

or background or documentation and citizenship. It did wonders for Yusmerith.

She worked at a lot of different jobs to pay for her education, from waitressing in restaurants to working at a pet store and babysitting. She continues to work to pay for her education.

Now having graduated from Norwalk Community College, Yusmerith went on to attend Western Connecticut State University. This picture is of her graduation, but we are hopeful she will have another graduation. She is currently pursuing a double major in accounting and finance at Western State University and expects to graduate in 2014. She hopes to be an accountant. She hopes to have a career where she can put her skills to work. She hopes to give back to this country. That hope deserves recognition and realization, and that is why I stand here asking this body to give Yusmerith and thousands of other young people in Connecticut, the DREAMers, that opportunity to have a secure and permanent status, a path to citizenship that they will earn through education or military service.

I am hopeful my colleagues, even in a time of tremendous partisanship, will see the importance of what Yusmerith and the DREAMers can do not only for themselves but what they can give to our Nation and us. With her skills, talent, and dedication, this Nation will be even greater. We are the greatest Nation in the history of the world, but even greater with the contributions of young people such as Yusmerith.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. I ask unanimous consent to speak as in morning business.

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

NOMINATIONS

Mr. CASEY. Madam President, I rise tonight to speak about one subject, but a very important subject for our country and for our system of justice, and that is the confirmation of Federal district court judges. I will focus tonight on one Federal district in Pennsylvania, the Middle District. By way of background, I will review where we are in the Senate.

Earlier today Majority Leader REID was required to ask for unanimous consent in order to proceed on Senate confirmation votes for 17 district court nominees. Of course, this is from district courts across the country. As the majority leader and many of our Senate colleagues have noted, the district court nominees on the Senate Calendar are nearly all noncontroversial and have received significant bipartisan support. The judges I will speak about tonight fit that description.

Historically the Senate has deferred to the nomination of the President and the support of home State Senators. Unfortunately, that doesn't seem to be the case today in too many instances.

Of course, not in every instance but too many instances. There is an old expression in the law that many of us have heard, and it is very simple, but I think it has substantial consequences for real people. The expression is: Justice delayed is justice denied.

When we have a situation where we have two judges in the Middle District of Pennsylvania—I should say for the record and for the description of the geography in our State we have three Federal judicial districts: the Eastern District, the Middle District, and the Western District. When we have two district court nominees in Pennsylvania, or in any of the other States that have judges who are still pending, we can imagine the number of cases. It is not just hundreds but thousands of cases. In this case 17 judges could be handling these cases right now across our country. That old expression, justice delayed is justice denied, has real significance for real people out there, people who come before the district court as litigants. Whether they are individuals, corporations, or whatever the party, they come for basic justice and that gets very difficult when there is a backlog and there are not enough judges.

It is especially egregious and outrageous that they are held up here when in many cases they get out of the Judiciary Committee after a long process of getting to the Judiciary Committee. Sometimes there are many months of vetting and investigation work. Often the names are available for voting here in the Senate after not just getting through the Judiciary Committee, but part and parcel of that means in almost every instance the two Senators from that State have agreed they should come up for a vote. Yet when it lands here on the Senate floor after committee consideration, judicial nominees are held up.

The ability of the Federal courts to provide justice for the American people has indeed been threatened by the vacancy crisis and the overburdened Federal district courts. Families, communities, and small businesses are not able to get a fair hearing or have their claims resolved in a timely fashion. These Federal court vacancies need to be filled to mature a functioning democracy and a functioning judicial system.

The Pennsylvania nominees to the Senate Calendar are two individuals, Malachy Mannion and Matthew Brann. Both are to be confirmed as U.S. district judges for the Middle District of Pennsylvania.

I won't go through their backgrounds and qualifications today. We have done that already. They don't need me to do that. They are through the Judiciary Committee. These men are both very well qualified to be U.S. district judges.

Both of these judges would fill judicial emergency vacancies in Pennsylvania's Middle District. Just to give my colleagues a sense of what we are

talking about, the Middle District of Pennsylvania has six posts, six judicial slots, and these are two vacancies for those six. The Middle District is the largest Federal district in Pennsylvania geographically, and there are four courthouses, one of which is several hours' drive from the others. Because of the vacancies, the judges with senior status still continue to hear cases. Three of these judges are at least 86 years old. Let me say that again. Three of these senior judges who have to do extra work because of the vacancies are at least 86 years old.

Mal Mannion and Matthew Brann were both reported by voice vote out of the Judiciary Committee earlier this year, and both nominees were supported by Senator TOOMEY as well as me. Both of us came together through the process of introducing both of these nominees to the Judiciary Committee. They are, as I said before, through that process.

I strongly urge that we move forward and allow a vote on all of these highly qualified, noncontroversial U.S. district court nominees, two in particular in Pennsylvania.

