We could be considering the Paycheck Fairness Act, ensuring American women receive equal pay for equal work. We could be debating cybersecurity legislation, and the Pentagon says the No. 1 issue facing this country today is cyber-insecurity. We could be working on a farm bill. Senators STABENOW and ROBERTS have done such an outstanding job saving the country \$23 billion and reducing the debt by that much. We should be on that bill. We could be protecting 7 million students from rate hikes on their Federal loans. We could even move a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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series of appropriations bills to implement the budget we have already enacted. Instead, we will debate and vote on a series of stunt budgets.

Republicans aren't interested in getting anything done this year. They have said so from the very beginning. Their leader, my friend from Kentucky, has said the No. 1 issue is to defeat President Obama. So they don't mind wasting a day of the Senate's time on useless political show votes.

Republicans can say over and over that they are only forcing votes on four Republican budgets today because Democrats failed to pass their own budget. That couldn't be further from the truth. In August Congress passed and President Obama signed a budget that reduces the deficit by more than \$2 trillion. It is called the Budget Control Act. Twenty-eight Republican Senators, including my friend the minority leader, voted for that last legally binding budget. But since August those Republicans have developed a case of amnesia. Why else would they walk around Washington claiming we don't have a budget? And unlike the hollow Republican budget resolutions the Senate will waste the day debating, the Budget Control Act actually has the force of law. If Republicans were serious about reducing the deficit, they wouldn't be working so hard to undo that August law, which cuts more than \$2 trillion from the deficit.

Democrats agree that the across-the-board cuts to domestic spending and defense programs—agreed to in the Budget Control Act—aren't the ideal way to solve our Nation's fiscal problems. But the cuts were designed to be tough so lawmakers were forced to reach a balanced deal. Unfortunately, Republicans refuse to be reasonable. They refuse to raise even a penny of new revenue or ask millionaires to contribute their fair share to help reduce our deficit. And Democrats won't agree to a one-sided solution that lets the superwealthy off the hook while forcing the middle class to bear all the hardship. The American people agree with this.

These four stunt budgets all take that one-sided approach, which protects wealthy special interests at the expense of ordinary Americans, and they clearly illuminate the Republicans' priorities—to shower the wealthy with tax breaks paid for by the middle class. All four of the Republican plans cut investments that help middle-class families get back on their feet in order to increase tax breaks for businesses that ship jobs overseas. All four plans would double the student loan rate. It would put colleges out of reach for many students in order to protect tax loopholes for special interests. All four plans end Medicare as we know it, gutting seniors' health benefits to lavish more tax breaks on millionaires and billionaires.

Yesterday the Senate showed it is possible to advance policies that improve our economy and put Americans

back to work as long as Democrats and Republicans work together. On an overwhelmingly bipartisan vote yesterday, we passed the Export-Import Bank reauthorization that will support 300,000 jobs during the next year, and these jobs will help American companies sell their products overseas. But every moment we waste refighting old battles or revisiting Republicans' failed economic policies is time that could be better spent creating jobs. The time for show votes is over. Now it is time for the Senate to get back to work putting Americans back to work.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE BUDGET

Mr. McCONNELL. Madam President, before I was Republican leader, I was probably best known as a lonely warrior against campaign finance reform on the grounds that it violates the first amendment right to free speech. Before that, I was probably best known—at least in some quarters—for an ad that I ran in my first Senate campaign that featured a pack of bloodhounds running around looking for my opponent, who had missed so many votes giving paid speeches around the country that we thought we should call him out on it. Well, I can't help but think back on that ad when it comes to Senate Democrats and the Federal budget. Where in the world is it? Where is the budget?

We have a nearly \$16 trillion debt. We are borrowing more than 40 cents of every dollar we spend. Entitlements are going broke. Millions are out of work. And Senate Democrats can't even put a plan on a piece of paper so we can have a vote. What are they doing over there? What are they doing?

Isn't anybody over there embarrassed by the fact that they haven't offered a budget in 3 years? It has been 3 years since the Democrat-led Senate felt it needed to put a budget together so the American people can see what their priorities are and what they plan to do to fix this mess, 3 years in which they have completely abdicated their responsibility as the majority party to show the American people what they stand for, to put their vision in black and white for all the world to see. The fact is they don't have it. They don't have a budget.

