



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, TUESDAY, JULY 17, 2012

No. 107

Senate

The Senate met at 10 a.m., and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

God of grace and glory, You have already blessed us this day. We pause now to acknowledge that we borrow our heartbeats from You and that because of You we live and breathe and move and have our being.

Continue to nourish and sustain this Nation during these difficult and dangerous days. Thank You for the brave men and women in our Armed Forces and the members of their families who daily sacrifice to keep freedom's flame burning.

Lord, surround our lawmakers this day with Your spirit of reconciliation that they may put aside that which brings division and embrace that which engenders unity. May Your blessing and benediction enable our Senators to work together in harmony and peace.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 17, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

DISCLOSE ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 446, S. 3369.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3369, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements of corporations, labor organizations, super PACs, and other entities, and for other purposes.

SCHEDULE

Mr. REID. For the information of all Senators, the time until 12:30 p.m. today will be divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority the second 30 minutes.

We will recess from 12:30 p.m. until 2:15 p.m. today to allow for our weekly caucus meetings.

Additionally, the time from 2:15 p.m. until 3 p.m. will be equally divided and controlled. At 3 p.m. there will be a cloture vote on the motion to proceed to the DISCLOSE Act, which was debated last night and will be debated again this morning.

THE DISCLOSE ACT

Mr. President, the corrosive effect of money on American politics isn't a product of the 21st century. More than 100 years ago, moneyed special interests had already tested the integrity of this country's political system.

In 1899, copper billionaire William Clark was elected to the U.S. Senate by the Montana State legislature. The contest was considered so blatantly swayed by bribery the Senate refused to seat him. Here is how Clark famously responded:

I never bought a man who wasn't for sale.

We in Nevada have some connection with that name because Las Vegas is in Clark County. Clark County was formed in the early part of the 20th century. The largest county in America was Lincoln County and that was divided between Lincoln and Clark Counties, and this character, William Clark, is who that county was named after.

But after Clark made this remark, and people realized he had blatantly swayed the State legislature by bribery, the U.S. Senate refused to seat him. He became a Senator anyway—not for long, but he became a Senator. As I have learned from people who know a lot about Montana history, Clark was very clever. The Governor of the State of Montana went to San Francisco, to the acting governor—the lieutenant governor—after he was denied his seat, and he reappointed him to the Senate. So he got to the U.S. Senate by virtue of the shenanigans that took place. Incensed Montana voters went on to pass the Corrupt Practices Act via a referendum. They voted for it. Less than a decade later, Republican President Theodore Roosevelt reined in unlimited corporate giving to political candidates at the Federal level as well—not only in Montana but at the Federal level.

This Nation has a long history of curbing the corrupt influence of money in politics. But with the Citizens

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



Printed on recycled paper.

S5051

United decision, the Supreme Court of our country erased a century of effort to protect the fairness and integrity of American elections. That disastrous decision opened the door for corporations, anonymous billionaires, and foreign interests to spend hundreds of millions of dollars influencing voters.

For anyone who dismisses this change as politics as usual, they should think again. During this year's election, outside spending by GOP shell groups is expected to top \$1 billion—that is billion with a "B." The names of these new front groups contain words that are warm and fuzzy, such as "freedom" and "prosperity." But make no mistake, there is nothing free about an election purchased by a handful of billionaires for their own self-interest.

Just one of those outside groups—just one of them—backed by wealthy oil interests, has promised to spend \$400 million on negative ads filled with half truths and distortions of President Obama's record. By comparison, during the 2008 election—less than 4 years ago—Senator JOHN MCCAIN's Presidential campaign spent \$370 million total. That was a huge amount of money in that day, but it is being dwarfed by these outside groups this year. So this year one group's special interest money will dwarf the entire budget of the Republican nominee JOHN MCCAIN in the last Presidential election.

Democrats and the majority of Americans believe these unlimited corporate special interest contributions should be outlawed. But in the post-Citizens United world, the least we should do is require groups spending millions on political attack ads to disclose the donors. We owe it to the voters to let them judge for themselves the attacks and the motivation behind them. But they can only do that if they know who is doing it. The DISCLOSE Act would require political organizations of all stripes, liberal and conservatives alike, to disclose donations in excess of \$10,000 if they will be used for campaign purposes.

Safeguarding fair and transparent elections used to be an arena where Democrats and Republicans could find common ground. As far back as 1997, the Republican leader, our friend Senator MCCONNELL, said, "Disclosure is the best disinfectant." In fact, 14 Republicans now serving in the Senate voted to support stronger disclosure laws in the year 2000. Yet last night, those same 14 Republicans did an about-face, and every one of my Republican colleagues voted to block the DISCLOSE Act.

It is obvious the Republican priority is to protect a handful of anonymous billionaires—billionaires willing to contribute hundreds of millions of dollars to change the outcome of elections. But today, again, they will have an opportunity to consider that backwards priority. We are doing that with the motion to reconsider which I announced last night. They will have the

opportunity to stand for the average voter instead of these billionaires.

I hope they join Democrats as we work to ensure all Americans—not just the wealthy few—have an equal voice in the political process.

RECOGNITION OF THE MINORITY LEADER

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

TAX INCREASES

Mr. MCCONNELL. Mr. President, last week, in response to another disappointing month of job growth, President Obama issued a truly bizarre ultimatum—a truly bizarre ultimatum: Let me raise taxes on a million businesses or I will raise taxes on everybody. Let me raise taxes on a million businesses or I will raise taxes on everybody.

