leases in the Gulf of Mexico. For 30 million acres in the Gulf of Mexico to go undrilled for years and years, where out of a total of 37 million acres are leased but only 7 million acres are actually drilled and produced, it seems to me there is a wonderful opportunity for a lot more production, not just in 7 million acres but 30 million acres additionally. And if the company that holds that lease, and has held the lease for years, is not going to drill it and produce, then let somebody else do it. That was the theory behind this Senator's sponsorship of that legislation.

As the Senator from Alaska has pointed out some differences in her State, it seems to me that this is, as the Good Book says, a place where people of good intentions can come and reason together.

Mr. President, I want to speak on another subject. I will tell my colleague that I am not going to be speaking very long. This will be short. I want to bring this to the attention of the Senate.

This is the Wall Street Journal from last weekend. Here is an article with the headline ''Transocean Cites Safety in Bonuses.''

This is worth this Senator reading for the RECORD and calling to the attention of the Senate:

> Transocean Ltd. had its ''best year in safety performance'' despite the explosion of its Deepwater Horizon rig that left 11 dead and oil gushing into the Gulf of Mexico, the world's largest offshore-rig company said in a securities filing on Friday.
>
> Accordingly, Transocean's executives received two-thirds of their target safety bonus. Safety accounts for 25 percent of the equation that determines the yearly cash bonuses, along with financial factors including new rig contracts.

It is hard for me to believe that. Even if it were to meet some mathematical formula of awarding bonuses to executives at oil companies, why in the world that company would not have been sensitive enough to the families of 11 people who lost their lives as a result of what the President's task force investigating the Deepwater Horizon oil explosion and spill—the task force cochaired by our former colleague from Florida, Bob Graham—which said that the main responsibility for that explosion was the fact that the blowout preventer did not work as it was designed to. Who was the owner and operator of that? Transocean. We know there are lawsuits that are going on between BP, which had the lease, and Transocean, its subcontractor, which had the equipment that was supposed to work to prevent the spill that malfunctioned. Those lawsuits are going to be going on for some period of time, sorting it out. But the investigation, done by a highly respected investigative task force, came to that conclusion. And here that very same company, whose blowout preventer deep on the floor of the ocean malfunctioned, causing the explosion—11 lives were lost, and untold billions of dollars of damage was done to the economies of the Gulf States, and who knows how many billions of dollars of damage to the marine life and the ecology of the Gulf of Mexico, and safety is cited by this company as a reason for giving bonuses to its executives.

That defies common sense. It defies reason. I am sufficiently agitated about this—even with the company coming out and issuing some kind of retraction—that this Senator intends to ask the Secretary of the Interior, Secretary Salazar, what authority he has to regulate not only the leases of oil and gas tracts, such as BP, which held the lease, but also what authority he has to regulate the rig owners, such as Transocean and other subcontractors, which actually had the responsibility for the safety of the drilling operation, and that safety did not work.

I am going to ask our Committee on the Environment, chaired by Senator BOXER—I have already talked to her and her staff director—to hold hearings on the questionable response, the cleanup, the environmental and financial practices not only of Transocean but its contractor, BP. What in the world is going on?

Why do I bring BP into this? Well, it is not only that they held the lease. It was interesting. Last week, the head of the Washington office of BP came in to give me an update. We had a very good, amiable chat, and I asked a simple series of questions. One of the questions I asked was: With all of our people down there, many of them losing their businesses, losing their homes to foreclosure, because they don't have income as a result of the tourism trade that was affected by the BP bill, what was all this about?

The first full payment was a $10 million payment paid in full from the Gulf Coast Claims Facility to a BP partner. The head of BP in Washington said he did not know. It has been in the newspaper over and over. I have asked the question over and over. I have written to the Department of the Interior, as well as to BP, and I have written to the Gulf Coast Claims Facility and have received no answer to the question, why was the first payment paid in full in damages done to a business partner of BP? The representative of BP could not answer the question.

I think the Senate Committee on Environment and Public Works ought to get into that issue. I am going to also ask the Finance Committee in the Senate to hold hearings on the financial practices of BP and Transocean and other corporations such as those—a corporation such as Transocean that I think is domiciled in Switzerland and that holds a lot of its assets and earnings abroad, earnings that come as a result of doing business in the United States but of which those earnings are held abroad and taxes are not paid for the privilege of doing that business and earning profits in its business that is conducted in the United States.