I should mention that there was an article written—I won't summarize it here—in the Atlantic magazine just last week by Andrew Cohen that highlighted some of the impacts this crisis has on real people when they appear before district courts such as the Middle District of Pennsylvania.

I yield the floor.

NOMINATIONS

Mr. LEAHY. Mr. President, today the majority leader was required to take the extraordinary step of asking for unanimous consent to secure Senate confirmation votes for 17 district court nominations. 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.

However, Senate Republicans have raised the level of partisanship so that these Federal trial court nominees have now become wrapped around the axle of partisanship. Despite a vacancy crisis that threatens the ability of Federal courts to provide justice for the American people, Senate Republicans now refuse to allow a vote on any of the 17 pending district court nominees, including 12 that have been declared judicial emergency vacancies. Senate Republicans' across-the-board obstruction of President Obama's judicial nominees that began with their filibuster of his very first nominee continues. For the first time I can recall, even district court nominees with support from Republican home State Senators face

months of delay if not outright opposition from the Senate Republican leadership and Senate Republicans.

The long delays and backlog we are seeing on the Federal trial courts and Senate Republicans' refusal to vote on so many consensus judicial nominees before we recess for the upcoming Presidential election are entirely without precedent. The Thurmond rule has never been applied to stop votes on consensus district court nominees. In September 2008 we reported and confirmed 10 of President Bush's district court nominees and left none on the Senate calendar as we headed into that Presidential election. In contrast, this year we are still waiting on votes for district court nominees reported by the Judiciary Committee in April, June, July, and August. All but 1 of these 17 district court nominees was reported with significant bipartisan support, all but 3 nearly unanimously.

The partisan refusal to allow votes on consensus nominees has become standard operating procedure for Senate Republicans. In each of the last 2 years, Senate Republicans refused to follow the Senate's traditional practice of clearing the calendar of non-controversial nominees. As a result, there were 19 judicial nominees pending without a final confirmation vote at the end of 2010 and another 19 left without a vote at the end of 2011. Due to this latest refusal to consent to vote, Senate Republicans are ensuring that the Senate will recess for the election without voting on 21 judicial nominees ready for final Senate action. The result is that for the first time in decades Federal courts are likely to have more vacancies at the end of these 4 years than at the beginning of the President's term. Federal judicial vacancies have been at historically high levels for years, remaining near or above 80 for nearly the entire first term of the President. Judicial vacancies today are more than 2½ times as high as they were at this point in President Bush's first term, with nearly 1 out of every 11 Federal judgeships currently vacant.

I urge Senator TOOMEY, Senator KIRK, Senator RUBIO, Senator COBURN, Senator INHOFE, Senator HATCH, Senator LEE, Senator COLLINS, and Senator SNOWE, all of whom have judicial nominees on the calendar ready for a final Senate vote, to reason with their leadership about this obstruction. I ask other Republican Senators who know better to weigh in with their leadership. This is wrong for the country, damaging to the Federal courts, and harmful for the American people looking to our courts for justice.

I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a column by Russell Wheeler entitled "The Case for Confirming District Court Judges" that appeared in Politico on Wednesday and notes the unprecedented and destructive nature of this obstruction.

The PRESIDING OFFICER. Without objection, so ordered.

Mr. LEAHY. I have served in the Senate for 37 years, and I have never seen so many judicial nominees, reported with bipartisan support, be denied a simple up-or-down vote for 4 months, 5 months, 6 months, even 11 months. And if there was any doubt that Senate Republicans insist on being the party of no, their current decision to deny votes on these highly qualified, non-controversial district court nominees—while we are in the middle of a judicial vacancy crisis—shows what they stand for. They care more about opposing this President than helping the American people.

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

[From Politico, Sept. 18, 2012]

THE CASE FOR CONFIRMING DISTRICT COURT JUDGES

(By Russell Wheeler)

The accepted wisdom on Congress is that the presidential campaign is likely to crowd out most real work until after Nov. 6, when all its focus abruptly changes to the fiscal cliff.

There is, though, one important non-controversial matter that the Senate should take up now—as have previous Senates at this time: confirming district judges.

A government that can't do its mundane business is surely unlikely to be able to deal with more controversial problems. History shows that the Senate should be able to confirm a respectable number of long-standing district court nominations before Election Day—certainly before adjournment. If it cannot, this may signal that the past four years of delayed and confrontational nominations have not been an aberration but represent the new normal of district court confirmations.

Sixty-one of the nation's 673 lifetime appointment district court judgeships are vacant. President Barack Obama has submitted nominees to fill 24 of the vacancies. Seventeen of the 24 have cleared the Senate Judiciary Committee and are awaiting final action by the full Senate.