Yesterday, Democratic leaders in Congress took this strange new economic theory—whereby politicians purport to help job creation by hurting job creators—to dizzying new heights. Yesterday, Senate Democratic leaders said they would actually prefer—prefer—to see America go off the so-called fiscal cliff this coming January—along with the trauma that would unleash on our economy—than let businesses maintain their existing tax rates. That was the position of Democratic leaders yesterday: They would rather see America go off the fiscal cliff in January than let a million businesses maintain their current tax rates.

It is an astonishing admission—an astonishing admission. Democrats in Congress are now saying they would rather see taxes go up on every American at the end of the year than let about a million businesses keep what they earn now. They would rather let taxes go up on everybody in the country rather than allow a million businesses to keep the money they earn now.

This isn't an economic agenda—it is not an economic agenda—it is an ideological crusade. This morning, Ernst & Young is releasing a study which shows that President Obama's plan to raise taxes on these businesses will result in 710,000 fewer jobs. What a great idea: Let's raise taxes on a million of our most successful small businesses and eliminate 700,000 jobs in the middle of the most tepid recovery in anybody's memory. What a terrific idea. For those who manage to keep their jobs, real aftertax wages would fall by an estimated 1.8 percent, meaning living standards would decline as government sucks more capital out of the economy.

The President's proposal, in other words, is a recipe for economic stagnation and decline—a recipe for economic stagnation and decline. But the Murray proposal—the idea we should raise taxes on everybody—is even worse. Not only would it trigger another recession, it would put the global economy at risk. Here is the Democratic theory: that a massive income tax increase on 140 million American taxpayers wouldn't be so bad because the effects

wouldn't be felt right away. It wouldn't be so bad because the effects wouldn't be felt right away.

This bizarre conclusion can only be reached by politicians and budget analysts who have never worked a day in the private sector, who don't understand what goes into cutting a paycheck for employees, and who don't have a concept of the planning—the planning—that is necessary to operate a business on thin margins in a tough economy.

This shows how out of touch these people are, to rely on the analysis of Ivy Tower liberals instead of listening to the jobs groups that have been pleading with us to fix this problem sooner rather than later and end the uncertainty that is acting like a big wet blanket over our entire economy.

Today another nonpartisan group, the Business Roundtable, urged Congress to adopt the Republican plan to extend current tax law for a year and make a bridge to tax reform. In a letter to Congress, the group's chairman, Boeing CEO Jim McNeerney, warned:

Without effective action soon, this uncertainty will spawn a dangerous crisis, threatening our economy, businesses and workers.

What Republicans have been saying is that we should eliminate this uncertainty right now. We should eliminate the uncertainty that Boeing employees—nearly 85,000 of whom work in Washington State—and so many others are facing right now. We should tackle these problems now rather than waiting until the end of the year.

Let me just boil it down. Faced with the slowest economic recovery in modern times, chronic joblessness, and the lowest percentage of able-bodied Americans actually participating in the workforce in literally decades, Democrats' one-point plan to revive the economy is this: You earn, we take. You earn, we take is apparently the only thing they have.

Surely we can do better. I know we can, and so do the American people.

Mr. President, I yield the floor.

RESERVATION OF LEADERSHIP TIME

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

ORDER OF BUSINESS

Under the previous order, the time until 12:30 will be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

The Senator from Alabama.

THE ECONOMY

Mr. SESSIONS. Mr. President, I would like to thank Senator MCCONNELL for his remarks and the fundamental truth of those remarks that this administration and the majority in this Senate want to raise taxes. They think that raising taxes and spending more through the government will somehow lift the economy. We have been shown that is not so.

Our Democratic colleagues stayed here last night talking about an issue that doesn't have the support to pass, and they should have been talking about the fundamental threat to our economy: not having a budget. Why aren't we moving forward with a budget? Why aren't we moving forward with the appropriations bills that are necessary to fund the government come October 1? The majority leader, Senator REID, has announced he has no intention to pass a single one, not even to bring them up.

So we will end up, in late September, passing a continuing resolution to fund the government—there is no telling what else will be tied up in that—which will create instability and uncertainty because this Democratic-led Senate has refused to pass a budget, refused to lay out a plan for the future, and refused to move the appropriations bills.

I have been here 15 years. This is the first time I have ever seen us not move a single appropriations bill. When I first came here, we would move almost every 1 of the appropriations bills before September 30. It is hard work. We have to bring up the bill, decide how much we want for the Department of Defense, or the Department of Agriculture, or the Department of Education, and members offer amendments and debate and do their work. That is what we are supposed to be doing, but we are not.

Today I want to talk about and call attention to another serious—scandalous, really—development in the way the Democratic leadership in this Senate is systemically dismantling the statutorily required budget process. It is a tale of how we are going broke.

Let me begin with a review of the situation. Last summer, Congress and the President faced a serious crisis as a result of the fact that surging government spending had driven our debt to the highest level allowed—the debt ceiling. We were hitting the debt ceiling. Do you remember that? A deal was struck then to raise the debt ceiling.

That is what the President wanted. He didn't want to cut spending 40 percent. We were borrowing—and we still borrow—almost 40 cents of every dollar we spend. All government programs would have had to have been cut 40 percent if we didn't raise the debt ceiling. Amazing as that sounds, this is undisputable.