We owe this to our taxpayers. This Senator certainly owes it to his constituents who have suffered mightily as a result of this BP oilspill, along with the malfunctions that went along in the procedures and in the equipment of that tremendous disaster that so many have suffered so long.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE BUDGET

Mr. THUNE. Mr. President, this Friday we run out of the current—which is now the sixth continuing resolution—short-term continuing resolution which we have been operating under since the end of the fiscal year, which was September 30 of last year. We started a new fiscal year October 1. Judging by some of the rhetoric we have been hearing around here, one would think somehow it is these big, bad, evil Republicans who are trying to shut the government down by trying to get a bill passed that actually would reduce spending for the remainder of this fiscal year, which ends on September 30.

I remind my colleagues—and I know sometimes it gets a bit redundant—it is a fact that the reason we are here is because last year the Democrats in the Congress failed to pass a budget and did not pass a single appropriations bill. There was no budget passed last year for this fiscal year and not a single appropriations bill passed before the fiscal year ended September 30. Beyond that, we had a lameduck session where we were here, we were here after November's election until the Christmas holiday, and never did we have a budget considered on the floor, nor did we consider a single appropriations bill. The reason we are here is to finish the unfinished business of last year. This is last year's mess we are now cleaning up.

We think the voters in the election spoke pretty clearly and sent an imperative to the Congress: We want you to reduce spending.

We have been trying, as we have attempted to fund the government through the end of this fiscal year—September 30—to achieve some level of spending reductions. It started in the House of Representatives. They passed a bill that reduced spending by $61 billion over the previous year. It came over to the Senate. We had a vote on that bill to reduce and trim $61 billion, and it failed. The Democrats put a bill on the floor which would trim $4.7 billion from last year's spending level and which seemed to be completely divorced from reality as to how to seriously and meaningfully address the issue of spending and the debt and how to address the concern the American people have voiced this year over the $1.5 trillion deficits we are seeing and now we are going to see even longer since the President submitted his 2012 budget.

The reason we are here is to do last year's unfinished business; that is, getting runaway spending in Washington

under control, starting to live within our means—something every family in America has to do, something every small business in America has to do.

Here we are again coming up against this Friday deadline because there is resistance to reducing by $61 billion the amount Congress spent the previous year. The $61 billion, if one looks at the total budget, represents a little under 10 percent. Even if one looks at it in terms of discretionary spending, that amount we are actually appropriating annually that is the smaller part of the budget in Washington, it is a small percentage. We are not talking about, relatively speaking, a lot of money. I think it is reasonable. I think the American people believe it is reasonable. Yet we are having this huge meltdown around here because we do not have the political courage to do what the American people have asked us to do.

Frankly, if we were to reduce spending by the amount the Democrats propose and we had a vote in the Senate, it would be about the equivalent of 1 day of the debt. In other words, in this year, the amount of debt we are going to rack up—the amount they were talking about trimming from the budget was the equivalent of 1 single day of the Federal debt—a little over $4 billion. It was not serious. Nobody can take it seriously by any objective measurement.

To put it in perspective, in the last 2 years, spending has increased by about 24 percent. This is non-national security discretionary spending. It increased 24 percent at a time when inflation was only 2 percent in this country. Discretionary spending was growing at more than 10 times the rate of inflation. It seems reasonable that we could go back to those 2008 levels, indexed for inflation, which is what the proposal passed by the House that was defeated in the Senate would do.

We have had lots of testimony from the former Chairman of the Federal Reserve, Alan Greenspan, who said he expected we could face a debt crisis in the next 2 to 3 years. He said there is a 50-percent probability of that, in his opinion. We had the Chairman of the Joint Chiefs of Staff, ADM Mike Mullen, say that the biggest threat to America's national security is our national debt, which I think is a stunning statement coming from the highest ranking military official in this country. We have people saying there is the potential for a debt crisis, a 50-percent probability. We have this national security issue that is impacted by the level of spending and the level of debt. Then we have what I think, too, is an even more compelling argument because everybody talks about the need to grow the economy and create jobs, and yet this amount of spending and debt, according to most of the research that has been done, suggests we are costing ourselves as an economy about 1 percentage point of economic growth every year, which translates into about 1 million lost jobs. That is a significant, as I said, body of research that has been done that studied economies over the past half century or so and concluded there is a correlation between debt and economic growth when your debt-to-GDP ratio reaches 90 percent. We are there in the United States. We are well past 90 percent, and it is going to grow significantly more under the President's budget.

We cannot wait until tomorrow to do this. We have to attack this problem at every opportunity. Getting a vote on a continuing resolution that funds the government through the end of the year but does it at a reduced level of spending makes a lot of sense.

I do not know anybody who wants to see a government shutdown. We are here because there is unfinished business from last year. We have to get this budget passed, and we ought to do it in a way that is meaningful and serious and, I might add, reduces spending.

