

Tomorrow marks the 11th anniversary of the September 11 terrorist attacks. The date is a reminder that through over a decade of war, the bravery and dedication of America's Armed Forces has never wavered. It is a reminder that our commitment to those fine young and women should never waver, either.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 476, S. 3457.

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

The legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 5 p.m. today the Senate will proceed to executive session to consider the nomination of Stephanie Marie Rose to be U.S. District Judge for the Southern District of Iowa, with 30 minutes of debate equally divided and controlled. At 5:30 p.m. there will be a rollcall vote on the Rose nomination.

MOMENT OF SILENCE

I ask unanimous consent to have a moment of silence at 4:55 p.m. today for the 40th anniversary of the Munich Olympics massacre.

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

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

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

MORNING BUSINESS

Under the previous order, Senators are permitted to speak for up to 10 minutes each.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

CONVENTION RESPONSE

Mr. KYL. Mr. President, I would like to speak about two claims that were made at the recent Democratic Convention that I believe require a response. Obviously, the Republican Convention went first and they did not have an opportunity to respond to everything that was said, but I think there are two things, as I said, that were claimed that just are not true. The first is that Republican policies caused the economic recession, so that in the Democrats' view electing Governor Romney would simply return us

to those same, allegedly, failed policies. Second, it was said by several spokesmen on the Democratic side that there were no new or big ideas coming out of the Republican Convention, so you might as well give President Obama another 4 years in office. I would like to respond to both of those claims.

First, President Obama and his supporters would like Americans to believe that the so-called Bush tax cuts, deficits, and deregulation caused the great recession. Those are the Republican policies that got us into the mess, they say. The facts show this is not true. As James Pethakoukis of the American Enterprise Institute asks, if the 2001 and 2003 tax cuts caused the great recession, then why does President Obama want to keep most of them? And why did he sign a 2-year extension of those tax cuts a year and a half ago? That is a good question.

Obama supporters also claim that huge deficits resulting from these 2001 and 2003 bills caused the recession. But here are the facts. According to the Congressional Budget Office—nonpartisan—the 2001 and 2003 tax relief has only been responsible for 16 percent of the swing from surplus to deficit that they had estimated. If you look at the upper income tax relief only, that relief makes up just 4 percent of the swing. So it is impossible to say the tax cuts on the rich caused the recession. The maximum that the Congressional Budget Office can identify is potentially 4 percent. It is also important to note that since the CBO does not take into account the progrowth effects of marginal tax rate reductions—which all economists agree with—these numbers are even likely smaller than 4 percent.

Over that same period of time, new spending—this is the real problem—and interest on that spending were 12 times as responsible as the upper income tax reductions. So the real culprit here is not reducing the tax rate on Americans and especially those who are in the wealthier brackets but, rather, the new spending in which the Federal Government engaged. That is the cause of the deficits, and that did have an impact eventually on our ability to recover from the great recession.

One other note on this. The rich people, even though their tax rates were cut, ended up paying a far bigger percentage of taxes after the Bush tax cuts. The upper bracket earners paid—according to CBO again, in 2008 and 2009, the years for which they have figures, the top 20 percent of taxpayers paid 90 percent of income taxes—94 percent of income taxes. Before the Bush tax cuts, before 2001, that same top 20 percent paid only 81 percent. So the tax cuts in the upper income tax brackets resulted in an increase in the total dollar amount of taxes paid by the upper income people from 81 percent to 94 percent. So you cannot even make the argument that it was less fair. If anything, the upper income folks obvi-

ously paid a lot more—94 percent of all the income taxes paid.

Now, if deficits are the problem the Democrats are talking about, then President Obama would clearly make the problem worse. Pethakoukis notes:

The most recent Obama budget, according to CBO, would add \$6.4 trillion more to the federal budget deficit over the next decade, leaving debt as a share of the economy stuck at around 76 percent of GDP versus 37 percent pre-recession.

Think about it. The Obama budget leaves us with 76 percent debt as a share of GDP as opposed to 37 percent before the recession. So if debt and deficits are a problem, it is far worse under President Obama's budget than before. But, again, it turns out that is not really what caused the great recession, nor was it the third item that has been pointed to; that is, deregulation.

Deregulation under President Bush did not cause the problem. Pethakoukis writes:

Glass-Steagall ended during the Clinton administration, and studies have found no evidence that any rule changes by the Bush SEC contributed to the financial crisis.

Glass-Steagall is the law that used to regulate how banks made investments. That law was eventually repealed during the Clinton administration. The Bush SEC—that stands for Securities and Exchange Commission, and there are rules changes in every administration for the SEC—he is making the point that there is no evidence that any particular rule change in the SEC had anything to do with the financial crisis.

So it was not the tax cuts, it was not the deficit, and it was not deregulation. What did cause the recession? AEI's Peter Wallison has put it simply this way:

The financial crisis was a result of government housing policy. . . . Fannie Mae and Freddie Mac were the implementers of a substantial portion of the government housing policy.

Now, I would note that Republicans in Congress tried to reform Fannie and Freddie, but we were opposed by Democratic Members both in the House and in the Senate, including then-Senator Barack Obama.

Most experts, I believe, will agree that the biggest reason for the collapse that occurred after 2006 was the housing market—the sale of all of these mortgages that were not worth the paper on which they were written. When that paper was all added together, bundled together and sold in big chunks to investors, and they found out their investment was not worth what they had paid for it, you had a crash and you had several people on Wall Street who went bankrupt as a result of that crash. That is the reality.

The bottom line is that there is no Republican policy that caused the recession, so it is bogus for the President to keep saying Governor Romney would just return us to the "same failed policies."

The second claim is that there were no new big Republican ideas to come

out of the GOP convention. I submit that claim reveals just how radical the Obama team's economic policies are. It is true that Governor Romney's ideas for economic recovery are not new. But they are big. In fact, his faith in the American people and the free enterprise system is a very big idea—not new but tried and tested as the basis for creating the wealthiest Nation ever on Earth.

Capitalism and free markets have lifted the standard of living for more people around the world than any government program or any other system. Planned economies compare very poorly to the free enterprise system of America. Margaret Thatcher once famously observed:

The problem with socialism is that, eventually, you run out of other people's money.

Yes, a key theme of the Republican Convention was freedom, opportunity, and earned success. Americans did build our own success. To the extent that government provided any infrastructure along the way, it was paid for by taxes that Americans paid on what they earned because of their success. And, yes, this is in contrast to the theme of the Democratic Convention that our success comes from the collective, embodied mostly in government, so the bigger the government the better.

The bottom line is this: Returning to free market principles and pro-growth policies will move us forward. Continued reliance on more spending, higher taxes, and bigger government will not solve our problems.

Mr. President, I suggest 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. HARKIN. 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.

ROSE NOMINATION

Mr. HARKIN. Mr. President, as many of my colleagues know, I am a strong and enthusiastic advocate of Stephanie Rose to serve as a district court judge in Iowa's southern judicial district. I was honored to recommend to the President that he nominate this outstanding attorney. I encourage my colleagues to vote for her confirmation when the vote occurs later this afternoon.

Let me begin by first thanking Senator LEAHY and his staff for their hard work in advancing Ms. Rose's nomination. I also want to thank my senior colleague from Iowa, Senator GRASSLEY, for his invaluable support and assistance. For all the years we have served together here in the Senate, which now goes on, I think, 27 years, Senator GRASSLEY and I have cooperated in a spirit of good will on judicial nominations in our State.

I am proud we are continuing Iowa's tradition regarding judicial selections.

