

some of the time than wrong all of the time. I think Speaker BOEHNER is right.

The last point I will make is this: Let us extend the payroll tax cut. The extension of unemployment benefits is of equal value to the economy and immeasurable benefit value to those out of work who are struggling to find a job. Make sure, if we get this done on a payroll tax cut, we don't give up on extending unemployment benefits, benefits that will allow people to get back to work. I wish to see these blue lines growing. I wish to see us moving in the right direction, creating jobs in America.

President Obama's payroll tax cut and the unemployment benefits which we have pushed for have pushed us over the line in creating jobs. Let's not end this record of success. Let's build on it. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, before the Senator from Illinois departs the floor, I wish to associate myself with his remarks—the standpoint the majority leader has pointed out in order to build an economy, built to last, we have to invest in our people and in our infrastructure and research and development. We can't cut our way to prosperity. Every business man and woman knows that. Every economist knows that. As our economy grows, then we can meet the challenge that is presented to us when it comes to our deficits and long-term debt. That is how we are going to get a handle on that particular problem. I wish to thank the Senator from Illinois for his compelling remarks.

HARDROCK MINE CLEANUP

Mr. UDALL of Colorado. Mr. President, I have come to the floor to talk about an environmental problem that affects many parts of Colorado as well as other western States; that is, abandoned hardrock mines.

These mines pollute thousands of miles of streams and rivers in America with truly a toxic soup of heavy metals, including arsenic, lead, and mercury. That pollution impairs drinking water and kills aquatic and plant life for miles downstream.

This is a problem that doesn't get enough attention in the Congress, and it is my hope that by speaking, I can spur all of us in this body and the administration to take greater steps to help solve this problem. I would, in that spirit, invite my colleagues to join me in this effort.

If I might first, a little background: Starting in the 1800s, miners flocked to the West in search of fortune following the discovery of precious metals, such as gold, lead, copper, and silver. They settled in places with romantic names such as Leadville, Silverton, and Gypsum. Mining became an important part of our history, of our settlement, and of our development in Colorado. But it

also left a very dirty and deadly legacy.

When a claim was mined for all its worth, the miner frequently packed up and left without a thought about the lasting problems the mine would cause. And this was an era before modern mining laws that hold miners accountable for their impact on the land.

Then, as a followup, in many cases it became impossible to identify the persons responsible for the vast majority of these abandoned mines. The Government Accountability Office estimates that there are over 160,000 such abandoned hard rock mines in the West; 7,300 are in Colorado, 47,000 are in California, and another 50,000 are in Arizona.

Today, highly acidic water still drains from these mines, polluting entire watersheds. I want to follow the logic that a picture is worth a thousand words. I want to show my colleagues what an acid mine drainage looks like. This is the Red and Bonita Mine in San Juan County, CO, which is near Silverton. For scale, I want viewers to note the pickup truck on the left side of this photograph. You can see a couple of individuals up there as well. Over 300 gallons of water drains from this mine every minute, and the water is contaminated with all kinds of heavy metals that produce the orange and the red streaks you see in this photograph. Highly acidic water flows into the Cement Creek and eventually into the Animas River, impairing water quality and aquatic life. For a region of Colorado that thrives on tourism, including angling, this situation is extremely harmful.

From EPA data, we can conservatively estimate that over 10,000 miles of streams and rivers and nearly 350,000 acres of lakes are impaired in this country as a result of acid mine drainage. With that backdrop, what is being done? For one, at those sites where a responsible party can be identified, the Federal Government has the tools at its disposal to hold them accountable. Also, the Federal Land Management agencies have a variety of programs that mitigate abandoned hard rock mine pollution.

However, the efforts I want to focus on today are those undertaken by a third category of people: entities that had no role in creating the pollution at an abandoned mine site yet want to make the situation better. Appropriately enough, we refer to these entities as Good Samaritans. One such Good Samaritan is the Animas River Stakeholders Group in southwestern Colorado. They are working to find solutions to clean up the Red and Bonita Mine. Often, Good Samaritans are non-profits with a mission to restore the natural environment. Sometimes they are community groups that want to improve their cities and their towns. Sometimes they are mining companies looking to be good stewards in the communities in which they operate. Sometimes they are State and local governments.