The President's budget, which he came out with a couple months ago and which starts the 2012 budget discussion, failed on every level to address the major challenges facing the country. Not only does he not deal with this issue of discretionary spending—and, frankly, he has been missing in action in that debate entirely—we have not heard from the administration about this issue. More important, his budget does nothing to address the big part of the budget—Social Security, Medicare, and Medicaid—which constitutes today 55 percent of the Federal budget and will grow dramatically over time as the 80,000 baby boomers begin to retire. What he proposed in his budget is increased spending, increases in taxes, and about a $12 trillion increase in the Federal debt over the next 10 years. Nothing serious is done in terms of addressing spending, debt, or taxes.

It is a colossal failure of leadership not to take on what is the most compelling and profound issue that faces this country right now; that is, this huge cloud of debt that hangs over our economy and over our children's future. The President said recently he did not want to take a machete to this; he thought we needed to use a scalpel. What he is talking about doing I suggest does not even constitute using a toothpick. There is not anything in here that does anything to reduce spending or get serious about trimming the size of the Federal Government.

What happened today? The House Republicans came out with a budget. Lo and behold, it is a budget that actually reduces spending by $6.2 trillion over what the President's budget proposed or $5.8 trillion over what the Congressional Budget Office baseline suggests we spend over the next decade. It reduces debt by $4.4 trillion below the President's number, and it does it without raising taxes.

The first argument we heard from people coming to the floor of the Senate—and I heard some of my colleagues earlier talking about, oh, this is going to be so awful; just think of the senior citizens. I say to my colleagues, according to the House budget proposal, senior citizens are not impacted. Senior citizens are protected from any changes in Social Security or Medicare, as are people age 55 and older. If you are a senior citizen today or you are someone nearing retirement age, you are not impacted by this budget. What it does is it makes reforms in these programs so that future generations of Americans will have those programs available to them when it comes time for them to retire. The fact is—we all know this—if we do not deal with these parts of the Federal budget, we are not serious about dealing with the future.

This is a serious issue, it requires a serious solution, and it requires serious leadership. We have seen none of the above from the President or his administration or the Democratic leadership in Congress. So far, the only effort that has been made to address the issue of spending and debt and jobs and the economy is being done by the Republicans in the Congress.

Considering the fact there is only one body of the Congress that is controlled by the Republicans—the House of Representatives; the Democrats control the Senate and set the agenda, and we have a Democratic administration, a Democratic White House—one would think that to do something of this consequence and magnitude, it would take a bipartisan effort. One would assume this would be a bilateral discussion that would be occurring between the White House and the Congress and not just the Democrats in Congress but the Republicans. But none of that seems to be occurring, and there does not seem to be any interest on the part of the President in stepping forward and putting a plan forward that actually does reduce spending, that actually does deal with this massive debt, and that actually gets serious about putting people back to work, growing the economy, and creating jobs. His budget, as I said, increases spending by $400 billion, increases taxes by $1.5 trillion, and adds somewhere on the order of over $12 trillion to the Federal debt. That is the President's budget.

The Republican budget that was put forward today—and I am sure we are not going to agree with every aspect of it, but at lease it is a serious, meaningful effort—reduces spending by $6.2 trillion over the President's number and $5.8 trillion below what the Congressional Budget Office says it will spend over the next decade. It reduces debt $4.4 trillion more than what the President has put forward, and it actually gets government spending as a percentage of our gross domestic product under 20 percent, which is where our historical average has been for the last 40 years. That is what we have been looking at. It takes on these issues.

Whether one likes the approach or not, please at least let's have a discussion about it. Let's have a debate and

let's have a proposal put forward so that we have something we can actually have a discussion about because so far all we have is a one-sided discussion. The Republicans have led the debate about how to deal with the discretionary part of the budget we are dealing with in this continuing resolution, and the Republicans have the only proposal that has been put forward that deals with the long-term issues of Social Security, Medicare, Medicaid, and tax reform, which, by the way, is an important issue to our competitiveness and our ability to grow the economy and create jobs. All those issues are addressed in the budget put forward by the House.

What has been put forth by the administration is not serious. These are serious times that require serious leadership and serious solutions by the President of this country, and we are not getting that out of the White House, nor are we getting it out of the Democratic leadership in the Senate. I hope that will change. I hope my colleagues here in the Senate will recognize and the President will recognize we can't afford to wait any longer.

We have added over $3 trillion to the Federal debt in the first 2 years of this President's administration, and that number, as I said, will grow by about $12 trillion over the next decade. The interest alone that we will pay by the year 2015 will exceed what we spend on national security. We will spend more on interest on the debt than we actually spend on the defense of this country. That is the trajectory we are on. We cannot afford for the future of our children and grandchildren to stay on that trajectory. We have to change the direction we are headed in this country and it starts now.

