

As a first step, Senate Democrats need to honor their pledge to return to regular order. Legislation that passes through this Chamber should be written with input from both parties. It should get a fair public vetting in committee, and Senators should get a chance to offer amendments. Just yesterday, the President's own Treasury nominee called for a return to regular order.

So it is time for the President and Senate Democrats to put the games and gimmicks aside. It is time they stopped waiting until the last minute to get things done around here. People are tired of it. I know my constituents in Kentucky are certainly tired of it. They have had enough of the political theater. It is time to put the stunts aside and actually work on real solutions. That is what we were sent here to do, and we should do it.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read as follows:

Department of Defense. Nomination of Charles Timothy Hagel, of Nebraska, to be Secretary.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEVIN. Mr. President, it has been suggested that the Senate should not move forward with Senator Hagel's nomination, alleging he has not complied with requests that he produce speeches. In fact, the standard committee questionnaire requires nominees to provide a copy of "any formal speeches you have delivered during the last 5 years of which you have copies." Senator Hagel complied with this requirement before his hearing 2 weeks ago.

Before the hearing, a number of requests were received from Republican Members that Senator Hagel seek and obtain and provide to the committee some transcripts of additional speeches. In fact, hundreds of pages of tran-

scripts were, in fact, supplied to the committee before the hearing, in addition to those he had submitted in response to the committee questionnaire.

Since then, we have received two additional requests for specific speeches, and in each case we forwarded to Senator Hagel the requests. He sought and provided transcripts of speeches for which he had no prepared remarks and of which he had no copies. So he has responded to those requests, and where he was able to obtain a transcript or a video of the speech from the organization he addressed, he provided a copy. Where no such materials existed, he told us that was the case.

Senator Hagel was informed that a video of his remarks existed in one of those cases but that the organization had been unable to find it. The organization has now located the video, and it will be provided to the majority and minority staffs of the committee today.

In the last few days there has been some finding of transcripts or videos that have surfaced on the Internet—a handful of 2008 and 2009 speeches that Senator Hagel did not recollect. So I ask unanimous consent that a list of links to the Web transcripts or Web videos and a list of Senator Hagel's potentially relevant Senate speeches that are a part of the CONGRESSIONAL RECORD from 2008 be printed in the RECORD immediately following my remarks.

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

(See exhibit 1.)

Mr. LEVIN. Mr. President, Senator Hagel stated in his financial disclosure that he received \$200,000 from Corsair Capital, which is a private equity firm, and he was a member of its advisory board. It has been alleged that Senator Hagel failed to provide complete financial disclosure, despite the admitted lack of evidence of any kind, and a highly negative innuendo was dropped by one of our colleagues which said that, and I quote, "it is, at a minimum, relevant to know if that \$200,000"—referring to those fees from Corsair Capital—"that [Senator Hagel] deposited in his bank account came directly from Saudi Arabia, [or] . . . from North Korea. . . ." Without any evidence of any kind, that kind of innuendo has been dropped here. It is inappropriate, unfair, untrue.

Senator Hagel has provided the same financial disclosure and met the same conflict of interest standards that the committee requires of all previous nominees. As I explained in a February 8, 2013, letter to my ranking member, Senator INHOFE:

Our committee has a well-defined set of financial disclosure and ethics requirements which apply to all nominees for civilian positions in the Department of Defense. . . . We have applied these disclosure requirements and followed this process for all nominees of both parties throughout the 16 years that I have served as Chairman or Ranking Minority Member of the [Armed Services] com-

mittee. I understand that the same financial disclosure requirements and processes were followed for at least the previous 10 years, during which Senator Sam Nunn served as Chairman or Ranking Minority Member.

And I added:

During this period, the committee has confirmed eight Secretaries of Defense (Secretaries Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta), as well as hundreds of nominees for other senior civilian positions in the Department. . . . The committee cannot have two different sets of financial disclosure standards for nominees—one for Senator Hagel and one for other nominees.

As required by the Senate Armed Services Committee and by the Ethics in Government Act, Senator Hagel has disclosed all compensation over \$5,000 that he has received in the last 2 years. As required by the Armed Services Committee, he has received letters from the Director of the Office of Government Ethics and the Acting Department of Defense General Counsel certifying that he has met all applicable financial disclosure and conflict of interest requirements.

As required by the Armed Services Committee, he has answered a series of questions about possible foreign affiliations. Among other questions, the committee asks whether during the last 10 years the nominee or his spouse has "received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government." And Senator Hagel's answer was "No."

Mr. LEAHY. Mr. President, will the distinguished chairman of the Armed Services Committee yield for a question?

Mr. LEVIN. I will be happy to.

Mr. LEAHY. Mr. President, I have listened to the recitation. Basically what the Senator is saying is that all the rules that were in place for nominees to the Department of Defense under Republican Presidents are being followed for Senator Hagel. But there are some who want to go beyond those and create new rules beyond those for Vice President Cheney when he was Secretary or Donald Rumsfeld or Gates or any of the other Secretaries of Defense. The Senator is saying some now want to do something different for this nominee of President Obama's than the practices they found totally acceptable for the nominees of President Bush?

Mr. LEVIN. The Senator is correct. A number of our colleagues have made that demand, and it is simply not something on which we are going to set a precedent. It is not the way to proceed in this body.

Mr. LEAHY. I stand with the Senator from Michigan. In the Judiciary Committee, we follow the same procedure for our judicial nominees regardless of the party of the President who nominates them. If we begin switching the rules depending upon who is President—well, if we think the American public holds Congress in low esteem right now, it is going to get even

worse. So I compliment the Senator for sticking to the rules.

Mr. LEVIN. Mr. President, I thank my good friend from Vermont.

Just to complete my statement on the financial part, this is relative to the fees he received when he was on the advisory board of Corsair Capital.

This is a company he does not control. He is not in a position to require that it disclose anything. The other members of the advisory board—all of whom are identified, by the way, on the company's Web site—include the chairman of JPMorgan Chase International, who is a laureate of the 2002 Israel Prize in Economics and a recipient of the Scopus Award from Hebrew University. Other members of the advisory board: the former director of investments for Yale University and the former chairman of the Financial Services Authority, which is responsible for regulating the insurance industry in the United Kingdom. So the innuendo that Corsair Capital is somehow a puppet entity that is funneling tainted money to members of its advisory board is unfair. It is totally inappropriate.

Senator INHOFE said yesterday that he is not filibustering this nomination.

He is just insisting on a 60-vote requirement for Senate approval. And he said it is not unusual to insist on 60 votes for the approval of a nominee and this was done during the Bush administration for the nomination of Stephen Johnson to be EPA Administrator and the nomination of Dirk Kempthorne to be Secretary of the Interior.

Well, the Senate rules do not provide for 60-vote approval of nominations or any other matter. These rules establish a 60-vote requirement to invoke cloture and end debate. If 60 votes are required here, it is because there is filibuster. There is no 60-vote requirement for the approval of a nomination, and the two examples cited by Senator INHOFE actually prove this point. On the nomination of Stephen Johnson, cloture was invoked by a 61-to-37 vote on April 29, 2005. On the nomination of Dirk Kempthorne, cloture was invoked by an 85-to-8 vote on May 26, 2006. But—and this is the point—after the debate was ended by those votes on cloture, the nominations were confirmed by regular votes of this body. And those regular votes are either a voice vote or a majority vote on a rollcall vote.

So that history is, again, an example of how the Senate operates. Sixty votes is not required to approve a bill or ap-

prove a nomination. If a matter is being filibustered, 60 votes is required to end the debate, and then, if the debate is ended, there is a vote on a nomination or a bill.

No nomination for the position of Secretary of Defense has ever before been filibustered. This filibuster breaks new ground. The filibuster of a nomination for Secretary of Defense is the first one under any circumstances, and it is unwise. The Department is facing a budget crisis that was described as a 10 on a scale of 1 to 10 by the Chairman of the Joint Chiefs of Staff. So a filibuster at this time of a budget crisis is exceptionally ill-advised. Leaving the Department of Defense leaderless at a time when we are in an Afghan conflict, when North Korea has just exploded a nuclear device is exceptionally ill-advised. And perhaps most important, having a Department of Defense that does not have a new Secretary confirmed is unfair to the men and women in uniform. It sends them exactly the wrong message, as it does to our friends and our adversaries around the world.

Mr. President, I yield the floor.

EXHIBIT 1

ADDITIONAL SPEECHES AND EVENTS BY CHUCK HAGEL THAT ARE AVAILABLE ON THE INTERNET

December 4, 2008	Israeli Policy Forum Annual Event: "In His Own Words: Sen. Chuck Hagel on the Middle East"	http://mycatbirdseat.com/2012/12/35795-senator-chuck-hagel-keynote-speech-israel-policy-forum-annual-event/
May 16, 2009	Georgetown University Commencement Speech	http://commencement09.georgetown.edu?p=620
September 23, 2009	2009 McCarthy Lecture—College of Saint Benedict/Saint John's University	http://www.csbsju.edu/McCarthy-Center/McCarthy-Lecture/McCarthy-Lecture-Archive/2009-Lecture-htm
October 2009	Gerald R. Ford School of Public Policy—University of Michigan	http://www.fordschool.umich.edu/events/calendar/148/
May 28, 2012	50th Anniversary of the Vietnam War Commemoration	http://www.vietnamwar50th.com/media_center/the_honorable_chuck_hagel_memorial_day-2012_speech/

SPEECHES THAT SENATOR GAVE ON THE SENATE FLOOR IN 2008 THAT COULD BE RELEVANT TO HIS NOMINATION

February 28, 2008	Senate Floor Speech re: GI Bill
May 8, 2008	Senate Floor Statement re: Chief Master Sergeant Glenn Freeman
May 20, 2008	Senate Floor Speech—Feingold-Hagel bill establishing an independent Foreign Intelligence and Information Commission
May 20, 2008	Senate Floor Speech re: GI Bill
June 12, 2008	Senate Floor Speech—233rd Birthday of the United States Army
October 2, 2008	Senate Floor Speech—Farewell to the Senate

Mr. LEVIN. I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I applaud what Senator LEVIN has said about Senator Hagel. If you made a list of the qualifications of the perfect Secretary of Defense, it would look like the resume of Chuck Hagel. If you look past the partisan posturing of some, I think the American public supports his confirmation as Secretary of Defense.

I worry that this partisan posturing adds to the low opinion Americans have of both the House and Senate. This is not the way we should be doing the country's business.

I strongly support the nomination of Chuck Hagel to be Secretary of Defense

and urge all Senators to support him. We are at a time of fiscal austerity. We all understand that. But we need a leader at the Pentagon, one who understands what it takes to maintain the strongest military force in the world.

Senator Hagel is a former enlisted soldier. He understands defense policy and practice from the ground up. He is the leader we need as Secretary of Defense. He is experienced by any measure. Like thousands of people he will lead at the Pentagon, he has earned a combat infantryman's badge. These qualifications are not abstract. He has two Purple Hearts from combat service in Vietnam. He still carries shrapnel in his body from those injuries.

On any issue having to do with the U.S. military, I have long valued the firsthand experience of Chuck Hagel. But this service alone is not what makes him qualified. He has been a leader in the public and private sectors. He cofounded Vanguard Cellular Systems, a successful cellular carrier in the 1980s and 1990s. He was president

and CEO of the USO and the chief operating officer of the 1990 G7 Summit. He served as president of an investment bank, on the boards of some of the world's largest companies, and as a two-term U.S. Senator. He is clearly a qualified nominee.

Since his nomination was announced last month, some have questioned Senators Hagel's position on a number of issues—notably, his support for Israel. Well, as recently as his confirmation hearings, he has reaffirmed his long record of support for Israel. In January, Danny Ayalon, the Israeli Deputy Foreign Minister and former Israeli Ambassador to the United States, affirmed what he sees as Senator Hagel's commitment to the unique U.S.-Israeli relationship. As a member of the Foreign Relations Committee, Senator Hagel supported the authorization of almost \$40 billion in aid to Israel. In a 2008 book, Senator Hagel wrote that, "there will always be a special and historic bond with Israel exemplified by our continued commitment to Israel's

defense." He also wrote that that there can be no compromise on Israel's identity as a Jewish state. He has affirmed the U.S. commitment to Israel's security and Israel's right to defend itself against aggression. These are just a few examples, but by any objective measure, Senator Hagel is committed to the mutual interests of the United States and Israel.

Attacks suggesting that Senator Hagel is soft on Iran are also baseless. Through all my conversations with Senator Hagel, I have never once doubted his belief in the President's responsibility to build alliances and exhaust all available means to achieve our foreign policy goals through diplomacy. But he also believes that aggressive actions by us against a foreign government should be strategic. There is not a shred of evidence to support claims that he supports a nuclear Iran, or that he does not support the President's efforts—unilateral or multilateral—to bring Iran to the negotiating table over its nuclear program. He has reaffirmed that he believes in keeping all options on the table, including force if necessary, to prevent Iran from obtaining a nuclear weapon. Senator Hagel supports the sanctions against Iran already in place. He has affirmed the need to keep military action on the table. He supported the Iran Missile Proliferation Sanctions Act of 1997, the Iran Nonproliferation Act of 2000, and the Iran Freedom Support Act of 2006. Any assertion that Senator Hagel accepts Iran's nuclear program is false.

Then there are the bogus, inflammatory claims that Senator Hagel is soft on terrorism. Nothing could be further from the truth. He has not hesitated to call Hezbollah and Hamas what they are—terrorist organizations. He condemned Iran's support of Hezbollah and cosponsored the Senate resolution demanding that Hamas recognize Israel's right to exist. He also supported the Palestinian Anti-Terrorism Act of 2006, a multilateral effort to force Hamas to recognize Israel, renounce violence, disarm itself, and accept prior agreements with Israel.

I have traveled with Senator Hagel to different parts of the world, combat areas and areas of great security concern to the United States. I have sat in meetings with him as he spoke with our military and intelligence officials. Please excuse me if I am somewhat vague, since most of these meetings were of a highly classified nature, but I can say this: he asked tough questions and always kept the security interests of the United States foremost at hand with both U.S. security officials and also with the leaders of other countries. Senators who were with us of both parties commented to me afterward how impressed they were with the way Senator Hagel conducted these meetings.

In this time of talk of across the board budget cuts, some have suggested that Senator Hagel would recklessly weaken the defense budget.

Nothing in Chuck Hagel's record supports that. He resigned as Deputy Administrator of the Veterans Administration over what he considered to be inappropriate budget cuts.

He opposes cuts that would weaken our security. He vigorously opposes sequestration, which has been rightly compared to cutting with a meat cleaver. Like Secretary Panetta and Secretary Gates, Chuck Hagel believes the Pentagon has a role to play in deficit reduction but not at the expense of keeping our military the preeminent fighting force in the world. He says that reductions must be smart and strategic. I agree. I am confident that our men and women in uniform will have no stronger advocate and that our Nation will have a solid defender in Chuck Hagel.

Senator Hagel, who has seen combat from the perspective of an enlisted member of our Armed Forces, sees our military as the last resort, not the first resort in international relations. Those who have been in combat, from President Eisenhower on until today, have taken that same position. No matter what any detractor may say, his is sound policy.

Matters of war and peace are matters of life and death. Those who sit in boardrooms or in easy chairs and say: Let's commit our soldiers here and our soldiers there—they are not the ones going. By and large, it is not their family members risking their lives. We need a Secretary of Defense who knows what it is like to go and to face combat and to be wounded. Should we commit our troops when it is necessary for our defense? Of course. That is why we have troops. But let's recognize that such decisions come at great human cost.

Senator Hagel, a decorated veteran who still walks with the shrapnel from his wounds in Vietnam, understands that a decision to go to war is a decision to send our sons and daughters, husbands and wives, fathers and mothers into harm's way. It is his deep, visceral understanding of this fact, his record of experience, his patriotism, and his dedication to this Nation that qualify him to be the next Secretary of Defense.

We should have the vote and confirm this patriotic American hero. Let's not hide behind a filibuster. Let's have the courage to vote yes or vote no. Do not hide behind parliamentary tricks. Do not vote maybe. The American people elected us to vote yes or vote no. When you want to set up a filibuster rule on something, you are basically saying: Let's vote maybe. That is hardly a profile in courage and certainly not the kind of courage we would expect from a Secretary of Defense. So vote yes or vote no. But however you vote, let's do it without delay. I will vote yes.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent to speak as in morning business.

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

MANDATORY SPENDING

Mr. COATS. Mr. President, earlier this week I outlined four main topics that I hoped to hear the President discuss in his State of the Union Address. Today, I would like to talk in more detail about one of those items and perhaps the most challenging—restructuring Medicare, Medicaid, and Social Security to preserve them for current and future generations.

In Washington, these three programs fall into the category of mandatory spending, meaning they are not contingent on annual congressional review or funding. Instead, they are based on formulas that have already been written into law, and therefore this spending occurs automatically, as if it is on autopilot. So, anyone who becomes eligible for the program based on the requirements in the law automatically qualifies for the benefits. We do not have the ability on a year-to-year basis to review or change this. We can only make structural changes and reforms to the program as necessary.

Today these items make up a majority of the government's annual budget. This is because when these programs were implemented they did not take into account the remarkable and wonderful increase in the lifespan of Americans, nor the impact of the post-World War II baby boom generation reaching the point of retirement age, which is now at the level of about 10,000 retirements each and every day of the year. That is putting an enormous strain on the overall budget and the amount in proportion to the budget that goes for funding these mandatory programs.

After World War II and after a long decade of depression, Americans saw a bright new future. They came home from the war. They began to start families. Millions upon millions of children were born in the post-war period up until the earlier 1960s. This is the so-called baby boom generation.

Initially, when they were born, certain industries came into play. If you were in the diaper business, suddenly you were in a boom business or cribs and strollers and then tricycles and bicycles. These children moved on to the age where they began to enter elementary school, and we built schools all over the country to accommodate this growth in our population working their way through the system. Then it was junior highs and then we needed to enlarge our high schools, and new colleges and universities sprung up across the land, too. Upon graduation, they found jobs, and it was time to start their own families—housing boomed.

Throughout the whole lifespan of this baby boom generation, there have been enormous economic changes to adapt to this massive amount of people working their way through life and becoming such an integral part of the American dream and American history.

We often talk now about this issue in cold hard facts because this generation

is reaching retirement age, moving into retirement and qualification, for Social Security and Medicare coverage in massive numbers—10,000 or more a day. But when we are talking about it in just cold hard facts and numbers, we tend to ignore the impact of these programs in a much more personal way on our American public.

Becoming eligible for the programs we are talking about means access to health care during a more difficult time of life. Perhaps you are no longer covered by your employer because you have made the decision to retire or reached retirement age. There are health care issues as we age that we wish did not happen, but they come on in ever-increasing intensity. It means grandparents having enough money to travel to see the kids and a new grandbaby. It means men and women who have worked hard all of their lives to provide for their families finally having the financial freedom to take some time off to retire.

Hoosiers and Americans all across this land have paid into the system all through their working years. They rely on these health and retirement security programs and their benefits. These are honest, hard-working men and women who have been told that if they made contributions through their paychecks to these programs, they would become eligible at a certain age for a certain standard of coverage. They expect to receive that. So, the challenge before us today is to make sure these benefits continue to be available to both current and future recipients. But, as we examine our Nation's current fiscal state, we all need to come to terms with the fact that these programs will not be available in their current form if we do not make some necessary changes.

The Heritage Foundation reports that mandatory spending has increased at almost six times faster than all other spending. In other words, spending on Medicare, Medicaid, and Social Security is growing faster than all of our spending on defense, education, infrastructure, medical research, food and drug safety, homeland security, and I do not begin to have the time to list all of the various functions of spending that go toward reaching out and meeting the needs of this country.

The nonpartisan Congressional Budget Office reported this month that spending on these programs and interest on the debt will consume 91 percent of all Federal revenues 10 years from now. Imagine our budget as being a big pie. It is cut in certain slices in terms of how much money is spent on defense, how much money is spent on mandatory programs, and the amount of money that is spent on all of the other functions in which the Federal Government is engaged. That part of the pie which provides for the automatically entitled mandatory spending benefits is growing at a rate that is unsustainable.

It is ever shrinking the defense and nondiscretionary part—everything else

we spend money. We spend too much money on too many things so we are going to have to be very careful. I have talked about this many times of how we spend and allocate funds in the future.

Unless we address this runaway mandatory spending issue, we are not going to be able to have the funds to do even essential constitutionally mandated things, such as providing for our national security and making funds available for paving roads, health care research, education, or whatever else we feel is appropriate for our Federal Government to engage.