For example, take the Tiger Mine near Leadville, CO. The picture I want to show you was taken before any remediation activities took place. You can see the piles of mine waste and drainage coming from the mines beside it. At peak flows, as much as 150 gallons of water per minute contaminated with cadmium, copper, lead, zinc, and iron flows out of the Tiger Mine.

As you can see in the second picture, some remediation work has been done. The mine waste was moved out of the way, capped, and revegetated, and the ditches were put in above the mine to divert surface water runoff and to further reduce contamination.

You can also see in this picture that four pits have been dug below the mine, and this represents the next phase of cleanup being lead by Trout Unlimited, another Good Samaritan. Eventually these pits will become what is known as a sulfate-reducing bioreactor. Now, the Presiding Officer knows I was not a chemistry major, so I won't attempt to describe how this works. But the end result is a good thing, I can tell you that. The acid mine drainage flows in and cleaner water flows out. However, Trout Unlimited has run into a problem that has frustrated many Good Samaritans. The bioreactor counts as a point source of pollution; therefore, before Trout Unlimited can turn the bioreactor on, they must obtain a clean water permit. Trout Unlimited cannot meet the stringent permit requirements without investing in far more expensive water treatment options, nor can they afford to assume the liability that comes with the permit. As a result, the bioreactor sits unused.

Federal law is, in effect, sidelining some of the best hopes for remediation. I have tried for several years—I said several years, but it feels like a lifetime—I think at least a decade to give Good Samaritans some relief. I have introduced legislation to every Congress since 2002 that creates a unique permit specifically for this kind of work. Unfortunately, I have not been able to convince enough of my colleagues just how good of an idea this is, but I am going to keep trying.

In addition, I have been working with Senator BOXER to encourage the EPA to better use the administrative tools it has at its disposal. Good Samaritans report to me that administrative tools have been cumbersome to use so far, and they don't offer the full Clean Water Act protection they need.

Senator BOXER, along with Senator BENNET, has asked the EPA to make this tool more accessible to Good Samaritans. Last week we asked the agency to provide Good Samaritans with assurances that they would not be subject to enforcement for appropriate actions to clean up acid mine pollution.

I am grateful for the work the EPA has done to focus on these issues and for Senator BOXER's leadership. Good Samaritans are too valuable a resource to keep on the sidelines. Congress

should do what is necessary to bring their efforts to bear on the cleanup of abandoned mine pollution. Good Samaritans cannot solve all of our abandoned mine pollution problems, but we cannot afford to turn away those willing to help any longer.

Mr. President, I thank you for your interest on this important topic to those of us in the West.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia. (The remarks of Mr. ROCKEFELLER are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROCKEFELLER. I yield the floor and note the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. JOHANNES. 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. JOHANNES. I ask unanimous consent to participate in a colloquy with my colleagues, Senators BLUNT, RISCH, ISAKSON, and HELLER.

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

Mr. JOHANNES. Thank you, Mr. President.

THE BUDGET

Mr. JOHANNES. Mr. President, we rise today to talk about the budget that was submitted by the President of the United States, actually within the last 24 hours. Despite a 2009 promise to literally cut the deficit in half by the end of his first term, President Obama released a budget that, for the fourth year in a row, calls for a deficit in excess of \$1 trillion. Unfortunately, this proposal is one more year of the same old story: more taxes, more spending, more borrowing, and yet another punt on the tough issues we as a Nation must face.

As a former Governor, I understand what it takes to balance a budget. Difficult choices do have to be made, even with programs that are popular. In 2001, when I was Governor of Nebraska, I closed a \$220 million budget shortfall and didn't raise taxes. But \$220 million is merely a drop in the bucket for the Federal budget that amounted to more than 7 percent in Nebraska. By comparison, if the President had submitted a budget that cut spending by 7 percent, he would be cutting more than \$260 billion this year. That wasn't the last thing we had to do. With the post-9/11 economy, we called special session after special session to cut spending.

But instead of that, the President is projected to increase spending. Leadership is necessary and, sadly, this budget does not display it. Instead, America's balance sheet continues to drown

in a sea of red ink for yet another year, driving our 2012 deficit to nearly \$1.4 trillion. Instead of making tough choices about priorities, the President appears to be doubling down on more stimulus spending.