So I give great credit to our House colleagues. I hope we will be able to get to a meaningful discussion here in the Senate about how to get spending and debt under control, how to grow the economy and create jobs, and how to rein in the size of the Federal Government. It seems that, here at least, a lot of my colleagues must be very comfortable with spending over 25 percent of our GDP on the Federal Government because that is where we are today. As I said before, the 40-year average is down in the 20- to 21-percent range, which is where the House Republican budget would take us. I think it is a good starting point. It should trigger, I hope, a discussion in this country.

But I certainly hope as well that the other side, the Democrats here in the Congress and White House, would engage the debate, would enter this discussion. Please, put forward an alternative, instead of coming out here and attacking, and particularly attacking in a way that is misleading and misinforming. Senior citizens are not impacted by this proposal that was put forward today. If you are 55 years or older, you are not affected by this. You keep the programs you have today. What this does, in a meaningful way, is to reform those programs so that they are available to future generations of Americans. We have a moral obligation to them to take the steps necessary to provide a future that doesn't saddle them with a mountain of debt.

By the way, that debt has grown from about $1,900 per person in 1970 to $44,000 per person today. Under the President's budget, 10 years from now, it will be $88,000 per person. That is what we are doing to the future of our children and grandchildren unless we take steps to change our direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Indiana is recognized.

Mr. COATS. I thank the Chair.

(The remarks of Senator COATS pertaining to the introduction of S. 727 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COATS. 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.

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

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

Mrs. HAGAN. Mr. President, I rise today to urge my colleagues on both sides of the aisle to join together to prevent an irresponsible government shutdown.

The American people did not elect us to shut down the government.

Democrats and Republicans in both the House and the Senate must tighten the Federal Government's belt, just like Americans are doing every day at their kitchen tables.

As we all know, our escalating national debt is our country's most pressing problem. Our country's current fiscal course is simply unsustainable.

In just the last 10 years, our Federal debt has risen from roughly a third of our gross domestic product to nearly two-thirds of GDP in 2010.

Based on the nonpartisan Congressional Budget Office estimates, without proactive action by Congress, that percentage will continue to increase over the next 10 years, with public debt expected to reach 90 percent of GDP in 2020.

Meanwhile, nearly half of our current debt is owned by China and other foreign creditors.

It is time for Congress to work together to chart a new bipartisan course that puts our fiscal house in order.

Before coming to the United States Senate I served for 10 years as a State senator in the North Carolina General Assembly.

I served as the cochair of the Budget Committee, and I can tell you that crafting a budget is never easy. There are always difficult choices, and both sides have to make sacrifices.

As a Budget cochair, I worked for 5 consecutive years to ensure that North Carolina's budget was balanced, that we still made critical investments in our communities while eliminating unnecessary spending.

It takes cooperation across party lines to meet fiscal challenges and to ensure government is both leaner and more effective.

We need bipartisan cooperation this week to prevent a Federal Government shutdown, which is an irresponsible outcome.

Keeping the government functioning for the American people is Congress's core responsibility.

We must come together to cut spending and support critical priorities, such as education, that strengthen our economy and support economic development in North Carolina communities and in communities across America.

And while I believe we all share the common goal of reducing our Nation's deficit, we should remember that our most troubling economic challenges cannot be solved in 1 year alone.

That is why I am concerned by some of the cuts passed by the House.

The House proposal would result in the loss of some 21,000 North Carolina jobs and decimate important education priorities, like Headstart and investments in historically Black colleges and universities.

Nearly one in five African Americans who earn an undergraduate degree has a diploma from a historically Black college or university. North Carolina has 10 4-year HBCUs, more than any other state in the country.

Funding through the Department of Education allows these institutions to strengthen programs and provide critical services for students who are often among the first in their families to attend college.

The House would cut funding for HBCUs by nearly a quarter below last year's level, a cut that would have a disastrous impact on these institutions and their students, while not even scratching the surface of our current deficit.

In addition, by insisting on dozens of divisive policy riders, House Republicans are disrupting our ability to chart a pragmatic and responsible fiscal course for the country. We cannot take our eyes off the ball.

The President's bipartisan fiscal commission, cochaired by North Carolina's own Erskine Bowles and former Senator Alan Simpson, made important progress in beginning to diagnose and attack the root causes of our Nation's fiscal crisis.

The bipartisan work of the fiscal commission is evidence that common ground is possible.

Reducing spending will absolutely be a part of any comprehensive solution, but we must begin to have a broader discussion to create meaningful deficit reduction.