Furthermore, this mandatory spending has enormous impacts on our young people. In a recent New York Times column titled "Carpe Diem Nation," David Brooks wrote about two ways spending on health and retirement programs not only threatens our economic growth but hurts young people. It squeezes government investment programs that boost future growth. Second, the young will have to pay the money back. To cover current obligations, according to the International Monetary Fund, young people will have to pay 35 percent more taxes and receive 35 percent fewer benefits.

This is the plight that exists. These are the cold hard facts. We have to deal with this math. Understanding how we deal with this directly affects people's lives, directly affects the benefits they rely on for their retirement and for their health care.

The challenge before us is to understand, if we don't do something, this 35-percent higher taxes and 35-percent fewer benefits on our young is not only unacceptable, I think it is, in my opinion, immoral. Immoral for our generation, for this Congress, and our executive branch to leave our children and grandchildren in such a position without doing something about it. The challenge before us and the goal this body should be striving for is finding common ground—not how to eliminate these programs but about how to save these programs while ensuring we have adequate resources to finance the essential and necessary functions of the Federal Government. This starts with our constitutional obligation to provide for the Nation's security, the security of the American public, as well as providing for the general welfare.

Republicans and Democrats and conservatives and liberals recognize we need to restructure Medicare, Medicaid, and Social Security if we are serious about putting this country on a sounder fiscal footing and if we are going to be able to keep these programs from becoming insolvent. Hopefully, there are Members on both sides of the political spectrum who agree we need to make the changes now in order to avoid more painful changes later.

We have been postponing this action and this needed legislative process for decades. It has always been too hot to handle. It is too politically damaging. It might put us in political jeopardy.

The President, in his State of the Union Address, said it is time we put the interests of our Nation ahead of our own personal political interests. I couldn't agree more. That is what we should always be doing. We have not done that when it comes to this critical issue, which has such an enormous impact on everything we do. It has such an enormous impact on people who have saved all their lives for the benefits they were promised when they retire or became a certain age or the young people in this country who are coming out of school, starting a family, getting a job, hoping to also participate in the American dream, owning a home, and raising a family. We have the freedom our country provides us in ways no other country ever has or perhaps ever will. We are so blessed to have been born in this country, to live in this country, and to have the freedom and the possibility of achieving our dreams.

All of those are in jeopardy if we don't address this situation. For decades now, we have known what is coming. We have seen a growth in our population of baby boomers moving through their entire lifecycle and are now reaching retirement age. We have postponed this over and over. We have come up with short-term solutions over and over and failed to come up with any long-term solutions over and over and over.

The time is now. We are at the point where if we don't do something now, the prediction of David Brooks is going to take place. Our young people are going to be saddled with ever-higher taxes to hold up a system that is going to only be able to deliver ever-lower benefits.

As we consider the right path to move forward, we need to acknowledge that any bipartisan congressional effort to reform and preserve these programs will be unsuccessful unless the President shows a willingness to get involved and engage fully in this effort. I believe he understands the magnitude of the issue because he has said: I refuse to leave our children with a debt they cannot repay.

We all want a government that lives within its means. We need to get our fiscal house in order now. We cannot kick this can down the road. We are at the end of the road, said the President of the United States in comments made when he was a Senator, comments made when he was a candidate for President, comments made when he was President during his first 4 years, and comments made subsequent to that, in his inaugural address, and in his recent State of the Union Address.

We need more than talk. We need engagement. We need an engagement of the President if we are going to make these difficult decisions to put our country on a better fiscal path and to save these programs for those who have put their hard-earned money and work into them and then not qualify for those benefits.

I would like to take this opportunity to remind the President of his repeated commitment to reduce our debt and deficit. I want to remind him of the many times he has spoken about the need to fix Medicare, Medicaid, and Social Security.

Now, Mr. President, what I would like to say is this: We need more than your soaring rhetoric. We need more than the promises you made. We need your direct engagement if we are going to address this fiscal crisis and essentially do what I think all of us know we need to do.

We basically have two options: we may continue with the status quo and wait until the moment that a crisis hits and we may no longer send out the checks; we must raise taxes once again to cover a program that should have received needed reforms or at the point where the programs become solvent. Or, the alternative is that we can come together and commit to the American people that we will act and no longer avoid or delay the challenging and necessary task of fixing these programs to save them for future generations.

I stand ready. I trust my colleagues stand ready to address this issue now, and we are asking you to stand with us. Let's do what we all know we need to do to restore our Nation's fiscal health, to save these programs from insolvency, to grow our economy, and get Americans back to work. The time is now.

I yield the floor.

The ACTING PRESIDENT pro tempore, The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to stand here to support the nomination of Chuck Hagel as our next Secretary of Defense.

I believe he will be confirmed by this Chamber. I hope, on a bipartisan basis. He is, in fact, extraordinarily qualified for this position of unique trust and responsibility. That is the criterion we must apply. Is he qualified? We may have, probably each of us does have among us 100 Senators, someone whom we would make our first choice or a better choice or is the right person, in our view. That is not the question before us. It is whether he is qualified to be part of the President's team and to be held accountable for the policies the President sets.

Chuck Hagel is a decorated war veteran with two Purple Hearts. He is a highly successful businessman and entrepreneur and a real manager at a time when we need a manager in the Department of Defense.

He is a former colleague as a Member of this body, but he is also a former deputy head of the Veterans' Administration. He has given his life to public service and, most especially, to helping men and women in uniform while they serve this country in the military, and then when they come back to civilian life, helping them contribute and continue to give back to this Nation.

He is a Republican who has won the confidence of President Obama and

whom President Obama has chosen to be a member of his team.

We speak, as Members of the Senate, about giving the President a measure of deference, a prerogative in making the selection about who will serve on his team because it is the President who sets policy. The President will set our policy on the Middle East and on Israeli security. Chuck Hagel has said he is committed, unequivocally, clearly, unambiguously, to the security of Israel and to whatever weapons systems are necessary to provide Israel in maintaining and sustaining that security, the Iron Dome, David's Sling, and other measures this Nation has committed to its great ally in the Middle East. This is an ally that is necessary not only to stability there and hopefully to peace but also to our national interests. Chuck Hagel may have made comments in the past that seemed to vary somewhat from the President's policy, but it is the President who sets that policy and whom we will hold accountable for that policy.

Likewise, on Iran, Chuck Hagel has said he is in favor of preventing a nuclear-armed Iran, not containing it but preventing it. Whatever his past says, it is the President who sets that policy. Chuck Hagel has indicated he is completely in accord with it, in support of it, and will implement it. Again, it is the policy of the President to prevent a nuclear-armed Iran, and we must in this body give support and encouragement to the President in being strong and tough, setting even stronger and tougher sanctions, and using the military option, if necessary, to stop a nuclear-armed Iran.

Going from policy to what I think is perhaps the unique challenge of the next Secretary of Defense, which is to attract and retain the best and the brightest to our military—we talk all the time about people being our greatest asset in the military. We have weapons systems that defy the imagination, let alone comprehension.

At the end of the day, the people who run those weapons systems, the people who staff and work every day to keep America safe, are the ones who are our greatest asset. At a time when we are bringing troops back from Afghanistan when Secretary-to-be, hopefully, Hagel, has indicated we ought to do it even more quickly, our greatest challenge will be to prevent the hollowing out of our military as has occurred in the wake of past conflict.

That hollowing out is not only about hardware and weapons; it is about the people who command and the people who run those weapons. We need to ensure we keep those midlevel officers and enlisted members who are so important to the leadership of our military. Chuck Hagel's leadership and commitment will be critical to that task.

I have met with Chuck Hagel privately. I asked him tough questions about Iran and Israel. I am satisfied on those points that he will advise the President in accord with those policies.

But even more important, I am struck by his passion and the intensity of his commitment to our men and women in uniform. His caring about them is indicated in so many ways—spontaneously and strongly in his testimony as well as in his private conversation. He will make sure that sexual assault in the military—the epidemic and scourge of rape and assault against men and women who serve and sacrifice for this country—will be stopped; that there will be, in fact, zero tolerance not only in word but in deed, and his viewing, for example, of the documentary "Invisible War"—his understanding that this kind of misconduct is an outrage, never to be even complicitly condoned and to treat as a criminal offense the most extreme kind of predatory criminal activity is important to the future of our military and our men and women in uniform.

He is committed to making sure that women in combat—a policy of the President—is implemented forcefully and faithfully. He is committed to making sure the policy of repealing don't ask, don't tell is implemented zealously and vigorously. He is committed to making sure that our veterans—not only for our returning Iraq and Afghanistan veterans but also for the veterans of his own generation—our Vietnam veterans who had Post-Traumatic Stress at a time when it was undiagnosed and, in fact, unknown as a condition resulting from combat—have the benefit of policies and practices we are now implementing to deal with Post-Traumatic Stress and traumatic brain injuries.

He is also committed, equally importantly, to making sure the epidemic of suicide among our currently serving men and women in uniform and also our veterans is addressed forcefully. There are tragedies every day involving those suicides—families who lose loved ones and a country that loses a great public servant—and Chuck Hagel cares about those men and women. He will see a person in uniform not as simply an officer or an enlisted man but as someone who will soon be a veteran and become part of a continuum.

Chuck Hagel has served the VA as well as now in the Defense Department, and he will make sure the transition from active service to reservist service is seamless; that veterans are provided with the transition assistance they need for employment, education, and health care, and that our National Guard receives the respect and service it deserves.

I am convinced Senator Hagel's No. 1 priority will be taking care of our troops. He was a veteran's advocate with the USO, and he has won the respect and admiration of veterans groups. In addition, he has won the support of an extraordinary array of former Secretaries of Defense, ambassadors and diplomats, senior retired military leaders, and, in particular, two former Members of this body who appeared with him at his testimony, former Senators Warner and Nunn.

I believe Chuck Hagel is the right man for the fiscal challenges that will confront the Department of Defense. Putting aside sequester—which I dearly hope will not happen; Secretary Pannetta has said it would be irresponsible for the Congress to allow it to happen, and many of us agree it must be avoided—and the challenges in the next month or series of months, the long-term outlook for the Department of Defense is that it must do more with less, and Secretary Hagel, if he is confirmed, will have that management task. He is one of the people in this country who is almost uniquely qualified to carry it out, and I believe he will, with great distinction. He will take care of our men and women in uniform and strengthen our national defense. He will do what he thinks is right, even if it is not popular.

Finally, Chuck Hagel is, as everyone has said, a good and decent man. And I thank in particular Senator MCCAIN for his very compelling and telling comments during our consideration before the vote in the Armed Services Committee. He said, and I agree, that no one should impugn Chuck Hagel's character. He is a person of integrity and character, and I believe he will have the respect at all levels of our defense—the men and women who serve and sacrifice every day, the men and women who are essential to our national security—and I recommend him and urge my colleagues to support him.

I respectfully hope he will be confirmed quickly and that it will be done on a bipartisan basis so we will be united—as our Armed Services Committee in this body is almost always united—in favor of the President's choice for this uniquely important responsibility.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Republican whip.

TIME TO GOVERN

Mr. CORNYN. Madam President, I rise to mark another sad record for the Senate: 1,387 days since the Senate has passed a budget—1,387 days.

The last time I checked the 2012 election was over, and of course it has been over for more than 3 months now. Unfortunately, the President still seems to be very much in campaign mode, giving speeches all around the country. For the time being, what we need, rather than a President on a perpetual campaign, is for Democrats and Republicans to work together to try and solve some of our Nation's most pressing problems, and there is no more important issue than our national debt.

Unfortunately, the President, after extracting about \$600 billion in new taxes as a result of the fiscal cliff negotiations, is still coming back to the well, and he is calling for tens of billions of dollars in new spending. At a time when we ought to be talking about bending the cost curve down, trying to rein in wasteful Washington spending, the President wants to spend more, and he wants to raise taxes to do it.

Perhaps worst of all, we know the promises we made to our seniors for Medicare and Social Security are imperiled. Unless we act together to save and protect Social Security and Medicare, they are on a pathway to bankruptcy, and that is irresponsible and wrong.

I am tempted to describe President Obama's spending and tax ideas as small ball, but they are worse than that. They represent a conscious decision to neglect some of the most pressing issues that confront our country. One might even say it is a dereliction of duty in the battle to save America.

Last week, the Congressional Budget Office projected our gross national debt will increase from \$16 trillion in 2012 to \$26 trillion in 2023. Now that may seem like a long way off, but since President Obama has been President, the national debt has gone up by 55 percent—just in the last 4 years. If we project that forward to 2023, when some of these young men and women who are working here as pages will be looking at entering the workforce and looking at their futures, all they will see ahead of them is debt and a reduced standard of living. This is what lies ahead for all of us unless we embrace real spending cuts and unless we deal with the unfunded liabilities of Medicare and Social Security.

If President Obama has a secret strategy for getting our debt under control, we would all love to hear it. His last two budget proposals failed to receive a single vote in the Senate. The last 2 years his budget has actually been put to a vote, no Democrat voted for it and no Republican, because it simply didn't address the problems I have described. I hope this year is different. Unfortunately, the President has already missed the statutory deadline for submitting his own budget, which was February 4. I hope when he finally gets around to sending us his proposed budget it is a serious plan for long-term debt reduction. Based on experience, I can't say I am overly optimistic, but hope springs eternal.

I guess one of the things that worries me the most is that in the President's State of the Union message, which he so eloquently delivered a few nights ago, he didn't say one word about his 2014 budget—not one word. I would urge the President to take a long hard look at the new Congressional Budget Office report. I would urge him to launch serious bipartisan budget negotiations as soon as possible so we can avoid another last-minute cliffhanger and another 2 a.m. Senate vote.

Above all, I would urge the President to take a look at a balanced budget amendment to the U.S. Constitution that I have cosponsored along with all of my colleagues on this side of the aisle. That amendment would require the Federal Government to balance its budget each and every year.

Is that such a crazy idea? Well, no. That is what every family has to do. That is what every small business has

to do. And that is what 49 States are required to do under their laws. This amendment to the Constitution would be the 28th amendment to the Constitution, including the first 10, which are, of course, our Bill of Rights. It would require a congressional supermajority to raise taxes or to raise the debt ceiling.

As I said a moment ago, families across America have to balance their budgets. And, of course, along with a budget brings the discipline of deciding what our priorities are—the things we have to have and we can't live without, the things we want but we have to defer, and then the things that maybe we would like to have but simply can't afford. Well, this number right here, 1,387 days since the Senate passed a budget, is one reason why our debt continues to go up by leaps and bounds, and there is no plan in sight to bring it under control.

Here is the bottom line for President Obama: The 2012 election is over, and now it is time to govern. It is time to move beyond the campaign rhetoric, drop the gimmicks and work across the aisle with Republicans to do what is right for the country. We are ready, willing, and able to engage with the President and our Democratic colleagues to try to address these problems that confront our country. In fact, there is no good reason for any of us to be here unless we are willing to do that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, while the Senator from Texas is still on the floor, he knows I have a lot of respect and affection for him, and I am delighted to serve with him here and also to serve with him on the Finance Committee. I appreciate Senator SHAHEEN for letting me jump in for just a minute.

We agree on so much. We actually do. And not just the Senator and I but our colleagues here. And I think we fully recognize that although the deficit comes down from \$1.5 trillion to about \$850 billion or so, it is way too much. I think we also agree that one of the best ways to reduce the deficit is to strengthen and grow the economy.

I believe—and I think I heard the President say this the other night—there are three things we need to make sure we address.

One, we need to address—and the President said this—we need to address entitlement programs, not to savage old people or to savage poor people but to figure out how to get better health care results for less money to be able to preserve those programs for the long haul.

I think we will have an interesting proposal from Senator DURBIN later this year with respect to Social Security and putting it in a structured way, maybe a path forward on Social Security that makes it clear we are not trying to balance the budget on Social Security but actually do reforms that we

know are needed and I know are needed so we will have that program for the long haul.

I commend my side of the aisle, and I commend your side of the aisle. We acknowledge that we need some revenues, whether it is on the tax expenditure side, the deductions and loopholes and so forth, or finding other ways to raise revenue.

Third, we just came from a press conference this morning with Congressman ISSA, Congressman CUMMINGS, Senator COBURN, and myself to focus on the GAO and their high-risk list, high-risk ways for wasting money. That comes out today. Every 2 years they give us this high-risk list for how to find ways to save money and spend our tax dollars more efficiently.

We have all that working together, those three things: entitlement reform, some additional revenues, and actually looking in every nook and cranny to see how we can get a better result for less money. Those we can do together. My colleague and I have worked on some things together, and I want to work on those with the Senator, and I look forward to that. I think that if we do, a lot of our colleagues will join us.

Mr. CORNYN. Would the Senator yield for a question?

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I would like to tell the distinguished Senator from Delaware how much I appreciate him and his friendship, and it is genuine.

I guess the thing that is so maddening about serving in the Senate is that everyone in this body—the Senator from Delaware, the Senator from New Hampshire—everyone who serves in this body understands the problems that confront our country that he so eloquently described in terms of unfunded liabilities for Medicare and Social Security, which are on a path to bankruptcy, the debt, and just imagine, if interest rates were to go up, what that would mean in terms of our ability to fund everything from safety net programs to national defense.

But it never seems to happen. The date never seems to arrive when we actually sit down and address it. And I believe this number of days without a budget is really symptomatic of the problem. But thanks to our colleagues across the Capitol—who passed a “no budget, no pay” bill, which has now been signed by the President—unless Congress passes a budget, we are not going to get paid, which is entirely appropriate and long overdue.

So I would just say to my friend, and he is my friend, that I appreciate his comments. I hope someday soon we can find a way, Republicans and Democrats alike—that is the only way it is going to happen—I hope we can get serious about this. Unfortunately, it hasn't happened yet. I am an optimist. I think it can happen. But it is going to require Presidential leadership, and, frankly, that is one reason I wish the

President would get off the campaign trail. Now that he has won—he has another 4-year term—he doesn't have to worry about running for election again, but then to work with us because that is the only way it is going to happen.

So I appreciate his comments and look forward to continuing to work with the Senator.

Mr. CARPER. Again, I thank Senator SHAHEEN and Senator HOEVEN for allowing us to have this colloquy.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as if in morning business.

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

REMEMBERING CHARLIE MORGAN

Mrs. SHAHEEN. Madam President, today I rise with a heavy heart because our Nation has lost one of its outstanding citizens and many of us have lost a dear friend.

Charlie Morgan, chief warrant officer of the New Hampshire National Guard, passed away early Sunday morning with her wife Karen and their daughter Casey by her side. Chief Charlie Morgan was just 48 years old. For those of us who had the pleasure of knowing Charlie, it has been a difficult week. However, as I rise today, I take comfort in the opportunity I had to share part of Charlie's life and work.

Many know Charlie for the national attention she received over the last several years advocating on behalf of her fellow gay servicemembers and their families. However, first and foremost, Charlie was a soldier. She enlisted in the U.S. Army in 1982. After a brief period away, Charlie returned to service as a member of the Kentucky National Guard in 1992, 1 year before the now-repealed don't ask, don't tell policy became law.

Following the terrorist attacks of September 11, 2001, Charlie returned for a third time, joining the 197th Fires Brigade of the New Hampshire National Guard, a tour that included a yearlong deployment in Kuwait.

In addition to the mental and emotional challenges of military service, Chief Warrant Officer Morgan shouldered the constant burden of keeping her life secret from her fellow soldiers. Married to her partner Karen in 2000, Charlie was unable to live openly under the military's don't ask, don't tell policy.

Immediately following the repeal of don't ask, don't tell, Charlie made national news as one of the first servicemembers to publicly confirm her homosexuality and shed light on many of the remaining inequalities faced by same-sex military families.

I first met Charlie in 2011. She contacted my office during her deployment in Kuwait when she learned that despite the repeal of don't ask, don't tell, her partner Karen of over 10 years would not be allowed to attend mandatory National Guard Yellow Ribbon Reintegration Programs upon her return.

I was pleased to work with Secretary Panetta and the New Hampshire National Guard, which has been very supportive of Charlie, to ensure that she and her wife Karen would be able to participate in the program together.

However, as those of us who appreciated her determination understood, Charlie was not satisfied. She continued to vigorously pursue equal benefits for same-sex spouses, particularly survivors' benefits and compensation still denied under the Defense of Marriage Act. And this was not an abstract issue for Charlie. In 2011 she was diagnosed for a second time with breast cancer. Concerned for the future well-being of her family, Charlie took aim at DOMA by challenging its constitutionality in Federal court, and her case is set to be heard by the Supreme Court later this year.

Several days ago my office sent out an online condolence card to the Morgan family, and the response from that card has been overwhelming. In less than a week we received over 2,000 messages of support from citizens all across our country, and I would like to read just a couple of those this morning.