I can honestly say that Senator GRASSLEY has never opposed one of my selectees, I have never opposed one of his, even when there has been a different President in the White House, depending upon the party that is in control of the Congress. I think we have both been very judicious, if I might use that word, in our selection of people for the bench. I say that both on behalf of Senator GRASSLEY and myself. So therefore we have worked together in this very close spirit of cooperation.

I also want to thank Senator GRASSLEY's staff, in particular Jeremy Parisi, Ted Lehman, and Senator GRASSLEY's Chief of Staff, David Young, for their support and their help in advancing the nomination. On my staff, I want to thank my Chief of Staff, Brian Ahlberg, Dan Goldberg, Derek Miller, and Pam Smith, all of whom have worked very hard to make sure we had a thorough interview process, a thorough vetting of the candidates, and to make sure that we got to the point where her vote will be coming up later this afternoon.

Stephanie Rose possesses in abundance the personal and professional qualities we expect from those we consider to take on the profound responsibilities of a Federal judge. She is a superb attorney. Among jurists, prosecutors, and the defense bar, she has a reputation as someone who is unfailingly fair and ethical and who possesses exceptional legal ability, intellect, integrity, and judgment.

As Charles Larson, the former U.S. Attorney for the Northern District of Iowa under President George W. Bush, wrote to the Judiciary Committee, Ms. Rose "has all the requisite abilities and traits to serve all litigants of the Southern District of Iowa in the manner expected of a federal judge. Ms. Rose would be a distinguished member of the judiciary."

Ms. Rose was born in Topeka, KS, and moved to Mason City, IA, when she was 4. Both of her parents were public schoolteachers. She and her husband Rob have two children, Kyl and Missy. Ms. Rose has two sisters, one of whom was adopted after coming to the family as a foster child, one of five foster children her parents welcomed into their home.

After graduating from Mason City High School, Ms. Rose earned her bachelor's degree with honors from the University of Iowa in just 3 years. Then she earned her doctorate of jurisprudence from the University of Iowa College of Law in just 2 years, graduating in the top 5 percent of her class.

She could easily have commanded a big salary from a top law firm. Instead she opted for public service and long hours as a Federal prosecutor, working to uphold the rule of law, making our neighborhoods safer, and advancing the cause of justice.

I might add that she served as a Federal prosecutor under district attorneys appointed both by Democratic Presidents and Republican Presidents.

In 2009, the Senate unanimously confirmed Ms. Rose to become U.S. Attorney in the Northern District of Iowa, having previously served 12 years as an assistant U.S. attorney.

Even before becoming U.S. attorney, she was lead counsel in 260 felony cases and made 34 oral arguments before the eighth circuit. She received a national award from the Department of Justice for her work in prosecuting the largest unlawful Internet pharmacy case in the United States.

As U.S. attorney, Ms. Rose has helped make Iowa and our Nation safer, reduced violent crime and gang violence, and promoted civil rights. In addition, she has the distinction of serving on the Attorney General's Advisory Committee. It is no surprise that the American Bar Association gave Ms. Rose a unanimous "well qualified" rating, the highest rating by the American Bar Association.

Finally, I wanted to comment on the historic nature of her confirmation. Ms. Rose was the first woman to be confirmed as U.S. attorney in Iowa's Northern District, and when confirmed later today, she will be the first woman confirmed as a U.S. district court judge in Iowa's Southern District.

Ms. Rose is a person of truly outstanding intellect, integrity, and character. She is exceptionally well qualified to serve as a United States district judge for the Southern District of Iowa. I urge all of my colleagues to support her nomination.

I yield the floor and suggest 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. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

HONORING OTIS A. BRUMBY, JR.

Mr. ISAKSON. Mr. President, I ask unanimous consent to have printed in the RECORD an 8-page eulogy that appeared in the Marietta Daily Journal on Sunday of this week.

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

[From the Marietta Daily Journal, Sept. 8, 2012]

JOURNAL PUBLISHER DIES AFTER TWO-YEAR BATTLE WITH CANCER

(By Joe Kirby)

Otis A. Brumby Jr. served nearly a half-century as publisher of the Marietta Daily Journal. During those decades he oversaw the transformation of the MDJ from a small-city newspaper into the award-winning flagship of a metro-wide chain of suburban papers; used those publications as "bully pulpits" for lower taxes and against political

corruption; crusaded successfully for stronger "Sunshine Laws"; fought passionately for education reform; and was a widely respected kingmaker in state and local politics. Brumby, who was diagnosed with Stage 4 prostate cancer nearly two years ago and had waged a strenuous fight against it since then, passed away peacefully at his home on Saturday at age 72, surrounded by family and friends.

Said former Gov. Roy Barnes of Marietta, "I can think of no single person who's had bigger impact on Cobb County and this state than Otis. He excelled as a community leader and in education reform. And I think that a giant oak has fallen that will be very difficult to replace."

Otis A. Brumby Jr. was born April 9, 1940 in Atlanta, son of the late Otis A. Brumby Sr. and Elisabeth Dobbs Brumby of Marietta. His family had a long history and deep roots in county history. One member (Col. Anoldus V. Brumby) had served as commandant of the Georgia Military Institute on Powder Springs Road in Marietta (now site of the Marietta Hilton and Conference Center). Otis Jr. was the great-grandson of Thomas Micajah Brumby, who with his brother James had co-founded the Brumby Chair Company here just after the Civil War (a company that Otis Jr. would successfully resurrect in the mid-1990s). Both Thomas and his son, Thomas Jr., served as mayors of Marietta, the latter dying in office.

Thomas Jr.'s son Otis Sr. had founded the weekly Cobb County Times in 1916 and acquired the MDJ in 1951.

The publisher and his young family, which also included daughter Bebe in addition to Otis, lived on then-rural Terrell Mill Road just south of Marietta.

Despite growing up around the newspaper, Otis Jr. had planned on a legal career. After graduating from the University of the South in Sewanee, Tenn., with a major in political science and a minor in economics, he earned a law degree from The University of Georgia in Athens (where his roommates included future famed criminal defense lawyer Ed Garland, banking tycoon James Blanchard of Synovus and prominent attorney Wyck Knox of Augusta).

But shortly after he returned to Marietta in 1965 as assistant to the publisher (a training period that also included a lengthy stint as a "cub" reporter) and two years later was named publisher.

He wasted little time making his mark. In 1969 he launched the Neighbor Newspaper group, which ultimately grew into a chain of 27 free suburban weeklies circling metro Atlanta, with satellite offices in each county feeding copy back to Marietta.

"Otis Jr. was still in his 20s when he made the visionary decision to start the Neighbor newspapers," retired Kennesaw State University history professor Tom Scott, Ph.D., told the MDJ. "In the competitive world of modern reporting, with so many alternatives to print journalism, it's hard to see how the MDJ could have been so profitable without the mass circulation of those suburban newspapers."

Meanwhile, with delivery issues in mind and with an eye on the need for better access to then-new Interstate 75, Brumby moved the newspaper's offices from their traditional Marietta Square location to a new plant on Fairground Street just downhill from Lockheed.

Brumby's newspaper, with its emphasis on short stories and readability, became a model for the industry. When Gannett began laying plans for what would become USA Today, it sent a team of editors to spend a week in the MDJ newsroom studying the Marietta newspaper model.

The MDJ's meat-and-potatoes was and is coverage of community events that are too

routine for bigger media to pay much attention to: the rezonings, the road widenings, the church news, the school news, the new business openings. But unlike many community-oriented newspapers, and unlike many bigger ones as well, the MDJ under Brumby's leadership also kept its editorial eye riveted on the doings of its local governments. The MDJ hammered home through the years the need for leaner government and lower taxes.