As of Sept. 10, the Senate had confirmed 126 of Obama's district nominees—81 percent. In comparison, President George W. Bush had a 97 percent district confirmation success rate in his first four years, and President Bill Clinton an 87 percent rate.

If the Senate confirms 10 of the 17 Obama nominees, this would lift his four-year success rate to equal Clinton's. Confirming all 17 would lift it to 91 percent.

Rates aside, however, even if all 17 were confirmed, Obama would have made roughly 20 fewer district appointees than Clinton or Bush. Obama has submitted fewer nominees.

Extended vacancies often mean long delays, especially in civil cases. They often mean full caseloads for judges in their 70s and beyond—despite statutory promises that, at that age, judges who have put in substantial service are entitled to scale back.

Filling judicial vacancies is part of the business of government, and like much of that business, it is more mundane than dramatic. Federal district caseloads consist largely of commercial disputes and federal crimes like immigration law violations—issues important to litigants and collectively important to all of us. They are part of how our society resolves disputes and help set the framework for commercial and social intercourse.

But you might say, judges can't get confirmed this close to a presidential election

because opposition senators are hoping their guy will soon be in the White House and make his own nominations to those vacancies.

That may be true now for court of appeals nominees—you have to go back to the first Bush administration to find a circuit confirmation after July of a presidential election year—but not for district courts. There's plenty of precedent for late-election year confirmations.

In 1980, 1984 and 1992—when Presidents Jimmy Carter, Ronald Reagan and George H.W. Bush were up for reelection—the Senate each time confirmed roughly 10 district court nominees between the political conventions and election day. That number dropped to zero in 1996 under Clinton but shot up to six in 2004 under Bush.

In years when the incumbent president wasn't on the ballot, the Senate also confirmed district judges, including 10 in September 2008—even as Obama's victory seemed increasingly likely.

There's plenty of recent precedent for confirming at least the 17 pending Obama nominees. But the past four years of district confirmations haven't followed precedent.

Not only is the confirmation rate lower, at least for now, but time from nomination to confirmation has spiked. Eight percent of Clinton's district confirmations in the first four years took more than 180 days, as did 27 percent of Bush's. But it's now up to 67 percent for Obama.

The increase in time has been matched by an increase in contentiousness. All of Clinton's district appointees were confirmed by voice vote—even those who merited more attention, like the subsequently impeached and convicted Thomas Porteous of New Orleans. All but four of Bush's appointees were approved by either voice or unanimous vote. Of the four, one got 20 "no" votes and one got 46.

Most of Obama's appointees have also been confirmed with no, or token, opposition—even those who waited a long time. But 11 received more than 20 "no" votes. It's hard to believe, however, that the quality of Obama appointees plunged so decisively compared with those of his immediate predecessors.

So district confirmations—especially in double digits—in the next several months may be iffy, and those who do get confirmed will have waited considerably longer than late-year confirmations in previous administrations.

We've come to accept, or at least recognize, as the new normal that only six or seven out of every 10 circuit nominees will get Senate approval. Are the district courts next?

The PRESIDING OFFICER (Mr. SANDERS). The Senator from New Hampshire.

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

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

VAWA

Mrs. SHAHEEN. Mr. President, I rise today to again raise my concerns about and the desire to see action in the House to pass the Senate bill reauthorizing the Violence Against Women Act. We need to continue this critical funding for survivors of domestic violence.

In the discussions on the Senate floor, we have heard about the protections offered in the Senate bill that have not been included in the bill the House has pending. They are protections that would help women on college

campuses, women on tribal lands, gay and lesbian victims, and immigrants. However, it is really important for us to remember not just those provisions but all of the other ways the Violence Against Women Act has benefited not just the victims of domestic violence but really all of us because domestic violence isn't just a women's issue. It affects all of us. It affects our entire economy. It affects our families. The Centers for Disease Control estimates that the direct health care costs associated with domestic violence are about \$4.1 billion every single year. We know this is a conservative estimate because so many of the victims never come forward.

The protections offered by the Violence Against Women Act have proven to be absolutely essential in preventing abuse. Last week was the 18th anniversary of the original passage of VAWA, so this is a good time to reflect on the progress we have made.

Over the past 18 years, the reporting of incidents of domestic violence has increased by 51 percent. At the same time, according to the FBI, the number of women who have been killed by an intimate partner has decreased by 34 percent. So clearly it is having some effect. Researchers at the North Carolina School of Public Health estimate that VAWA saved \$12.6 billion in its first 7 years alone. So even if one doesn't support the legislation because it does good work for families, this is a bill that is also a good investment.

This is about telling the victims of violence that we stand with them because having safe, healthy citizens benefits all of us. We all do better when fewer women are going to the emergency room, are missing work or giving up their children in order to protect those children from violence at home. We are all in this together.