Republicans prevailed in their insistence that spending should be reduced over 10 years by an amount equal to the increase in the debt ceiling last August. The legislation this deal produced, the Budget Control Act, set certain spending limits in the absence of a budget resolution that we should have passed in the Senate as required by law. So these spending limits came into effect when the chairman of the Budget Committee, Senator CONRAD, filed the allocation numbers into the CONGRESSIONAL RECORD, telling every Senate committee how much it was allowed to spend. That is the power given

to the Budget Committee chairman. I am the ranking Republican on the Budget Committee, and Senator CONRAD chairs the Budget Committee.

So the Budget Control Act plainly dictates that beginning on October 1 of this year, spending limits would be derived from the Congressional Budget Office's baseline. This is crucial because the CBO baseline contains the \$2.1 trillion in spending cuts over 10 years—really, reductions in spending growth, and not so much cuts—that the deal was supposed to implement in exchange for the immediate \$2.1 trillion raising of the debt ceiling.

Herein lies the scandal. Although it was buried in the spending allocation that Senator CONRAD sent out, my staff on the Senate Budget Committee discovered that Senator CONRAD did not file an outlay limit based on the CBO baseline. Instead, the outlay total he filed was \$14 billion higher—curiously matching exactly the spending levels that President Obama had requested in the budget he submitted to Congress in February.

Although this discovery was not readily apparent, Chairman CONRAD, to his credit—he is an honorable man—does not dispute it. He simply asserts that it is within his discretion to unilaterally set a higher total.

Again, because the CBO baseline reflects the spending reductions passed by Congress and signed into law, an increase above the baseline—as the allocation that he submitted allows—is an abrogation of the bipartisan agreement we reached last August.

We told the American people: OK, we raised the debt ceiling. A lot of people didn't want to do it. A lot of Americans were hot about it. We said: But we are going to cut spending by that amount over 10 years.

As reported by the publication, CQ:

Conrad did not counter Sessions' claim that the elevated outlay limit would allow higher spending in fiscal year 2013.

But let me emphasize, this is not just the fault of Senator CONRAD. This large violation of the Budget Control Act is without doubt the decision of Senator REID, the Democratic leader, his leadership team, and the members of the Democratic caucus who support him.

Remember, outlays are the spending figures which directly register on the debt. Mr. President, \$14 billion in higher outlays in 2013 means \$14 billion added to the debt. It is just that simple. In fact, the higher debt that will accrue next year as a result of the higher spending level means the amount of interest we pay on the debt we accrue will be greater and will also exceed CBO baseline limits.

As a result, the chairman had to also boost spending authority for the Finance Committee by \$79 million to compensate for the higher interest payments on the \$14 billion added to the debt. This shows that the debt deal legislation has been violated not only in spirit but in letter. Why? Because if we increase discretionary outlays, we in-

crease the debt, and therefore increase the interest needed to service the debt.

It is crystal clear that the legislation provides no flexibility whatsoever to inflate spending authority for this interest payment. It is a direct violation of the Budget Control Act, but he had to do that to justify and account for the \$14 billion increase over the level that was agreed to last August.

I sent two letters to Chairman CONRAD urging him to correct and re-file the proper numbers, but it is evident that the chairman does not intend to do so. So we will be looking for an alternative course. This is a matter that ought to be considered by the full Senate, so I plan to pursue a vote on the inflated spending levels. Each Senator will therefore have to examine their own conscience and consider their duty to their constituents, to the Nation, and to the financial future of our country.

Plainly, this action violates the spirit and the terms of the 10-year Budget Control Act agreement that was made last August, just 11 months ago. At that time, Congress declared that we would exercise some spending restraint. And \$2.1 trillion in reduced spending is really a reduction in the growth of spending and not an elimination of all growth in spending. We would go from something like \$37 trillion being spent over 10 years to \$35 trillion. It is not going to break America. But to hear the wails that come about, you would think it would.

So the test will be, in this first year since the passage of the debt deal will we adhere to its modest restrictions or will we blink?

We have Members of Congress—and I have raised this issue over the years—who seem to take it as a personal challenge to see how they can spend more money than they are allocated. It happens every year. This is how a country goes broke. The consequences of the annual manipulations and gimmicks have great impact over time. These are not small matters. Think about it.

This is a chart I put together. This year we are adding \$14 billion more to the baseline spending in our country than agreed to, and this gimmick adds \$14 billion to the baseline next year. One may think: It is only \$14 billion, JEFF. Calm down.

Alabama's general fund budget, not including education, is less than \$2 billion. To us \$14 billion is a lot of money, and we are an average-sized State. This is how we need to think about these manipulations because it is very significant as time goes by.

If we violate the baseline next year, in 2013, by \$14 billion, that goes into the spending level for the next year. Then if next year we violate it again, it is not just \$14 billion, we are adding \$14 billion on top of the \$14 billion gimmick in the spending level this year. It is \$28 billion next year. Added to the \$14 billion we ripped off the taxpayers the previous year, it is \$42 billion.

Do you see how that goes up? Each year is adding to it, and we have been doing this kind of thing consistently.

If we gimmick the budget \$14 billion a year—and I remember doing a chart similar to this about 10 years ago, and we gimmicked the budget \$18 billion that year and there are probably other gimmicks we are not including—this \$14 billion gimmick puts us on a track to add \$770 billion to the debt of the United States over 10 years.