Let me give a few examples, and then I will invite my colleagues to join me: \$2 billion in new tax credits for the production of advanced technology vehicles; \$4 billion to extend and modify "certain energy incentives which could include clean renewable energy bonds;" \$3 billion to encourage investments in advanced energy manufacturing projects; \$4.7 billion for new spending to strengthen the teaching profession despite GAO finding 82 duplicative and wasteful teacher quality programs. When we add it all, we are presented with yet another budget that contains the largest tax increase in U.S. history. It raises taxes by more than \$1.8 trillion. I could go on and on. This is simply a situation where we have seen this budget before, and it doesn't improve.

I will turn to my colleague Senator BLUNT, from the State of Missouri, who has worked on these budgets before, and I will ask him to offer some insights of what he sees in this budget and where it is leading our country, in his opinion.

Mr. BLUNT. I thank my friend for putting this discussion together this morning. I think it is a serious discussion, unlike this budget, which is clearly not a serious budget. The President doesn't expect it to be voted on. The majority leader in the Senate said it wouldn't be voted on. When the White House spokesman was asked if they had a position on the fact that the Senate wasn't going to produce a budget—this budget could be voted on but it won't be debated and there won't be a companion Senate budget apparently that goes along with it—the White House spokesman said no, they didn't have a position on the fact that the majority leader said there would be no Senate budget this year. Remember, this is the budget that is required by law to be passed by April 15 of every year, and I guess this will be the fourth straight time that April 15 will be missed without having passed a budget.

What we have here, unlike a budget document that does what the Senator from Nebraska did as Governor or what my son Matt did as Governor of Missouri—he had a \$1 billion deficit, and they had to make up for that, and they did. The Senator from Nebraska made up for the deficit in his State. Governor and now Senator RISCH was responsible to see that the numbers added up. These numbers don't add up. This is a budget that spends too much and taxes too much and it borrows too much. Spending goes up in this budget. In this budget year we are spending \$3.8 trillion, fiscal year 2013, the budget year we are talking about now. Seven years from now, fiscal year 2022—9 years from now—we are spending almost \$6 trillion, from \$3.8 trillion to \$5.8 trillion.

Clearly, the spending problem isn't solved by this budget. This budget makes the spending problem worse. This budget adds almost \$2 trillion in new taxes. So it spends too much, it taxes too much, and then it borrows too much. We are going to increase the debt again. We have a deficit of almost \$1 trillion in each of the Obama years of responsibility during this first term. It cannot be allowed to continue. But when we look at this budget document—the 10-year projections—there is no indication that we change any of these trends.

We all understand these trends are unacceptable. The Federal Government's total debt has now surpassed the size of the economy. The potential of our economy to produce goods and services, the so-called GDP number, is now exceeded by our debt. We know what happened in Greece when their debt exceeded the capacity of their economy to produce goods and services. We know what happened in Italy. We know what happened in Ireland. We know what happened in Portugal. Why don't we think that is going to happen to us? Because it will, and we have to make these numbers add up.

The Senator from Nebraska as a Governor had to produce a budget. Governor Risch produced a budget. I will turn to him in a second to talk about the responsibility of the Executive to lead and then, frankly, the responsibility of the Senate to do its job.

I am continually surprised that we can miss this absolute deadline in the law year after year after year and there is not a press outcry. There is more of a public outcry than a press outcry. My sense is that if when I was in the House of Representatives we had missed this deadline once as opposed to over and over and over, there would have been a marshaling of people around the country to come and stand on the steps of the Capitol to say, Why isn't the majority in the House doing its job? This is something the current majority in the Senate has walked away from in ways I can't understand.

When we talk to Americans, getting people back to work and getting control of Federal spending are the No. 1 and No. 2 domestic priorities, but I don't see those priorities in this budget.

I turn to my friend from Idaho to see what he has thought of, as we have now had a few hours to look at the specifics of the President's budget.

Mr. RISCH. Mr. President, I thank the Senator from Missouri. Like everyone, I have been perusing the numbers to try to figure out whether this gets us somewhere and whether it will actually come to fruition.

A quick look at history. As the Senator points out, this will be the fourth year, if we don't adopt a budget, where we haven't had one. There isn't an entity in the world that operates without a budget. We have to have a budget if we are going to do anything responsibly. Budgeting is not that difficult; it