"He was always a populist in his views and opposed what he deemed to be wasteful spending on any level of government," recalled state Senator and former Cobb school board Chairman Lindsey Tippins.

Added former House Speaker Newt Gingrich, "Otis was consistently one of the strongest voices for more efficient government, for smaller government and for creating new jobs. He was a passionate advocate for the development of northside Atlanta. Just look at the amount of what in his youth was farmland that now is full of homes and factories and schools. He was integral to the growth of Cobb."

Said legendary retired Georgia journalist and syndicated columnist Bill Shipp of Kennesaw, "Of all the publishers and editors I met and worked for, he was far and above the best one. He had a model daily newspaper. He not only reported the news, his newspaper was an active, dynamic watchdog in this county."

"He ran a newspaper that appealed to local newspaper readers and was a cause for community good. And the MDJ is without equal in the entire state in that regard."

Added Barnes, "We have not had any major government corruption scandals in Cobb, and the reason is that Otis was a vigilant watchdog making sure the public knew what was going on. We've escaped embarrassment, corruption and scandal because of his efforts."

Like most editors and publishers, Brumby felt strongly about First Amendment issues. But unlike the perfunctory support sometimes heard from such quarters, Brumby's front-and-center push for government transparency was unwavering.

"His legacy in journalism was his consistent, unrelenting effort to ensure government transparency and open meetings and records," said U.S. Sen. Johnny Isakson (R-Ga.) "There's not a journalist or publisher or editorial writer in this state that did more than Otis to ensure the public's business was done in the open. There wouldn't be an Open Meetings and Open Records Act without Otis."

Continued Isakson, "When the publisher of your hometown paper and your personal friend has a passion for open government and you're an elected official, if you don't embrace that concept too, you won't last very long."

Georgia Attorney General Sam Olens of east Cobb described Brumby as "a great teacher and mentor. His love of the First Amendment and his desire for elected officials to be held accountable are much appreciated."

Retired ambulance company owner Bo Pounds was part of a group that successfully brought suit against Cobb EMC regarding misuse of corporate assets, an effort that was fueled by the MDJ's close coverage.

"Otis is the best I've ever seen at letting the public know what in the hell the government is doing," he told the MDJ. "Otis is as responsible for openness in Georgia law as anyone."

The newspaper went on to win the prestigious annual Freedom of Information Award numerous times from the Georgia Associated Press and the Georgia Press Association.

As Brumby saw it, the Sunshine laws were tools for use by the public and media to help hold elected officials accountable.

Shipp, the retired columnist, said that public officials "were and are absolutely terrified of the MDJ, and that's a good thing. We don't have much of that kind of journalism anymore. It's the kind of journalism that keeps people in the middle of the road."

Said Marietta Mayor Steve Tumlin, "I had one rule with Otis as a politician: Tell the truth early on and hide nothing, as he knew it or was going to know it anyway."

It's notable that the three Georgia elected officials who arguably worked the hardest and most successfully to strengthen the sunshine laws Barnes, Olens and Isakson—had something in common.

"They were all under tutelage of Otis Brumby," Barnes said. "He impressed upon us and all who would listen the importance of making sure that government is open and conducted in the sunshine. He always argued that was the best way to keep government from becoming too bureaucratic and to try to prevent corruption. I could have had no better ally on that than Otis Brumby. It was not just lip service, but something he was passionate about."

Former state Sen. Chuck Clay (R-Marietta) recalls Brumby as "an absolutely uncompromising warrior on behalf of open government and open records. The people of Georgia have been well served by his efforts. I just hope they know what a legal quorum is in heaven or there is going to be trouble, and I bet on Otis."

Brumby also was passionate about education reform and strong public schools. The result was, first, his appointment to the Marietta School Board by then-Mayor Joe Mack Wilson and the City Council in 1993; and later, his appointment as chairman of the State School Board by Barnes in 1999.

"I went to his house and said, I want you to be chairman,'" Barnes recalled. "That's a tough job, but he thought about it and said, That's not the job I want, but it's a job I can't say no to. Education is too important. He was always willing to serve, and he always gave 100 percent."

But perhaps Brumby's biggest contribution to public schools was the "vote of confidence" in them by virtue of the decision he and wife Martha Lee made to send all five of their children to the Marietta School System, rather than to private schools as many Mariettans were doing.

"He chose to send them to public school when he could have afforded to send them to any private school in the country," observed former U.S. Rep. Buddy Darden (D-Marietta).

Brumby was fond of quoting former Mayor Joe Mack Wilson's observation that the city school system "is the glue that holds Marietta together."

Brumby was fascinated by politics, an interest honed when he served in the 1950s as congressional page for his cousin, U.S. Sen. Richard B. Russell in Washington, D.C. (Brumby went on to graduate from The Capitol Page School in Washington.)

"Other than his family, which he was most proud of than anything, I think he was most proud of his days as a page for Richard Russell," recalled syndicated columnist Matt Towery of Vinings. "He didn't have as many pages as the other senators, and not many could say they paged for him. And that relationship helped form many of his views on politics and life."

Russell was one of the most powerful senators and was the intellectual force behind the Southern bloc that then controlled the seniority-driven body. Russell also was a confidante of both then-President Dwight Eisenhower and then-Senate Majority Leader (and future President) Lyndon B. Johnson. The young Brumby would recall in later years that he was routinely designated by Johnson to answer his personal phone on the floor of the Senate.

Cobb and Georgia politics in that era were overwhelmingly Democratic. But Brumby took the reins of the MDJ just as Cobb's previously next-to-nonexistent Republican Party was first beginning to stir. Fueled by an influx of residents from other parts of the country into east Cobb, the county GOP would be a force to be reckoned with by the early 1980s.

"Otis always thought that a strong two-party system was in the best interest of the state," said Isakson, who first ran for office in the early 1970s. "And being part of the minority party early in my career, he gave us the chance to make our case. He didn't prop us up, but he made sure the access was there. We had a chance, and in a lot of communities, you never did."

Added Gingrich, who in those days represented a district on the southside of Atlanta, "Otis was a warrior for conservatism who by the creation of the Neighbor Newspapers on top of the MDJ dramatically offset the impact of the Atlanta newspapers. You can't understand Georgia politics over the last 30 years without understanding how important a figure he was."

"It's hard for folks now to remember how dominant the liberal voice of the Atlanta newspaper was back in the 1970s, and how exciting it was to have Otis and his newspaper as a conservative voice. And it was great for our morale, too. Later, when I was Speaker, I always felt like he had my back."

But Brumby's personal politics remained somewhat amorphous. He endorsed and gave financial contributions to candidates of both parties. Although personalities sometimes figured into the equation, for him the bottom line usually was not party label but whether the candidate was suitably conservative, especially on fiscal matters.

A similar rule of thumb determined whether to editorially support various proposals floated by local officials. The main criterion was whether the project or referendum made financial sense for taxpayers.

"As a politician, I'll miss the question that I've heard over and over, both in Cobb and in the state Capitol: 'What does Otis think about this?'" Tumlin said.

It's hard to be a crusading journalist without making one's share of enemies, and Brumby made his share—and then some. But he not only possessed bulldog tenacity when it came to following a story, but also with the rare gift of retaining the friendship and respect of those who were momentarily feeling the heat.

"He doesn't have a single friend who didn't have a disagreement with him, but we all learned to put those behind us," Darden said. "And he had the ability to move forward. We didn't always agree, but it didn't come in the way of what I consider one of my closest friendships in my entire adult life."