We have to adhere to the agreements we make. If we do not stand with those agreements, then we make a mockery of law, we make a mockery of the Senate, we undermine the respect and trust the American people have in us. If we run up \$770 billion more, we pay interest on that, estimated at \$112 billion, that \$14 billion gimmicked-up spending adds \$900 billion to the debt.

Remember, we are in debt today. Every \$1 we spend more than what we agree to is borrowed. Any more spending is borrowed because we are in debt now—nearly 40 percent of the money we spend is borrowed. We spend about \$3.7 trillion and we take in about \$2.4 trillion and we borrow the rest. It is unsustainable.

Meanwhile, the President continues his call for higher taxes, saying that taxing more will reduce the deficit. But his plan for the new taxes he has proposed is to fund more spending, more gimmicks and more fraud and waste in government. I know you think that is not so—surely, that is not so. That is not what the President is proposing. But, unlike the Democratic Senate, the President did comply with the law and submitted a budget as every President has done since the Congressional Budget Act was passed. He submitted a budget. What did his budget call for? It called for new taxes all right. It called for \$1.8 trillion in new taxes over 10 years. But it also increased spending by \$1.6 trillion. Do you see what is happening there? The President's proposal calls for \$1.6 trillion in new spending, above the Budget Control Act level we agreed to in August. He proposes to wipe out the cuts. He proposes to spend \$1.6 trillion more than we agreed to in August, and he pays for it with \$1.8 trillion in new taxes.

He didn't use his new taxes to pay down the debt. He used the new taxes to fund more government, more spending. That is not what we need to be doing at this point in history. We should have stayed here last night talking about the debt threat to America and not some controversial issue on campaign finance.

For 3 consecutive years, this Senate Democratic majority has refused to bring forth a budget plan as required by common sense and law. They refuse even to write a budget and bring it to the floor for consideration. They have no financial plan for the future of America.

Senator REID, what is your plan? He blocked Senator CONRAD, who was will-

ing and prepared to lay out a budget plan for the Democrats. He called on him not to do so. For 3 years they have not had a budget. We did not even bring one up this year.

They treat any effort to rein in waste and abuse as evidencing a hatred for those who are suffering and truly in need. We want to help people in need. But anybody who knows these programs, such as some of the stuff that is coming out now on food stamps, knows there is waste, fraud and abuse and we can clean them up and save money and not hurt people truly in need. From the IRS checks sent to illegal aliens that the inspector general of the U.S. Treasury Department said has to end, to lavish GSA parties in Las Vegas, reckless abuse in the food stamp program, and now this surreptitious 14 billion debt increase, there is no financial accountability in Washington.

I will be working to erase this \$14 billion spending increase. It is important. I urge my colleagues to join me so our actions will be consistent with our promises to the American people made last August; otherwise we are breaching this agreement the first year. It is always a gimmick and a danger to spend today and promise to pay for it in the future—spend more today than the agreement called for, but we are going to pay for it in the future. It is the first year in our agreement and it has already been breached.

The best avenue may be to raise a point of order, and we will look at that to see how to bring this matter before the Senate. I will be looking for that opportunity. But I truly believe it is a defining moment for us if we cannot adhere 1 full year to the agreement we reached last August and that we told the American people we would abide by. I think the distrust and lack of confidence by the American people, already felt in Congress, will continue to further erode.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

END PAKISTAN AID

Mr. PAUL. Mr. President, the question remains should taxpayers be forced to send money overseas to countries that disrespect us or, more precisely, should we borrow money from China to send it to countries that disrespect us. Should we borrow money from China to send to Pakistan? Should we borrow money from China to send to the Muslim Brotherhood in Egypt? Should we send good money after bad?

For a decade we searched for bin Laden. We spent hundreds of billions of dollars searching for him. Where did we find him? Not in the remote mountains; we found him living comfortably in a city in Pakistan. We found him living in the middle of the city not far from a military academy. We were helped in this search by a doctor, a brave doctor in Pakistan by the name of Dr. Shakil Afridi, who helped us find bin Laden, helped us with ultimately

getting bin Laden. How was he rewarded for this heroism? Where is Dr. Shakil Afridi now? He has been imprisoned by the Pakistani Government for 33 years.

For 10 years we searched for bin Laden high and low throughout Afghanistan, throughout the world, throughout the mountains. We found him living comfortably in a city only miles from a military academy, and then the doctor who helped us Pakistan has now imprisoned for 33 years.

How did the President respond to this? How did President Obama's administration respond to the imprisoning of this doctor, the doctor who helped us get bin Laden? President Obama sent them another \$1 billion last week. We already sent Pakistan \$2 billion, and they disrespect us, so what did we do? We sent them another \$1 billion. People around this town are bemoaning there is not enough money for our military. Yet we took \$1 billion out of the Defense Department, an extra \$1 billion, and sent it to Pakistan last week. Where is Dr. Afridi? In jail for 33 years.

I have obtained the signatures necessary to have a vote on this. The leadership does not want to allow a vote on this, but I will, one way or another, get a vote on ending aid to Pakistan if they continue to imprison this doctor. He has an appeal that will be heard this Thursday. If he is not successful in his appeal, if he is still imprisoned for life, we will have a vote in the Senate on ending all aid to Pakistan—not a small portion of their aid, every penny of their aid, including the \$1 billion they got last week. We will attempt to stop all aid to Pakistan.