For that reason, I am supporting S. 211, the Biennial Budgeting and Appropriations Act, which was introduced by my colleagues Senator ISAKSON and Senator SHAHEEN.

This bill would take the Washington-as-usual politics out of the budgeting process.

The bill changes the budget process from the current, annual spending debate to a 2-year, deliberative process that allows us to work together on commonsense cuts coupled with sensible investments, similar to what North Carolina, which balances its budget every year, already does.

Right now, Congress rarely passes the 12 government funding bills by the end of the fiscal year, and this year we have been operating on short-term fix after short-term fix. A biennial budgeting process is part of the long-term solution we need to remove partisanship from the budget. The status quo is unacceptable.

I hope we can continue to work across party lines, this week and moving forward, on a bipartisan, comprehensive plan for the Nation's budget that tackles, head on, our mounting debt.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. BENNET. Mr. President, I had the chance to sit in the chair this evening, before you came, and listened to people on both sides of the aisle talk a little bit about our debt and our deficit situation, the pending shutdown of the Federal Government. I shudder to think we might actually do that. But it may happen. I thought I might keep my senior Senator a little bit of company—the hour is late and the floor is empty—to have the chance to talk a little bit about how we see this from Colorado.

Like the Presiding Officer, I have had the chance to travel in one of the most beautiful States in the country over the last 2 years, 40,000 miles across the State of Colorado, having townhall meetings in red parts of the State and blue parts of the State and, believe it or not—and I know the Presiding Officer would believe it because he is talking to the same people I am talking to and, maybe more important than that, listening to the same people I am listening to—I think a fairly substantial consensus emerged out of those meetings.

By the way, in not a single one of those townhall meetings—not one in 2 years—no matter what part of the State I was in, would any self-respecting cable television producer want to put on cable TV at night. Because we do not scream at each other in Colorado. We have our differences. We have our disagreements. We have a lot of shared values, though, whether we are Democrats or Republicans, tea party members, Independents. We are about a third Republican, a third Democratic, a third Independent. That consensus that emerged from these meetings on our debt and our deficit is straightforward.

It is a three-part test for people in Colorado. The first is, they want us to come up with a comprehensive solution that materially addresses the fiscal challenges this country faces. They do not want a bunch of gimmicks. They do not want a bunch of talking points. And they do not want people in this Chamber or the Chamber on the other side of the Capitol spending their time scoring political points at the expense of the American people.

So the question they are going to ask, first, when the Presiding Officer and I go back there, I think, is, did you get to a comprehensive solution—not, by the way, did you fix it overnight? Because they know it cannot be fixed overnight. But can we be secure in the idea that we are not going to leave our kids and our grandkids what is today $15 trillion in debt and a $1.5 trillion budget deficit. Because all things being equal, we wish to allow our kids and our grandkids to not have their choices constrained by our inability to get anything done here in Washington. So that is the first test for people in Colorado.

The second test is, they want to know that any solution we come up with is one where we are all in it together, that everybody in America has the chance to make a contribution to solving this fiscal nightmare we face. They are not interested in pitting one group of people against another group of people. In fact, that makes them feel suspicious about what we are doing. They want to know we are all in it together, which brings me to the third commonsense Colorado point of view on this issue, which is they would like this—in fact, they will insist—the solution be a bipartisan solution. Because they do not have confidence in one party's ideas on this question. That is a lucky thing because we have a Republican-controlled House and we have a Democratic-controlled Senate, and the President is a Democrat. We cannot solve this problem in these times without it being a bipartisan solution. That is it.

If I can go home and say, we materially addressed the problem, we are all in it together, and it was a bipartisan solution, I think people would say: You guys have finally done something. We feel patriotic, as if we have done something useful for our kids.

As the Presiding Officer knows, there are people all over our State—local government officials—who are Republicans and Democrats who are making tough decisions about their budgets. I have an incredible amount of sympathy for what they are dealing with.

I had the great fortune, earlier in my career, to serve as the Chief of Staff for our now Governor, John Hickenlooper, when he was mayor of Denver. When John went into that office, and I went in as his Chief of Staff, we faced a huge budget deficit by Denver standards and we had to cut 11 percent of our expenditures. We met with people living all throughout the city and county of Denver. We sought their advice. We established a set of priorities. We passed it through a city council. And do you know what. Denver lived to fight another day. Our economy grew, and things were pretty good there for a while, until this current recession.