I have had a chance as we have had this debate in the Senate to visit a number of crisis centers in New Hampshire—centers that benefit directly from the funding in the Violence Against Women Act. Recently I visited the city of Keene's Monadnock Center for Violence Prevention and had a chance to speak with one of the caseworkers there and with two of the survivors. Those two women told me what it was like as they were trying to figure out how to leave their abusers. I asked them: What would have happened if this center wasn't here? Both of them said they had nowhere else to go. One of the women said: My husband would have killed me. That was how desperate she was.

While I was there, I also had a chance to meet some of the children who were staying at the center. I wish to take a minute to talk about how important this is for them, the children who were witnesses of domestic violence or who, as the result of that violence, are victims themselves.

Centers all over New Hampshire and the United States have advocacy programs that are funded by VAWA that

offer support groups for children. Children are particularly vulnerable and ill-equipped to deal with the trauma of domestic violence. This is trauma that affects them for their entire lives.

A study by the World Health Organization found that children raised in households where domestic violence occurred are more likely to have behavioral problems, to drop out of school early, to experience juvenile delinquency. It is not surprising.

A child who witnesses domestic violence between parents is more likely to view violence as an acceptable method of conflict resolution. Boys who witness domestic violence are more likely to become abusers, and girls who witness domestic violence are more likely to become victims of domestic violence as adults. One advocate at the Bridges Crisis Center in Nashua, NH, works to prevent this cycle by providing safety planning for children. She teaches them they can live a life that is free of violence. This free preventive care for children is made possible by a grant from VAWA. Our children deserve this. This is why we need to reauthorize the Violence Against Women Act. This is about women who are in danger, about children and families who are at risk.

One of the stories I found particularly touching when I was at Bridges was about a young boy named Brian. The caseworker told me that Brian was really nervous about going back to school. He was supposed to bring with him a story about something fun he had done over the summer, but he had been in the shelter at Bridges with his mother and it really hadn't been a very fun summer. So the child advocate organized a barbeque in the park across the street, and everybody from the center came and joined in that barbeque and gave him a happy memory that he could take with him to the first day of school. This is the kind of healing we need more of. We can help this continue by reauthorizing the Violence Against Women Act.

I hope that as Senators go home for the next 6 weeks, as we go back to our States and travel around and hear from people in our States the issues they are concerned about, we won't forget about the task we have at hand when we come back. We need to reauthorize the Violence Against Women Act. We need to get the House to join with us in passing the Senate bill so we can include those expanded protections that are needed so much by women and families across this country. I know the Presiding Officer joins with me in recognizing that we still have time to get this done this year.

Thank you, Mr. President. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Vermont.

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

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

SOCIAL SECURITY

Mr. SANDERS. Madam President, I wish to spend a few minutes talking about an issue that I believe has not gotten the attention it deserves, especially in the midst of the contentious Presidential campaign we are witnessing, and that is the need to discuss a program which is probably the most successful social program in the modern history of the United States, a program that provides dignity and security to well over 50 million Americans, and that is Social Security.

Just this afternoon, 29 Senators sent a letter to all of our colleagues that says:

We will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Let's be very clear. Our country does have a serious deficit problem. Our deficit this year is about \$1 trillion, and our national debt is \$16 trillion. That is a serious problem. However, let's be equally clear in understanding that Social Security has not contributed one nickel to the Federal deficit. So despite what we are going to hear tonight on cable television or some of the speeches my colleagues will give, let me reiterate: Social Security has not contributed one nickel to our Federal deficit.

In fact, the Social Security trust fund today, according to the Social Security Administration, has a \$2.7 trillion surplus—let me repeat that: a \$2.7 trillion surplus—and can pay out 100 percent of all benefits owed to every eligible American for the next 21 years.

Although many Americans now take Social Security for granted, we should never underestimate the incredibly positive impact Social Security has had on our Nation. In fact, one could well argue that Social Security has been the Nation's most successful social program—certainly in the modern history of this country.

In the 77 years since Social Security was signed into law, it has been enormously successful in reducing poverty for senior citizens. Before the advent of Social Security, back in the 1920s, early 1930s, about half of the senior citizens in this country lived in poverty, some in dismal poverty. Today, while the number is too high, the number of seniors living in poverty is less than 10 percent. We have gone from 50 percent to less than 10 percent. That, to my mind, is a real success story and something of which this Nation should be incredibly proud.

Today Social Security not only provides retirement benefits for 34 million Americans but also enables millions of people with disabilities and widows, widowers, and children to live in dignity and security. I hear in Vermont very often—and I expect the Presiding Officer hears in New Hampshire—about young people who have been able to go to college, live with some sense of security, despite the death of a parent, precisely because of Social Security.