I ask any of the Senators to step forward if they think it is a good idea and tell the American people why they are sending their money to Pakistan. We have bridges crumbling, we have roads crumbling, we have schools crumbling, and we are sending money to Pakistan, which disrespected us. We spent billions, if not maybe trillions of dollars, on the wars in Pakistan and Afghanistan trying to get bin Laden and then the doctor who helps us is now in jail for 33 years.

Everywhere I go across our country—in my State in Kentucky we have two bridges that need to be replaced. We have one in the middle of one of our major cities that was closed down for 6 months last year for repairs. We don't have the money to repair our infrastructure. We are \$1 trillion short of money, period. We are borrowing over \$1 trillion a year. We now have a \$16 trillion debt that equals our entire economy. Yet they are still sending taxpayer money to dictators overseas who disrespect us. Eighty percent of the public thinks this should come to an end. If we ask this question: Should we be sending this money overseas when we have difficulty and needs and wants at home, 80 percent of the public would say it should end. Yet when we force this body to vote, 80 percent of

your Representatives are for sending more aid overseas. They were all clamoring and clapping their hands last week when President Obama said he sent another \$1 billion overseas—they all stand and clap.

I don't think the American taxpayer is clapping. I don't think the American taxpayer is happy we are \$1 trillion in the hole and still sending this money overseas to countries that disrespect us.

What I say to Pakistan is if they want to be our ally, act like it. If they want to be our ally, respect us. If they want to be our ally, work with us on the war on terrorism. But if they want to be our ally, don't hold Dr. Afridi, don't hold political prisoners, don't hold people who are actually working with us to get bin Laden.

I will do everything in my power to get this vote. They don't want to have this vote. They like foreign aid over here. They all love sending taxpayer money overseas, but they don't want to vote on it so they have been blocking this vote and they will attempt to block my vote. I have the signatures necessary and you will see me on the floor next week.

If Dr. Afridi is still in jail next week, I will make them vote on this. It is the least taxpayers deserve. The taxpayers deserve to know why their Senators are voting to send their money overseas when we are \$1 trillion in the hole. Why are their Senators voting to send trillions of dollars to Pakistan when they imprison the guy who helped us get bin Laden. It is unconscionable. It has to stop. The debt is a threat to taxpayers, our country, a threat to the Republic, and I will do everything I can to force a vote on this and then the American people can decide. They can decide whether they want to keep sending these people back to Washington who are sending their money overseas to people who have no respect for us.

I will do everything in my power to have this vote and we will record the Senate. Your representatives will be recorded on whether they want to continue sending your money to Pakistan while Pakistan imprisons this doctor who helped us get bin Laden.

I yield the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Mr. President, for several weeks now I have spoken on the Senate floor, urging my colleagues of both parties to extend the wind production tax credit or, as it is known, the PTC. The Presiding Officer has had an opportunity to listen to me on a number of occasions. I thank him for his interest and support. I am here again this morning to continue my work because I do not want to lose one more American job because of our failure, Congress's failure, to act. I also want to assure, as I know the Presiding Officer does, that we, the United States, remain competitive in the global clean energy economy.

Today, I wish to talk specifically about the PTC's impact on the State of Utah, one of America's fastest growing wind energy producers. Similar to other Western States, including my home State of Colorado, Utah's geography and climate make it an ideal location for wind production. It is estimated that if fully utilized, Utah's wind resources could provide up to 132 percent of the current electricity needs. Think about that, the entire State's electricity needs could be met by wind power alone. If we look at the map of Utah that is displayed here, we will see that the largest wind projects are located in Beaver and Millard Counties, which are in western Utah. In those two counties, the first wind corporation has constructed the Milford Wind Project. That project produces enough electricity to power over 64,000 homes, avoids 300,000 tons of CO₂ emissions and provides good-paying jobs to hundreds of hard-working Utahns.

Beyond the obvious and enormously positive effect the Milford Wind Project has had on the Utah environment, it has also been an economic boon to the surrounding rural communities. Beaver County's tax base increased so much that it allowed for a new elementary school to be built without any tax increases to local residents. In effect, those tax receipts replaced a school that had fallen into disrepair.

This project has brought more than \$50 million in economic benefits to Utah as a whole. It has created over 300 onsite jobs during construction and engaged more than 60 local Utah businesses throughout construction and development. That is a win-win-win situation no matter how we calculate it.

Only if we extend the wind PTC will we continue to see the investment, job creation, and economic growth Utah has seen in recent years. Now is the time for us to act to preserve and create thousands of jobs and to usher in a clean energy future for the American people. Without our support, the growth of the wind energy industry will slow, and, in fact, wind energy producers likely will shed jobs and halt projects.

Mr. President, I ask unanimous consent that the article that was published in the Wall Street Journal this week be printed in the RECORD.

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

[From the Wall Street Journal, July 8, 2012]

WIND POWER FACES TAXING HEADWIND

(By Mark Peters and Keith Johnson)

WEST BRANCH, IOWA.—Acciona Windpower's generator-assembly plant here in the heart of the corn belt is down to its last domestic order as the U.S. wind energy industry faces a sharp slowdown.