Said Isakson, "I'll be the first to say we didn't agree on everything, but I learned that it was best to focus on what we agreed about and move on."

Numerous others told the MDJ the same thing, including Barnes.

"Johnny and I are two of his close friends and he'd hammer both of us from time to time, but we understood what he was doing," he said. "As I used to kid him, I never forgot that you're first and foremost a newspaper man. The ink flowed through his bones and blood. But we remained friends. That is a unique ability, to continue to have a close relationship. I knew his secrets and he knew mine. He never betrayed a confidence of mine or vice-versa. But at same time I understood he had a job to do."

"In my world, loyalty is the coin of the realm, and Otis was loyal to me and I was loyal to him. That does not mean there would not be criticism. But in the end, we re-

mained friends. He told me once that Johnny and I were the only ones that understood completely what the press needs to do and has to do."

Smyrna Mayor Max Bacon said he understood the awkward position Brumby would sometimes be in.

"Being an editor and living here locally has got to be a tough job."

There were two sides to Otis Brumby—the one as the publisher that the public saw, and the private one as a man utterly devoted to his community, to his church, to various other charities and, above all, to his family.

He is survived by his wife Martha Lee, daughters Spain Gregory, Lee Garrett, Betsy Tarbutton, Anna Brumby and son Otis Brumby III; 10 grandchildren; and his sister, Bebe Brumby Leonard.

The late Mr. Brumby was a trustee of the University of Georgia Foundation, the Arch Foundation of UGA and the Kennesaw College Foundation. He represented the Seventh Congressional District on the state Board of Transportation from 1985-90. He endowed a professorship of First Amendment Law for journalism and law students at UGA in 2004. He was for decades an avid member of the Marietta Kiwanis Club, serving as its president; and past president of numerous professional organizations.

He remained an avid UGA football fan, and often remarked that there was nothing like enjoying a game at Sanford Stadium "with 100,000 of your closest friends."

He was a lifetime member of First United Methodist Church of Marietta.

"Otis was a faithful and generous churchman and he served where he was needed, whether helping plan the church's future or ushering and greeting newcomers on Sunday morning," said the Rev. Sam Matthews, pastor. "I witnessed profound gestures of kindness and consideration from him, gestures that most of us would be challenged to match."

Former Congressman Darden, a fellow member, noted Brumby's steady giving to the church, and quoting the Book of Matthew, said, "For where your treasure is, there your heart will be also."

Former Georgia Supreme Court Justice Conley Ingram sat in the pew just ahead of the Brumbys for years.

"He did the smallest job to the greatest job at our church," he said. "He was a greeter at the door, or took up collection, but you could always count on him to be there."

"His life was one of love and dedication to his family and his church and to the First Amendment and to UGA. He was a great friend, and he never tried to take credit for the many things he did for our community. He was a great family man and a great church man and above all, a loyal friend. It's not going to be the same without him."

Many of those who shared their reminiscences for this story remarked on the contrast between Brumby's towering journalistic presence and his personal preference for staying out of the spotlight.

"For all his greatness, the greatest thing about him was that he was so humble," Tumwry said. "He could be tough in the business place, but when he got out in public, he was shy. You couldn't get him to talk about himself in front of other people."

Remembered Barnes, "To have held the position of influence he did in this community, he was one of the most humble guys I've ever been around. He never overstated his influence or importance."

Brumby also was recalled by Barnes and others as a terrific storyteller.

"He had a lot of fun in him," he said. "A lot of those who didn't know him didn't realize what a great sense of humor he had."

Brumby's middle name, "Anoldus," had been passed down through the generations,

and he joked to an editor this summer in mock surprise that, "I offered it to all my children to use as a name for their children, and none of them wanted it!"

And Brumby, whose hairstyle and sartorial choices were nowhere close to "cutting edge," could be self-deprecating, too.

"He used to jokingly call himself the Marietta Square,'" Tumwry said. "But he wasn't just the Marietta Square.' He was Cobb County. And life without Otis Brumby is not going to be as much fun."

Added Isakson, "I'm going to miss my friend Otis."

A memorial service will be held Wednesday at 11 a.m. at the First United Methodist Church of Marietta.

In lieu of flowers, contributions may be made to First United Methodist Church 56 Whitlock Avenue Marietta, GA 30064 or the Georgia Press Educational Foundation 3066 Mercer university drive Atlanta, GA 30341. Mayes Ward-Dobbs Funeral Home in Marietta is in charge of arrangements.

MR. ISAKSON. Mr. President, this is a poignant eulogy of many of the accomplishments of one of my best and personal friends, Otis Brumby, Jr. I could read all of his accomplishments if I wanted to. There are times we are called on to offer eulogies on the floor of the Senate because we have to or because it is appropriate. There are times we give eulogies for great past leaders of our State, but on rare occasions, such as the one I have today, we do it for someone for whom we have tremendous respect, love, and compassion.

To Otis Brumby, Jr.'s wife Martha Lee, his daughters Anna, Betsy, Lee, Spain, his son-in-law Heath, and his son Otis Brumby III, my love and compassion goes out to each of them during their tragedy.

Wednesday morning I will return to Marietta, GA, to be part of the memorial service to honor Otis Brumby. I thought it would be better to talk about the Otis Brumby I knew rather than the one the papers are writing about. To me he was the epitome of a journalist, a father, a friend, and a husband. Otis Brumby, Jr. got his start in some ways on the floor of the U.S. Senate because in the late 1950s his father arranged for him to page for Richard B. Russell, who, as all of us know, was really the master of the Senate before Lyndon Johnson when he was leader, later Vice President, and finally President.

Otis Brumby learned a lot in this Chamber and on this floor. He has told me what it was like before the cameras were here back in the good old days when there was camaraderie and friendship in the Senate. He also told me about the difficult days of the civil rights era, and particularly as a son of the South and what that meant to him.

He came back to Georgia. After graduating from high school, he went to the University of the South in Sewanee, and then earned a law degree from the University of Georgia. He then headed to his passion, the law, but he didn't make it. Instead he made it to the Marietta Daily Journal as a cub reporter for his father's newspaper. At the age of 27 he was a floor manager

and assistant publisher for the paper. He offered his expertise at a very young age.

At the age of 29 he came up with a unique concept. He said people would like to see their kids' pictures in the paper. They like to have stories about their sports victories. They like to have lots of pictures and stories—but just to them—and not all the fodder that might go with it. He started what became known as the Marietta Daily Journal and the Neighbor Newspaper Group. He created 27 neighborhood newspapers and all 27 of them were weekly.

They were so successful that when Gannett decided it was going to try to do a national paper called USA Today, they sent a team of investigators for 7 days to the Marietta Daily Journal to investigate their template, the way they published their paper, their meat and potatoes. Quite frankly, a lot of credit for USA Today goes to the newsroom at the Marietta Daily Journal and the brilliance of that young 29-year-old reporter who later became a publisher of that newspaper.

Otis Brumby died last week of prostate cancer and the effects of prostate cancer. He suffered for 2 years, and that has been a tragedy. But the tragedy for all of us is that he is gone; he has left a mark on our State, county, and community that can't be easily replaced.

Although he had an affinity for politics, he never served. When called on by Governors for appointments, he took them; first as State board of education chairman and later as board of education chairman for the Marietta public school system. A very wealthy man because of his success and investments, Otis Brumby never sent his children to private schools that he could afford because he believed the public schools needed to be the best, and he thought he would send his children there as a role model. And he did. They all were superstars in their schools whether in academics or athletics. Their father Otis supported those public school systems as a leader, a mentor, and a board member.