When I became superintendent of the Denver Public Schools—as the Presiding Officer knows, a district that year after year after year, for almost a decade, maybe even longer than that, was the poster child for cutting every single year; every year, people at other school districts would say: Thank God we are not the Denver Public Schools—every year, the Denver Public Schools would lose teachers to other districts that could afford to pay them more, and every year we cut and we cut and we cut as a district. When I became superintendent, one of the cases I made to the school board was: We have profound structural problems in our budget, and instead of approaching the budget in a way that diminishes the academic environment for kids, what we ought to be figuring out how to do is establish a set of priorities and build a public case to deal with the structural problems that exist in our budget.

Because of the good work of the school board—I should say, the courageous work of the school board—we were able to get that done. We were able to close schools for the first time in a long time. That is hard work. Those meetings were harder than health care townhall meetings, I can tell you that. We were able to deal with the pension liability that our district had. And we were able, year after year, to invest more money, not less, in our schools and in our classrooms. And now, under the current leadership there—which I think is doing an exceptional job—the district no longer is the poster child for anything except fighting hard on behalf of the children in the Denver Public Schools.

Here is the thing that drives me crazy about what is going on in the conversation we are having now about this shutdown. There is no way any superintendent of schools in Colorado or any school board in Colorado or any city council or any mayor—from the biggest city to the smallest town—would show up to work and say: We might close the government 2 weeks from now. It is an option for us that we will not pick up your trash 2 weeks from now or plow the streets—we still get snow in Colorado at this time of year—or plow the streets 2 weeks from now. We are going to close down.

It would not occur to anybody working in a local government in our State to say they were going to do that. Do you know why? Because people would become unglued, unhinged. They would say: We hired you to do a job. Work it out. We are doing our jobs—or we are

looking for jobs—we don't have time to solve these problems. You were hired to do this job. Work it out. Come to an agreement. Don't come home and tell us you are shutting the government down, you are not going to pick up the trash, you are not going to plow the snow, you are not going to educate our kids.

The idea that as a superintendent—I got in trouble when I closed school for snow once—once. It turned out to be a great decision because it was one of the worst blizzards we ever had, but it could have gone the other way, because people rely on us to do the work we are supposed to do. They have plans. The idea that at a time when we are fighting wars all across this globe, at a time when there are governments and countries that are trying to seek an economic advantage over the United States of America in a global economy that has shrunk the way ours has shrunk, that we would say to ourselves: We are going to pause, we can't even keep the government open in this democracy, I think would reflect terribly not on the American people and not on our democracy, but on this institution of government.

There is a reason why we are in the basement as an institution in terms of polling. Why should people have confidence in an institution that cannot actually even keep running in the short term? I think it is important, based on the conversation I heard tonight here on both sides of the aisle, for the American people to understand this debate about this government shutdown is not a debate about our deficit and our debt, not really. It has been about scoring political points.

What I want to say is I hope and I would encourage the leadership on both sides of the aisle here, the leadership in the House, and our President to find a way to work it out and to make sure we keep this government open. I think closing it sends entirely the wrong message. I know there are people on both sides of the aisle here who believe that. I hope people do absolutely everything they can do between now and the end of this week to make sure we send a message that we are not as dysfunctional as we appear to be. Because I think this place ought to meet the standard that people at the local level of government are held to in our State.

No business would say: I don't know, maybe we will close for 2 weeks or close for a month. They are figuring out how to invest and grow even in this challenging economy. We should be doing the same.

Mr. President, you and I were in a meeting this morning. We started today at 8 o'clock in the morning, with 33 Senators, Republicans and Democrats, who came together to hear some very thoughtful observations about how important it is we come to a comprehensive solution to deal with our deficit and to deal with our debt. We heard an important presentation about how there is no silver bullet here. There is no easy way to solve any of this. But perhaps the least painful way to think about it is with the most comprehensive plan—which, by the way, is the intuition of people in Colorado, as I said earlier today. It gave me great confidence that there were a bunch of Republicans and a bunch of Democrats in a room listening to this message and willing to work together in a bipartisan way.

I was very fortunate to draft a letter that MIKE JOHANNS from Nebraska, a Republican, cosigned with me that called on the President to engage—after this period we are having a discussion about right now with closing the government or keeping it open or whatever it is we are going to do—asking the President to engage in a conversation that is comprehensive that says: You know what. We know this is going to involve cuts to discretionary spending, both domestic and military. We know this is going to involve reform of our entitlements. We know it is going to involve reform of our Tax Code as well.