Demand for the school bus-size pods it assembles to house the guts of a wind turbine is drying up as a key federal tax credit nears expiration. Acciona is now banking on foreign orders to keep the plant going next year, while hoping the credit will be extended.

The debate over renewing the credit is dividing Republicans, with conservative lawmakers from wind states joining Democrats to push for an extension even as the presumptive GOP presidential nominee, Mitt Romney, has made attacks on government support for clean energy, including wind, a centerpiece of his fight against President Barack Obama.

After several years of domestic growth, the U.S. wind industry faces possible layoffs and shutdowns as a key federal tax credit is set to expire. Mark Peters reports from West Branch, Iowa.

The tax policy, initiated two decades ago, currently gives operators of wind farms a credit of about two cents per kilowatt-hour of electricity they generate. Without the credits, wind power generally can't compete on price with electricity produced by coal- or natural gas-fired plants. Analysts predict that if the tax credit expires on Dec. 31, as it is scheduled to, installations of new equipment could fall by as much as 90% next year, after what is expected to be a record increase in capacity in 2012.

Democrats generally support federal backing for wind power and other clean energy, arguing that it needs help to compete with entrenched fuel sources whose environmental and health impacts often aren't included in their costs. Mr. Obama has made several campaign trips to Iowa, where he argued for wind energy's tax credits to be extended. Most Republicans are less bullish on clean energy's prospects, and say the government shouldn't support technologies that aren't commercially viable on their own.

Still wind power has vigorous support from some of the reddest districts in the country, with Republican congressmen in wind-power heavy states like Texas, Iowa, and Colorado backing the industry tax credit.

Mr. Romney has criticized the Obama administration's support for clean-energy subsidies. "Solar and wind is fine except it's very expensive and you can't drive a car with a windmill on it," Mr. Romney said at a campaign event in March in Youngstown, Ohio. His economic plan says wind and solar power are "sharply uncompetitive" forms of energy, whose jobs amount to a "minuscule fraction" of the U.S. labor force. A campaign spokeswoman said Mr. Romney supports "the development of affordable and reliable energy from all sources, including wind." He hasn't publicly called for the renewal of the tax credit for wind.

"That's a conversation I need to have with Gov. Romney," said Rep. Steve King, an Iowa Republican and a member of the House Tea Party Caucus who says 5,000 wind-industry jobs statewide and locally-produced clean energy are proof of the benefits of federal policies that support wind power. Iowa has gained several wind-power manufacturing facilities in recent years and ranks second among U.S. states in number of wind farms, after Texas. Terry Branstad, the state's Republican governor, also backs a renewal of the credit.

The production tax credit has spurred huge growth since it was signed into law by President George H.W. Bush in 1992, but it has kept the industry's future tied to the vagaries of Congress. The credit now is caught in the congressional gridlock of an election year, and a vote on renewal isn't likely until after November. Even if renewed then, the pipeline of projects next year is already crimped.

"In some way, it's too late to save 2013 build," said Matthew Kaplan of consultancy IHS Emerging Energy Research.

The credits for wind have expired three times before, most recently in 2004, with new construction slowing sharply each time before the credit was later renewed.

Now the stakes are higher, because the wind industry has established a manufacturing base in the U.S. to build many of the 8,000 parts that go in a typical turbine. Industry data show manufacturing facilities in the U.S. have more than doubled since 2009 to around 470 in 2011. Meanwhile, wind's share of U.S. electricity output has grown to 2.9% last year, from about 1.3% in 2008, according to the Energy Information Administration.

"There is a lot more skin in the game," said Joe Baker, chief executive of the North American wind power subsidiary of Acciona SA, a Spanish company. Its Iowa plant gets 80% of its components from North America, mostly made in the U.S. Almost no components came from the U.S. when the plant opened in 2008.

Many Republicans argue that any benefits from wind power don't justify government investment. "What do we get in return for these billions of dollars of subsidies?" Sen. Lamar Alexander, a Tennessee Republican who has long criticized the tax credit for the wind industry, said in a speech earlier this year. "We get a puny amount of unreliable electricity."

Local communities are now fearing layoffs in the industry, which employs an estimated 75,000 people nationwide. A Siemens AG turbine-blade factory is the largest employer in Fort Madison, Iowa, which has struggled with one of the state's highest unemployment rates. Mayor Brad Randolph said getting the plant "really was a corner turner," but with industry's current outlook "you could see a large number of employees getting laid off. That could be a game changer the other way."

Vestas, a Danish company that is the biggest manufacturer of wind turbines in the world, employs about 1,700 people at four factories in Colorado, a relatively energy-rich state that has also benefited from wind's growth. Uncertainty over the tax credit "requires us to have a flexible plan for the future that allows us to add, adjust or eliminate positions in 2012," a Vestas spokesman said.

That uncertainty trickles down the supply chain. Walker Components, a privately held company in Denver, expanded operations more than two years ago to supply gear for Vestas turbines. Now, like others that supply the wind industry, the company is contemplating layoffs in its wind division if the credit expires.

Acciona's Mr. Baker said a few employees recently left for other jobs, telling him they wanted to be in industries with more stable outlooks. "It became an employment issue for them. They're not sure. They don't like the seesaw effect," he said.

Mr. UDALL of Colorado. Mr. President, that article says if Congress does not promote PTC, my State could lose hundreds, if not thousands, of jobs. Naturally the numbers are higher with suggestions and estimates that we could lose 30,000 jobs.