Yet, despite all of these success stories, today Social Security is on the chopping block. Millions of Americans, when asked in polls, make it very clear—including people all across the political spectrum—saying: No, we should not cut Social Security. Millions of people understand that Social Security—and this is simply an extraordinary record—has been there in good times and in bad times. And in 77 years, not one American, no matter what the state of the economy, has not received all of the benefits to which he or she is entitled. It is an insurance program that has worked, and worked extraordinarily well.

What we are looking at right now are attacks on Social Security coming from Mitt Romney, from PAUL RYAN, and from virtually every Republican in Congress, who are calling for major cuts in Social Security. Many of them, including Romney and RYAN, also want to begin the process of privatizing Social Security and turning it over to Wall Street, putting the retirement dreams of millions of Americans at risk. They are also pushing to increase the retirement age to 68 or 69, forcing older Americans who have worked their entire lives—sometimes in physically demanding jobs in construction; maybe they worked in restaurants being waitresses their whole lives and now some folks want these people to still be working at the age of 68 or 69.

While virtually every Republican in Congress is pushing to cut Social Security benefits, there are also some Democrats who are considering cutting Social Security as part of some deficit reduction grand bargain. I strongly disagree with that approach, and I hope President Obama will make it clear, as he did 4 years ago, that he also disagrees with that approach.

Let me quote what President Obama said 4 years ago when he was Senator Obama running for the White House. This is what he said:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear: I will not do either.

End of quote of Senator Barack Obama on September 6, 2008. What then-Senator Obama said in 2008 was exactly right, and I hope that now, in 2012, we will hear the President reiterate that position.

One of the most talked about ideas, when we hear discussions about cutting Social Security—and nobody outside of the beltway has a clue about what this means. I can tell you, I have been to many meetings in Vermont, and I have asked Vermonters: Do you know what the chained CPI is? And nobody has a clue. But one of the most talked about ways to cut Social Security is moving toward a so-called chained CPI, which changes how cost-of-living adjustments for Social Security benefits and veterans benefits are calculated.

So what it does right now: There is a formula by which the government de-

termines what kind of COLA—cost-of-living adjustment—seniors and veterans will get. It is a complicated formula. But what these guys want to do is cut back, readjust that formula so that the benefits will be less.

People who support this concept of a chained CPI, such as Alan Simpson, Erskine Bowles, and Wall Street billionaire Pete Peterson—and Peterson is one of the guys, a billionaire on Wall Street, putting in huge amounts of money in order to cut Social Security and other important programs—they believe Social Security COLAs and COLAs for veterans benefits are too generous, and they want to cut those COLA benefits.

Well, I will tell you something. When I talk to seniors in the State of Vermont and I say there are people in Washington who think their COLA benefits are too generous, usually they laugh. The reason they laugh is that for 2 out of the last 3 years, they have not received any COLA whatsoever—nothing—while at the same time their prescription drug costs and their health care costs have been soaring. And they look at me and say: What? Are these people crazy? If we have not gotten a COLA in 2 out of the last 3 years, while our expenses have risen, how do they think that COLA formula is now too generous?

Let's also be very clear that when we talk about this chained CPI, this means not only cuts for seniors, it means cuts for veterans, and that is an issue we have not talked about very much.

So let me talk about what the chained CPI means. It means—and they want to implement this, by the way, very shortly. Romney and RYAN are talking about changing Medicare, as we know, over a 10-year period, and I think that is a disastrous idea. But what these guys now are talking about are immediate cuts in the COLA, starting as soon as they can pass that legislation.

What it would mean is that for a senior citizen who is 65 years of age today, by the time that senior reaches 75, there would be a \$560-a-year cut compared to what they otherwise would have gotten. Some folks here on Capitol Hill may not think \$560 is a lot, but if you are struggling on \$14,000 or \$15,000 a year, that is quite a hit. And once that 65-year-old, in 20 years, reaches 85, that cut will be approximately \$1,000 a year.

Now, I have a problem; in a nation that has the most unequal distribution of wealth and income, where the rich are getting richer and their effective tax rate is the lowest in decades, some folks around here, pushed by Wall Street billionaires, by the way, say: Hey, we have a great idea on how we could deal with deficit reduction: Let's tell a senior living on \$15,000 a year, Social Security, that we are going to cut them by \$1,000 in 20 years. I think really that is morally grotesque, and it is also bad economics.

But this chained CPI would not only impact seniors, it would also impact 3 million veterans. Three million veterans would be impacted by this chained CPI. For example, a veteran who put his life on the line to defend this country and who was severely wounded in action and who has a 100-percent service-connected disability is currently eligible to receive about \$32,000 a year from the VA. Under the chained CPI, this disabled veteran, who started receiving VA disability benefits at age 30, would see his benefits cut by more than \$1,300 a year at age 45, \$1,800 a year at age 55, and \$2,260 a year at age 65.