To Marietta, GA, Otis Brumby was just about everything. He was its conscience, benefactor, and leader, and from time to time he was its protagonist where he would promote discord and a lack of harmony in order to come up with the right decision.

I can tell my colleagues, as a politician, when he wrote about someone and they heard they were in the paper, the first thing they did was grab the newspaper. In fact, there is a column he wrote called "Around Town" that appeared every Saturday morning in the newspaper—a pretty thin part of the paper, but it was a one-page discourse on what politicians in the county were up to. On Saturday morning every politician in Marietta, GA, and Cobb County, GA, went to their mailbox and got their Marietta Daily Journal. They didn't want to see what the football

score was; they wanted to see what Otis Brumby had said about them during the previous week. He was the conscience of all the politicians in the community. He was the leader in the community, and he was the benefactor of the community. He made it a much better place.

Otis was not a Republican nor was he a Democrat. He was, if anything, a populist, but he had a fiscally conservative bent to him. Unlike a lot who commentate on politics, Otis put his money where his mouth was. He wrote checks to local politicians and to people in the U.S. Senate. There wasn't a party bent to him, but there was always a fiscally conservative bent.

In fact, I will tell my colleagues when I first ran for office in Cobb County in 1974, we didn't have any Republicans. I ran as a Republican because I was a fiscal conservative. Everybody told me I was crazy. They were right; I got beat. But Otis Brumby took an interest and wrote about the campaign and some of the things we talked about and some of the things we tried to do. He propped me up long enough to get a chance to stand on my own two legs. Sure, he would knock me down from time to time—and some of those times I deserved it—but he gave me a chance. He gave everybody a chance. He was one of those journalists who would comment on what someone did, but he gave them the strength to do what was right.

Wednesday morning I am going to the funeral of my dear friend. I miss him already and will miss him more as the days go by. I love him and his family for all they have done for me, my community, and my country. So at one of those rare times when we come to the floor to eulogize, this time for me it is personal but this time for America we have lost a son, a journalist, a patriot, and I have lost a best friend.

May God bless Otis Brumby and his family, his grandchildren, and our community.

I yield the floor.

THE PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have been listening to our colleague, the Senator from Georgia, who is one of the real gentlemen of this body. I listened to his warm words about his friend who has passed. Sometimes what people say about others is a better reflection on them than on who they are describing. In many ways, I thought that about what Senator ISAKSON was just saying because what he just said about his friend, any one of us in the Senate could say about him because he is a gentleman.

I was very much moved by the words of my friend. We thank him for all he does to make this a better place.

THE ECONOMY

I have come to the floor on different business, which is to talk about the budget circumstance we are in and to try to answer the question we have heard asked in recent days: Are we bet-

ter off now than we were 4 years ago? I believe the answer to that question is very clear.

To answer the question we have to take ourselves back 4 years and remember the conditions we faced then. I will never forget as long as I live being called to an urgent meeting in the Capitol late one evening in September 2008. I was the last one to arrive. There were assembled the leaders of the House and the Senate, Republicans and Democrats, the Chairman of the Federal Reserve, and the Secretary of the Treasury of the Bush administration.

The Secretary of the Treasury and the Chairman of the Federal Reserve quickly told us they were going to take over the giant insurer AIG the next morning. They weren't there to ask our approval or seek our support; they were there to tell us what they were doing. They told us if they did not do it, they believed we would have a financial collapse within days.

This was September 2008. Barack Obama was not the President of the United States; George W. Bush was the President of the United States, and we were on the brink of financial collapse, according to the description of his own Secretary of the Treasury.

Let's remember what the economy was doing in the fourth quarter of 2008. The economy was shrinking at a rate of over 8 percent. In fact, it was shrinking at a rate of almost 9 percent. In the first month of 2009, the last month of the Bush administration, we lost 800,000 jobs in 1 month. So when people ask if we are better off today than we were then, just as a factual matter there can be no dispute. We are dramatically better off today than we were 4 years ago.

Four years ago we were on the brink of financial collapse. Four years ago the economy was shrinking at a rate of almost 9 percent, and we were losing 800,000 jobs a month. Those are facts. They cannot be disputed.

Today we are growing, not as fast as we would like; jobs are being created, not as fast as we would like, but that is a dramatic improvement over 4 years ago. Let's remember the housing market was in crisis. Home building and sales were plummeting. There were record foreclosures. The financial market crisis threatened global economic collapse. That was 4 years ago. Anybody who wonders can go back and read the headlines. Those were grim days.

I also remember as though it were yesterday being part of the group who was given a responsibility to negotiate the TARP—the Troubled Asset Relief Program. I remember being in this complex late on a Saturday night, again with the Secretary of the Treasury of the Bush administration, and him telling us if we did not come up with a solution by 5 o'clock Sunday night, the Asian markets would open and they would collapse, and our markets would open the next day and they would collapse.

So when people ask if we are better off today than we were 4 years ago, as a factual matter there really is no question—none. We are dramatically better off.

The other thing we should keep in mind is, what happens after a severe financial crisis such as the one we faced 4 years ago? Dr. Carmen Reinhart, from the Peter Peterson Institute for International Economics, and her husband, Dr. Vincent Reinhart of the American Enterprise Institute—which, by the way, is a pretty conservative place—have done an analysis, and here is what they found: After a severe financial crisis such as the one we suffered 4 years ago, economic recoveries are shallower and take much longer.

Here is the quote from their analysis:

Real per capita GDP growth rates are significantly lower during the decade following severe financial crises. In the ten-year window following severe financial crises, unemployment rates are significantly higher than in the decade that preceded the crisis. . . .

That is what we had in 2008. Again, Barack Obama was not the President of the United States; George W. Bush was President of the United States, and we had a severe financial crisis. We were on the brink of financial collapse. It takes a long time to dig out from a disaster of that magnitude.

Two of the most distinguished economists in the country—one of whom, by the way, advised JOHN McCAIN in his most recent Presidential race, and the other who is Deputy Chairman of the Federal Reserve—did an analysis of what would have happened without the Federal response, what would have happened in terms of jobs. Here is what they found: With a Federal response we got 8 million jobs we would not have had otherwise. In other words, if there had been no Federal response, the red line is what would have happened to jobs. The green line is what happened as a result of Federal action: 8 million fewer jobs lost than if there had been no Federal response.

Again, this is work that was done by Alan Blinder, former Vice Chairman of the Federal Reserve, and Mark Zandi, who was one of the economic advisers to JOHN McCAIN in the last Presidential race.

So when we go back to this question, are we better off now than we were 4 years ago, I think the answer is unequivocally, yes. We are dramatically better off than we were 4 years ago.

Now, those people who are still unemployed don't feel better off. I understand that. That is dreadful, that is painful, and it is painful in every way. Not only does it hurt in the pocket-book, but much more than that: It hurts the way people feel about themselves. It hurts the way people feel about their role in their families. So we have lots of work to do, but if we are going to be honest with people about comparing where we are today and where we were 4 years ago, there really can be no serious question about the answer to that question.

This chart shows the economy in the fourth quarter of 2008—that is the last quarter of the Bush administration—was shrinking at a rate of almost 9 percent. Now the economy is growing at a rate of 1.7 percent, for the most recent quarter. Is that good? No. Would we like it to be stronger? Absolutely. But is this better than almost any other developed country in the world? Yes. The Eurozone is in recession. Their economies are shrinking. Japan is not doing as well as we are doing.