The PTC is a perfect example of how Congress can play a positive, productive role in encouraging economic growth and supporting American manufacturing. The American people expect us to do everything we can to create jobs and economic growth. They expect us to work across the political aisle and produce results. They deserve results, and we should not disappoint them by succumbing to election-year gridlock. We have a solid base of bipartisan support for wind energy and for the passage of the wind PTC. That is

why I have been urging my colleagues to work with me to pass it as soon as possible.

From Colorado and Utah to Rhode Island and beyond, the PTC has helped American families and businesses prosper in a time when other industries have faltered. The wind industry has been one of the few industries of real growth in recent years, and it has so much more potential. Americans have said again and again that they want Congress to extend the wind PTC. Let's not let them down. Our economy and our future depend on it. Let's pass the PTC as soon as possible. It equals jobs.

I will be back on the floor tomorrow to keep fighting for this commonsense policy. Coloradans expect no less. Let's pass the production tax credit as soon as possible and protect American jobs.

Mr. President, if I might, I wish to turn to another topic that is on everybody's minds, and that is the efforts here in the U.S. Senate to reform the way in which our campaigns are financed and the way in which that information is shared with the public.

Many of my colleagues took to the Senate floor last night to discuss the importance of the DISCLOSE Act and to draw attention to the enormous volume of undisclosed money that is now flowing into this campaign season and into those campaigns. Democracy is Strengthened by Casting Light on Spending in Elections Act or, as it is known in its shorter form, the DISCLOSE Act, is an important step forward.

It was conceived as a response to the U.S. Supreme Court's 2010 Citizens United decision. Many of us have watched with deep concern as the consequences of that decision played out this election season. Unlimited and often secret contributions to organizations known as super PACs are pouring into our election system and literally drowning out the voices of ordinary Americans who don't happen to be millionaires or billionaires.

Instead of a system where candidates exchange ideas and share their vision for a more prosperous country, the Citizens United decision has released a relentless display of attack ads, and the American people have no idea where they are coming from or who is footing the bill. This sort of unlimited and secret influx of cash is raising the specter of corruption in our elections. Frankly, I am worried we are entering an era of politics that we haven't seen since the Watergate scandal of some 40 years ago.

However, there is hope. Despite what I thought was a misguided decision tied to Citizens United, the Supreme Court did uphold Congress's power to require transparency when it comes to those unlimited campaign dollars, and so the DISCLOSE Act was born.

Let me share with the viewers what the DISCLOSE Act would do. It would require that super PACs, corporations, labor unions, and other independent groups file a public disclosure with the

Federal Election Commission for any campaign-related disbursement of over \$10,000 or more within 24 hours of the expenditure.

This basic requirement is designed to bring the exchange of these secret campaign dollars out of the shadows so Coloradans and all the American people know who is trying to influence our elections. That is it. It is simple and it makes sense. We are only asking that political spending and funding be disclosed and held to the same standard as political action committees and candidate expenditures. This sensible requirement will not create burdensome regulations or be in conflict with any of the holdings of the Supreme Court. It is the kind of commonsense transparency that Coloradans are calling for.

It might sound clichéd, but sunlight is truly the best disinfectant. In fact, I heard the Republican leader, Senator MCCONNELL, use that same concept: Sunlight is truly the best disinfectant. We literally step on the basic principles of democracy when we allow tens of millions of dollars to be secretly spent on our elections.

I want to emphasize that this should not be a partisan issue. Despite last night's vote, you would think we could all truly agree on transparency. For example, our colleague Senator MCCAIN has lamented that without the reform of transparency, the Citizens United decision could lead to a major campaign finance scandal. And, of course, that is not healthy for our democracy.

The Supreme Court affirmed Congress's authority to require disclosure, so let's do our job to protect democracy and bring sunlight to our elections. Let's bring the DISCLOSE Act forward and pass it right away.

I also know many Americans would like to see us overturn the effects of Citizens United altogether, and there are efforts to do exactly that. For example, Senator TOM UDALL of New Mexico has introduced a constitutional amendment that would give Congress the power to regulate political spending. I support that effort. I also support an effort to change the way in which we fund the Presidential elections.

I have introduced legislation in the Presidential Funding Act that will reform the currently outdated Presidential public finance system. It is a bill that is aimed at preserving the voices of average Americans.

In 1974 the Presidential public campaign finance system was developed in an effort to restore public faith in elected officials after the Watergate scandal, and it has been used in nearly every Presidential election since. By establishing public financing, we allow candidates to compete based on their ideas instead of competing on who has the most support from special interests and deep-pocket donors.

In fact, my father, Congressman Morris Udall, who served in the House representing the second district in Arizona for some 30 years, was actually

one of the first to use the public financing system, which he had helped craft 2 years prior when he ran for the Democratic nomination in 1976. My father was a big believer in running for office on behalf of his constituents instead of on behalf of big money. I believe strongly that ethos ought to apply to today's elected officials more than ever.

The public financing system funded candidates for 30 years and has enriched the political discourse for the country by ensuring that the American people have more say than connected insiders, special interests, or wealthy donors. Unfortunately, the current system's ability to keep up with the enormous spending required in Presidential campaigns has rendered it less effective. Thanks to Citizens United, public financing is no longer a viable option to compete against unlimited special interest dollars.