Senator COATS from Indiana was out here today with a lot of commonsense ideas around how our Tax Code doesn't drive innovation, competition and growth and he is right about that. There is a lot of work to be done, and I have every confidence it can happen. That letter we wrote turned out to have 64 signatures on it. Sixty-four people signed that letter. That is more than the 60 required to pass a piece of legislation. That is a majority of the Democrats in the Senate. It is a majority of the Republicans in the Senate. I know it is just a letter, but it reflects what I believe to be true about what people in this body believe, which is that we can solve this issue. We can solve this problem, but we are only going to be able to do it if we do it together. We are only going to be able to do it if we get to a place where we are no longer as concerned about winning political points as we are about actually addressing the problem. I have confidence we can do it.

Someone said to me today: You seem to be a guy who feels as though the Senate is dysfunctional. You have a reputation for believing the Senate is dysfunctional. I will confess there are days when I wonder, and there are days when I feel as though it is dysfunctional. But on this set of issues, I think the Senate can shine. On this set of issues, I think this is the place where leadership can take hold and where we can create a bipartisan solution. The people of Colorado, and I think the American people, expect us to do everything we can to get this done.

There are two conversations going on simultaneously, and I thought it was important to point out that one is about the very short-term issue—what we are going to do with this continuing budget. By the way, no one in Colorado would stand for the idea that you don't pass a budget in the year you are in, but that is another Washington cultural artifact we ought to get rid of. But that is distinct from the comprehensive discussion we need to have around here on our deficit and our debt. At the end of the 2-year discussion I was having, and the beginning of a new discussion now with Colorado, it became pretty straightforward what people want, not just on the debt and deficit but other things they are concerned about, that we ought to be turning our attention to, instead of having this back and forth about whether we are going to keep the government open. It ought to be assumed we are going to keep the government open.

We just came off the first decade in the country's history when median family income fell. It was lower at the end of the decade than it was at the beginning of the decade. It has never been true before in the United States. For families in Colorado, that means they are actually earning less at the end of the decade than they were at the beginning. But their cost of higher education has gone up by more than 40 percent. Their cost of health care has gone up by more than 100 percent over that period of time. We have created no net new jobs in the United States or in Colorado since 1998. People would like to see that turned around.

People would like to see us working together on a Tax Code that drives innovation to make sure we don't have regulations that unnecessarily stifle economic growth. They would like to see that.

They would like us to break our reliance on foreign oil from the Persian Gulf. Even before what has happened in the Middle East and in Libya occurred in the last month or so—even before that—people were saying to me: Michael, we don't think it makes much sense for us to be buying oil from the Persian Gulf. We don't understand why we have an energy policy that requires us to ship billions of dollars a week to the Persian Gulf to buy oil when we could be investing that money developing our energy resources here in the United States. That is work we could be doing together in a bipartisan way.

As the President knows, I have a passion for public education, as do the people who are living in Colorado, and they know we are not getting the job done there either. We have before us the reauthorization of No Child Left Behind, but somehow we can't move that forward. Teachers and kids and principals and moms and dads all over our State are expecting us to get that work done. We have to find a way to educate our kids for the 21st century economy that hopefully we will build for them, and we are not getting the job done.

As I said on the floor the other day, if we look at this question from the perspective of poor children living in our home State of Colorado or all across the United States of America, and if we think about this room we are in right now and the fact that there are

100 desks that don't belong to 100 Senators because they belong to the American people but where 100 Senators sit and work, if these desks reflected the odds of poor children living in our country succeeding educationally, things would look pretty grim in here. Forty-two out of the one hundred chairs in this place would be occupied by a child living in poverty—42. By the time our children in poverty got to the eighth grade, only 16 kids would be reading at grade level. That is four and four, four—that is about 16 desks. The rest of this Senate Chamber would be full of children who couldn't read at grade level in the eighth grade today in the 21st century in the United States of America. By the time our poor children would be graduating from college, only nine would be graduating from college—these two rows and that chair right there. The rest of this Chamber would have no college degree. In a global economy requiring that as a pathway to the middle class, to meaningful participation in the democracy, to meaningful participation in this global economy, 91 people in this place would be shut out because they were born into a ZIP Code that is poor. Those odds look pretty wrong to the kids who are living in those neighborhoods.

I have spent a lot of time with our kids in those neighborhoods, not just in Colorado but all across the United States of America. They think we have already made a promise to them, that they live in a land of opportunity that is going to reward their hard work, and if they stick with it, they are going to end up with a college degree. That is what they believe. We may have made that promise, but we certainly haven't followed through on that commitment.

Why should that matter to us? Some people look at that and say: Well, it is someone else's problem. I don't need to worry about it. McKinsey has done a study that shows us that the effect of those outcomes is to create a permanent recession in the United States. The effect of that dropout rate creates a permanent recession in the United States. That actually is about the same as the recession we just went through, which means if we are concerned with economic growth in the United States, we need to concern ourselves with the educational outcomes our kids in poverty are facing. If we are concerned with income inequality in the United States, we need to be concerned with the outcomes I just described.