From Hobkinton, NH, we heard: Charlie is a hero to many of us. Thank you for making your lives public so others can live their lives privately in love.

From Oregon, we heard: Thinking of you in this time of loss. It is also a loss for our country, but she leaves a legacy that will carry on.

From Fulton, IL, we heard: Thank you so much, Charlie, for all you have done. You will not be forgotten, and your service, work, and legacy will live on. Those of us left behind will honor you by continuing on in this all-important fight for equality.

I hope Charlie Morgan knew how many lives she touched and how greatly we admired her efforts. I know that she will be sorely missed and that her example will continue to guide us well into the future.

With Charlie's memory in mind, I will soon be introducing the Charlie Morgan Act. This bill will end a number of restrictions on benefits for legal spouses of all military servicemembers and veterans regardless of their sexual orientation. Every individual who provides for our defense deserves the peace of mind that comes with knowing one's family will be taken care of should the worst happen. No one should ever again go through what Charlie and her family had to go through. I hope all of us in the Senate will take up this legislation and act quickly to address this issue. It is long overdue.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

KEYSTONE XL PIPELINE PROJECT

Mr. HOEVEN. Madam President, I rise today for the purpose of engaging in a colloquy with my distinguished colleagues on the matter of the Keystone XL Pipeline for 30 minutes.

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

Mr. HOEVEN. Madam President, I rise today with my distinguished colleagues, both Republican and Democratic, on a bipartisan basis to urge approval of the Keystone XL Pipeline.

Joining me today will be Senator MARY LANDRIEU from the great State of Louisiana, a Democrat; Republican Senator JOHN CORNYN from Texas; Republican Senator JOHN BOOZMAN from Arkansas; Democratic Senator JOE MANCHIN from West Virginia; Republican Senator JOHN BARRASSO from Wyoming; Democratic Senator MARK BEGICH from Alaska; and Republican Senator LISA MURKOWSKI, also from Alaska. I emphasize that to show the bipartisan support for this critically important project.

I also will have a statement from Senator MAX BAUCUS of Montana, who has been leading this effort with me, in his case on the Democratic side of the aisle. He wasn't able to be here, but I do have a statement from Senator BAUCUS that I will read as well, and I appreciate very much his statement of support.

You may have seen that the national gas price has now risen to an average of \$3.62 per gallon. So the average price for gasoline today in the United States—and it continues to go up—is up to \$3.62 a gallon. That is the highest it has ever been in the month of February. So that is a new record—not a record we want to make, either, but it is a record, the highest price for a gallon of gasoline in the United States that we have ever had in February.

If you take a look at that trend line, you will see it has been going up dramatically, and that price is double—\$3.62 a gallon average across the country—that is double the price of gasoline compared to when this administration first took office. So it is a doubling of the price, and, of course, every consumer, every working American is paying that price at the pump. It affects our small businesses across the country, and it affects our families across the country every day.

There was a poll released yesterday that you may also have seen. The poll was commissioned by API, which is American Petroleum Institute, and was conducted February 5 through February 10 by Harris Interactive. They polled just over 1,000 registered voters, and so the poll has a margin of error of plus or minus 3 percent. In that poll, 69 percent of the respondents support construction of the Keystone XL Pipeline—69 percent—and 17 percent oppose it. So Americans overwhelmingly support the project—69 percent to 17 percent—in the most recent poll. And, of course, why wouldn't they.

This is a project which provides energy to our country when we very much need it. It is a project which will provide jobs—tens of thousands of jobs. We have 7.9 percent unemployment. We have 12 million people out of work. Here is a project that won't cost the

Federal Government one single penny, but it creates tens of thousands of high-quality private sector jobs.

It is about economic growth. This is a \$7.9 billion project. The project over its life will create hundreds of millions of dollars of tax revenue for State and local governments, as well as the Federal Government to help with our deficit and our debt without raising taxes—more tax revenue without raising taxes.

It is also about our energy security, energy security for America. Instead of bringing oil from the Middle East, this is about working with our closest friend and ally Canada to meet our energy needs. This pipeline will not only bring in Canadian oil, however. It also moves oil from my State of North Dakota and from the State of Montana to our refineries in places such as Texas and Louisiana and other places around the country. So this is about making sure we don't have to import oil from the Middle East, and I think that is something every American wants. That truly is an issue of national security.

It has been 4½ years since TransCanada—the company that is seeking to build the Keystone XL Pipeline—it has been 4½ years since they first applied for a permit. Here is a chart that shows the route the pipeline would take, and it shows that they had already built another pipeline. This is actually a second pipeline they are seeking to build. But after 4½ years, they still don't have approval of a project that is similar to other projects that have been built.

As a matter of fact, we have built quite a few pipelines through the country, and they go everywhere. For some reason this project has been held up for 4½ years when almost 70 percent of Americans support it. We need the energy, and we need the jobs. Why would that be?

There was a report in the news yesterday that actress Daryl Hannah and about 40 activists handcuffed themselves to the fence of the White House, and they were arrested for that. They were doing that in protest of the Keystone Pipeline project. Maybe that is where we should be today. Instead of our bipartisan group of Senators here in the Senate arguing the merits of this project and advocating for what the American people want, maybe we should be handcuffed to the White House fence because that seems to work.

It has been 4½ years, and we still don't have a decision. We still don't have approval from the administration on this project even though gas prices have doubled on this President's watch, even though the American people overwhelmingly support the project, even though we need the energy and the jobs. We don't want to keep importing oil from the Middle East, and that is why we are here. We are here on a bipartisan basis to make our case and to get this project approved.

I want to begin by recognizing a distinguished colleague and somebody

who has been a real leader in the energy world and has a direct interest on behalf of his constituents in the great State of Texas concerning this project. We need to move oil to the refineries in Texas; we need to move oil—not only Canadian oil but oil from North Dakota, Montana—and we need to get it to refiners so we can get it to our consumers, so instead of seeing the price continue to go up, we can bring it down. I think that is what the American people want.

Perhaps the Senator from Texas can talk about the refining and jobs aspect of this multimillion-dollar project.

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I want to express my appreciation to the Senator from North Dakota for his leadership on this issue. He has been relentless in pursuit of this Presidential permit to authorize the Keystone XL Pipeline because he recognizes, as I do, that it is important in terms of jobs, energy security, and national security.

It has been said that because of the revolution in natural gas production in America, and as a result of horizontal drilling and fracking—combined with the energy we can get from the Keystone XL Pipeline from Canada—that North America could potentially be energy independent—North American energy independence—in the not-too-distant future.

The Senator from Louisiana is scheduled to be here as well. This is a bipartisan effort, as all successful efforts around here must be.

Before Senator LANDRIEU speaks, I want to talk about the Keystone XL Pipeline, which would create an estimated 20,000 American jobs in construction and manufacturing in my State, which still is the No. 1 energy-producing State in the Nation. As a result, job growth in Texas is outpacing most of the rest of the country. I would add that North Dakota is now the second largest energy producer in the country thanks to the Bakken shale efforts. In Texas alone the Keystone would lead up to \$1.6 billion worth of direct investments and would boost our State's economic output by an estimated \$2 billion. This would not only create thousands of long-lasting and well-paying jobs, it would allow Texas refineries to refine up to 700,000 barrels of oil each day to produce gasoline, jet fuel, heating oil, and the like.

As the distinguished Senator from North Dakota pointed out, this would increase the supply at a time when gas prices have gone up, because of restricted refinery capacity, in the worldwide price of oil. It can do nothing but help America contain those high prices.

It strikes me that this is a no-brainer. While we find ourselves engaged in armed conflicts in places such as the Middle East—where Iran periodically threatens to block the Strait of Hormuz, through which about 20 percent of the world's oil supply flows—

why wouldn't we want to make ourselves less dependent on Middle Eastern oil? Why wouldn't we want to make ourselves more independent on North American energy? This is a no-brainer on almost every count I can think of.

Let me express my gratitude to the distinguished Senator from North Dakota for his relentless leadership. I know he is not going to give up. He just keeps getting stronger.

In excess of 50 Senators have signed a bipartisan letter to the President on this, and it is very important for our country as it relates to jobs, energy independence, and national security.

I see the distinguished Senator from Louisiana here, and I know others wish to speak on this important issue as well.

I yield the floor.

Mr. HOEVEN. Madam President, I want to thank the distinguished Senator from Texas. Look at the economic growth and dynamism in his State of Texas; look at the economic growth and dynamism in the State of North Dakota. We are now the fastest growing State in the country. Senator CORNYN is correct when he said Texas is the largest producer of oil in the country. I think they produce about 1.1 million barrels of oil a day. We are at 750,000 barrels and growing, so we are after you. The important point is we are producing this product and we have to have the infrastructure to get it to market.

Again, I thank the distinguished Senator from Texas, and I wish to now turn to the distinguished Senator from Louisiana. Here is another State that is doing amazing things in oil and gas. They have refineries, and they have refineries that need product. To get that product from North Dakota, Montana, and our ally Canada to Louisiana, we need pipelines. We don't want to ship it in from the Middle East. We want to send them our oil.

I am very pleased Senator LANDRIEU is here, and I would ask for her comments.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I am very proud to join in this colloquy with over eight Members of the Senate this afternoon. We are here to talk about this important issue and share ideas with our colleagues and with those who are listening to this debate. This pipeline is important so we can get a reliable, steady stream of oil and gas as we move to cleaner fuels in the future for our country.

I say to my good friend, the Senator from North Dakota, how important it is for drilling, particularly for natural gas, using the breathtakingly new technology that is allowing us to find both wet and dry gas, which is very valuable to our country. This is happening in many places in the country. It will help to fuel a renaissance in manufacturing.

This is not just going to help traditional oil- and gas-producing States

such as Louisiana and Texas, this breakthrough in technology enables us to retrieve gas not only in an economically efficient way but in an environmentally sensitive way. It is going to be very important and impactful to many States in the Union.

We are already seeing companies coming back to the United States. They are relocating from Chile, places in Europe, places in Asia, and coming back to the United States primarily because of this resurgence of gas.

But here we are talking about a pipeline that is primarily for oil that comes out of sand. This is not the traditional deep wells where there are large deposits of oil that are drilled. This is a technology that is allowing the separation of these sands to get the carbon or oil out of them.

Now, yes, we want to move as quickly as we can away from carbon—or to lessen carbon because of its damaging impacts—but there is a transition period we have to go through. There is no waving of a magic wand; there is no snapping of a finger; there is no jumping from this generation of energy production to the next overnight.

Even President Clinton—even Al Gore when he was Vice President—talked about the transition we have to go through. I see this pipeline as a transition. It is giving us oil from one of our closest, most dependable, and friendliest of all allies, Canada, as opposed to pushing over the next 5 or 10 years to continuing to do business with countries that do not share our values, such as the leadership in Venezuela today or the problems with countries in the Middle East. Even the Saudis, whom we respect in some ways, do not have the same value system as the United States. We would much rather—at least my constituents would much rather—deal with Canada and Mexico. Not only are they better allies, but for Louisiana, we like working in Canada. It is a little closer to home. We like working in Mexico.

Many of the workers on these rigs and in this business come from Louisiana and Texas. Let me be crystal clear: My colleagues who are helping on this issue are absolutely right, the people of Louisiana wish to work in Canada where there are environmental protections, where the wages are good, where there are not a lot of pirates floating around, and where workers are much less likely to be kidnapped. I mean, these are serious issues for the oil and gas industry. That is one of the reasons I have been urging President Obama, along with many of my colleagues, to rethink his position on this pipeline.

I guess this has been said by my colleagues—I see the Senator from West Virginia is here, and I am sure he has said this on the floor before—Canada is going to produce this oil one way or another. The question is: Who are they going to send it to? Are they going to send it to their good friend the United States and our refineries in Texas and

Louisiana or are they going to ship it somewhere else in the world? I would like—and the Senator from North Dakota knows this—to form a stronger partnership with Canada and Mexico so we can have security in North America. This will help the Canadian economy and it will help the Mexican economy, which immediately and directly affects our whole Nation. These are our border countries. We are doing a lot of work. I don't know if the Senator knows this, but down in Mexico, in the Gulf of Mexico—I literally—and this is a little bit afield—was recently in Israel and had the great opportunity to go offshore to visit a field, the Leviathan field, which is one of the largest fields in the world. It was discovered in a remarkably new place, which gives Israel a great opportunity to think about being energy independent or energy self-sufficient, which is quite exciting.

When I went offshore in Israel, I met my own workers from Morgan City, Thibodeaux, and Lafourche. They said: Why are you here? I said: The same reason you are. The Louisiana workers go everywhere. We are proud to do it. We would love to be close to home in Canada, Mexico, and our refineries, which are expanding for the first time in many years. Our manufacturing base is expanding.

Finally, I would say in this colloquy, I ask the Senator from North Dakota: Has he had a conversation with the oil minister from Canada—I think it is Minister Oliver—and talked to him at all recently? I had a conversation with him yesterday, and I wanted to maybe share that with the Senator from North Dakota.

Mr. HOEVEN. To the distinguished Senator from Louisiana, I recently visited with the ambassador, Ambassador Gary Doer. We talked about this and other issues.

Ms. LANDRIEU. Through the Chair, I wanted to say I had a very good conversation with the Canadian Minister of Natural Resources. We had a long conversation, about 10 or 15 minutes, and he explained to me the importance of this development for Canada. He also said to me what I just shared with my colleagues. He said: Senator, Canada is going to develop this resource. It is just a question of whom we send it to or with whom we share these benefits.

So for those who are opposed to the pipeline because they don't like the direction it is going or they think there is something America can do to prevent this resource from being developed, that is simply not true.

I see the Senator from West Virginia. I wanted to get that in the RECORD. I thank the Senator for his leadership and for allowing me to join this colloquy because the people of Louisiana strongly support the development of this pipeline. We are proud of the oil and gas industry, but we also recognize we need to make a transition to cleaner fuels and we want to do our part and are happy about the natural gas that is being discovered in this Nation.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Louisiana for her leadership in energy, onshore and off, in a big way. She is absolutely right.

This is our opportunity to have North American energy security and North American energy independence, working with our closest friend and ally Canada. This is how we do it—Mexico as well. The Senator from Louisiana is also absolutely right: Canada will produce this oil. That is a fact. That is going to happen. The question is, Is it going to come to the United States or is it going to go offshore to China? We see these green lines; they show the pipelines that would take that oil to China rather than the United States. Net effect: We continue then to import oil from the Middle East, and Canadian oil goes to China. It makes no sense—not to mention better environmental stewardship that we would enjoy working with Canada, which we will touch on as well.

I wish to at this point ask the distinguished Senator from Arkansas, Mr. BOOZMAN, to join the colloquy, and I would also invite Senator MANCHIN as well. I see Senator BEGICH is here also. So I invite Senator BOOZMAN to make his comments but then also offer the opportunity for our other distinguished Senators to join in the colloquy.

Mr. BOOZMAN. Madam President, I thank the Senator from North Dakota for his leadership and for, again, spearheading this effort. I thank all the Senators who are here and are, in a very bipartisan way, trying to move this project forward.

We speak a lot about jobs in regard to this project, but that simply cannot be overemphasized. The U.S. Chamber of Commerce, most of the largest labor unions—major labor unions—all agree that if this pipeline were to go forward, which it has to do, it would create 250,000 jobs; 20,000 of those tomorrow, almost immediately. Again, it is so important.

It is important to my home State because many businesses, many hard-working Americans living there would benefit tremendously. We have a large Nucor plant. That Nucor plant in Blytheville, AK, in Mississippi County, would supply a lot of the iron that would be used. We have another facility, Welspun Tubular Company, they make oil pipe. They have 500 miles of this pipe sitting in storage that they have produced to go forward, which should be a great thing. The problem is instead of increasing employment for the future, right now they have had to lay off workers because of the indecision.

So there are all kinds of reasons we need to do this. Others have talked about national security reasons, but the labor—the good-paying jobs that would be created, again, not being dependent on places such as Saudi Arabia and Venezuela, that is a pretty good

deal, and we need to move forward immediately.

Mr. HOEVEN. Madam President, I wish to recognize the Senator from the great State of West Virginia.

Mr. MANCHIN. Madam President, if I may, I wish to thank all my colleagues. This is something wonderful for the people who are watching and the people watching who are here, to see a bipartisan colloquy; that we all agree, basically, about energy being the crux of what we do and how this country is made up and how we got to where we are today.

My little State of West Virginia now has a tremendous shale gas find in the Marcellus Shale, with the Utica Shale in Ohio, the shale being explored and produced all over our country. We truly have an opportunity in our lifetime to become totally energy independent.

The only thing I am saying is, where I come from, the people are such good people and they have a lot of common sense. They say: We would rather buy from our friends than our enemies. How much would this displace, as far as us buying from and depending on areas of the world that haven't been friendly to the money we give them for the product of oil they sell us; does the Senator from North Dakota have an idea about that?

Mr. HOEVEN. Madam President, I wish to respond to the Senator from West Virginia. Right now, between the oil we produce in the United States, both together with Canada and Mexico, we generate about 70 percent of the oil we consume. This project alone would add 6 percent. We are talking about over 800,000 barrels a day this project adds and brings to market. So we go from about 70 percent just for this project phase 1 to about 76 percent. But understand this pipeline project is expandable to 1.4 million barrels a day, so we can see it would take us up even higher.

So we are talking about a significant contribution to our oil supply, again, from North Dakota, Montana, and Canada, versus, as the Senator says, countries such as Venezuela or from the Middle East.

Mr. MANCHIN. My other question would be this. Since we have Senators from two of our great producing areas, knowing the challenges we had in Louisiana and the gulf coast with the BP oilspill, as well as a lot of concern about the environment and that is why it has been held up, I understand our friend, Gov. Dave Heineman from Nebraska, now has approved this. That, as I understand it, was the last concern he had.

I have always said this, and I will ask the question of the Senator from Alaska—they have one of the harshest climates and are one of the largest oil producers for our country and they have been able to do it in a safe atmosphere—will the Senator from Alaska comment on his concerns, if he has them, about doing this in a safe environment.

Mr. BEGICH. Absolutely. I thank my friend from West Virginia. We built the largest single capital project back in the 1970s when we brought oil off the North Slope, almost 800 miles through the harshest, most unpredictable climates one would ever see. I can tell my colleagues, if we went back to the stories and articles, the sky would fall, the environment would be destroyed, and the world would come to an end by us building that pipeline. We are multiple decades past. It has worked very well. There haven't been those disasters people claimed would happen.

On top of that, my friend from Louisiana mentioned the environmental impact and it makes sense that the pipeline is the safest way to move oil.

On top of that, we have a choice—the Senator from North Dakota made it very clear—and that is to get it refined in China or the United States. I don't know about anybody here, but I would bet we all agree that between the environmental standards, we have a better environmental record than China in the refining of oil products, so it makes sense for us to do it.

On top of that, people are traveling to Alaska not just for the jobs and the opportunity but the beauty of Alaska, and we have more visitors who want to see the pipeline, to visit the pipeline. When I went down the Gulkana on a rafting trip, it is unbelievable beauty. But one of the last things people do when they come down and land the raft and begin to pack to go back home, there is the pipeline going right across the Gulkana. Guess what. It hasn't damaged the environment. As a matter of fact, there are plenty of photos of people trying to get their raft underneath the pipeline; trying to get the pipeline and the rapids at the same time. So the Senator's point is a very good one.

The Governor of Nebraska has approved it going through their State, but there is nothing similar to Alaska when it comes to the harsh environment we had to build in. We did it, and we did it when technology was much different. Today, the standards are even greater. Again, I wish to echo the Senator's point.

If I could make one other point. This is unique, the Chamber and labor working together for the common good of this country and the jobs and the groups—we think of the Teamsters and Operating Engineers, the pipeline contractors, the plumbers and pipefitters, they are all part of this agreement to build this pipeline and train workers; as my colleagues know, there is a huge gap in our trades. So we get to utilize a training opportunity, employ thousands of people not only for today but for the future.

So from Alaska's perspective, we like it. We know pipelines. We know we have to build big ones, as we did, and the fact is, as the Senator from North Dakota said, they are going to move this oil one way or another. We have a choice. Do we do it in our country, get

the jobs that are attached to it, the opportunity to refine it in States with great quality refineries or do we let China do it? This is a no-brainer for my State.

Mr. MANCHIN. One very quick question, if I may, to the Senator from North Dakota.

There might be a fallacy of thinking that only oil that is going to move is what we would buy from Canada. How much oil would be moved from the United States that we produce in the United States but that is captive right now, that is not being refined, maybe down in Louisiana and Texas? Would this help U.S. production?

Mr. HOEVEN. I appreciate the question from the Senator from West Virginia. For starters, it would put 100,000 barrels a day—this is for starters—into the pipeline. So day one is 100,000 barrels.