So when we look around the world and compare ourselves, the answer by comparison is we are doing remarkably well given the depth of the financial crisis we experienced.

Not only is it true in economic growth, it is true in terms of private sector jobs. Again, in the last month of the Bush administration, this economy lost over 800,000 jobs—in 1 month. In the most recent month in the United States, we gained 103,000 private sector jobs. That is a turnaround of over 900,000 jobs in a month. That is a dramatic improvement.

And if we look at the stock market, we can answer that question as well. Are we better off now than we were 4 years ago? Well, this chart shows the stock market. In March of 2009, it hit its low of 6547—the low during this period. Look where it is today. More than double what it was 4 years ago.

So, again, if we are seriously asking the question, Are we better off than we were 4 years ago? In terms of economic growth? Yes. In terms of job creation? Yes. In terms of the stock market? Yes. In terms of economic performance? Yes.

I have also heard my colleagues on the other side say at the convention just concluded that there has been no budget here for 3 years. Well, there has been no budget resolution. But there is a budget law that was passed called the Budget Control Act. And a law is much stronger than any resolution. A resolution is purely a congressional document. It never goes to the President for his signature. A law, obviously, has to go to the President for his signature.

So when they say there has been no budget passed, there has been no budget resolution passed, but, instead, Congress passed the Budget Control Act. Look what it said in the Budget Control Act:

. . . the allocations, aggregates, and [spending] levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012. . . .

That same language is repeated in the next paragraph:

. . . the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013. . . .

I say to you, a budget is a limitation on spending. The Budget Control Act contained very clear limitations on spending for 2012 and 2013. So when our friends say there has been no budget

passed by this body, oh, yes, there has. There has been a budget passed for 2012, and one for 2013. Instead of a resolution, it was done in a law.

What we do not have is a long-term plan, a 10-year plan. That is what we need. But it is pretty clear both sides are not ready yet, and perhaps will not be until we have had this election, to sit down and agree to the kind of 10-year plan we so desperately need.

The Budget Control Act represented the largest deficit reduction package in the history of the United States. How can that be? Well, because it contained \$900 billion in discretionary savings over 10 years, and it included the so-called sequester that we hear so much about that added another \$1.2 trillion of spending cuts over the next 10 years, for a total of \$2.1 trillion in spending cuts. That is the largest deficit reduction package we have ever passed.

So, again, when people say there is no budget, there has been no action taken, it is not accurate. The Budget Control Act operates in the same way as a budget resolution, and it is a law, not a resolution that is purely a congressional document that never goes to the President. The Budget Control Act passed both Houses of Congress, went to the President for his signature, and cut \$2.1 trillion in spending.

People may not like it. There are a lot of things I do not like about it—certainly the sequester. I think we ought to find alternative savings for it. But the fact is, this is now law, and it cut \$2.1 trillion. That still leaves us with the problem that we are borrowing 40 cents of every \$1 we spend, and that cannot be permitted to continue.

So we have to add a package on top of the Budget Control Act. We have to do more. I would prefer, strongly, to do another at least \$3 trillion. I tried to convince the Bowles-Simpson Commission to do a package of \$5 trillion of deficit reduction. Actually, I tried to persuade them to do a package of \$5.6 trillion of deficit reduction because we can balance the budget if we would do a package that large. The people who were on that commission will tell you I tried repeatedly to convince my colleagues to go big, let's do a package that really balanced the budget.

And we could do it. It is not that hard. I think people sometimes get it in their head this is some impossible task. I told them, let's talk about a 6-percent solution. If we would do 6 percent more revenue than current law provides and 6 percent less spending, we would save \$6 trillion over 10 years and balance the budget. I actually would argue for more weighting on the spending cut side of the ledger than on the revenue side. But I do this for illustrative purposes, to indicate we cannot do 6 percent? Come on. We cannot do 6 percent? Sure we can.

The occupant of the chair, the Governor of West Virginia in his previous life in politics, I will tell you, he did not have any trouble making tough decisions, and I will bet you he reduced

spending a lot more than 6 percent. He survived. He is here. He is respected.

We can do this. Hey, we have done much tougher things than this in the past. I hope colleagues think about this carefully.

This next chart is so important because it looks at the spending and the revenue lines of the Federal Government going back to 1950. This is 60 years of our economic history on one little chart.

The red line is the spending line. The green line is the revenue line. And look what it shows. We got to, in 2010, an all-time high in spending for the last 60 years, taking out the effect of inflation, so you have an even-steven comparison over that 60-year period. And we were at a 60-year high in spending—not surprising given the dimensions of the financial crisis we faced. But at the same time, we were at a 60-year low in revenue. When you have record spending and record low revenue, you have record deficits and record additions to the debt. That is exactly what was happening to us.

We have seen some improvement in the last few years. Spending is down as a share of GDP. Revenue is up a little bit. We still have a big chasm.

In the midst of all this comes Representative RYAN and his plan. I would say to those who might be attracted to his plan: Be careful what you wish for—be careful what you wish for—because, first of all, the Ryan plan does not balance the budget, if ever, until 2040, and it only balances in 2040 because of certain assumptions he told the Congressional Budget Office to make about his plan and the revenue contained in it. I personally do not think it ever balances. I do not believe it ever balances. It is absolutely an unbalanced plan. All of the deficit reduction is on the spending side. He actually digs the revenue hole much deeper, extends all the Bush era tax cuts, and then adds hundreds of billions of dollars of more tax cuts, primarily to the most fortunate among us.

There is \$1 trillion in tax cuts for the wealthiest. He gives those with an income of over \$1 million an average tax cut of \$265,000 a year. Somebody is sitting out there saying: How is that possible? A person earning \$1 million a year probably does not pay much more than \$265,000. How can they, on average, be getting a \$265,000 tax cut? Remember, this is the average for everybody over \$1 million, so this includes people making \$1 billion a year. And there are a fortunate few who make \$1 billion a year. So if you take everybody over \$1 million, and you average the tax cut they get under the Ryan plan, it is over \$265,000 a year.

He has \$2.9 trillion in health care cuts. So first of all, he extends all the Bush era tax cuts. Then he adds hundreds of billions more of tax cuts for those who are the most fortunate. And to start to make up for it, he has \$2.9 trillion in health care cuts—not million, not billion: trillion. He repeals

health care reform. He shifts Medicare to vouchers. And he block-grants Medicaid and cuts Medicaid drastically.

Who benefits from Medicaid? Well, low-income people, disabled people, but also a lot of middle-income people in this country benefit from Medicaid because their folks are in nursing homes and they have spent down their assets, and the only way they can stay in the nursing home is that Medicaid picks up the tab. There are hundreds of thousands of families in America, middle-class families, who have benefited from Medicaid because that is what has paid the nursing home bills for their relatives—their mom, their dad, their grandpa, their grandma. That is the truth.

The Ryan budget also dramatically cuts the safety net for seniors, the children, the disabled. It increases the uninsured by more than 30 million people. It is going to increase the number of uninsured by 30 million. Well, if you are not uninsured, why should you care? I will tell you why you should care. Because if they are not paid for by insurance, they are going to be paid for by all the rest of us. Because the hard reality of how the health care system works in America is this: If you are in a car accident and you do not have insurance and you are taken to the hospital, you are treated. If you do not have insurance to pay for it, and you do not have resources to pay for it, guess who pays for it. All the rest of us pay for it.

That is why it is absolutely in our interest to have as many people insured as is possible. It is not just a nice thing to do; it is a smart thing to do. Because one of the things we have found out is that about a third of the people who do not have insurance can afford it. They can afford it. They just choose not to have it because they know if something drastic happens to them, all the rest of us are going to pay.

