

our diplomatic personnel and our facilities, the State Department had denied urgent requests for increased security measures. Officials kept the woefully vulnerable Benghazi compound open, setting the stage for attackers to essentially walk right into the compound and set it ablaze.

Tragically we lost four brave, dedicated diplomats and security personnel that terrible day and night: Glen Doherty, Tyrone Woods, Sean Smith, and Ambassador Chris Stevens. We laud their courage and we honor their memory, but we must also remedy the security failures and punish those responsible for their deaths.

Today I draw attention to the lessons that must be learned from the attacks in Benghazi and to the work that still must be done to bring the attackers to justice. First we must ensure that such wholesale failure to read the signs of escalating danger and to respond to urgent security needs never happens again.

Last year, as chairman and ranking member of the Senate Homeland Security Committee, former Senator Joe Lieberman and I conducted an investigation into the terrorist attacks at Benghazi. In our bipartisan report entitled "Flashing Red," we found the State Department downplayed the terrorist threat in Benghazi despite numerous previous attacks on western targets, that they ignored repeated requests for additional security, and that they insufficiently fortified a shamefully ill-protected American compound. The Benghazi facility should either have been closed until security was strengthened or the threat abated.

We identified changes that must be made, including greater attention to security at high-risk posts around the world and better management to ensure that the recommendations of previous security reviews are fully implemented. It was discouraging to read previous accountability review board reports after the attacks in Africa, for example, back in the late 1990s and see similar patterns of requests for security being denied in Washington.

Second, Secretary of State John Kerry should hold personnel accountable for the problems identified in our committee report and by the Accountability Review Board. After our committee and the ARB identified systemic failures and leadership deficiencies that contributed to the grossly inadequate security in Benghazi, it is totally unacceptable for the State Department to hold no one responsible for the broader mismanagement that occurred prior to the attack.

Finally, a year after the attack, the terrorists who invaded the Benghazi compound still have not been brought to justice despite repeated promises and pledges by President Obama to do so.

After a long-delayed investigation, including a period of weeks when the FBI agents were not allowed to even access the Benghazi facility, Federal

authorities have recently filed criminal charges against several suspects. But serious questions remain about the pace, the extent, and the effectiveness of these investigations and charges.

A major problem is the willingness—or lack thereof—of the Libyan Government to fully cooperate. I am told that the whereabouts of one of the prime suspects is known and that he is walking about fully, openly, and freely. Yet he has not been picked up. He has not been arrested. He has not been taken into captivity. Why not?

The administration must follow through on its commitment by taking the steps necessary to bring the attackers to justice, as the President promised. And the State Department, in the meantime, must implement all of the actions needed to prevent a Benghazi-like attack from taking place again. Surely, on the anniversary of the attacks on our Nation 12 years ago and the attacks 1 year ago in Benghazi, we owe it to Chris Stevens and his colleagues and to the American people.

Madam President, seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Arizona.

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

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

Mr. FLAKE. Madam President, I ask unanimous consent to speak in morning business for up to 5 minutes.

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

REMEMBERING 9/11

Mr. FLAKE. Madam President, today, September 11, 2013, is a day in which we remember lives cut too short in the attacks on our Nation 12 years ago. We also remember acts of bravery, selflessness, and all that took place that morning and in the days and months and the years that followed. I wish to take a moment to thank all the others who have sought to protect us from harm in the intervening years.

FISCAL 2014 SPENDING

Mr. FLAKE. I also rise today to speak about the need for continued attention to our Nation's fiscal health and to encourage my colleagues to seize the opportunity to take the necessary steps to rein in our out-of-control spending. As so often happens this time of year, talk has turned to the need for a continuing resolution for at least part of the next year, and I urge my colleagues to join me in pushing for a CR that respects the commitments we have already made.

As we all know, the President and the Congress approved the Budget Con-

trol Act in 2011, putting in place annual spending caps and establishing a deficit reduction commission to find additional savings and solutions to ensure the solvency of our entitlement programs. With the failure of that commission, a sequester that forced \$1.2 trillion in automatic spending reductions was put in place. In the absence of an agreement to replace them, the caps and sequester guarantee at least \$2 trillion in deficit reduction.

Seventy-four Members of the Senate believed these enforcement measures were needed to put us on the right fiscal track. The President signed the Budget Control Act into law, saying that, "It's an important first step to ensuring that, as a Nation, we live within our means." Yet there are continuing conversations about passing a short-term continuing resolution that would fund the government at a level above that established by the Budget Control Act for next year.

I should have to remind no one that under the Budget Control Act, passing a continuing resolution at anything higher than the \$967 billion limit would trigger another statutory, across-the-board sequester cut in January that would bring spending down to the \$967 billion level for the next fiscal year of 2014.

I can see why there are those who would like to take such action. Passing a CR at a higher-than-BCA-appropriate level would create yet another fiscal cliff, with hopes, I am sure, of causing enough pressure to finally do away with the sequester. That is what some would like. However, such a scenario does little to add pressure to address the sequester, provides the pretense that the BCA levels don't mean anything if even for a short while, and it further complicates agencies implementing what are sure to be the required cuts.

Make no mistake, I understand the sequester process is a blunt instrument and not a preferred method of fiscal restraint. However, it was put in place because Congress failed to do what is needed to rein in reckless spending.

I also understand the difficult position it puts agencies in, particularly the Department of Defense. I am open to allowing reasonable flexibility and to replacing the sequester, albeit with changes to mandatory spending and entitlements, and not hikes in taxes. But that deal, much like the supercommittee's success, has been elusive, and to seek to pass a CR that doesn't reflect the reality of the post-BCA world raises itself a set of problems. However, such a scenario does little to add pressure to address the sequester, as I mentioned. It simply would make it more difficult for agencies to address their needs and to bring down their own spending.