As far as I can tell, their only plan is to take shots at our plans and hope nobody notices that they don't have one of their own. They are so unserious, they won't even vote for a budget that was written by a President of their own party. It doesn't get more irresponsible than that.

I think Treasury Secretary Geithner summed it up pretty well when he was asked a few months ago what the administration planned to do to address entitlements—the single biggest driver of the national debt. Here is what the Secretary of the Treasury had to say:

We're not coming before you today to say we have a definite solution to that long-term

problem. What we do know is, we don't like yours.

You have to give the guy points for candor—no plan of his own, but he doesn't like ours. What breathtaking disregard for the problems we face.

So if you are looking for a simple three-word description of the Democratic approach to the problems we face, it is this: Duck and cover. Duck and cover. They don't have a budget of their own. They are going to vote against their own President's budget later today, in all likelihood, and they are going to vote against every budget Republicans put up.

Now, the majority leader has tried to get around all this by suggesting that the Budget Control Act we negotiated last fall should count as a budget since it sets the top-line amount we are going to spend. But he knows as well as I do that is not a budget. A budget is a list of priorities. It reflects your values as a party. It shows the tough choices you are willing to make. It is not just dollar figures, it is a vision. It is the responsibility of any majority party to put one together, to stand and be counted. But since Democrats refuse to do their duty by the Nation, Republicans will attempt to do it for them.

Later today we will vote on five different budget proposals: the President's, Congressman PAUL RYAN's, Senator PAT TOOMEY's, Senator PAUL's, and Senator MIKE LEE's. We will give Democrats a choice and see if they have the courage to get behind any of these proposals—or none of them—and we will learn a lot in the process.

By the end of the day we will know whether there is a budget that Washington Democrats support, and the American people will know without a doubt who is voting for solutions in this town and who isn't. They will know who has a plan to fix the mess we are in and who doesn't. They will know who would rather spend their time criticizing others than doing the hard work of setting priorities and making choices.

Senate Democrats do not want to explain how they will fix the fiscal mess we are in. They do not want to say how they will preserve and strengthen entitlements. What they want to do is complain about others. They are putting their desire for campaign material ahead of their responsibility to govern.

The tragedy is every year they do so, the problems we face only get worse. The debt gets bigger, entitlements get closer to insolvency, and the American people have to go another year wondering when things will ever change.

Some people up here think it is time to do something now and we will know who those people are by their votes.

Madam President, I now ask the Chair execute the order with respect to the five motions to proceed to the budget resolutions provided for under the order.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

S. CON. RES. 41, H. CON. RES. 112, S. CON. RES. 37, S. CON. RES. 42, S. CON. RES. 44 EN BLOC—MOTIONS TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the en bloc consideration of the following concurrent resolutions, which the clerk will report.

The assistant legislative clerk read as follows:

Motions to proceed to Calendar No. 357, S. Con. Res. 41; Calendar No. 354, H. Con. Res. 112; Calendar No. 356, S. Con. Res. 37; Calendar No. 384, S. Con. Res. 42; Calendar No. 395, S. Con. Res. 44.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 6 hours of debate equally divided between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from North Dakota.

Mr. CONRAD. Madam President, this is a consequential discussion today. It is a question of the future economic policy of the United States. That is what we are talking about here today. I just heard the Republican leader say there is no budget. I don't know how to say this, but sometimes I wonder if colleagues pay attention to what they are voting on here. Last year in August we did not pass a budget resolution; instead, we passed a budget law.

Anybody who has had 10th grade civics knows a law is stronger than any resolution. A resolution is purely a congressional document. It never goes to the President for his signature. A law has to pass both bodies and be signed by the President. Last year, instead of a budget resolution, we did a budget law called the Budget Control Act.

The Budget Control Act set the budget for the next 2 years, for this year and next. More than that, it set 10 years of spending caps, saving \$900 billion. In addition, the Budget Control Act gave a special committee the authority to reform the tax system and the entitlement system of the country, and it said: If you come to an agreement, special committee, your action cannot be filibustered. You have to go right to the floor for a vote. And if you do not agree, there will be an additional \$1.2 trillion of spending cuts put in place.

The special committee did not agree, so that additional \$1.2 trillion of spending cuts is now the law, in addition to the \$900 billion of spending cuts. That is a total spending cut package of more than \$2 trillion. That is the biggest spending cut package in the history of the United States. For our colleagues to say there are no spending limits in place—really? What is the Budget Control Act, then? It is a law passed overwhelmingly in the Senate. It passed in the House. It was signed by the President of the United States.