Mr. MANCHIN. Just for North Dakota?

Mr. HOEVEN. North Dakota and Montana. It is very important to understand that is just when we start. The pipeline is expandable. Today, North Dakota is the second largest producer of oil in the Nation, second only to Texas. We produce 750,000 barrels a day—and it is growing—and more of our oil is leaving the State by truck and rail than by pipeline. We need these pipelines. This project alone will take 500 trucks a day off our roads, trucks which are beating up our roads and creating safety issues in our State. This is vital infrastructure we need to get this product to refineries in Louisiana, in Texas, in Illinois, and other points around the country.

At this point, I wish to thank the Senator from Louisiana, again, for her participation in this colloquy. I wish to turn to the esteemed Senator from Wyoming, Mr. BARRASSO, another major energy-producing State, and ask him for his thoughts in regard to the regulatory obstacles to energy development. If we are going to be energy secure, energy independent in this Nation, we have to find a way to empower project investment and empower the kind of development we are talking about—not only infrastructure but the new technologies that will help us produce more energy in our country with better environmental stewardship. That is what we seek to do and I know that is exactly what Senator BARRASSO is working on in his State. I would like him to address that aspect.

Mr. BARRASSO. Madam President, if I may join in this discussion—and it is wonderful to see the bipartisan nature of this discussion, to turn and look around the floor of this Chamber and see three Democratic Senators talking to this issue and three Republican Senators talking to the same issue and agreeing, because all of us are like-minded in the fact that when we think of energy—and the Keystone XL Pipeline is a big part of that—we think of energy security for our Nation, which is part of this, economic growth, and

environmental stewardship. We just heard from one Alaskan Senator and the other Alaskan Senator will speak shortly.

We hear what a wonderful job people continue to do in one of the most pristine areas of the country, the State of Alaska. I will tell my colleagues, as a Senator from Wyoming, an energy capital of this Nation, that energy is a big part of our economy but so is tourism. If we did things that did not focus on environmental stewardship for our own State, it would impact our tourism. Energy is a big part of the economy, so we want to have economic growth, energy security, as well as environmental stewardship.

But I will tell my colleagues it has been a difficult task based on some of the regulatory obstacles to energy development. The President likes to talk about how he supports all-of-the-above American energy development. But, in fact, we heard him the other night during the State of the Union Address. His actions over the past 4 years tell a completely different story. Instead of making it easier for our own country to produce energy, I believe he has made it harder.

If we look at the folks who are leaving his administration: The EPA's Director, Lisa Jackson, she said the EPA's role is, interestingly, "to level the playing field against fossil fuels." Secretary Chu, who is leaving the administration, said he would "boost the price of gasoline to the levels in Europe." Secretary Salazar, who is leaving, continues to talk about the fact that the energy strategy, he says, showed good results, but they have restricted access to Federal offshore and onshore oil and gas resources through moratoriums, through blocking permits, through leasing plans. They have denied Americans billions in public revenue and thousands of jobs.

I stand here saying that the Keystone XL Pipeline is a perfect example of the Obama administration's pattern of delaying good projects by requiring excessive redtape.

So I come here with the Senator from North Dakota and the Senator from Alaska—and I thank the Senator from North Dakota for his leadership, for his determination, for his courage, and for his fortitude—in fighting to make sure we as a country continue to strive for American energy security. That is exactly what we are going to have with this proposal.

I call on the administration today—the President, as well as the new Secretary of State—to approve the Keystone XL Pipeline, to allow that energy—which is either coming here to the United States or going to China or elsewhere—to approve it to come to the United States, to help our production, to help our consumers, to help our jobs in this country. Those are the things that are important as we try to focus on energy security for our Nation, economic growth for our Nation, as well as environmental stewardship.

So I thank the Senator from North Dakota for his leadership.

I see now the ranking member of the Energy Committee is here with us as well, who has done a masterful job with a visioned "Energy 20/20." For people who have not seen it, I would say they are missing something—if they have not really read through it—from the Senator from Alaska because she has focused like a laser on these three E's of energy security, economic growth, and environmental stewardship.

So I thank both the Senator from North Dakota and the Senator from Alaska, the ranking member of the Energy Committee, for their leadership.

Mr. HOEVEN. I thank the Senator. I appreciate the Senator from Wyoming being here and for his leadership on energy. Again, I want to recognize that he comes from an energy-producing State, a State that is producing energy for this Nation and creating hundreds of thousands of good jobs in doing so. I thank him for his leadership on the Energy Committee as well.

I want to turn to and recognize the Senator from Alaska, who is the ranking member on our Energy Committee. As the Senator from Wyoming said, she has recently put out a blueprint for energy development, energy independence, energy security for our Nation. It is comprehensive. It includes all types of energy and, again, developing—developing—them the right way, with good environmental stewardship and the latest technologies but truly accomplishing something the people of this country very much want; that is, energy security.

So at this point I would turn to the Senator from Alaska and ask for some of her comments on this Keystone Pipeline project in terms of the economic benefits and the need for our Nation to truly have energy security.

Ms. MURKOWSKI. I thank my colleague from North Dakota. I thank him for his leadership on how we can get the Keystone Pipeline moving, how we can ensure that a resource from our friend and ally Canada can be utilized, can help us here in this country to truly gain that level of energy security we have been talking about.

There have been several good comments about the report I released last week, my "Energy 20/20." I just happen to have a copy of it here on the floor. But out of 115 pages, I can distill it in one simple bumper sticker; that is, energy is good, energy is necessary.

If you look at the cover of the report here, it is essentially a map of the world from way up high. When you are looking down and you see the lights at night, you can tell the prosperous places within the world. It is where the lights are on. It is where our energy is. So when we talk about energy, I think it is important to really put it in the context of how important, how significant it is to our daily lives.

Over a week ago now we were all reminded of the importance of energy when there were 34 minutes of dead

time during the Super Bowl. A lot of folks were paying attention to, well, where do we get our energy sources from? It starts a good conversation, a necessary conversation.

In my document I focus on five different areas where we need to talk about energy policy. I am looking for an energy policy that is abundant, affordable, clean, diverse, and secure. When we talk about the fifth one, the security, this is where the Keystone XL project really comes in to play. When we are talking about security, that does not necessarily mean that everything we want as a nation is going to be produced right here within our own borders. What it means is how we reduce vulnerabilities from others, how we can eliminate our reliance on OPEC.

Ladies and gentlemen, this is a reality. This is doable. This is possible by 2020. This is not pie in the sky. Let me give you some numbers.

In 2011 Canada produced roughly 2.9 million barrels of crude oil per day. Mexico produced 2.6 million. When you add this to the approximately 6 million barrels the United States produces each day, total North American production—which is 11.5 million barrels—it is far greater than the Nation's net imports, which was 8.5 million barrels back last year—more than double the imports from OPEC.

So if we can do more within our own borders here and ensure that we are able to rely on our friends to the north, the Canadians, and our friends to the south, the Mexicans, we can displace—we can fully displace our reliance on OPEC imports by the year 2020.

But part of achieving this goal is being able to count on the Keystone XL Pipeline. It is as simple as that. It is about security. It is about ensuring that we have a supply that not only helps us achieve that energy security, but it allows us to achieve economic security.

So far as the jobs that are created, really the ripple effect that goes out—it is not just constructing one pipeline. It is the ripple effect that comes from this boom of opportunity within our country.

So it is jobs and economic security. It is energy security from the perspective of reducing our reliance on those countries we do not necessarily like, removing ourselves from the need to import OPEC oil, and having the ability to control our destiny from a perspective of abundance rather than from scarcity.

We should look to our friends and neighbors. We should work with the Canadians. The President should sign the Keystone XL Pipeline bill into law. He should make it happen. We should not be waiting any longer for all the reasons so many on this floor have discussed this afternoon.

So to my friend the Senator from North Dakota, I say thank you for your leadership. Let's make this happen now.

Mr. HOEVEN. I thank the Senator from Alaska again for being here today talking about the importance of moving forward with the Keystone XL Pipeline project and, again, for her leadership on energy issues. She is our ranking member on Energy. I think no matter whom you talk to, she is absolutely inclusive when she talks about energy development, all aspects—the energy development, the environmental stewardship, the jobs, developing all types of energy. She brings tremendous knowledge and experience to energy issues. So I would urge the administration to listen to one of the leading voices in energy in our country, and that is Senator MURKOWSKI, and ask them to approve this project.

The senior Senator from Montana could not be here today but did ask that I express his strong support for the Keystone XL project—Senator MAX BAUCUS from Montana. My friend from Montana has said over and over the same thing all of us know; that is, Keystone is about jobs, and every day we delay the Keystone Pipeline is another day we delay creating American jobs.

So I want to thank not only Senator BAUCUS but all of the Senators who have joined us here today: Senator LANDRIEU from Louisiana, Senator CORNYN from Texas, Senator BOOZMAN from Arkansas, Senator MANCHIN from West Virginia, Senator BARRASSO from Wyoming, Senator BEGICH from Alaska, and, as you have just heard, Senator MURKOWSKI from Alaska.

We have made the environmental case. The environmental case is stronger with the pipeline project than without it. Every single State on the route is supporting the project. And I think, as Senator MURKOWSKI so well concluded for us, it is about energy; it is about jobs; it is about tax revenue we need to close the deficit and address the debt without raising taxes; and it is about energy independence and energy security for this country so we do not continue to import oil from the Middle East or from places such as Venezuela but, rather, we get it from our closest friend and ally Canada, as well as from States such as my own State and from Montana, and we refine it in our refineries and provide it to our hard-working citizens across the country. So instead of having record highs in the price of gasoline—we have the highest price ever at this point in February: \$3.62 a gallon—we start moving energy costs down for our consumers, to create a more robust economy, and to ease the pain at the pump for our hard-working Americans.

I just want to close with that there will be another rally of demonstrators around the White House this weekend. I think it is scheduled for Sunday. Now, I do not know if they are going to handcuff themselves to the fence like actress Daryl Hannah did the other day or what they are going to do. But the simple point is this: I just gave the information from a poll that was conducted from February 5 through Feb-

ruary 10. One thousand voters were contacted in that poll that was commissioned by API and conducted by Harris Interactive. One thousand voters were contacted, and 69 percent support construction of the Keystone XL Pipeline and 17 percent oppose.

So here is a project which on the facts is something that needs to happen. We need approval of this project on the facts, as we have gone through and cited in great detail. But this is a project which the American people support 69 percent to 17 percent. My question for the administration is, Is this decision going to be made on the facts and what the American people want or is this going to be made on the basis of special interest groups that may demonstrate from time to time around the White House? I believe the decision needs to be made for the American people to approve the Keystone XL Pipeline project.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Wyoming.

UNIONS AND OBAMACARE

Mr. BARRASSO. Mr. President, I rise today as a physician who practiced medicine in Wyoming for more than 25 years, and I rise to continue the debate we have been having in this body about the President's health care law.

Although there has been significant debate and discussion, what I have continued to try to do is discuss some of the many ways in which this law falls short of its goals and falls way short of what the American public has asked for when it comes to the need for health care reform.

The Obama administration continues to put significant effort into trying to sell its health care law and tries to convince people that it is the answer to all of their problems. But in the words of John Adams, "Facts are stubborn things."

Despite all the spin of this administration, the American people continue to learn the facts—the facts about just how bad this law is and how much it is going to cost them personally in terms of finances and personally in terms of their own health care. That is why the President's health care law continues, this day, to be unworkable, unpopular, and absolutely unaffordable.

We saw another example of this recently when one group who had previously supported the law learned more about what is in it.

Back when we were debating the bill originally, labor unions around the country were among the biggest backers of the law. Unions sent their lobbyists up here to press their Democratic supporters to pass the law. They put out many statements saying things like, "We need this health care law now." They held rallies right out in front of the Capitol.

We saw the same kinds of demonstrations last spring when the Supreme Court was considering a challenge to the law. Now, I went to the oral arguments, and I remember one group of

union members chanting: “We love ObamaCare.”

Well, apparently now, today, I will tell you, the love is gone. According to a recent front-page article in the Wall Street Journal, some union leaders now say that “many of the law’s requirements will drive up the costs for their health-care plans and make unionized workers less competitive.”

Republicans said the President’s plan would drive up costs for hard-working Americans from the beginning. Union leaders absolutely ignored our warnings and supported the law anyway. Now we have been proven right, and we are seeing buyer remorse by a lot of the law’s supporters. This was absolutely predictable. What is really interesting is the reaction. It is clear from that Journal article that many union leaders are angry and disappointed.

Well, union leaders should be angry. The Obama administration misled them into believing their members could keep the health care plan they had. They should be angry with President Obama. They were deliberately deceived when he promised repeatedly, saying health insurance costs would go down \$2,500 for the average family by today.

The unions are also now lobbying the Obama administration to do an end-run around the law. The Wall Street Journal quoted union leaders saying that they were going to push the Obama administration to now subsidize their health insurance costs. Now disturbing comments come from the administration suggesting it might be willing to do just that.

Unions have focused their efforts on trying to get the administration to expand access to advanced premium tax credits. The subsidies were intended only for people who cannot get insurance through their employers. That is how it was set up. Well, that means union members who have insurance for a plan jointly run by the union and their employers are not eligible for the subsidies.

The law is crystal clear. In fact, the law lays out four conditions for getting the tax credit: You have to get insurance through the exchange, either a State exchange or the Federal exchange; you have to pay the premiums yourself; you must not be eligible for minimum essential coverage other than the plans offered in the individual market; and you must not be enrolled in an eligible employer-sponsored plan. Those are all four. That is it. So union workers covered by their employer or by a joint plan from their employer and the union do not meet these four criteria.

Let’s go back to NANCY PELOSI and that famous quote: “First you have to pass it before you get to find out what’s in it.” The union bosses should have read the bill before they decided to support it. And if they had read the bill, they would have been smart to oppose it.

Despite the clear law, a spokesman for the Treasury Department told the

Wall Street Journal that “these matters are the subject of pending regulations.” Amazingly, one of the lobbyists for the union said the administration can “create a loophole for them through Federal rule-making.” Create a loophole for the unions. Create a loophole.

Well, that is wrong. The American people know it is wrong. The administration has no legal authority to expand access to health insurance subsidies under the law. This is not a matter of regulation, it is a matter of the law. It was a bad law—bad law as it was being adopted, bad law as it was being signed. It is full of unintended consequences. This particular consequence was spelled out unambiguously. Last week, 31 Republican Senators wrote to remind the President of that fact.

Of course, it is not just union members who are disturbed by the law’s effects on health care costs. Numerous reports have pointed out that costs will continue to rise when more of the health care law’s mandates kick in next January. One study estimates that healthier people are going to see their insurance costs go up by 40 percent to cover the cost of insuring less healthy people. The law’s requirements on caps on medical benefits will also cause an increase in premiums. So will the requirements that adults up to age 26 be allowed to stay on their parent’s plan.

Late last year, Blue Shield of California asked for permission to raise its rates by as much as 20 percent. The CEO of Aetna said rates in some areas could go up as much as 100 percent. That is on top of the premium increase of more than \$3,000 the average family has seen since President Obama took office.

We have got to lower the cost of health care. President Obama and the Democrats who voted for this piece of legislation in the House and in the Senate promised the law would do that. Well, it has not done it. It will not do it. Their plan was short on reform and long on budget tricks and accounting gimmicks and on empty promises.

The cost concerns the unions raise are absolutely legitimate. I share those concerns and so do all of the Senators on this side of the aisle. But we cannot give extra benefits to union members. The problem is not that the law makes union health benefits more expensive; the problem is the President’s health care law makes everyone’s health insurance more expensive. The answer is to control costs for everyone, not just for special-interest groups with friends in the White House.

We need to revisit the taxes, the fees, and the other policies that drive premium increases. We need real health care reform in this country, reform that gives people the care they need from the doctor they choose at a lower cost.

When we were debating the President’s health care law, some of us warned about the danger of writing a

bill behind closed doors. Actually, the President warned about the danger of writing a bill behind closed doors until he decided that was exactly what he wanted to do. So he sent his Chief of Staff to do just what he said would be dangerous, write a law behind closed doors.

Some of us were concerned about the special deals for special groups. Of course, these were special deals that would harm health care for the rest of us. President Obama and Democrats in Congress rejected our concerns. NANCY PELOSI famously said we need to pass the law so we can see what is in it. Well, the American people now are seeing more and more of what is in the law, and they do not like what they see. Now they are calling for all of us to do something about it. This is not the time for special-interest loopholes. It is not the time to make more deals behind closed doors. It is not the time to hand out breaks for one favored group at the expense of everyone else.

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

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

TRIBUTE TO RANDY AND SUZY STORMS

Mr. MORAN. Mr. President, another sad occasion in Kansas. A week ago this past Sunday, the Wichita community was struck by the tragic news that Randy and Suzy Storms were killed in a fatal car accident in east Wichita. Randy and Suzy were traveling home from visiting a friend at a local hospital when Randy experienced a health problem while driving, which led to a devastating accident.

Randy and Suzy were very well known and very well loved in the Wichita community for more than 30 years. Their care and compassion for those in difficult circumstances shaped how they lived their lives. Randy had a special gift for connecting with those who were struggling, perhaps because he knew how difficult life could be. As a teenager, Randy suffered a spinal injury which forced him to live as a quadriplegic. Resolved to make his faith in Jesus the core of his identity and not his physical disability, Randy chose to invest his life in caring for others.

Shortly after high school, Randy began to serve on the staff of Young Life, a Christian organization that mentors and works with young people. His position at Young Life was a springboard to reaching a wider Wichita community. Over the years, Randy became a counselor and friend to countless pastors, community leaders, young adults, and everyone else who was in need of a friend.

Jen Shively, who served with Randy for 27 years, remembered that he

“loved people well,” and that “loving others was effortless for him.”

Nan Chastain met Randy while attending Young Life and she remembers Randy as “the definition of faithfulness.” She said, “He was always there for anyone whenever they needed him.” In short, Randy Storms valued every life.

His wife Suzy was also known for her great love and her care for others. On any given day, you could find Suzy helping young women and teen mothers in need of encouragement and a listening ear.

Sean Spencer, a long-time friend of the Storms, knew Suzy to be a person of great strength and grace. Together, the couple invested in the lives of many married couples, both young and old, who were facing the trials of life together. Randy and Suzy found joy in serving together and encouraging others.

The Wichita community came to know the Storms as the folks who would show up to your kids’ sporting events, high school graduations, and baptisms to celebrate what means the most in life—people. The Storms were also known as the folks who would faithfully show up at the darkest hour to lend a helping hand or to offer comfort to those facing serious difficulties.

Randy and Suzy Storms lived out the biblical teaching to love your neighbor as yourself, and they touched the lives of countless Kansans. My heartfelt sympathy goes out to their two children Nick and Natalie and their two grandchildren Jack and Lucy. Randy and Suzy were two very special people who will be greatly missed by so very many.

This tragedy is a somber reminder that every day is a gift and we are not promised a tomorrow. May we learn from the Storms that what truly matters in life is the people around us, and may their example spur us to love one another more deeply.

I ask my colleagues as well as all Kansans to remember the Storms family in their thoughts and prayers in the days ahead.

GLOBAL BATTLE FOR TALENT

Mr. President, I am thankful for the opportunity to be on the Senate floor today to continue to tell my colleagues about the issues of entrepreneurship and the global battle for talent, the opportunity to start businesses, and the challenges we face from other countries in competing in this global economy.

From our Nation’s earliest days, entrepreneurs have been the driving force behind U.S. economic growth and expansion. Yet the state of entrepreneurship in America is not as strong as it once was. In today’s global economy, an entrepreneur has more choices than ever about where to start his or her business.

Over the last 2 years, at least seven other countries have taken action to better support and attract entrepreneurs. In the 2-plus years I have

been a member of the Senate, seven countries have changed their policies, their laws, and their regulations to be attractive to entrepreneurs, while we have not. This map shows those countries—Russia, Singapore, Australia, Brazil, Chile, Canada, and the United Kingdom.

I recently shared what Canada was doing to attract more entrepreneurs, and today I will share what is happening in the United Kingdom and explain why it is in our country’s best interests to act quickly to retain highly skilled and entrepreneurial immigrants.

Much like the United States, the UK had a range of visa categories for immigrants with varying skills and financial resources. But in 2011, the UK Government made changes to simplify their visa rules in order to attract more talented entrepreneurs to their country. The UK recently created an entirely new type of visa for what they call “prospective entrepreneurs.” These individuals are allowed to enter the UK for a set period of time to secure funding and start the process of setting up their businesses before they begin the traditional visa process. Raising capital can be one of the more challenging aspects of starting a new business, and this visa gives entrepreneurs a running start.