In other words, moving toward a chained CPI would be a disgraceful effort to balance the budget on some of the most vulnerable people in this country, including people who have suffered severe wounds and disabilities in defending this country. Those are not the people upon whom you balance the budget.

Madam President, I will conclude by reminding the American people that when Bill Clinton left office in January 2001, this country had a \$236 billion surplus, and the projections were that that surplus was going to grow every single year. But some of the same people in Congress right now, including Congressman PAUL RYAN, who is running for Vice President, who are so concerned about the deficit, who want to cut Social Security, end Medicare as we know it, make devastating cuts in Medicaid and education—these very same people voted to go to war in Iraq and Afghanistan and not pay one nickel for those wars but put them on the credit card and increase the deficit. These same people who now want to go after wounded veterans gave huge tax breaks to the wealthiest people in this country, adding to the deficit. They passed a Medicare Part D prescription drug program and forgot to pay for that as well. So, to my mind, I have a real problem with folks who went to war without paying for it, gave tax breaks to billionaires without paying for it, passed a Medicare Part D prescription drug program without paying for it, and now they say we have to cut Social Security, Medicare, Medicaid, education, and the needs of working families and low-income people. I think that is absolute hypocrisy.

So our charge is that instead of listening to the Wall Street billionaires who want to move to deficit reduction on the backs of the elderly, the children, the sick, the poor, wounded veterans, there are better ways to do deficit reduction. I hope that as a Congress we will come together and say that when the wealthiest people are doing phenomenally well, yes, they are going to have to pay more in taxes. When a quarter of the corporations in this country pay nothing in taxes, yes, they are going to have to pay their fair share of taxes. When we are losing \$100 billion a year because of tax havens in the Cayman Islands and elsewhere, we

are going to have to deal with that issue before we cut programs on which elderly people and veterans and children depend.

So we have a lot of work in front of us, but the bottom line is that I will do everything I can to make sure we do not balance the budget on the backs of the elderly, the children, the sick, and the poor. That is immoral, and it is also bad economic policy.

Madam President, I ask unanimous consent to have printed in the RECORD the letter signed by 29 Members of the Senate opposing cuts in Social Security.

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

U.S. SENATE,
Washington, DC.

DEAR COLLEAGUE: We are writing to inform you that we will oppose including Social Security cuts for future or current beneficiaries in any deficit reduction package.

Under long-standing Federal law, Social Security is not part of the Federal budget and cannot contribute to the federal deficit. This reflects Social Security's structure as an independent, self-financed insurance program, in which worker contributions, not general taxes, finance benefits. In our view, it is essential that Social Security's status as a separate entity be fully maintained.

Contrary to some claims, Social Security is not the cause of our nation's deficit problem. Not only does the program operate independently, but it is prohibited from borrowing. Social Security must pay all benefits from its own trust fund. If there are insufficient funds to pay out full benefits, benefits are automatically reduced to the level supported by the program's own revenues. Social Security cannot drive up the deficit by tapping general revenues to pay benefits.

Even though Social Security operates in a fiscally responsible manner, some still advocate deep benefit cuts and seem convinced that Social Security hands out lavish welfare checks. But Social Security is not welfare. Seniors earned their benefits by working hard and paying into the system. Meanwhile, the average monthly Social Security benefit is only about \$1,200, quite low by international standards.

For all these reasons, we believe it would be a serious mistake to cut Social Security benefits for current or future beneficiaries as part of a deficit reduction package. To be sure, Social Security has its own long-term challenges that will need to be addressed in the decades ahead. But the budget and Social Security are separate, and should be considered separately.

Thank you for your consideration of our views.

Sincerely,

Bernard Sanders; Harry Reid; Charles E. Schumer; Sheldon Whitehouse; Sherrod Brown; Patrick Leahy; Debbie Stabenow; Al Franken; Jeff Merkley; Barbara Mikulski; Jack Reed; Mark Begich; Ron Wyden; Ben Cardin; Richard Blumenthal; Tom Harkin; Frank R. Lautenberg; Patty Murray; Barbara Boxer; Daniel K. Akaka; John D. Rockefeller IV; Tom Udall; Carl Levin; Joe Manchin III; Maria Cantwell; Tim Johnson; Daniel K. Inouye; Robert Menendez; Kirsten Gillibrand.

Mr. UDALL of Colorado. Mr. President, I rise to speak on the amendment I have filed to the House continuing resolution, House Joint Resolution 117, which we are currently considering.

I understand that House and Senate leadership came to an agreement that seeks to keep the government running for the next 6 months and I want to applaud their willingness to work in a bipartisan fashion to reach an agreement that avoids a government shutdown. Still, after the House passed this funding bill, I was greatly concerned that emergency funding for Colorado and other states impacted by natural disasters this year was left out.

In my state, these funds are essential to protecting and restoring critical watersheds that were damaged by the most devastating wildfires in Colorado's history—which if left unaddressed present serious flooding, landslides and other risks that threaten the lives of residents in our state.