Last year, the top 1 percent of income earners in this country earned 23 percent of the income—almost one-quarter of the income. The last time that was true was 1928. That doesn't lead me to conclude that somehow we should redistribute it, but it does lead me to conclude that we ought to fix our education system so more people have the chance to put themselves and their families into the middle class.

We can't afford in this country to repeat the decade we just went through. We can't afford to have an economy where median income is falling. We can't afford to have an economy that is not creating jobs. We can't afford to carry a debt and deficit burden that at some point the capital markets are going to look at and say: We are not financing you anymore. We can't afford to fail to educate children in this country just because they are poor. I also think we can't afford to have an energy policy that commits us to a dependence on oil in the Persian Gulf. I think the people of Colorado and across this country are expecting us to do our jobs, just as they are doing their jobs.

I say again, I hope the leadership of both parties, working in good faith, can keep this government open, and I hope we can move on to a broader and more comprehensive conversation around debt, around deficit, around our economy, and around the education of our kids.

NOTICE OF INTENT TO OBJECT

Mr. WYDEN. Mr. President, I would like to briefly address the intelligence authorization bill for fiscal year 2011, which has now been reported by the Intelligence Committee. I filed additional views to the committee report accompanying the bill, and my remarks today will include a brief summary of those views.

I have now been a member of the Senate Intelligence Committee for over a decade—Senator FEINSTEIN, Senator ROCKEFELLER and I all began serving on the committee at the beginning of 2001, which I believe makes us the committee's longest-serving current members. In my time on the committee, I have become quite familiar with the intelligence authorization process.

It has now been almost 7 years since an intelligence authorization bill was signed into law during the fiscal year it was intended to cover, and although the 2011 fiscal year is now over halfway over, Congress still has an opportunity to provide useful guidance and direction regarding intelligence spending for this fiscal year. The fiscal year 2011 intelligence authorization bill is the product of substantial labor by both Chairman FEINSTEIN and Vice Chairman CHAMBLISS, as well as their respective staff, and I commend them both for their efforts and for the bipartisan manner in which they have worked to put it together.

Unfortunately, I have very serious concerns about one provision of this bill, and that is why I voted against it during the committee markup last month.

Section 403 of this bill would authorize the Director of National Intelligence, DNI, to establish an administrative process under which the DNI and the heads of the various intelligence agencies would have the authority to take away the pension benefits of an intelligence agency employee, or a former employee, if they ''determine'' that the employee has knowingly violated his or her nondisclosure agreement and disclosed classified information.

I share my colleagues' frustration regarding unauthorized disclosures, or ''leaks,'' of classified information. Leaks are a problem that has plagued intelligence agencies throughout modern history—they can undermine intelligence operations, jeopardize intelligence sources and methods, and have a terrible impact on the lives of covert agents who are publicly exposed. Every Member of Congress, myself included, wants to find new ways to identify and appropriately punish individuals who illegally disclose classified information. I personally spent 4 years working on legislation to increase the criminal penalty for people who are convicted of deliberately exposing covert agents. And I am proud to say that with help from a number of my Republican and Democratic colleagues, this legislation was finally signed into law last year. So I don't take a backseat to anybody when it comes to getting tough on leaks.

I agree that increasing penalties for particular offenses can sometimes have a deterrent effect on those who might otherwise be tempted to leak, so I support the creation of new consequences for individuals who have been convicted of illegally divulging classified information. But when it comes to leakers, the biggest challenge is not determining how to punish them as much as it is identifying who they are.

Given these challenges, my concern is that giving intelligence agency heads the authority to take away the pensions of individuals who haven't been formally convicted of any wrongdoing could pose serious problems for the due process rights of intelligence professionals, and particularly the rights of whistleblowers who report waste, fraud and abuse to Congress or inspectors general.

Section 403—as approved by the Select Committee on Intelligence—gives intelligence agency heads the power to take pension benefits away from any employee that an agency head ''determines'' has knowingly violated their nondisclosure agreement. But as I pointed out to my colleagues during the committee markup of this bill, neither the DNI nor any of the intelligence agency heads have asked Congress for this authority. Moreover, as of today none of the intelligence agencies have officially told Congress how they would interpret this language.

It is entirely unclear to me what standard agency heads would use to ''determine'' that a particular employee was guilty of disclosing information. It seems clear that section 403 gives agency heads the power to make this determination themselves, without going to a court of law, but the language of the provision provides virtually no guidance about what standard should be used, or even whether this standard could vary from one agency to the next. And no agency