The UK has also changed its top visa category, tier 1, to be restricted to entrepreneurs, investors, and the exceptionally talented. Those entrepreneurs falling within the tier 1 category must have set up or taken over a British business. The initial investment in their companies can be as little as 50,000 pounds, given that certain criteria are met. By lowering the initial capital investment required, entrepreneurs can get set up and running their businesses sooner rather than just raising more money.

The UK has also revamped its Global Entrepreneurs Programme, which works to encourage innovative technology businesses to relocate to the UK. The program is aimed specifically at foreign entrepreneurs and offers a range of support to startups, from help in raising capital to providing mentors to offering networking opportunities with successful entrepreneurs. This program has helped more than 200 entrepreneurs and early-stage technology companies get established in the United Kingdom so far.

You can see from this poster, Sir Richard Branson is helping promote this program because he knows firsthand the value of entrepreneurship. Many people today know Richard Branson as the creator of Virgin Airways, but he got his start at the young age of 16 by successfully launching a new student magazine. Now, 45 years later, his investment group employs approximately 50,000 people in 34 countries and its revenues in 2011 were around \$21 billion.

The UK’s Immigration Minister said this about the country’s recent efforts to attract more startup companies:

Entrepreneurs and investors can play a major part in our economic recovery, and I want to do everything I can to ensure that Britain remains an attractive destination for them. Last year we issued far too few visas to those who wish to set up a business and invest in the UK—I intend to change that.

That was the Immigration Minister of the UK speaking. And this is our competition.

We in Congress and the administration need to take notice. Other countries are aggressively courting entrepreneurs and those talented individuals will not sit on the sideline with their good ideas. They will go to the country that welcomes them and set up shop.

A story I heard while visiting Silicon Valley recently illustrates this point. A large company that was just a few years ago a startup itself told me they had plans to hire 68 highly skilled immigrants but could not get visas for them to work in the United States.

Rather than letting that talent go, the company hired them but in a different country. While it is troubling to me that we lost 68 jobs because there was no visa for them—we lost those jobs here in the United States and the visa program didn’t work to attract and retain them—what troubles me even more than that is we know that someone—and maybe several of those 68 people hired—will go on to start a business that may result in significant job creation. Those are jobs that could have been created in the United States but now will be created in another country.

There is a global battle for entrepreneurial talent, and the United States is falling behind. When we lose those entrepreneurs and highly skilled immigrants, we lose the jobs they create. This is certainly about the entrepreneurs, but it is more about the folks whom they will employ—folks here in the United States who are in desperate need of employment.

The legislation that led to changes in the UK’s visa law was drafted by Cambridge venture capitalist Alex van Someren. Alex is aware that here in America there have been recent efforts to attract entrepreneurs to our country, but the barriers to entry are still higher than in the United Kingdom. Alex said this in a recent interview he had with *Business Weekly*: “We have beaten the American effort and that is fabulous news for UK entrepreneurship.”

This might be good news for the United Kingdom, but it is not good news for Americans. I want to make sure that the first choice for entrepreneurs looking to start a company remains the United States of America, and Congress has the responsibility to make certain that happens.

In a bipartisan effort, Senator WARNER, Senator COONS, Senator BLUNT, and others introduced the Startup Act 3.0 yesterday and an identical bill is being introduced today in the U.S. House of Representatives. Startup Act 3.0 makes changes to the Federal regulatory process to lessen government

burdens on job creators, modifies the Tax Code to encourage investment in new businesses, seeks to accelerate the commercialization of university federally funded research that can lead to new ventures and, importantly, provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talents and new ideas can fuel economic growth and, most importantly, create American jobs.

Startup Act 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those with a good idea, capital, and willingness to hire Americans would be able to stay in the United States and grow their businesses.

In many instances, foreign-born entrepreneurs, here legally, have an idea and want to begin a company that will employ Americans but are told their visa does not allow them to remain in the United States. With few ways to stay, these entrepreneurs are forced to move and to take their business with them where they will create jobs in other countries.

I want to make certain America is the best place for entrepreneurs who want to build in America and hire Americans. Passing Startup Act 3.0 will help make that happen by creating new ways for immigrants legally in the United States to open a business and to employ our fellow citizens.

People come from all around the world to the United States. They come to study and they come to work. They come to live in a place where they can have the freedom to pursue their dreams. The entrepreneur's visa would allow these risk-takers to stay here and operate their businesses.

Each immigrant entrepreneur would be required to create jobs for Americans. If the business was not successful and the jobs were not created, the immigrant would have to go back to his or her own home country.

While some immigrant entrepreneurs would fail, others would follow a path worn by many who came before them and succeeded. Entrepreneurial immigrants have long contributed to the strength of our economy by starting companies and creating jobs. I can think of the Russian immigrants, for example, who are entrepreneurs in a sense who came to Kansas and brought hard red winter wheat with them. What a true entrepreneur—an immigrant entrepreneur—who changed the face of our State.

On the current Fortune 500 companies, more than 40 percent were founded by a first- or second-generation American. Not only are these immigrants entrepreneurial, but they are also disproportionately innovative. Foreign nationals residing in the United States were named as investors or coinvestors in a quarter of all patent applications filed in the United States in 2006.

Today, one of every ten Americans employed in a privately owned U.S.

company works for an immigrant-owned firm. While we work in the United States to continue educating our children with the skills for a 21st century economy and training the next generation of great American entrepreneurs, we also need to welcome those who want to create a business here in the United States and employ our citizens.

I believe that 80 percent of my colleagues here would agree with the provisions of Startup Act 3.0. They understand these are important issues for the economic growth and new job creation for Americans. I urge my colleagues to pass what we can agree to now and keep working to find common ground on issues that still divide us. The longer we wait, the farther we fall behind in this global competition for the most entrepreneurial immigrants.

While the United Kingdom and other countries are creating new opportunities for entrepreneurs, the United States remains the land of opportunity and birthplace of the American dream. We need to pass Startup Act 3.0 so foreign entrepreneurs can strengthen our economy and so American business men and women can pursue their dreams here in the United States.

Millions of our citizens, unfortunately, remain out of work. Many are underemployed. Our economy is barely growing. We can jump-start the American economy through Startup Act 3.0, and the skills we need to pursue the American dream can be here in the United States and we can strengthen our economy.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Maryland.

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

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

Mr. CARDIN. Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with my colleague from Maryland, Senator MIKULSKI.

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

(The remarks of Mr. CARDIN and Ms. MIKULSKI are printed in today's RECORD under "Morning Business.")

SEQUESTER IMPACT

Ms. MIKULSKI (Ms. HEITKAMP). Madam President, while we are waiting to take up some other important legislation, I wanted to come to the floor to speak on another very important matter.

What I wish to talk about is sequester. "Sequester" is a nine-letter word that would be a big hit in a Scrabble game, but it is a lousy word for the

game of life and the functioning of our economy. Sequester is a technique we are going to use as Washington-speak for saying we will have, starting March 1, across-the-board cuts that will be devastating to our economy and to the functioning of government. I just held a hearing this morning in my full Appropriations Committee about the consequences of these cuts. It is really scary. We are going to cut defense. It is going to have a negative impact on our readiness. At the same time, people building some of the smart weapons for the future, such as shipyard workers, over several thousand of them, could be laid off.

Not only must we protect our military from these devastating cuts, but there are others who wear the uniform of the United States of America who protect us. For example, we have 57,000 Border Patrol guards who could be laid off. We also have people who run our weather satellites who help provide the important information to warn for tornadoes, to warn for hurricanes, to warn for these terrible blizzards so that local governments can efficiently prepare. Then there are terrible cuts in the area particularly of education.

We need to be able to come up with \$86 billion to cancel this year's sequester. That is \$86 billion—"b" as in BARBARA, not "m" as in MIKULSKI. We have less than 2 weeks to do that.

Now, as the full chair of the Appropriations Committee, working with our Democratic leadership and our very able chair of the Budget Committee, Senator MURRAY, as well as Senator BAUCUS, the chair of the Finance Committee, as well as other people in the Senate, we have been able to come up with an alternative. It offers a balanced approach to revenues as well as to cuts.

Our proposal will include reforms to the Tax Code and save \$55 billion. At the same time, what we will be able to do is come up with cuts in spending. One will be \$28 billion of cuts in the farm bill and then another \$27 billion in defense.

Now, before people worry and before Iran gets any funny ideas—or anybody who is a foe of the United States—that we are going wimpy or soft, the answer is no. These cuts will not go into effect until 2015, after we have brought our troops back home from Afghanistan. Then they will be spread out over 8 years until 2021. So we won't impact readiness. If there is a foreign predator, don't think we are weakening ourselves. What we are doing is looking at ways the Defense Department can get rid of some of these programs that are now dated, some of the weapons systems that are no longer as relevant as they once were, as we modernize.

So between the mandatory spending cuts in the farm bill and in defense, we will cut spending by \$55 billion. So we take \$55 billion in cuts and \$55 billion in revenue, and this will give us the \$110 billion to be able to deal with this problem.

I am really jazzed about sequester. I represent some of the great iconic Federal agencies in the State of Maryland. I have 1,000 Federal employees. People say: Oh, we know them. Aren't those the pointy-headed bureaucrats who only do heavy lifting by getting a latte in the morning? The answer is absolutely not. Let me tell my colleagues who those people are, and I am really proud of them.

They run the Social Security Administration. They make sure the checks go out on time. They are doing all the actuarial work. They are making sure Social Security is relevant, financially solvent, and far more efficiently run, with lower overhead than an insurance company.

I represent the National Institutes of Health, whose sole job is to find cures for the diseases affecting the American people. Right this very minute we are working on the cure for Alzheimer's, with a cognitive stretch-out of Alzheimer's. My dear dad died of that. I know the consequences. It is a terrible heartbreak for the family, and I will tell my colleagues that it is a budget-buster when one has to turn to long-term care. If we can keep the funding going and if we can have that breakthrough, if we can even find a cognitive stretch-out for 3 to 5 years for people going into nursing homes, we could cut our Medicaid budget in half because 80 percent of the money in our Medicaid budget goes to paying for long-term care for people with Alzheimer's, Parkinson's, Lou Gehrig's disease, or other diseases with neurological impairments. We are being pound foolish to save nickels and dimes. We need a long-term solution.

By the way, the sequester is supposed to happen every year for 9 years. It was to get us to the table so we could deal not only with our debt and deficit—yes, we got that message, but the other message is that we have to get America ready for the future. We have to create jobs today and innovate for jobs tomorrow. That is at NIH. Those are the people working there.

I represent three Nobel Prize winners who are civil servants, several Nobel Prize winners over at Johns Hopkins. They are not only proud of winning the prizes, but they want to help America win the markets—new ideas for new products that will lead to new jobs.

We also have in my State the Federal Drug Administration. I wish the Presiding Officer could come over there. There are 4,000 people working there.

They say: Well, all those people. Yes, all those people. Again, there are Ph.D.s and M.D.s, people with master's degrees, and what are they working for? They are looking for new medical devices to help people, the new breakthroughs in perhaps the next generation of the pacemaker. They are taking ideas invented by the private sector, including a new insulin pump that will help a diabetic person have a more active life or even breakthroughs for neurological impairment for perhaps the

child with cerebral palsy—they are looking for safety and efficacy so those products can move to clinical practice, to the marketplace, and products we can sell to the world. There are many countries that could never afford an FDA, but because they are FDA-certified in our country, they will buy our products.

I am proud of that, that we are going to be the country that is inventing cures for cancer. We only look at the "a" words: AIDS, Alzheimer's, autism, arthritis. Just look at that. At the very time we are looking to lay off people or furlough people at NIH, they have just lowered the cancer rates in the United States by 12 percent—12 percent.

During the terrible fiscal cliff negotiations around New Year's, I spoke to Dr. Francis Collins, who heads that agency. We were making these announcements on how America leads the way to lower cancer rates among its own people. Isn't that a great victory? At the same time, I was telling him he could be heading into sequester or going over a fiscal cliff.

Every day these 130,000 people are working to help America, whether they are working with weather satellites, whether they are doing the next generation of drug approval, whether they are running the Social Security Administration, whether they are over at the National Institute of Standards making sure American products have American standards and not the Chinese standards—again, so we can manufacture here and sell over there.

So I think sequester is a terrible thing. As the chair of the full Appropriations Committee, I am working with our leadership to try to deal with this issue, but I also say to the other side of the aisle, let's come together. Let's work with our President. Let's have that grand bargain through looking at tax reform, reviewing some of our mandatory spending and how we can get savings out of that, as well as targeted, strategic cuts. Let's get us on the right fiscal path, but also let's get us on the path for innovation, for jobs today and jobs tomorrow. We want to continue to lead the world, and we want to defend ourselves not only against foreign predators who might wish to do us harm but those other horsemen of the apocalypse who ride, such as pestilence and disease, and we can do it. So let's saddle up and get the job done.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

THE PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. McCAIN. Madam President, I ask unanimous consent to join in a col-

loquy with my colleague from South Carolina.

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

Mr. McCAIN. Madam President, there seems to be a lot of back and forth and misinformation about where various Senators stand on the issue of the Hagel nomination. I have a statement I will give in a few minutes about why I am opposed to Senator Chuck Hagel to be Secretary of Defense, but I think it is important to make a couple points. One is that the distinguished chairman and I were here back in 1988.

In 1988, on December 16, John Tower was nominated to be Secretary of Defense.

On January 25, 1989, his confirmation hearings began. On February 2, 1989, the committee postponed the confirmation vote after allegations were raised. On February 8, the committee vote was delayed again until February. February 23, he was voted out of the committee. March 10 was the time where the Senate rejected the nomination by 53 to 47.

I was there. I saw. One of the worst things I have ever seen in the history of the Senate, the way they dragged out Senator John Tower—a good and decent man's reputation with allegation after allegation, all of which turned out to be false. So I would like to inform my colleagues, this is not the first time we have had a delay in the confirmation of a Secretary of Defense.

I will be glad to go over what I saw, including allegations that were thrown over the transom day after day, week after week. They destroyed a good and decent man in Senator John Tower. So the allegation that somehow we are dragging this out or delaying it, it is not the first time in history, I will say to my dear friend, the chairman of the Armed Services Committee.

Having said that, there are still questions outstanding. I believe Senators have the right to have those questions answered. The Senator from South Carolina and I, the Senator from New Hampshire had a response from the President today on the question we had, but there are other questions. But I think during the break is sufficient time to get any additional questions answered. I will vote in favor of cloture on the day we get back. I believe my colleagues would also—a number of my colleagues would do the same.

I think that is a sufficient period of time to get answers to outstanding questions. I think Senator Hagel, after that period of time, deserves a cloture vote and an up-or-down vote on his nomination.

I ask if my colleague wants to comment.

Mr. GRAHAM. We reported Senator Hagel's nomination out at 5 o'clock. I would argue that the hearing was interesting, I think at times unnerving. Here it is Thursday. So there are some questions being asked by our colleagues that I think are legitimate. Some are kind of creating a new standard. I am confident, in the next week,

unless there is some explosive bombshell that I cannot quite get my hands around, I intend to vote for cloture and against the nomination. I am one, along with Senator McCAIN, who believes filibustering should be a rare thing.

But what we are doing is saying the debate time for Senator Hagel is not yet over, since he just got reported out Tuesday at 5 o'clock. Put yourself in the shoes of the colleagues who are not on this committee. This has been a very controversial nominee. I will say the reason we voted for Senator Kerry on the same day he got reported out of committee and he got 97 votes, that all of us felt comfortable with the nomination. There are very uncomfortable things about this nomination. But having said that, I do believe that unless there is something new that comes out, we should proceed to a vote, up or down. I am willing to invoke cloture because I think, as Senator McCAIN said, the week time period would give us a chance to answer these questions.

Let me inform my colleagues that just about an hour ago, there was a press report that a speech was given by Senator Hagel—I can't remember the group. But one of his aides posted—based on his notes what he had said the next day on a Web site.

During that speech, according to this aide, Senator Hagel said the U.S. State Department was an extension of the Israeli Government. Things such as that are unnerving. There is at least one speech he gave that he did not report that we think there is a copy of. We should get it in the next few days. That is why I would oppose cloture today, vote for it after the recess.

Mr. McCAIN. Madam President, I ask unanimous consent that the Senator from Tennessee, who also, in my view, is one of the great protectors of the Senate, preserving its tradition and customs—I would ask if he has a view on this issue. I wish to repeat: I would vote for cloture. The Senator from South Carolina would vote for cloture. I would be interested in the view of the Senator from Tennessee on this whole issue.

Mr. ALEXANDER. I thank the Senator from Arizona. Probably the best known function of the Senate—constitutional responsibility—is the right of advise and consent. We take it very seriously. Here that means we have to consider what happens. The Armed Services Committee, upon which I do not have a chance to serve, completed its consideration of Senator Hagel's nomination 2 days ago. Now it is before the whole body. He is the President's appointee. The President has a right to appoint people in whom he has confidence. But we have a constitutional responsibility to consider the nominee.

A number of Republican Senators have questions, including the Senator from Arizona, the Senator from South Carolina, that they would like to have answered. I think they are entitled to that. I think if the shoe were on the

other foot and it were a Republican President making a nomination, Democratic Senators would say the same thing: Give us a reasonable amount of time to consider this nomination on the floor of the Senate.

I have a little experience in that myself. The first President Bush nominated me to be U.S. Education Secretary about 20 years ago. I thought I was a fairly noncontroversial nominee, much less important than the Secretary of Defense. But I remember very well, it was 87 days between the time the President announced my nomination and the day on which the Senate unanimously confirmed me.

There was, at the time, a Senator from Ohio named Metzbaum, who for whatever reason decided the Senate needed more delay to consider my record and my background.

There is nothing new about this. I would respectfully suggest that the majority leader's motion to cut off debate on Senator Hagel, made 2 days after his nomination comes to the floor of the Senate, is premature.

Republican Senators have questions they would like to have answered. I think they are entitled to do that. When we come back from recess, 10 days from now, I think that is sufficient time to consider those questions. I will vote for cloture so we can have an up-or-down vote on the President's nominee for the Secretary of Defense. I think the President is entitled to that but not prematurely.

I thank the Senator from Arizona for yielding time.

Mr. McCAIN. Madam President, I note that the present occupant of the chair is familiar with the rigors of this process as well. So I think it is important to note. Again, I wish to say that it is one thing to support or oppose a nominee, but I do not believe a nominee deserves a dragged-out process. I think the Senator from Tennessee and the Senator from Massachusetts would agree with me; that it might be a disincentive in the future for well-qualified men and women who want to serve, who see a process that is dragged out and allegations made and requirements for disclosure that frankly are not required.

I note the presence of the majority leader on the floor, so I would like to filibuster for an hour or so.

I yield to the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, at the request of the Republicans, I ask unanimous consent that at 4:15 today, the Senate proceed to vote on the motion to invoke cloture on the Hagel nomination; that the time until 4:15 be equally divided between the two leaders or their designees. My designee is Senator LEVIN.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, I will not object because of the assurances of my three friends from

the other side of the aisle stating that they plan on voting for cloture. They obviously said they will not vote for cloture today, which is, I think, too bad because there has been more than enough time in the last 2 days to read the additional speeches that have been coming in.

The only argument that was raised beyond that, that I know of, has to do with a payment from an equity fund. That was received. It has been fully explained. It is a highly reputable fund that Senator Hagel was an adviser to, similar to many other very reputable people. So I think the continuation of what amounts to a filibuster, since 60-vote votes are required to end debate, is too bad when there is a Secretary of Defense who is leaving to go back to California, and we very much need to have our new Secretary of Defense in place, given the circumstances in this world.

We have a budget crisis in this country. Our sequester is confronting us. That sequester will have a damaging effect on the Defense Department, on the men and women in uniform, and on programs, the equipment, the training they need to be ready for any kind of a contingency.

So the delay in having a vote on cloture, to me, is a mistake, and we ought to approve the ending of the debate today so we can get on with the confirmation vote, which will be a majority vote. After there is a cloture vote, debate is finally ended in this body, the final passage of a bill or the vote on the nominee is a majority vote, not 60 votes. So I am hoping there will be 60 votes today so we can get on with approval of this nominee, hopefully shortly thereafter, and fill this spot which is sitting there waiting to be filled.

We have North Korea exploding a nuclear device. We have a war going on in Afghanistan. We need to have a Secretary of Defense in place. So I hope there is not a delay. Following the vote today, I hope we do invoke cloture, because I think there has been more than adequate time. Surely, there has been time on the floor when we have had hour after hour go by with no one who seeks to be recognized to speak.