Certainly, passing any budget bill for next year at levels in excess of those that are outlined in the Budget Control Act breaks any promise to "live within our means."

In addition, passing a short-term CR that will allow agencies to spend money as if the sequester isn't imminent early next year only complicates their situation. This would force agencies to squeeze all the necessary spending reductions in just over 9 months instead of an entire year. We can imagine the burdens that puts on agencies, particularly the Department of Defense, with unique procurement requirements.

A less charitable view of why anyone would seek to ignore, even for a short time, the realities of the BCA would be that they might think deficits have fallen and attention to our fiscal state is no longer needed. In fact, the President recently told an audience that, "We don't have an urgent deficit crisis. The only crisis we have is one that is manufactured in Washington."

I beg to differ. Our fiscal problems aren't solved. In fact, we are still on track to add \$753 billion to our national debt in 2013. There is no doubt this is an improvement from past years. Yet the trillion-dollar deficits of the past 4 years are hardly appropriate benchmarks for today. Even at \$753 billion, this year's deficit is larger than any of those under any previous administration.

Meanwhile, our entitlement programs are still on track to be insolvent, with Social Security Disability set to go broke by 2016, Medicare by 2026, and Social Security by 2033. This is simply not the time to backpedal, by any means, on the agreement we made in 2011.

Congress and the President agree that the Budget Control Act is the first step needed toward budget deficit reduction. We must complete the first stride to set our Nation on the right course and prove to the public we can address the even larger looming challenges we face, such as the solvency of our entitlement programs.

There is no doubt this is going to be a difficult job in the days to come, and we must address it. I urge my colleagues to keep their promise and push for appropriations bills that responsibly respect the spending limits outlined in the Budget Control Act. To that aim, I invite my colleagues to join me in sending a letter to the majority leader asking him to bring to the Senate floor a fiscal year 2014 spending bill that abides by the \$967 billion discretionary limit that is required by law.

Let us continue the progress that has been made so far and keep our promise to fight for a more sound fiscal future.

Madam President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. REID. Madam President, I have spoken with the White House, I have spoken with the Republican leader, and we have agreed on a way forward based on the President's speech last night.

As the President told the Nation last night, the President has asked Congress to postpone a vote to authorize the use of force in Syria and pursue instead a diplomatic path to see if that works.

Tomorrow sometime, in Geneva, Secretary Kerry is meeting with Russian Foreign Minister Lavrov. So it is right that the Senate turn from the Syria resolution while the Secretary of State pursues these important diplomatic discussions.

As I said this morning, Congress will be watching these negotiations very closely. If there is any indication that they are not serious, or that they are being used as a ploy for delay, then the Congress stands ready to return to the Syria resolution to give the President the authority to hold the Assad regime accountable for the pain, suffering, and death it caused with those chemical weapons.

In the meantime, the Republican leader and I have agreed the Senate will return to the Shaheen-Portman energy efficiency bill. Senator SHAHEEN, Senator PORTMAN, and the chairman of the committee, Senator WYDEN, have talked to me many times over a period of more than a year to move this legislation forward. So I think it is appropriate that, rather than us sit here and tread water, doing nothing, we should move forward on this legislation.

As the agreement will indicate, so as not to interfere with the diplomatic discussions going on, we have agreed that the Senate will consider no amendments on the energy efficiency bill relative to Syria or the use of force. I have talked to a number of the Republican Senators and that is certainly fine with them.

We look forward to considering amendments on issues domestic in nature and passing this important piece of legislation.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the motion to proceed to S. 1392 be agreed to, that no amendments or motions be in order relative to Syria or the use of military force during the consideration of the legislation, and that the time until 6 p.m. tonight be equally divided between the two leaders or their designees.

I think it would certainly be appropriate that we have at this time statements from the chairman and the ranking member, that is, Senators WYDEN and MURKOWSKI, and Senators SHAHEEN and PORTMAN, the sponsors of this legislation. Then I would hope at that time—how long does the chairman need for his statement?

Mr. WYDEN. Twenty minutes.

Mr. REID. Twenty minutes. We will give Senator MURKOWSKI the same amount of time.

Mr. PORTMAN. Ten minutes for me.

Mr. REID. And 15 minutes for Senator SHAHEEN and 15 minutes for Senator PORTMAN. When that time is expired, we will see if we can have some amendments. So that would be the case. Those four Senators will be recognized for the next 70 minutes. As I have indicated, it is for debate only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 1392 is agreed to and the clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

The PRESIDING OFFICER (Mr. COONS). The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me thank the leader for making sure we could have this opportunity to deal with one of the crucial issues of our time. Leader REID has a long history in energy efficiency, in renewable energy. I thank him for his leadership and particularly the opportunity to be on the floor this afternoon.

Mr. President and colleagues, today the Senate has the chance to put more points on the board for the creation of good-paying jobs, a more productive economy, and greater energy security.

Before the August recess, the Congress put some initial points up by passing hydropower legislation. This legislation was called, by the New York Times: The first significant energy legislation to become law since 2009. Those hydropower bills might have been called small by some, but experts say they can generate a large amount of power.

Hydropower is 60 percent of the renewable, clean power in America. And hydropower has the potential to add 60,000 more megawatts of capacity by 2025, according to the National Hydropower Association. That is enough energy to power more than 46 million homes. Hydro helps to make our economy less dependent on fossil fuels, and it does it in a way Democrats and Republicans can come together on.

Today, as we look at another critical part of modernizing energy policy, I want to start by saying it has almost become obligatory for Members of Congress to say they are for an "all of the