There are also large cuts in the Ryan budget for education, for energy, for infrastructure—building roads, bridges, highways, and the rest. Those things undermine the engines of economic growth. So I do not think that is the way to go.

When we look at the Ryan budget plan on revenue, here is what we find. It provides \$1 trillion in tax cuts for the wealthiest among us. It gives millionaires an average tax cut of more than \$265,000 a year. It does not contribute one dime of revenue to deficit reduction. And the revenues reach 18.7 percent of GDP by 2022. Now why does that matter? Because the last four times we have balanced, the revenue of the country has been 19.6 percent, 19.7 percent, 19.8 percent, 20.6 percent. So, hey, if we are going to be serious about belling this cat, we are going to have to cut spending, we are going to have to reform the entitlements, we are also going to have to raise some revenue, hopefully not in a way that hurts economic growth, because we think we have found ways of doing it.

But the Ryan tax plan, I have to say, I do not think adds up. Why don't I believe it adds up? Well, let's look at what he proposes.

First of all, he says we should reduce individual tax rates to just two—one at 10 percent and one at 25 percent. Right now, the top rate is 35 percent. If you reduce that rate to 25 percent, and you have only one other rate of 10 percent, that package costs \$2.5 trillion over the next 10 years. So instead of filling in the hole, you are digging the hole deeper. Then he puts the top corporate rate at 25 percent. Again, that is a significant reduction from the top corporate rate today. That costs another \$1 trillion. Then he repeals the alternative minimum tax. That costs another \$670 billion. Then he repeals all the tax levies in the health care reform. That costs another \$350 billion. Then he allows the stimulus provisions to expire from the Recovery Act, which raises \$210 billion.

Before he starts filling in the hole, he has dug the hole deeper by almost \$4½ trillion, and he says he is going to offset all of that with individual base broadening and corporate base broadening. We are spending about \$1.2 trillion a year in tax expenditures. Over 10 years that is about \$15 trillion with inflation.

So we could come up with this \$4½ trillion, but what would we have to do in order to do it? Almost every objective observer has said we would have to raise taxes on the middle class—because he says this is going to be somehow, in the Romney plan, revenue neutral. I do not know that the Ryan plan ever claimed to be revenue neutral. But if we are going to pay for this, how are we going to do it, which of the exemptions and the exclusions? Are we going to reduce the mortgage interest exemption? Are we going to reduce the health care tax exclusion? Because those two affect middle-class people. Let's be honest. Let's be straight. So there is no way Congressman RYAN's plan does all the things he claims for it without raising taxes on the middle class.

When he gets to a revenue level of 18.7 percent and says that is the historic average, that is true. The problem with that is we have never balanced the budget, going back to 1969, with that amount of revenue. The five times we have balanced since 1969—that is 43 years ago—revenues have been at 19.7, 19.9, 19.8, 20.6, 19.5. So just getting back to the historic average, I do not think it is going to be enough. If we are looking at what it has taken to actually balance the budget in our history, we can see we have to be very close to 20 percent.

By the way, these levels of revenue were before the baby boom generation, and the baby boom generation, that is not a forecast. That is not a prediction. Those people have been born. They are alive today. They are going to be eligible for Social Security and Medicare. If

we are going to be honest with ourselves, honest with the American people, I do not think what Congressman RYAN is talking about adds up.

If we look at his budget on health care, we see \$2.9 trillion in health care cuts. As I indicated, he repeals health care reform. I hear a lot—I hear it in my State: Let's repeal health care reform. Why not? Because the Congressional Budget Office tells us if we repeal it we add over \$1 trillion to the debt. We add over \$1 trillion to the debt, we deny coverage to 30 million people who would otherwise have it.

His plan also ends the effort to promote quality over quantity of care, reopens the prescription drug doughnut hole that raises costs to seniors by \$4,200, allows insurance companies to drop coverage when we get sick. It ends the provision allowing young adults to stay on their parents' plan until the age of 26. It shifts Medicare to vouchers in 2023 and includes, after that, an aggressive cap on payments that most analysts have said would dramatically increase what Medicare beneficiaries would have to pay for their own health care.

Currently, Medicare pays 75 percent of the cost. The beneficiary pays 25 percent. If the Ryan plan were adopted, the original Ryan plan—he has subsequently put out other plans. But his original plan would have stood that on its head. He would have Medicare beneficiaries paying the substantial majority of the cost. Instead of Medicare beneficiaries paying 25 percent, he would have them paying 68 percent of the cost—Medicare beneficiaries.

I have a brother who is gravely ill in the hospital, Medicare eligible. I can tell you, he is getting phenomenal care—very costly. I would say it would break our family. If we had to pay 68 percent of the cost instead of 25 percent, it would break our family. We are a middle-class family. I am talking about the extended family.

These things have real consequences. Anybody who thinks these are just political statements and they do not affect people's lives, oh, yes, they do. They have a profound effect on people's lives.

The Ryan plan blocks grants Medicaid, shifts the cost to seniors, children, disabled, and States. I do not think that is the path America has in mind. I like PAUL RYAN. I agree with him that we are on an unsustainable course. I was on the Bowles-Simpson Commission with him.

But unlike him, I was one of the 11 who supported the recommendations of Bowles-Simpson. Of the 11 of us who did, 5 are Democrats, 5 Republicans, and 1 Independent. That is about as bipartisan as we can get. There were 18 Commissioners. We had to get 14 to get the recommendations to a vote in the Congress. We got 11.

That is 60 percent of the membership who voted yes; five Democrats, five Republicans, one Independent. PAUL RYAN was part of Bowles-Simpson. He voted

no because it was not just the way he wanted it. It was not just the way I wanted it either. I hated things on almost every page of that report. But as I told my staff, the only thing worse than being for it would be being against it because it would have gotten us back on track. It would have lowered our deficit and debt by \$4 trillion and have done it with revenue and spending cuts and reform of entitlements, maybe not as much on any one of those areas as I would do, but it would have made a profound difference in the economic future of this country.

Perhaps the most striking thing to me in all the speeches at the Republican convention was the claim by Congressman RYAN and the attack on President Obama for supporting \$716 billion in Medicare savings. Why was I so taken aback by that? Because I have read Congressman RYAN's own budget. His budget has precisely that same level of Medicare savings that he now politically attacks President Barack Obama for supporting.

Did you see what former President Clinton said? He said that takes real brass, to attack somebody for something you have done. Congressman RYAN, when you give a speech, make your speech before tens of millions of people listening and you attack the President for supporting \$716 billion in Medicare savings and you have the exact same savings in your budget, shame on you. Shame on you.

The Catholic bishops reviewed the Ryan budget. Here is what they said. They said it fails the moral test. These are Catholic bishops in America. Look, they have issues with the President too. I understand that, but this is what they said about the Ryan budget. They said: It fails the moral test. The Nation's Catholic bishops reiterated their demand that the Federal budget protect the poor and said the GOP measure fails to meet these moral criteria. I think they got that right. Here is what a former Reagan economic adviser said about the Ryan budget. This is Bruce Bartlett, former Reagan administration economic adviser. This is what he said about the Ryan budget. Again, this is a former President Reagan economic adviser. Here is what he said about the Ryan budget:

Distributionally, the Ryan plan is a monstrosity. The rich would receive huge tax cuts while the social safety net would be shredded to pay for them. Even as an opening bid to begin budget negotiations with the Democrats, the Ryan plan cannot be taken seriously. It is less of a wish list than a fairy tale utterly disconnected from the real world, backed up by make-believe numbers and unreasonable assumptions. Ryan's plan isn't even an act of courage; it's just pandering to the Tea Party. A real act of courage would have been for him to admit, as all serious budget analysts know, that revenues will have to rise well above 19 percent of GDP to stabilize the debt.