I do hope that if the unanimous consent proposal is agreed to, there will be 60 votes today. But if not, then there will be no alternative but to have the vote when we come back. At that point, we would, of course, look forward to the support, at least on cloture, of the three Senators who have just spoken, our friends on the other side of the aisle.

That is the best we can hope for. But that is my hope. I will not object because of that.

Mr. McCAIN. Madam President, reserving the right to object. I will not object, I will just respond to my friend. He is my dear friend. I did not note that sense of urgency for 3 months when John Tower's nomination was held in limbo by the then-majority

Democrats. The Secretary of Defense post was vacant at that time as well. So this is not the first time in history a Secretary of Defense position has been vacant.

Again, I hope we can get this resolved, move forward. I think the Senator from Michigan, my friend, understands we can get this issue resolved on the day we return from the recess. Certainly, there are, I believe, sufficient votes to invoke cloture at that time.

Mr. LEVIN. If the Senator from Arizona would yield for 1 minute, I do not believe Senator Tower was filibustered. There was a delay in getting to that vote. But I do not believe there was a requirement—I may be wrong on this. I do not believe there was a filibuster for the Secretary of Defense nominee at that time, and many Secretary of Defense nominees have been approved in a matter of days, just the way Senator Kerry was approved in a matter of days.

So circumstances differ nominee to nominee. I again will not object, based on the statements which we have heard from my friends on the other side of the aisle.

Mr. MCCAIN. Madam President, I always enjoy some exchanges with my friend, the chairman. But the fact is, as the chairman knows, that was delayed and delayed and delayed. A new allegation came in, it was delayed. A new allegation came in, it was delayed. All those allegations turned out to be false. I will not rewrite history anymore, except to say it was one of the more shameful chapters, in my view, in the history of the Senate.

Again, I thank him. I am confident that within 1 week or so we will probably have this vote completed. I do not object to the unanimous consent request.

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

Mr. MCCAIN. Madam President, how much time remains on either side?

The PRESIDING OFFICER. There will be 30 minutes on either side.

Mr. MCCAIN. I yield myself 10 minutes.

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

Mr. MCCAIN. For all the years that I have known Senator Hagel, I have known him to be an honorable man and a patriot in this Chamber and elsewhere—overseas, in the field of battle. Senator Hagel has served this country faithfully and with distinction.

We have our differences. Senator Hagel was and remains my friend. There was a time when Senator Hagel and I saw the world and America's role in it in much the same way.

When the Balkans were torn apart with mass atrocities and genocide, Senator Hagel and I stood together with Senators Bob Dole and Joe Lieberman to lend bipartisan support to President Clinton in taking more forceful action to end the slaughter.

In May 1999, Senator Hagel said on this very floor why the United States should intervene militarily in Kosovo:

But we also understand there are things worth going to war for, there are things worth dying for. . . . When people are being slaughtered at a rather considerable rate, and genocide is occurring, and ethnic cleansing is occurring, and people are being driven from their homes.

On and on.

What do we do now? The geopolitical consequences, the humanitarian consequences involved in this are great.

He went on to say:

History has surely taught us that when you defer the tough decisions, when you let the butchers continue and the tyrants and dictators continue, it gets worse. And it has gotten worse with Milosevic. For 10 years we've dealt with him. Four wars he's started.

Et cetera.

I agreed with his statement at the time, and I still do. I think it applies with greater or equal force to Syria today. I am not sure that Senator Hagel believes that anymore.

When America was attacked on September 11, 2001, Senator Hagel and I urged a strong American response to vanquish the enemies who attacked us, beginning in Afghanistan. Two years later, President Bush decided the United States may have to use force against Saddam Hussein in Iraq, and then Senator Hagel and I voted to authorize the use of force in Iraq.

Senator Hagel and I were often together in our criticism of the Bush administration's conduct of the war in Iraq. We both were disturbed by the apparent arrogance of then-Secretary of Defense Donald Rumsfeld and his abject failure to respond to the clear fact that we were losing the war in Iraq on the ground.

In August 2003 I urged President Bush to send more troops. The Senator from South Carolina and I called for the resignation of the Secretary of Defense, and we wanted to change our strategy, to replace military and civilian leaders who were failing in their responsibilities. Senator Hagel, on the other hand, believed we should cut our losses and withdraw from Iraq.

Since that time, Senator Hagel has taken policy positions that I believe call into question the quality of his professional judgment on issues critical to national defense. I am also concerned that Senator Hagel is ill-suited to lead the 2.5 million uniformed members of the Armed Services and to ensure the sound management of an agency that has an annual budget equal to the 17th largest economy in the world.

Of all the responsibilities of government, none is more fundamental than providing for the Nation's defense. We must have the most qualified and able person for the position, and having carefully reviewed Senator Hagel's long public record, I find his nomination wanting.

Senator Hagel's appearance before the Senate Armed Services Committee failed to allay my concerns about his nomination. During the hearing he repeatedly refused to give an assessment of his previous statements on issues such as the troop surge in Iraq, the

identification and engagement of terrorist organizations, and his past rhetoric about our allies. In response to these questions, he either assigned history the task of judging the merit of his past statements and positions or simply said:

If I had an opportunity to edit that, like many things I've said, I would—I would like to go back and change the words and the meaning.

History isn't likely to affirm Senator Hagel's declaration that the decision to increase forces in order to wage a counterinsurgency in Iraq, a decision that helped prevent our losing that war, he said was the most dangerous foreign policy blunder since Vietnam.

It is quite obvious now that statement was histrionic, woefully uninformed, and absurd. But I didn't raise it at Senator Hagel's hearing for the satisfaction of an "I told you so" moment, but to determine if Senator Hagel recognizes he was in error and, more importantly, if that recognition informs his judgment today.

I wanted to know if he had learned from his mistakes. Unfortunately, I am not confident that he has. After 2 weeks of reviewing his record, my concerns about whether Senator Hagel is ready to serve as Secretary of Defense have not diminished.

Nothing in Senator Hagel's background indicates he would effectively manage the Department of Defense. In today's unprecedented environment of fiscal uncertainty, ensuring that defense investment decisions affecting an agency as massive and unwieldy as the Department of Defense do not adversely impact our military readiness is enormously challenging. It requires that the Secretary have, as Secretary Gates and Secretary Panetta had, a proven track record of successfully managing large and complex organizations. Senator Hagel has no experience.

There are those of us who seek to cut waste, fraud, and abuse from the Department of Defense. Senator Hagel seeks something else entirely—to cut military capabilities that serve as tools to ensure our continued engagement throughout the world in support of America's interests and those of our allies.

In the eyes of the President, at least, Senator Hagel, however, apparently is the right man to oversee the continuing drawdown of the Armed Services. Over the past 4 years, the administration has pursued a program of defense reductions that exceed those expected of a normal post-war drawdown, cuts that have begun to directly undermine U.S. global military power. Last week, Secretary Panetta said people would stand by and deliberately hurt this country in terms of our national defense by letting sequestration take place.

My doubts about Senator Hagel's suitability extend beyond his prospective management of defense budgetary resources. The North Koreans recently tested another nuclear weapon. Iraq is

unraveling. The Iranians just rejected Vice President BIDEN's proposal at the Munich Security Conference for one-on-one talks concerning nuclear weapons. Libya, Mali, Tunisia, and Egypt are in various states of unrest, for which we have no strategy. We are in the most unsettled period since the end of the Cold War, and I have serious concerns as to the quality of Senator Hagel's professional judgment and the acuity of his views on critical areas of national security, including security in East Asia and the Middle East.

His record on Iraq was particularly troubling. As I alluded to a moment ago, in 2002 Senator Hagel voted to authorize the use of force against Iraq. By 2006, his support for the war had diminished.

After Republican losses in the 2006 midterm elections, the Senator wrote an opinion piece for the Washington Post under the title "Leaving Iraq, Honorably," foreshadowing his opposition to the surge and advocating "a phased troop withdrawal from Iraq." When President Bush announced his decision to surge troops in 2007, Senator Hagel actively campaigned against it.

He voted in February 2007 in favor of a bill expressing opposition to the surge and later in favor of measures to set a date certain for withdrawal of troops from Iraq, an equally bad policy. Senator Hagel wrote in his 2008 memoir, "America: Our Next Chapter" that "history . . . will show" that his legislative efforts to oppose the surge correctly framed the political matters at issue at the time.

CARL LEVIN, on the other hand, said in 2009:

In considering whether or not to surge troops in Iraq . . . I think that history will show that President Bush reached the right decision.

Senator Hagel advocated the complete withdrawal of U.S. forces from Iraq by 2007 rather than negotiating an agreement for an enduring presence of U.S. forces. The President ultimately did exactly what Senator Hagel recommended, reportedly against the advice of military leaders. In response to written questions on this matter, Senator Hagel again stated that the complete withdrawal of U.S. troops in Iraq was the right call and asserted that Iraq is in a better place today because of it. That is another Orwellian statement.

In fact, since the withdrawal of our forces in 2011, the fragile political accommodation made possible by the surge of 2007 has unraveled over the past year. Al-Qaida in Iraq is remobilizing. Iranian-backed Shiite militias are gaining strength. Meanwhile the country is on the brink of civil war as protests against the Maliki government draw thousands, Iranian aircraft are flying over Iraq with weapons for Syria, and there are many other examples. Nevertheless, Senator Hagel is equally quick to advocate full withdrawal from Afghanistan despite condi-

tions on the ground or the advice of military commanders.

Senator Hagel's views on Iran are also profoundly troubling. Consider, for instance, his recent set of incorrect and confused responses to basic questions about President Obama's Iran policy during his confirmation hearing last month, which one senior White House official rightfully described as "somewhere between baffling and incomprehensible."

I am more deeply concerned by Senator Hagel's overall record on this issue.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MCCAIN. Madam President, I ask for 2 additional minutes.

Mr. INHOFE. Reserving the right to object, may I ask how much time remains on our side?

The PRESIDING OFFICER. There is 19 minutes remaining.

Mr. INHOFE. I ask unanimous consent that the last two speakers on our side—the last would be me, the next to last would be Senator GRAHAM—be given 5 minutes for Senator GRAHAM and 7 minutes for me.

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. Without objection—reserving the right to object.

Mr. LEVIN. How much time remains on our side?

The PRESIDING OFFICER. There is 30 minutes remaining on each side.

Mr. LEVIN. I assume the 12 minutes the Senator referred to would be counted against their time?

The PRESIDING OFFICER. The Senator is correct.

Is there objection?

Mr. LEVIN. No objection.

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

The Senator from Arizona.

Mr. MCCAIN. Finally, Senator Hagel's opposition to the use of sanctions, his apparent confusion about administration policies and its implications, and his apparent incomprehension of the threat a nuclear-armed Iran poses to international stability is alarming and would cause other nations to doubt the credibility of the President's commitments.

Senator Hagel is an honorable man who has sacrificed much and bravely for our Nation. About his character and love of country, there can be no doubt or debate. However, his positions on the principal national security issues facing our country—the Iranian nuclear program, the resurgent Islamist terrorist threat in North Africa and the Middle East, and, more broadly, whether we should maintain our ability to project strength in defense of our interests and allies—indicate to me a disqualifying lack of professional judgment. Also, Senator Hagel's complete lack of experience in running an enterprise of such size and complexity casts further doubt.

Therefore, despite my esteem for Senator Hagel, on the basis of his

record, I will not support his confirmation. I say this with regret, but he is the wrong person at the worst time for the job this day. We can and must do better.

I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I wish to ask my colleagues to support the Hagel nomination. Let me just hit a couple of highlights.

He volunteered to go into the Army during Vietnam. He was assigned to Germany. He volunteered to go to Vietnam.

His brother was assigned in one part of Vietnam, he in another. His brother Tom and he asked to be in the same unit. While on patrol in the jungles at night, his brother saved his life. On another patrol at night, he saved his brother's life. He was wounded twice. He was medevaced. He asked to go back into the fight.

He has served as Deputy Administrator of the Department of Veterans' Affairs with a quarter of a million employees under his management. He represented the State of Nebraska in the Senate for 12 years. He coauthored the post-9/11 GI bill with Senator Webb. Out of uniform and away from Capitol Hill, he has lead the USO.

This is exceptionally capable man, who is a patriot, has given extensive testimony to the Senate Armed Services Committee. He has cleared up the issues that have been asked over and over, including one that was raised about his role in authoring the Global Zero report. First, the report didn't propose anything. It was, in the words specifically used in the front end of the report, "illustrative," proposing nothing but laying out different scenarios and possibilities. There was nothing that was proposed in a recommendation that we unilaterally disarm, reduce the arsenal, or eliminate the triad. And that would especially be so since another of the coauthors was General Cartwright, the former commander of U.S. Strategic Command and the eighth Vice Chairman of the Joint Chiefs.

This is a critical time for national defense. It is a critical time for our country. We need to get on and approve the nomination so he can get on with his duties as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I have 5 minutes. Would the Presiding Officer let me know when 4 minutes has elapsed.

The PRESIDING OFFICER. Yes.

Mr. GRAHAM. Madam President, I ask unanimous consent to have printed in the RECORD an opinion piece by the editorial board for the Washington Post dated December 18, 2012.

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

[From the Washington Post, Dec. 18, 2012]
 CHUCK HAGEL IS NOT THE RIGHT CHOICE FOR
 DEFENSE SECRETARY

Former Senator Chuck Hagel, whom President Obama is reportedly considering for defense secretary, is a Republican who would offer a veneer of bipartisanship to the national security team. He would not, however, move it toward the center, which is the usual role of such opposite-party nominees. On the contrary: Mr. Hagel's stated positions on critical issues, ranging from defense spending to Iran, fall well to the left of those pursued by Mr. Obama during his first term—and place him near the fringe of the Senate that would be asked to confirm him.

The current secretary, Leon Panetta, has said the defense “sequester” cuts that Congress mandated to take effect Jan. 1 would have dire consequences for U.S. security. Mr. Hagel took a very different position when asked about Mr. Panetta's comment during a September 2011 interview with the Financial Times. “The Defense Department, I think in many ways, has been bloated,” he responded. “So I think the Pentagon needs to be pared down.”

While both Republicans and Democrats accept that further cuts in defense may be inevitable, few have suggested that a reduction on the scale of the sequester is responsible. In congressional testimony delivered around the same time as Mr. Hagel's interview, members of the Joint Chiefs of Staff said the sequester would lead to “a severe and irreversible impact on the Navy's future,” “a Marine Corps that's below the end strength to support even one major contingency” and “an unacceptable level of strategic and operational risk” for the Army.

Mr. Hagel was similarly isolated in his views about Iran during his time in the Senate. He repeatedly voted against sanctions, opposing even those aimed at the Iranian Revolutionary Guard Corps, which at the time was orchestrating devastating bomb attacks against U.S. troops in Iraq. Mr. Hagel argued that direct negotiations, rather than sanctions, were the best means to alter Iran's behavior. The Obama administration offered diplomacy but has turned to tough sanctions as the only way to compel Iran to negotiate seriously.

Mr. Obama has said that his policy is to prevent Iran from obtaining a nuclear weapon and that containment is not an option. Mr. Hagel has taken a different view, writing in a 2008 book that “the genie of nuclear weapons is already out of the bottle, no matter what Iran does.” The former senator from Nebraska signed on to an op-ed in The Post this September that endorsed “keeping all options on the table” for stopping Iran's nuclear program. But Mr. Hagel has elsewhere expressed strong skepticism about the use of force.

We share that skepticism—but we also understand that, during the next year or two, Mr. Obama may be forced to contemplate military action if Iran refuses to negotiate or halt its uranium-enrichment program. He will need a defense secretary ready to support and effectively implement such a decision. Perhaps Mr. Hagel would do so; perhaps he would also, if installed at the Pentagon, take a different view of defense spending. (Mr. Hagel declined through a spokesman to speak to us about his views.)

What's certain is that Mr. Obama has available other possible nominees who are considerably closer to the mainstream and to the president's first-term policies. Former undersecretary of defense Michèle Flournoy,

for example, is a seasoned policymaker who understands how to manage the Pentagon bureaucracy and where responsible cuts can be made. She would bring welcome diversity as the nation's first female defense secretary.

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow senators. But Mr. Obama could make a better choice for defense secretary.

Mr. GRAHAM. This is an editorial about the nomination of Senator Hagel to be Secretary of Defense. The Washington Post said:

Mr. Hagel's stated positions of critical issues ranging from defense spending to Iran fall well to the left of those proposed by Mr. Obama during his first term and place him near the fringe of the Senate that would be asked to confirm him.

The last line is:

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow Senators, but Mr. Obama can make a better choice for defense secretary.

That sort of sums up where I am: a fine man. If it were about friendship, there wouldn't be a problem. This is about the times in which we live. And I want to echo the statements of the Washington Post about him being out of the mainstream.

We have had two hearings, and we will have a couple of votes in the next week or so. I would say to my colleagues regarding the cloture vote today, they have every right to say now is not the time to end the debate about Senator Hagel. He was reported out of the committee at 5 o'clock Tuesday. There are some legitimate questions and information we haven't gathered, and we should be able to have an opportunity to look at that, and people not already committed should have a chance to review this information. So the idea of waiting until after the break makes eminent sense. I think we will be better informed regarding our decision. Debate should continue for at least that period of time.

Senator Kerry was able to get out of committee and to be voted on the same day because all of us felt comfortable with John Kerry, even though we may have disagreed with his politics. I believe John Kerry is a good man. We are on opposite sides of the issues sometimes when it comes to Iraq and initially Syria, but I have always thought he was in the mainstream of the debate. So he got 97 votes because we felt comfortable with him. You can tell people on our side, and some others, quite frankly, in the Democratic Party have expressed some discomfort.

I would argue that after the hearing there is more discomfort than there was before the hearing. Senator INHOFE and Senator LEVIN, we had a very good hearing, but to me it was unnerving, some of the things that came out of that hearing. The performance created more questions and doubts than it created confidence.

That is the question the Washington Post posed. It is one thing to be in the

left lane, the right lane, or the center lane, but I would say Senator Hagel's statements and votes put him in a league of his own. And that is why I will vote no.

When it comes to Israel and his statement that “The Jewish lobby intimidates a lot of people up here. I'm not an Israeli Senator, I'm a United States Senator,” Senator Hagel, to his credit, said that was inappropriate and he apologized. But think for a minute how many of my colleagues would have said that. I asked him to name one Senator who has been intimidated, and he couldn't name one. I asked him to name one policy we have enacted because of the Jewish Israeli lobby, and he couldn't name a policy.

Now we find out today—and I don't know if this has been verified, but it is posted—that an aide of his reported that during a speech Senator Hagel gave several years ago he said the U.S. Department of State was an extension of the Israeli Government. Now this is showing a chip on one shoulder about Israel—an unhealthy statement, to say the least, and I think patently false. But it is unnerving to a guy like me, and I can only imagine what kind of signal a statement such as that sends in these dangerous times.

On Iran he was one of two Senators to vote against renewing unilateral U.S. sanctions against Iran and Libya in 2001. He was one of twelve Senators who did not sign a letter asking the European Union to declare Hezbollah a terrorist organization. He refused to designate the Iranian Revolutionary Guard as a terrorist organization in 2007—

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. I thank the Presiding Officer. While they were killing our soldiers in Iraq. He refused to sign a letter to President George W. Bush, he said, to engage in direct unconditional comprehensive talks with the Government of Iran. He was for that, telling Bush to do it unconditionally. He voted against comprehensive Iranian sanctions.

He was one of two Senators who failed to sign a letter to President Clinton showing unconditional support for the State of Israel.

I would argue that this man's record, when it comes to Iran and Israel, and statements he has made, puts him well out of the mainstream. The Washington Post was right when they said he is on the fringe. And now is not the time to have somebody on the fringe serving as Secretary of Defense when it comes to Iran and Israel. For that reason, I will vote no. I will oppose cloture because debate should continue. When we get back, unless there is a real bombshell, I will vote for cloture and move on to his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I am proud to support Chuck Hagel for Secretary of Defense. If Chuck can make it through the jungles of Vietnam, he can surely make it through the bureaucracy of the Pentagon.

America needs Chuck as its Secretary of Defense to bring our troops home and to keep our military the strongest in the world. Sergeant Hagel is an American hero. When so many Americans were dodging the draft, he volunteered to serve in Vietnam. The draft board gave him the option to return to college, but Chuck refused. He said:

I think the best thing for me is to go in the Army. It may not be the best thing for the Army, but I think that's the way to get all this straightened out. I was the oldest of four boys. My father [had] passed away, and I just was not coming together the way I should come together. There was a war going on in Vietnam. I felt a sense of some responsibility. So I said, "No. Let's—let's go. And so I volunteered for the draft, went in the Army and celebrated my 21st birthday down at White Sands Missile Range."