My amendment would provide the U.S. Department of Agriculture \$27.9 million in emergency funding to mitigate watershed damage through the Emergency Watershed Protection Program, or EWP, in areas that have been presidentially declared disaster areas as authorized under the Stafford Act.

As of September 18, 2012, the USDA estimated \$126.7 million in funding needs for EWP projects in 15 States. Of that total, \$27.9 million is needed to mitigate the aftermath of presidentially declared disaster areas in Louisiana, Florida, Oklahoma and Colorado, as authorized under the Stafford Act. Currently, Stafford Act funds for EWP have been depleted and as I have noted the House Continuing Resolution provided no emergency funds for EWP. Mr. President, the need for this amendment to provide emergency funding is critical and let me tell you why.

The two most devastating Colorado fires this season, High Park and Waldo Canyon, burned more than 100,000 acres and led to the catastrophic loss of property and regrettably loss of life. Now as Coloradans pick up the pieces, the burned and barren areas present an additional threat.

Without site rehabilitation and restoration, the watersheds that provide municipal and agricultural water supplies are at risk from landslides, flooding and erosion, which could result in serious infrastructure damage, water supply disruptions and even loss of life.

Coloradans unfortunately have already experienced some of these effects. For example, in the Poudre River, which drains part of the area burned by the High Park fire, the ash and runoff from the fire caused the water flowing into drinking water filtration plants to turn black. This forced the downstream city of Fort Collins to shut off their water intakes for over 100 days and further downstream the city of Greeley was forced to shut off their water intakes for 36 days and use only a small fraction of their normal intake for an additional 38 days.

How much more of an emergency need do we have to show when our most basic resource—drinking water—is threatened?

I will give you one more example. After the devastating Waldo Canyon Fire that burned several homes in Colorado Springs and surrounding areas, the flood potential in the burned areas is now 20 times higher than before the fire. So now folks in the burned area and others downstream could see a 100-year flood from the same amount of rainfall that would have caused a 5-year rainfall before the wildfires occurred. Already property owners in the Colorado Springs vicinity have received at least four flash-flood warnings since the fire. The need for stabilizing this ground and restoring the burned areas on both federal and private land is critical to public safety, public health and the prevention of another disaster.

This is why I have filed an amendment to provide additional emergency funds to the Emergency Watershed Protection Program. This program provides funding and technical support to restore and stabilize soil in critical watersheds in the aftermath of severe wild fires and other natural disasters, such as floods and hurricanes—which are also important to many members from our coastal states.

I understand that there will not be an opportunity to amend the pending bill as a result of an agreement made with the House to avoid a government shutdown, so I will not attempt to call up my amendment. But, I want to ensure that my colleagues here understand the gravity of the situation faced by those who supply safe drinking water to the people of Colorado, by those who store water in our reservoirs to irrigate, and by those who fear a rainfall could devastate their livelihoods again after already experiencing significant loss from wildfire.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, discussions continue about processing the business we need to address before we leave. As I have said repeatedly, we need to do just a couple things before we break for the elections. We need to pass the CR. We need to vote on proceeding to the sportsmen's package.

To help move the CR, we have been told that the Republicans now have decided they are willing to vote sometime on the Paul bill on foreign aid and also the Iran containment resolution. As I said yesterday, we are willing to do that.

In the worst case, under the rules, the cloture vote on the CR would occur tomorrow night—at 1 a.m. on Saturday. Once we invoke cloture on the continuing resolution, the 30 hours postcloture would run out at about 7:30 or 8 o'clock in the morning Sunday, and we would vote then to pass the CR, which would be immediately followed by a vote on the sportsmen's package.

I am happy to continue these discussions. We are working to see if we can schedule these votes to occur at a time that is more convenient to Senators. I

hope we can have more to report on that tomorrow. It appears at this stage there is no agreement on having any votes tomorrow, so we may have to finish our work tomorrow, beginning tomorrow night, very late.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. MERKLEY. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING THE END OF NUCLEAR TESTING

Mr. REID. Mr. President, it has been 20 years since our Nation's final nuclear weapons test. "Divider" was the name appropriately given to the final test on September 23, 1992; 8 days later, President George Bush, Sr., declared a moratorium on testing that is still in place today. That last test, along with nearly 1,000 others, was carried out at the Nevada National Security Site, formerly known as the Nevada Test Site.

This site has a storied history; it was used intensively during the Cold War to test nuclear weapons in our fight against tyranny and is remembered by all Americans for the iconic images the atomic bomb continues to invoke. Testing weapons and building our nuclear arsenal was necessary, but there was a price to pay—and it was the health of our hard-working and patriotic Cold War veterans and the many people who lived downwind of the test site.