My legislation would strengthen the public financing system and incentivize candidates to obtain support from actual citizens, not special interest super PACs or secret financiers. It would ensure that our proven public financing system will be available for future elections, and that corporate and special-interest money doesn't drown out genuine ideas and debates in our Presidential elections.

For those of us who are committed to fixing our campaign finance system in the wake of Citizens United, there is a lot of challenging work ahead. I know Coloradans agree with me that reform could be the single most important issue to fix the way our democracy functions. As I have suggested, and as we know, unfortunately Federal elections are increasingly about who can secretly appeal more to wealthy and special interests instead of working to improve the lives of average and hard-working Americans. This sows corruption, dysfunction, and a government that is less responsive to the needs of the people.

Today we have an opportunity to start with a sensible requirement that we should all be able to agree on. Disclosure is nothing to be afraid of. I urge my colleagues to reconsider their vote and to allow the Senate to at least debate the DISCLOSE Act. We cannot afford to let another filibuster stand in the way of fair and open campaigns. Let's pass the DISCLOSE Act and take a big step toward turning the power of our government back over to the American people.

I note that the leader of this important effort, the DISCLOSE Act, Senator WHITEHOUSE of Rhode Island, is on the floor. I thank the Senator for his leadership and his commitment to ensuring that it is the American people who determine our future, not special interests, super PACs, millionaires, billionaires, and financiers who leave no track and no trace of where their money is going and where it is coming from.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the distinguished Senator from Colorado for his impassioned and eloquent support. I think we recognize that through the course of our country's history, men and women have shed their blood, have laid down their lives in order to protect this experiment in liberty that is the ongoing gift of our country to the rest of the world. When we take that experiment of liberty and turn it over to the special interests, it is a grave occasion.

I yield the floor.

THE PRESIDING OFFICER. The majority leader is recognized.

HELPING EXPEDITE AND ADVANCE RESPONSIBLE TRIBAL HOME OWNERSHIP ACT OF 2012

Mr. REID. Mr. President, I ask unanimous consent the Committee on Indian Affairs be discharged from further consideration of H.R. 205, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 205) to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The bill (H.R. 205) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The Senator from Rhode Island.

DISCLOSE ACT OF 2012—MOTION TO PROCEED—Continued

Mr. WHITEHOUSE. Mr. President, I believe Chairman LEAHY will shortly be joining us to discuss the DISCLOSE Act.

I ask unanimous consent that an op-ed piece authored by former Senator Warren Rudman and former Senator Chuck Hagel—two former Republican Senators who distinguished themselves in this body and have gotten together to write an article about the DISCLOSE Act—be printed in the RECORD.

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

[From the New York Times, July 16, 2012]

FOR POLITICAL CLOSURE, WE NEED DISCLOSURE

(By Warren Rudman and Chuck Hagel)

Since the beginning of the current election cycle, extremely wealthy individuals, corporations and trade unions—all of them determined to influence who is in the White House next year—have spent more than \$160 million (excluding party expenditures). That's an incredible amount of money.

To put it in perspective, at this point in 2008, about \$36 million had been spent on independent expenditures (independent meaning independent of a candidate's campaign). In all of 2008, in fact, only \$156 million was spent this way. In other words, we've already surpassed 2008, and it's July.

In the near term, there's nothing we can do to reverse this dramatic increase in independent expenditures.

Yet what really alarms us about this situation is that we can't find out who is behind these blatant attempts to control the outcome of our elections. We are inundated with extraordinarily negative advertising on television every evening and have no way to know who is paying for it and what their agenda might be. In fact, it's conceivable that we have created such a glaring loophole in our election process that foreign interests could directly influence the outcome of our elections. And we might not even know it had happened until after the election, if at all.

This is because unions, corporations, "super PACs" and other organizations are able to make unlimited independent expenditures on our elections without readily and openly disclosing where the money they are spending is coming from. As a result, we are unable to get the information we need to decide who should represent us and take on our country's challenges.

Unlike the unlimited amount of campaign spending, the lack of transparency in campaign spending is something we can fix and fix right now—without opening the door to more scrutiny by the Supreme Court.

A bill being debated this week in the Senate, called the Disclose Act of 2012, is a well-researched, well-conceived solution to this insufferable situation. Unfortunately, on Monday, the Senate voted, mostly along party lines, to block the bill from going forward. But the Disclose Act is not dead. As of now, it is 9 short of the 60 votes it needs.

The bill was introduced by Senator Sheldon Whitehouse, Democrat of Rhode Island, who deserves tremendous credit for crafting such comprehensive legislation, listening to his critics and amending his bill to address their concerns in a bold display of compromise. At its core, Whitehouse's bill would require any "covered organization" which spends \$10,000 or more on a "campaign-related disbursement" to file a disclosure report with the Federal Election Commission within 24 hours of the expenditure, and to file a new report for each additional \$10,000 or more that is spent. The F.E.C. must post the report on its Web site within 24 hours of receiving it.

A "covered organization" includes any corporation, labor organization, section 501(c) organization, super PAC or section 527 organization.

This is a huge improvement over the status quo, where super PACs currently have months to disclose their donors (often withholding this information until after an election) and 501(c) organizations have no requirement to disclose their donors at all.

The report must include the name of the covered organization, the name of the candidate, the election to which the spending pertains, the amount of each disbursement of