And Chuck didn't serve in a safe billet. When assigned to Germany, he protested and asked to deploy to Vietnam. So he volunteered for Vietnam and saw the horrors of war as an infantry sergeant.

Chuck and his younger brother Tom are the only known American brothers to serve side by side in Vietnam. At different times, they risked their own lives to save each other's. At one point, Tom frantically dressed a wound around Chuck's chest hoping, praying, that his older brother would make it out of Vietnam alive. And Chuck eventually returned the favor by dragging Tom out of a burning vehicle just before it exploded, saving his brother's life. Talk about brothers in arms, these were real brothers in arms.

These experiences made Chuck who he is, and they help you and me understand why he is the right man to run the Pentagon and to be put in charge of defending America. Just listen to how Chuck describes what it was like to serve in Vietnam. He says:

I walked a lot of point, and my brother Tom and I together walked a lot of point, which was all right. You know what happens to a lot of point men, but I always felt a little better if I was up front than somebody else.

Chuck is willing to walk point for America now. He has been walking point for most of his life. This is how Chuck describes a point man:

A point man, as I think most people know, is the individual who is out front. And these are usually squad-sized patrols, sometimes a company-sized patrol, depending on the mission. And you have the front—physically the front position, but also the responsibility of essentially not walking your squad or your company into an ambush or a trap. So you had to be very, very focused on the peripheral vision and the antenna and just the sense and the instincts that something doesn't look right or grenades hanging in trees, which booby traps were just a way of

life. You dealt with that all the time. And there were a lot of guys who just didn't pay attention to it. They just—that's just the way they were. And I, again, always felt better if I was up front than maybe some others.

Let me repeat that: Chuck Hagel always felt better if he was up front, where it was most dangerous. We live in dangerous times today and we need a man such as Chuck Hagel right now who has seen the horrors of war and will do all he can to prevent another generation from seeing them.

In my interactions with Chuck, I have been struck by his honesty, his sincerity, and his commonsense approach. I know if he were still a sitting U.S. Senator, we would probably be great friends. That is because we come from similar backgrounds and the same generation. He is like many Americans. He grew up in a working class, "salt of the earth" family. In Chuck's words, he was raised in Little Town, NE, where the local legion club and the VFW hall were the centers of the universe.

I could go on and on about Chuck Hagel, but let me say this in closing. When I think about people and I go to my little town in my community where I grew up—in Farmington, WV—and I know Chuck grew up in a small town—I can shake people's hands and look them in the eye and they see me to my soul. They know if I am sincere or I am telling the truth. And I want to say to all of you that I have shaken Chuck Hagel's hand. I have looked him in his eyes and I saw the soul of a good man, a man I want leading this country and taking care of our youth, our infantry, our men and women in uniform. So I implore all of my colleagues to consider voting for Chuck Hagel.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, parliamentary inquiry: How much time remains on each side?

The PRESIDING OFFICER. The Democrats have 22 minutes and the Republicans have 12 minutes.

Mr. REED. Madam President, I yield myself 5 minutes.

As so many of my colleagues have described, Chuck Hagel is a soldier, a statesman, a businessman, a patriot. As my colleague from West Virginia pointed out, he could have chosen a much easier path in the 1960s, a path that many trod, but he chose the most difficult. He not only joined the Army, but he volunteered for Vietnam, when he had the opportunity to serve honorably and well in Europe. He joined his brother at Fort Dix. He knows the pressures our men and women face. And he knows the decisions we make here, and the decisions that are made in the Pentagon, ultimately are carried out by those young men and women in uniform. In fact, I can't think of anyone over the last several decades who has learned that lesson so well.

The other thing that is so impressive is that this is not a one-dimensional resume. Chuck Hagel was a businessman, and very successful. He founded his

own company, created jobs, and created opportunities. He was the Deputy Administrator of the Veterans' Administration. He has run a large Federal agency. Very seldom do people come into one of these positions having run a Federal agency, or at least being the second in command. And he has been a U.S. Senator. So he knows very well the procedures and the personalities that are here in the U.S. Congress.

To me, though, some of the most compelling endorsements come from those who have actually done the job before. When Bob Gates and Bill Cohen and Bill Perry stand up and say, this is the person for the job, you have to believe that. These gentlemen have done the job for Republican Presidents and Democratic Presidents, and they have done it with great distinction.

Then when you get somebody such as Brent Scowcroft, who is, in my view, one of the most knowledgeable and authoritative voices in national security, and was the National Security Adviser to President George Herbert Walker Bush—who also weighed in, along with Madeleine Albright—you have compelling, irrefutable evidence and testimony from those who have done the job that Chuck Hagel can do the job.

There has been a lot said and discussed as to whether he truly appreciates the relationship between the United States and some of our closest allies, particularly Israel. Here we have the current Deputy Foreign Minister of Israel Danny Ayalon, who also serves as our Ambassador from Israel to the United States, saying that he has met him, he feels, in his view—and I will paraphrase—he has a true understanding of the natural partnership between the United States and Israel. Again, that is compelling evidence.

If you add to that the unconditional endorsement of several former U.S. Ambassadors to Israel, American patriots who have dedicated themselves to maintaining a strong, vital, vibrant, and crucial relationship for both the State of Israel and the United States, the evidence accumulates more and more that the President has chosen well and wisely.

This is a critical time. We are looking at conflicts in Afghanistan, we are looking at a nuclear detonation on the Korean peninsula, we are looking at budget problems that have never faced any previous Secretary of Defense and that have to be addressed within days or weeks. There is a ministerial meeting next week in Brussels for our defense ministers. We have to maintain our alliances. All these forces come together.

So I think the evidence is overwhelming. The President has chosen well and wisely.

But let me make one final point. This is a historic vote. By my recollection, no nominee for the Secretary of Defense has been defeated, delayed, or dismissed on a procedural vote.

Our history suggests, because of this office, because it is one so closely associated with the President making life-

and-death decisions, that deference is given to that choice—at least that it is not caught up in a procedural battle, that there is an up-or-down vote. My colleagues, in good faith, after careful study, can vote yea or nay, but to defeat someone on a procedural vote would be unprecedented and unwarranted. As a result, I would urge that this procedural motion before us be carried, cloture be dispensed with, and we can get on to expressing our true feelings based on the evidence and based on our best judgment of whether Senator Hagel should serve as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, my colleague, Senator CRUZ, is ill and unable to speak on this nomination. He has, however, expressed his concerns to me in the form of a letter. I appreciate his contributions to this debate throughout the committee process.

I ask unanimous consent the letter be printed in the RECORD.

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

U.S. SENATE,
February 14, 2013.

Senator JAMES INHOFE,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR INHOFE: I continue to have considerable concerns with the unnecessary rush to force through a vote on Chuck Hagel's nomination before he has adequately responded to multiple requests from members of the Armed Services Committee for additional information.

Our requests directly relate to matters he would have significant influence over as our nation's Secretary of Defense and are based on his alarming record on foreign policy matters. For instance, Sen. Hagel has repeatedly declined to support measures to crack down on state sponsors of terrorism, belittled the notion of using any means to prevent a nuclear Iran, advised U.S. leaders to engage in direct negotiations with rogue nations and hostile terrorist groups, and expressed remarkable antagonism towards the longstanding U.S. alliance with Israel. Moreover, these are all positions he's disavowed since his nomination.

These deeply concerning positions rightfully raise the question of what conflicts of interest could exist as a result of financial compensation he has received in the recent past. Under the Senate's responsibility to advise and consent on nominations, it is completely appropriate to make these requests for disclosure—requests that are absolutely relevant to the role of our nation's Secretary of Defense. Several senators, who currently oppose such requests for information, contradict their own past statements that affirm the importance of disclosures related to executive branch nominations.

In a February 6 letter, 25 senators, including every Republican on the Senate Armed Services Committee and both the Minority Leader and the Whip, agreed that neither the Committee nor the full Senate has sufficient information to assess Sen. Hagel's nomination.

In order to have sufficient information, we have submitted several requests. This includes requests for disclosure on the personal compensation that he has received in the last five years—information which is en-

tirely within his own control; requests for additional disclosure on foreign funds that he may have received indirectly, and whether any such foreign funds raise conflicts of interest; requests for a complete list of his prior public speeches, notably multiple speeches on controversial topics have been made public by the press, despite those speeches having been omitted from his own disclosures; and a critical request from the Administration regarding additional information about the precise actions taken on September 11, 2012, during and immediately following the tragic murder of four Americans in Benghazi.

I believe that to date, responses to these requests are insufficient. Very few positions have as great an impact on national security as does the Secretary of Defense and it is our responsibility to ensure that those nominated to serve in this critical position are held to the highest standards.

I am prepared to move forward on Senator Hagel's nomination in a timely manner, but I do not believe the Senate should vote on that nomination unless and until he provides adequate disclosure in response to these requests.

Sincerely,

TED CRUZ.

Mr. INHOFE. Madam President, let me start off by saying that I agree with almost everything they have said on both sides about Chuck Hagel. I agree that he was a hero. I think of my own Army career and I think of his and how much greater his was. That isn't the issue.

I think both Senator GRAHAM and Senator MCCAIN said it very well. Yes, his character is wonderful. We love the guy. He served his country. All of those things are true. The problem is the stances he has taken regarding Israel and countries like Iran. Israel has historically been a very, very close ally of ours and, I have often said, our only true ally in the Middle East we can count on. But we need to take a close look at Senator Hagel and how he would act, judging from his past performance, as the Secretary of Defense.

The vote that is coming up at 4:15 is the vote for or against Senator Hagel. All of this talk about a procedural vote and filibustering: no. This is the vote to determine whether Chuck Hagel should be the next Secretary of Defense.

This statement about filibustering has been made over and over again. They say this the first time this has ever happened. Look, we have people nominated all the time for Cabinet positions who are subjected to a 60-vote threshold. I will describe some of them right now, starting on the Republican's side:

Kathleen Sebelius is now the Secretary of Health and Human Services. In 2009 there were a lot of people who didn't think she would be good, and so they objected to force a 60-vote threshold. That is what happened.

John Bryson was up for Secretary of Commerce. I didn't think he would make a very good Secretary of Commerce. I opposed him, and he was subjected to the 60-vote margin.

Here is the interesting thing. Today we have Barack Obama, who is a Demo-

cratic President of the United States, and then we have HARRY REID, who is the majority leader, so the Democrats are in control. During the last Bush administration, we had exactly the reverse. George Bush was President of the United States and a Republican, and the Democrats were in the minority—the same situation.

So what happened? First of all, we had John Vogel come up. It was the same thing—subjected to a 60-vote margin. We had Senator Dirk Kempthorne. There were a lot of people who did not approve of him. He was nominated by President Bush, a Republican, and the Democrats didn't like him. They subjected him to a 60-vote margin. That wasn't a filibuster then. This isn't a filibuster today.

People are trying to blame me as the bad guy who is causing a filibuster. That is not the case at all, any more than it was the case back in 2005, 2006, and other times when we had a nominee who was put forth by President Bush who was objected to by the Democrats.

When Dirk Kempthorne was nominated to be the Secretary of Interior, there was a lot of opposition to him by the Democrats. Of course they said: We have to subject him to a 60-vote threshold. The Secretary of the Interior is a Cabinet position, but they seem to be drawing a distinction, for some reason, between the Secretary of Defense and any other Cabinet positions. As Cabinet positions, they are the same. And the process of requiring a 60-vote threshold happens over and over again.

Senator ROB PORTMAN—the same thing happened to him when he was appointed by President Bush to be the U.S. Trade Representative. The cloture motion was vitiated later on, but it was objected to first so that he would have been subjected to a 60-vote threshold.

One that is kind of interesting is Stephen Johnson. President Bush appointed him to be the EPA Administrator. Actually, he was a guy whom I thought a lot of, and he was a Democrat. So we have here President Bush, a Republican, appointing a Democrat who was objected to by the Democrats. Now we have President Obama, a Democrat, nominating a Republican who is objected to by the Republicans. It is exactly the reverse. There is no difference at all.

I am the ranking member of the Armed Services Committee. I will stand up and walk through fire to make sure every member of the committee has all their questions answered. That is what advice and consent is all about. We want to look at the individual. In the case of our committee, we want to make sure every member of the Committee has a chance to look at the process and make sure everything is out there.

This is kind of a funny thing. The distinguished junior Senator from Texas, Mr. CRUZ, lost his voice. For a Senator to lose his voice—what worse

can happen than that? So he is not able to speak, but if he could, I believe he would say: It is not so much my concern, the issues that have been articulated by Senator MCCAIN and by Senator GRAHAM. My concern is about the process.

Madam President, I give myself 3 additional minutes.

The fact is this new member of the committee, a new Member of the Senate, knew he was entitled to have all his questions answered. He has tried now for weeks. He was stonewalled. He can't get them. So this is about the process. Senator CRUZ is not making any accusations. He says: I just want the information I have asked for.

I have the utmost respect for CARL LEVIN. He and I, despite what the media wishes, get along great. I love the guy. We disagree now and then on policy, but I really like him.

The other day, CARL LEVIN said:

Every member, every member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation or for any other legitimate reason.

I agree wholeheartedly with that, and that is exactly what these individuals are asking for. They are asking for that information.

Senator CRUZ is very articulate. I regret that he lost his voice today.

In the past, every time the minority has objected and has wanted as a matter of procedure, to have a 60-vote margin, that is what has happened. It has happened with a consent agreement. I asked for that, and I think we have that now, but we had to force it.

This is not a filibuster. It is the same thing that was required and requested by HARRY REID, back when he was the minority leader, against John Bolton, against Stephen Johnson, against ROBERT PORTMAN, and against Dirk Kempthorne. This is a normal way of operating.

A lot of us still don't have the information we want, but I am willing and they are willing. I have checked with the people who have not gotten all the information they want. They said: Let's go ahead and have the vote. So, in a way, are they caving in? In fact, they are just doing all they can to be conciliatory. I think we are doing everything we can. We are not filibustering, and we don't want to string this out.

I repeat one last time that this vote is the vote on Chuck Hagel. It is not on procedure or anything else. It is a vote on Chuck Hagel.

Madam President, I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, how much time does the majority have?

The PRESIDING OFFICER. There is 17 minutes remaining for the majority and 3 minutes for the minority.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, this is rare. Twice in the history of the Senate have we had a filibuster involving a nominee for a Cabinet position—twice.

But especially disappointing about this is that it was just a few weeks ago that we came together on a bipartisan basis and we said: We are not going to do this anymore. We are going to try to work together. We are going to try to avoid these filibusters. And here we have, sadly, a historic filibuster over an appointment of a former Senator—Chuck Hagel, a Republican of Nebraska—as Secretary of Defense.

I know there is controversy associated with his nomination, but I also know Chuck Hagel. I served on the Senate Intelligence Committee with him. We served together in the Senate. There is no question in my mind that the President made a good choice.

I will also tell you that you need to know a little bit about the man to understand why it is a historic choice. Chuck Hagel volunteered and enlisted in the U.S. Army during the Vietnam era. That was not a casual decision. That was a time when enlisting in the Army meant you might risk your life. He lucked out; he got stationed in a theater that wasn't at war. But what does he do next? He volunteered to go to Vietnam. He volunteered as an enlisted man to go to Vietnam. And he went there—with his brother, incidentally, the two of them—to serve in the U.S. Army. He was involved directly in combat, was given the Purple Heart for his service, and he told me personally about days he will never forget as long as he lives. So does Chuck Hagel know what it takes to be a soldier? Does he know what it takes to lead the Department of Defense? He certainly does.

I served on the Senate Intelligence Committee with him. I know his feelings on the issues. And when I listen to how some of his positions have been distorted, I find it hard to believe.

Chuck Hagel was a conservative Republican Senator and an honest man of integrity. And some of the things that have been said about him, some of the charges that have been made in the course of the Armed Services Committee were just embarrassing, to think that colleagues in the Senate would say that about a man they knew and served with personally, or they should have known better than to say. That is why we are here today.

The sad reality is that I have listened to many Republican Senators who are not going to vote for Chuck Hagel come up here and talk about how important it is to fill this position. The North Koreans detonated nuclear devices this week and raised concerns all over that part of the world and beyond. We know what is going on in the Middle East, in Syria and other places. We still have 68,000-plus American soldiers who are literally risking their lives—while we meet in the comfort and security of the Senate Chamber—in Afghanistan. They are risking their lives, and we are saying: Well, we would sure

like to appoint a Secretary of Defense, but we have to make a political point here today. We have to vote against him today and put it off for 10 days, and then we may reconsider it again. God forbid something awful occurs in the next 10 days. I hope it doesn't.

There are still good people at the Pentagon, and I am sure they will do a good job, but we should have that Secretary of Defense—one of the most critical appointments in the President's Cabinet—filled. This notion that we have to make a political stand here and stop Chuck Hagel today to make some political point really troubles me.

Some of the requests for information about Chuck Hagel go beyond any of the standards of disclosure we have ever seen before. This isn't fair. It isn't fair to Chuck Hagel. It isn't fair to the President. It certainly isn't fair to the men and women in uniform all across the United States and around the world who are risking their lives for this country.

Those who come to the floor and say that in 10 days, he will be fine, for goodness' sake, swallow your pride. Let's make sure we vote for him today. Let's fill this spot. Let's not have this sad historic filibuster on this appointment to the President's Cabinet.

I really hope my colleagues will reflect on what Chuck Hagel has meant in his life, his service to the country, his service to the State of Nebraska, and his service to this Nation as a Senator. He is a good man, and he will do a good job in the Department of Defense. I trust the President's judgment.

For anyone who thinks they are making a political point in order to kind of show the President that we can still filibuster, I remind them it was just a few weeks ago that we stood on the floor of the Senate and said we were going to be more thoughtful about the use of the filibuster in the future; we were going to be more careful that we don't politicize it. Unfortunately, what is happening today is a serious disappointment.

I yield the floor.

Mrs. BOXER. Mr. President, may I ask the Senator, through the Chair, a question?

Mr. LEVIN. Mr. President, I would be happy to yield time to the Senator from California. How much time does the Senator wish?

Mrs. BOXER. Whatever my friend wishes.

Mr. LEVIN. I will yield 2 minutes to the Senator.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am glad we are voting today on the President's choice for Secretary of Defense, our former colleague, Chuck Hagel. I stand here as a Senator who has had a number of questions as well about some of the things he said in the past, some of the votes he has cast, and some of his philosophy. And what I did, as soon as I learned he was the President's pick, was to ask those questions.

Remember the President is the Commander in Chief. This is a critical appointment. It has to be someone he has faith in, puts his trust in, and he picked someone. He picked a brave hero who served in Vietnam.

So I wrote all my questions down, and believe me, they covered some tough ground on women's rights, gay rights, Iran, and Israel. There were a number of questions. I asked if it would be all right if when the answers came we could put them online so people could see the answers. The answer that came back was absolutely yes. The answers to my questions were very clear and very strong.

Senator Hagel has evolved on certain issues. He admitted to a mistake on a couple. That is the hardest thing for any politician to admit. There are four words politicians hate to say, "I made a mistake." He admitted to that on a couple of issues.

I just think the way he is being treated is so sad. It is so sad. When I watch some of the questioning from my colleagues—not all of them, a couple of them, and I am not referring to my dear friend, Senator INHOFE—it was reminiscent of a different time and place when someone would say: I have here in my pocket a speech that you made on such-and-such a date—and, of course, nothing was in the pocket. It was reminiscent of some bad times.

I am so glad we are voting today. I know it is going to be a close vote. I don't know what the outcome will be. I do believe eventually this good man will be the Secretary of Defense. I believe that in my heart. If anyone is still undecided on this vote, let's understand that never in history have we had a 60-vote requirement—to my knowledge—for a nominee for Secretary of Defense. If I am wrong, I hope to be corrected. There is a reason for it.

Lord knows I was one of the key voices of dissent on the Iraq war, and I was not happy about a lot of the people who were put into place by George W. Bush. Believe me, I didn't want to see them continue in those positions. I think they led us astray in Iraq, and it led to so many thousands of deaths. However, I never dreamed of requiring a 60-vote majority. In my view, this is not a good day for the Senate.

I know my friend, Senator INHOFE, is very sincere. I am on the Foreign Relations Committee; I am a senior member of that committee. We have listened to the State Department on Benghazi. We have had briefings and hearings and answers came in. We had secret briefings that were highly classified. We had open hearings—I would ask for 30 seconds.

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

Mrs. BOXER. I have to say, what more are you trying to get out of this? Benghazi was a crisis. It was a disaster. It was terrible. There should have been more security there, but don't blame the brave Americans for it. Blame the terrorists who did this.