Since January 11, 1951, hundreds of thousands of men and women—including miners, millers, and haulers—played a critical role in building the nuclear deterrent that kept our Nation secure during the Cold War and still contributes to our national security today. These American heroes were on the front line of our national security. They served valiantly to help our Nation defend itself, but their personal sacrifice was immense. While serving their country honorably during one of the most dangerous conflicts in our Nation's history, many of Nevada's Cold War veterans sacrificed their health and well-being for their country.

After personally meeting with and listening to many unfortunate stories from brave Nevadans about illnesses they had gotten from their nuclear weapons work, I was pleased to help pass the bipartisan Energy Employees Occupational Illness Compensation

Program Act in 2000, as well as an expansion of the law in 2004. This important program provides vital monetary compensation and medical coverage to Nevada's test site workers suffering from radiation-induced cancers, beryllium disease, silicosis, and other illnesses caused by toxic chemicals.

In 2005, I began to hear from workers and survivors saying that they were being put through a seemingly endless stream of bureaucratic redtape only to be denied compensation in the end. I was enraged that workers who had developed cancer while protecting our Nation were being denied compensation simply because their employer failed to keep accurate records of each worker's radiation exposure.

While we succeeded in securing automatic compensation for workers during the atmospheric testing years, those who served their Nation during the underground testing years were let down by their country. I fought on their behalf and finally secured automatic compensation for thousands of workers during the underground testing years. I am proud that this important program resulted in the payment of almost \$500 million to 4,599 sick test site workers and their survivors. Nevada's Cold War heroes have made immeasurable contributions to our Nation's security, and the sacrifices they have made—to their health and their lives—make it impossible for us to ever adequately thank them.

Today, the Nevada National Security Site has taken on new roles to address 21st-century threats. This includes detecting dangerous weapons, treaty verification, fighting terrorism and nuclear smuggling, and training first responders. The site can even play a role in clean energy demonstration and development to meet our Nation's energy needs using a resource southern Nevada has an abundance of—sunshine. I am also proud of the growing non-proliferation mission at the Nevada National Security Site. These critical activities are playing a vital role in the Nation's arms control efforts while putting Nevadans to work making our Nation more secure.

There are many more opportunities to utilize the Nevada National Security Site's ultrasecure location to bolster out Nation's security. It is an installation whose relevance is timeless because we will always need a place to test new technologies, house sensitive materials and equipment, train our security forces, and know for sure that unwanted eyes are not watching.

Finally, I am proud that while we work to grow and modernize the mission of the Nevada National Security Site, the site's storied past and the people behind it will never be forgotten. The National Atomic Testing Museum in Las Vegas is an affiliate of the Smithsonian Institution and recently was named by Congress as a "National" museum. This important institution collects and publicly displays artifacts and documentation that tell

the stories of how the Nevada Test Site helped protect our country during the Cold War.

I am proud to stand here today to recognize this historic day in Nevada and America's history, marking 20 years since we have ended nuclear testing.

TRIBUTE TO DENNIS MEYERS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a man that will leave a legacy of firm economic performance, solid physician recruitment, and a commitment to nurture community partnerships in the hospitals of his area. Mr. Dennis Meyers of Clay County, KY, was named to the Clay County Days Wall of Fame in August 2012 for the amazing work he has accomplished in his community and the community's hospital, Manchester Memorial Hospital.

Dennis Meyers's spectacular working experience began as a pastor in 1969 in Nebraska and Illinois. In 1986, he decided on a change of career. He accepted a job as a registered nurse at Hanford Hospital. After 4 successful years, Dennis transferred to San Joaquin Community Hospital to fill the position of vice president. Dennis never stopped dreaming and believing. He continued his career to become chief operating officer and vice president of Manchester Memorial Hospital.

Dennis initiated numerous community-outreach programs, each serving as evidence to show the worth of this man and the dedication he displayed towards his community. Dennis introduced Mission in Motion, public health screenings, Live It Up!, and mission-outreach programs to enrich the Clay County community.

Dennis married Susan Meyers, who also works for the hospital. They have three children, who, like their father, hold nursing degrees. Dennis urges that success come to everyone in life. He strategizes on helping the community that is served by the hospital through Community Outreach and church programs.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring Mr. Dennis Meyers as he has been named to the Clay County Days Wall of Fame. His ambition and hard work ethic has improved and will continue to improve the Commonwealth of Kentucky.

A news story highlighting the accomplishments of Dennis Meyer was recently published in the Manchester Enterprise. I ask unanimous consent that said story be printed in the RECORD.

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

[From the Manchester Enterprise, August 30, 2012]

DENNIS MEYERS LED MANCHESTER MEMORIAL TO GROWTH

Clay County Days Hall of Fame inductee Dennis Meyers retired from the lead role at Manchester Memorial Hospital recently after 12 years in the position.