Why are they engaged in this diversion? I think I know why. Because the

last time our colleagues on the other side were in control, when they had it all, the House, the Senate, the White House—from 2001 to 2006 they had both Houses of Congress, until 2008 they had the White House, so of course nothing could be changed in terms of the policies they put in place until we had a new President. And what happened when they had total control and their policies were in place? Republican policies led the United States to the brink of financial collapse. That is what happened. Do you know what they want to do now? They want to go back to those failed policies and do it all over again.

We cannot let them do that. That would be a disaster for this country. It would be a disaster for the world's economy. I do not know what could be more clear than when their policies were in place they brought this Nation to the brink of financial collapse. I remember those days. I remember being called to a special meeting in this building with the leaders of the House and the Senate and the head of the Treasury Department under President Bush and the Chairman of the Federal Reserve, who told us if they did not take certain actions the next day there would be a financial collapse in the United States within days. I was in the room when the rescue for the major financial institutions in this country was designed and we were told, late on a Saturday night, if we did not reach agreement by the next day the Asian markets would open Sunday night and they would collapse and our markets would open the next Monday and they would collapse.

Barack Obama was not the President; George W. Bush was the President. The Republican economic policies had been put in place in 2001, in 2002, in 2003, and those policies were still in place when we came close to collapse. We do not forget.

Let's go back to what happened with the private sector jobs picture. At the end of the Bush administration we were losing 800,000 jobs a month. Now we are gaining 130,000 in the last month. In the months before that, immediately preceding, we were gaining about 200,000 jobs a month. We have had a gain, now that the economy has started to turn around under this President, of 4 million jobs created in the private sector.

There it is. The red line is the results of the last time the Republicans controlled the policy here—job losses every month. Finally, under this President things have begun to turn around. Instead of losing jobs we are gaining jobs, and the same is true on economic growth. On economic growth the record is very clear. In the last quarter of the Bush administration the economy was shrinking at a rate of almost 9 percent. You can see it there, that long red bar—the economy in the last quarter of the Bush administration shrinking at a rate of almost 9 percent. But that, too, has turned around under this new President and we are now averaging

economic growth of about 3 percent—a dramatic improvement.

But our Republican friends are not satisfied. They want to take us back. They want to take us back to those failed policies that had the economy shrinking at a rate of 9 percent, had us losing 800,000 jobs a month. We are not going to support that. We are going to oppose that. One thing the Republican leader got right is we are going to be voting against going back to those failed policies that put this economy in the ditch, that put us on the brink of financial collapse. He is absolutely right. We are going to oppose that.

Our policies have begun to turn things in the right direction. Here are the positive signs for the U.S. economy: 26 consecutive months of private sector job growth; 11 consecutive quarters of real GDP growth; unemployment rate down; manufacturing has expanded for 33 consecutive months; consumer confidence is showing signs of improvement—in fact, the last consumer confidence reading is at a 4-year high; U.S. auto manufacturers that were on the brink of bankruptcy under the Bush administration policies, the Republican policies, are now returning to profitability; and State revenues are showing signs of improvement.

One way we can reality-test is how is our economy doing compared to our major competitors. How are we doing compared to the Europeans? How are we doing compared to Japan? How are we doing compared to the United Kingdom? On every one of those tests the United States comes out on top. Our economy is performing better than the European zone—all the European countries combined. We are doing better than Japan. We are doing better than the United Kingdom. This chart shows the story. Our economic growth is the best, compared to our major competitors.

If there is any doubt that Republican policies had us on the brink of financial collapse, we can look to the study that was done by Alan Blinder, the former Deputy Chairman of the Federal Reserve, and Mark Zandi, who advised the McCain campaign on economic policy. The two of them did an analysis of the Federal actions taken to deal with the fiscal crisis and the financial crisis. Here is what they conclude:

We find that its effects on real GDP, jobs and inflation are huge, and probably averted what could have been called Great Depression 2.0.

When our friends attack the President and say he did not lead—really? He averted a depression. He prevented a financial collapse, because that is exactly where we were headed when the Republicans were in control.

Zandi and Blinder went on to write:

When all is said and done, the financial and fiscal policies will have cost taxpayers a substantial sum, but not nearly as much as most had feared and not nearly as much as if policymakers had not acted at all. If the comprehensive policy responses saved the