Mr. Bartlett, I do not know the man. He is telling the truth. He is telling the truth, as painful as it is. He is telling the truth. When we go to the question

of are we better off than we were 4 years ago, let's remember where we were 4 years ago. We were on the brink of financial collapse.

Republican policies led the United States to the brink of financial collapse. They cannot rewrite history. We know what happened. We tried their experiment. It did not work. Now things have improved, not as much as we would like, and there is much more work to be done. But I trust in the judgment of the American people. I do not think they have forgotten. I certainly have not forgotten. I will never forget where their policies took us in the fall of 2008. We were on the brink of financial collapse. Let's not repeat that failed experiment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MOMENT OF SILENCE TO OBSERVE THE FORTIETH ANNIVERSARY OF THE MUNICH OLYMPICS MASSACRE

The PRESIDING OFFICER. The Senate will now observe a moment of silence for the 40th anniversary of the Munich Olympics massacre.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I stand here today with my colleagues to observe 1 minute of silence on the first day of session since the passage of the 40th anniversary of the 1972 Munich Olympic terrorist attack that killed 11 athletes and coaches from the Israeli Olympic team.

Prior to the extraordinary summer games in London, where so many of our athletes excelled and made our country so proud, the Senate passed a bipartisan resolution that I authored with Senator RUBIO. With this resolution, which was supported by more than 30 of our colleagues, the Senate called on the International Olympic Committee to hold a moment of silence in London to honor these 11 slain Israeli Olympians. It is regrettable they chose not to. Today, here in the Senate, we right that wrong. The Munich tragedy was an outrageous attack against innocent athletes and against the unifying spirit of the Olympics. Observing a moment of silence at the 2012 Olympic games' opening ceremony, when the world's attention was focused on this symbol of international cooperation and peace, would have sent such a powerful message of unity in our fight against terrorism.

On September 5, 1972, a Palestinian terrorist group called Black September broke into the Munich Olympic Village, killed an Israeli athlete and coach, and took nine other athletes and coaches hostage. A German police

officer was killed and nine hostages were murdered during a rescue attempt.

In observing this minute of silence, as in our resolution, we commemorate the 40th anniversary of the 1972 Munich Olympic terrorist attack, remember those who lost their lives, and reject and repudiate terrorism as antithetical to the Olympic goal of peaceful competition.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank the Senator from New York and my colleague, Senator RUBIO of Florida, for calling this historic tragedy to our attention on the sad 40th anniversary of the killing of the Israeli participants at the Munich Olympics.

Having just witnessed, as the Senator from New York noted, the spectacular Olympics that were staged in London and realizing how the Olympics started as a way to transcend national differences and to create an Olympic global spirit, what happened in Munich was especially heartbreaking. We followed it in those early days of television as it was being reported on by some of the sports announcers who were actually at the Olympics. It was hard to believe, as hostages were being taken, that they would all be killed when it was over.

I sincerely hope we in the world will learn a lesson from this tragedy—a lesson that violence begets violence and we need to end this sort of terrorist activity and stand together in that Olympic global spirit.

Again, my thanks to Senators GILLIBRAND and RUBIO for their efforts to make this part of the London Olympics but also to make certain this day has not been forgotten here on the floor of the Senate.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I wish to thank Senator GILLIBRAND for bringing this to the attention of the Senate and the American people and to thank Senators RUBIO and DURBIN for being here.

It is hard to believe it has been 40 years since that tragic event in which terrorists had the attention of the world during the Olympics in Munich.

It is hard to believe that over the last 40 years we have experienced so much of the violence from extremists and terrorists.

Tomorrow we will commemorate the 11th anniversary of the attack on our own country. We recognize the only way we could stand up for this type of extremism is to never forget and to rededicate ourselves to do everything we can to root out extremists, to root out terrorists, and to never forget the consequences of their actions.

I wish to thank Senator GILLIBRAND and Senator RUBIO for the resolution we passed in this Congress to let those who were victimized 40 years ago know we will not forget them and that we continue to dedicate our efforts to root out this type of hatred and this type of

extremism to make sure the Olympic spirit—which is world competition to bring peace in the world—is alive and well in the Senate and the United States of America. We will continue to commemorate what happened so we don't forget and dedicate ourselves to a more peaceful world.

I yield the floor.

Mrs. GILLIBRAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF STEPHANIE MARIE ROSE TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF IOWA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Stephanie Marie Rose, of Iowa, to be United States District Judge for the Southern District of Iowa.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we are beginning about 3 minutes late. I ask unanimous consent that the time be divided in such a way that the vote still starts at 5:30.

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

Mr. LEAHY. When the Senate recessed more than a month ago, 22 judicial nominees to fill vacancies in courtrooms around the country were left pending, awaiting a Senate vote. Today, Senate Republicans have agreed to vote on just one of those nominees. I want to commend Senator HARKIN for working with Senator GRASSLEY and the Majority Leader to get this vote on the nomination of Stephanie Rose of Iowa. I urge votes on the other nominees, as well, without further delay.

There are currently 78 Federal judicial vacancies. Judicial vacancies during the last few years have been at historically high levels and have remained near or above 80 for nearly the entire first term of the President. Nearly one out of every 11 Federal judgeships is currently vacant. Vacancies on the Federal courts are more than two and one half times as many as they were on this date during the first term of President Bush. One key reason for these numerous vacancies and for the exten-

sive backlog of nominees is that Senate Republicans allowed votes on just one district court nominee per week for the last seven weeks before the August recess. This unnecessarily slow pace of consideration of judicial nominees has disserved the American people and should not continue.

The across-the-board obstruction and foot dragging from Senate Republicans since day one of President Obama's tenure means that we are likely to complete his first term with more judicial vacancies than when he took office. The partisan obstruction from Senate Republicans has been particularly damaging with respect to Federal trial courts. In a sharp departure from the past, Senate Republicans have stalled Senate approval of district court nominees, including those Republican home state Senators support.

Before the American people elected Barack Obama as our President, district court nominees were generally confirmed within a couple of weeks of being reported by the Judiciary Committee. This was true of those nominated by Republican Presidents and Democratic Presidents. Deference was traditionally afforded to home State Senators and district court nominees supported by home State Senators were almost always confirmed unanimously. During the 18 months that I was chairman of the Judiciary Committee in 2001 and 2002, we confirmed 83 of President Bush's district court nominees, and only one of them received any votes in opposition. Even though some Senate Democrats opposed the nominee, we nevertheless scheduled a vote for him just 11 days after he was reported by the Judiciary Committee.

Indeed, only five district court nominees received any votes in opposition in all 8 years of the previous Republican presidency, and none was a party-line vote. Among those nominees was one so extreme that he had announced that "concern for rape victims is a red herring because conceptions from rape occur with approximately the same frequency as snowfall in Miami." That observation was much like the outrageous recent comments about rape by a Republican House member and Senate candidate.

In all, the Senate confirmed 264 of President Bush's district court nominees, and only five of them received any votes in opposition. Senate Democrats were willing to work with a very conservative Republican President to fill vacancies on our Federal trial courts. We recognized that filling vacancies on district courts is essential to ensuring that the American people have functioning courts to serve them and provide access to justice. We know that it is unacceptable for hardworking Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait 3 years before a judge hears the