As the facts became available, those facts came right out. Why are we trying to stop this good man because of something he had nothing to do with?

In closing, I hope if you are on the fence, you will vote today for Chuck Hagel, and a "yes" vote on cloture.

Mr. INHOFE. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Parliamentary inquiry before the clock starts: I understand we have 3 minutes left on our side. How many minutes are left on the majority side?

The PRESIDING OFFICER. The majority has 7 minutes 15 seconds.

Mr. INHOFE. I don't see anyone seeking recognition, so I will go ahead and take the last 3 minutes.

First of all, it is very interesting that all of those on the other side who are supporting Senator Hagel to be the next Secretary of Defense, not one of them has said anything at all about the issues. They all talk about the things with which we agree. He was a hero; we said it. Senator MCCAIN said it and Senator GRAHAM said it. We all agree he was a hero in the war, and he is deserving of this type of thing.

Why is it that no one has mentioned that Senator Hagel is one of only two Senators who voted against sanctions against Iran? Why is it they don't mention that he was one of only four—in fact, all of them in the Majority signed a letter for solidarity with Israel. Senator Hagel was one of four Senators who didn't sign that letter of solidarity for Israel. The same thing with declaring the Iranian Revolutionary Guard as a terrorist group. He was one of only four Senators who did that.

I would only say this is not a filibuster. Everybody knows it is not a filibuster. I hope the media is listening: This is not a filibuster. This is the same process that was required by the Democrats in the case of John Bolton, in the case of Steve Johnson, in the case of ROB PORTMAN, and in the case of Dirk Kempthorne. It is a prerogative of the Senate. It is not a filibuster. We merely want a 60-vote margin. We received it in all of those cases.

I commented earlier that when we had a Republican in the White House and a Democratic majority in the Senate they made that same requirement. I was here in the Senate for all four of them. I never objected to requiring a 60-vote threshold.

Then, of course, we had a 60-vote threshold for the nomination of Kathleen Sebelius, who is serving now in a Cabinet position. The same thing. This is a Cabinet position. We had the Secretary of Commerce, John Bryson. I objected to him. He passed the 60-vote margin. The only issue is the 60-vote margin, and that is what we are talking about. It is not a filibuster.

The last thing I will do is read—since our last speaker is my very good friend and chairman of the committee—what he said the other day. I wholeheartedly agreed with him when he said every

Member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation. I agree with that. What we object to is the process where we have Members who have made requests for information that is relevant to this appointment, and they have been unable to receive that information. So it is a process.

As the ranking minority on the Senate Armed Services Committee, I will stand up for the rights of every single minority member of that committee. Senator LEVIN would do the same thing and stand up for the rights of every majority member of that committee in this process.

I thank the Chair.

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

Mr. LEVIN. I yield myself the remainder of the time.

First of all, the questions which have been asked of us to provide materials of the nominee have fallen into three categories: The first one is to the White House about Benghazi, and those questions have been answered. There have been requests for Senator Hagel's speeches, and those speeches have been provided. Relative to financial disclosure, additional financial disclosure, disclosure which is required by the rules, that has been provided.

The statement that was made by one of our colleagues about Corsair Capital is a statement which, frankly, is out of bounds. It is inappropriate for anyone to be asked about that when he is an adviser to a perfectly legitimate equity fund and has perfectly legitimate members on the board. There is no evidence—and the person making the innuendo acknowledged that there is no evidence—that the funding came from Saudi Arabia, Iran, or any other inappropriate place.

So as for the information that has been provided, it is probably more information than probably any nominee—at least in recent memory—has had to provide. We have done everything we possibly can.

Now in terms of the qualifications for Senator Hagel, this comes from former Secretaries of State, National Security Advisers, National Secretaries of Defense, including Secretary of State Albright, National Security Adviser Berger, Secretary of Defense Brown, National Security Adviser Brezizinski, Secretary of Defense Cohen, Secretary of Defense Gates, National Security Adviser Jones, Secretary of Defense Laird, National Security Adviser McFarlane, Secretary of Defense Perry, Secretary of State and National Security Adviser Powell, Secretary of State Schultz, and National Security Adviser Scowcroft.

This is what they said, and this is the validation: We, obviously, know Senator Hagel. We trust Senator Hagel. We believe in his qualifications.

These people are Democrats and Republicans who are outside of this body, and here is what they say: From his

time as the Deputy Veterans' Administrator managing a quarter of a million employees, to during the Reagan Presidency, to turning around the financially troubled World USO, to shepherding the post-9/11 GI bill into law as a United States Senator, and most recently through his service on the Defense Policy Board at the Pentagon and as cochairman of the President's Intelligence Advisory Board, Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense.

I have already put into the RECORD many of the statements that have been written by veterans organizations in support of Senator Hagel.

Senator INHOFE said when no one talks about his position on Iran, well, yes, we do. Here is what he says:

Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime.

He is fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon. All options must be on the table to achieve that goal. And relative to Israel, he has said he is a strong supporter of Israel. Even more importantly, the Deputy Minister of Israel said he is a good friend of Israel, and, indeed, in the words of Danny Ayalone, said he believes—and I am now talking about Senator Hagel—Hagel believes in the natural partnership between Israel and the United States and is proud of the volume of defense relations between Israel and the United States which are so important to both countries.

Now the only question that remains is what we are voting on. What we are voting on is to end the filibuster. My good friend from Oklahoma says it is not a filibuster, but the definition of "filibuster," under our rules, is you are going to continue to talk unless there are 60 votes to end debate. That is what we are voting on. It is called cloture.

If we get cloture today, then there will be another vote on the nomination of Senator Hagel. The proof of that is that we have three Republican Senators who stood up today and said that while they are going to vote against cloture today, they are going to vote for cloture a week from this Tuesday. That is a procedural vote if I ever heard it. They are still going to vote against his nomination, but they have decided that they will vote for cloture a week from Tuesday. That is the difference between the vote to end debate and the vote on the nomination itself. What we are deciding here today is whether a filibuster will continue. That is not just me talking; that is the rules speaking. That is what the rules provide for, that we need 60 votes to end debate.

Has there ever been a requirement before by opponents of a nominee that there be 60 votes to end debate? Has

this ever happened in history? Not for a nominee for the Defense Department, no; Secretary of Defense, no. For other Cabinet officers, there have been in the past requirements set by opponents that to stop talking we are going to have to get 60 votes. But that only means what the rules say it means, which is that under the rules of this body, conversation or debate does not end if the opponents insist on it until there are 60 votes. That is the definition of a filibuster and that is what I hope we could bring to an end today. If we don't bring it to an end today, then there will be another vote a week from Tuesday.

I hope we don't have to do that. This position is too important. The dangers in this world are too severe to leave this position in this ambiguous state between now and a week from Tuesday, or whenever the final vote on approval of this nomination is. The world is too dangerous to have this period of uncertainty. There is no need for it. We have provided the documents which have been required. The information relative to the financial situation of Senator Hagel has been provided. It is time for us now to bring the debate to an end, require 60 votes and then, hopefully, if we can get 60 votes today, then vote on the final approval of this nominee. But, again, if 60 votes aren't there today, the majority leader has made it clear he will then, of course, reconsider the cloture motion for a week from Tuesday. Either way, it is critically important that Senator Hagel's confirmation take place and that we fill this position of Secretary of Defense.

Mr. President, I don't know if there is any time left but, if so, I yield it back.

The PRESIDING OFFICER. All time has expired.

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Barbara Boxer, Al Franken, Christopher A. Coons, Jack Reed, Carl Levin, Kirsten E. Gillibrand, Claire McCaskill, Robert P. Casey, Jr., Richard Blumenthal, Tom Harkin, Dianne Feinstein, Bill Nelson, Jeanne Shaheen, Sherrod Brown.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 21 Ex.]

YEAS—58

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Boxer	Johanns	Rockefeller
Brown	Johnson (SD)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NAYS—40

Alexander	Fischer	Paul
Ayotte	Flake	Portman
Barrasso	Graham	Reid
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeben	Rubio
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johnson (WI)	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Wicker
Cruz	McConnell	
Enzi	Moran	

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—1

Vitter

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

VOTE EXPLANATION

Mr. VITTER. Mr. President, I could not participate in this Hagel nomination cloture vote because I had to return to Louisiana to attend a funeral. Had I been present, I would have voted no for two reasons.

First, I would like to state for the RECORD that I believe this process has been rushed and that very reasonable Member requests for information have been denied.

Secondly, I oppose the nomination on its substance in light of Senator Hagel's long history of troublesome votes and comments regarding the defense of Israel and related Middle East issues.

Mr. REID. Mr. President, this will be the last vote of the day. We will have a vote Monday night and we will vote again on this matter Tuesday morning—a week from Monday and Tuesday.

I regret that Republican Senators, except the valiant four, chose to filibuster the nomination of President Obama's nominee to be Secretary of

Defense. The Republicans have made an unfortunate choice to ratchet up the level of obstruction in Washington. Just when you thought things could not get worse, it gets worse.

We need to have this vote today. Why? You know, in times like this, it is nice to have a Secretary of Defense, not a lameduck. We have a war going on in Afghanistan. The war has been going on for 10 years. The President announced on Tuesday that half the troops are going to be coming home.

North Korea earlier this week tested a nuclear weapon. Just a couple months ago, they tested a missile to deliver a warhead. They have said publicly and very openly they want to make sure they can reach the United States.

We have a conflict going on in Syria. It is a serious conflict. The Middle East is still in turmoil. Iran is threatening everyone, including us. We have a few things going on. There is a NATO defense meeting next week, where NATO Defense Ministers, including someone from the United States, whom we hoped would have been the Secretary of Defense, would attend that meeting.

A couple of my Republican colleagues said: That does not matter. Just have somebody else attend.

What does that do to our standing in the world community?

We need a Secretary of Defense on the job. No one, no one knows, especially any Senator, what foreign challenge we will face in this country, perhaps within the next 10 days. It would be nice if we had a Secretary of Defense.

There is nothing that is going to change in the next 10 days about the qualifications of Chuck Hagel.

I served with Chuck Hagel. He is a conservative Republican representing the ultraliberal State of Nebraska. He served with distinction in the Senate as a Senator. He served on the Foreign Relations Committee, Armed Services Committee, and Intelligence Committee. He is a man of quality and of courage, not just being able to come and give a speech on the Senate floor.

During the Vietnam war, he volunteered to go into combat. That is what he chose to do because he thought it was the patriotic thing to do for his country, our country. His family felt that way. He and his brother went together. They didn't go to push pencils, they carried rifles; strapped to their sides, grenades.

He was wounded twice. He was an enlisted man. He didn't walk around ordering people to do things. People were ordering him what to do—except when it came to his brother. He saved his brother's life in combat in Vietnam.

They are filibustering him. That is what they are doing. I am going to call Chuck Hagel when I finish and say I am sorry, sorry this is happening. I am sorry for the President and I am sorry for the country and I am sorry for you. We are not going to give up on you.

We are going to vote, as I said, Tuesday, when we get back, in the morning.

I hope, I truly do hope nothing happens during the next 10 days we will not have a Secretary of Defense. We are not going to have one, and I hope nothing goes wrong and we will rue the day—more than just embarrassing the President, the Senate, and the country—in not confirming the President's nomination of this good man from Nebraska.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, to my knowledge we do have a Secretary of Defense, and his name is Leon Panetta. It is my understanding that Mr. Panetta is going to stay on the job, a job he has done very well as Secretary of Defense and as CIA director for the last several years. The majority leader knows full well the reason why cloture was denied—or closing off debate was denied, because there are reasonable requests being made on this side for additional information. I hope and trust information will be provided in the next few days. When we come back from the recess, we will have another vote and another opportunity for Senators to express themselves.

This is not any attempt to kill this nomination. This is not a filibuster. I realize it is the headline the majority leader would like the newspapers to write.

We actually had some very reasonable discussions going on earlier today among Senators on the Democratic side and the Republican side to try to work this out, given the fact that this nomination has just been so recently reported from the Armed Services Committee, and to accommodate the reasonable request for Senators to receive answers to their legitimate questions. We didn't need to have this vote today. We could have delayed it until after the recess. I am confident the vote would have turned out differently.

The White House and the majority leader were determined to have this vote in order to try to get a story in the newspaper, one that misrepresents the nature of the objection on this side which, as I said, was a vote not to cut off debate because it was premature. Reasonable requests for information have not been accommodated by the nominee.

There are solid public policy differences between Members of this other side of the aisle and the nominee.

This is not about politics. This is not about personalities. It is about questions such as whether Iran should be allowed to get a nuclear weapon. Should we have direct negotiations with terrorist organizations such as Hezbollah and Hamas?

What is the official posture of the U.S. Department of Defense and this administration relative to our best ally in the Middle East, Israel? What would be the plan for the nominee should he be confirmed when it comes to dealing with steep cuts to the military that are going to come out of the sequester, which was the President's idea and

which is now going to go into effect on March 1. This is something which the President himself said was not going to happen. All of these are legitimate areas of difference and areas of inquiry that could be accommodated, could have been accommodated without necessity of this vote today.

This was the majority leader's choice, which was his prerogative, and the White House's choice. We could have done this differently. We could have worked this out, but that did not happen, unfortunately.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this is not a filibuster. This is not a filibuster. I would like to see what a filibuster is. This is the first time in the history of our country that a Secretary of Defense has been filibustered, filibustered successfully and probably ever filibustered, and for all this, the statement from my friend from Texas on a rant to make sure he is OK on Israel. He wants to make sure he is OK on Iran on this.

We had hearings, not singularly but plural. The Secretary of State came, the Secretary of Defense.

This has gone to the absurd. We were told by a number of Senators they would like a letter from the President's White House talking about what he did following Benghazi. Remember, Benghazi was debated at length in the Presidential election. That is over, we thought. No, it is not over.

The President said, OK, and he adhered to what he wanted and wrote in detail about calls he made right after the terrible occurrence in Benghazi and sent it to the chairman of the committee. We received reports back some of the Senators were offended because the letter was sent to the chairman and not to them. This is all foolishness.

People may say whatever they want to say, but we still have a Secretary of Defense. Leon Panetta gave his final closing, ending; it was all over with his speech yesterday. I am friendly with Leon Panetta. I have known him for 31 years. No one in the country has served with more distinction than a Member of Congress, chairman of the Budget Committee, head of the Office of Management and Budget, the President's Chief of Staff, head of the CIA, Secretary of Defense. He wants to go tomorrow, and yesterday he told everybody he was going home.

Yes, we have a Secretary of Defense. It is about as lame as a duck can be. How do you think the people in NATO feel when, I don't know who will go, I guess Ash Carter or somebody will go, but we don't have a Secretary of Defense.

I can't imagine—as I said this morning, I will just repeat, I guess to be able to run for the Senate as a Republican in most places in the country, you need to have a resume that says: I helped filibuster one of the President's nominees. Maybe that helps. Maybe that keeps a tea party guy from running against you. But this should not be politics. This should be substance, and

there is nothing wrong with Chuck Hagel.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, with all due respect to the majority leader, this was an unnecessary vote today. The majority leader said: What is a filibuster? I can remember one that wasn't called a filibuster. I can remember when President Bush the first nominated a very noncontroversial University of Tennessee president who had been Governor to be the Secretary of Education of the United States about 20 years ago.

There was a Democratic Senate at the time, and the Senator from Ohio decided he wanted more time to study the qualifications of the nominee from Tennessee. I was that nominee.

I thought that was an extraordinary period of time. It was 87 days between the time President Bush announced my nomination and the time the Senate unanimously confirmed me. That was a Cabinet position. I went around to see Senator Warren Rudman to see what I should do. He said: You don't have any cards. You don't do anything. The Senate has the right to consider, with its constitutional prerogative of advice and consent, the nominees of the President. That is what the Senate is there for.

I said: Warren, how did you get to be a Senator? He said: Well, I will tell you a story. President Ford nominated me in 1976 to be on—I believe it was the Federal Communications Commission. The Senator from New Hampshire, a Democratic Senator and a Democratic Senate, put a hold on Warren Rudman until Warren Rudman withdrew his nomination.

The end of the story was that Warren Rudman then ran against that Senator, beat him, and that is how Warren Rudman became a Senator.

We know what a filibuster is. A filibuster is when one side or the other—which it has a perfect right to do under our system of government—decides to try to kill a nomination by denying 60 votes or to stop legislation by 60 votes. The Democrats have done it on a regular basis when they were in the minority and the distinguished majority leader was one of the most effective persons in the Senate to do so. I presided many times over the Senate when he objected.

I remember when we were trying to get 60 votes to have a permanent change in the estate law, and we would get up to 57, 58 or 59 and the distinguished majority leader would object.

What are we doing today? We are doing today exactly what was said when the vote was called. The question was do 60 of us believe it is time to end debate on the nomination of the President to be Secretary of Defense, the leader of the largest military organization in the world, the largest employer in the United States. The Senate Armed Services Committee has reported that recommendation to the

Senate 2 days ago—not 10 days ago, not 15 days ago, not 30 days ago, 2 days ago.

Most of us aren't on the Armed Services Committee. Are we not entitled, are we not entitled to have more than 2 days to consider one of the most important nominations the President has to make without having the distinguished majority leader accuse us of a filibuster? What we do in this body is debate. We debate issues.

In addition to that, there are a number of people on the Republican side who have asked for information for which they haven't received answers yet.

In every one of those cases, those are not requests I am interested in. They will not produce answers I need to know. They may be outside the range of questions I think ought to be answered.

After only 2 days of a nomination being on the floor, if Republican Senators have questions to ask and information to seek, they ought to be allowed to do that. That is what this is about.

What we have said—and the Democratic leadership knows this—we have talked in good faith through the morning. We have suggested to have this debate when we come back. Instead of 2 days after the bill was reported to the committee or to the Senate floor, it would be 2 days plus 10—a couple weeks. It would give us a chance to read the hearings, consider the evidence, ask our questions.

There were three Senators who came down to the floor today, including the Senator from Arizona and the Senator from South Carolina, who said then we will be ready to vote for cloture. In other words, we will be ready to vote to end debate to do what the Senate should do. Eventually, after a full consideration, we would have an up-or-down vote on a President's nominee for the Cabinet. At least that is my belief, that eventually you should have an up-or-down vote on the President's nominee for the Cabinet.

It is an unfortunate vote, and it is unfortunate to characterize this as a filibuster. This is a vote by Republicans to say we want more than 2 days after this nomination comes to the floor to carefully consider it because we have questions. Many have questions, and then most of us believe that after a sufficient time—and, for me, a sufficient time will probably be those 10 days—after those 10 days, it will be time to end debate. It will be time to have a vote and then it will be time to move on to something else.

I wish to make sure this is properly characterized. This was a motion to close off debate after 2 days of bringing to the full Senate the President's nomination to lead the largest military organization in the world at a time when Senators had reasonable questions for which they want answers. A vote to extend that until 10 days from now or some other appropriate time after that not only is reasonable, it is in the tra-

ditions of the Senate. Such reasonableness has been exercised by Democrats, as well as Republicans throughout the history of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The assistant majority leader.

Mr. DURBIN. Mr. President, Senator ALEXANDER is my friend. Sometimes that word is thrown around the floor of the Senate not very sincerely, but I mean it and he knows it. And I respect him very much. But I would say to the Senator, there is no other way to describe what we are going through than a filibuster.

A filibuster is, of course, an effort by at least one Member of the Senate to continue the debate and stop the vote on a matter, whether it is an amendment or a nomination. A cloture motion—in other words, to close off the debate—is an effort to produce 60 votes to overcome that Senator and to move to a vote, a final vote, on an amendment or a nomination. So by every Senate standard, by every definition, what we are facing with Senator Chuck Hagel as a nominee for the Secretary of Defense is a filibuster. It is. And that is why the majority leader filed a motion for cloture.

It is interesting to note that 59 Senators—a substantial majority of the Senate—were prepared to vote for Chuck Hagel to be Secretary of Defense, including four from the Republican side of the aisle. But we fell short of the needed 60 votes, the 60 votes under cloture, needed to end a filibuster. So I have to say to my friend from Tennessee, by every definition in the Senate, by every standard, your side has successfully filibustered the nomination of Chuck Hagel in the U.S. Senate.

It has happened before on Cabinet nominees—twice, I am told, in our history, and once while I was here involving Dirk Kempthorne, whose nomination was controversial and another cloture vote was called. I asked myself, how did I vote? After a while, you sometimes forget. And I was told, well, it turned out the cloture vote for Dirk Kempthorne was 85 to 7. So clearly, he had 60 votes, and I voted for the cloture vote in this circumstance. He was then affirmed by a voice vote thereafter. So it has happened before, but it happens rarely—twice in our history—when we have a Cabinet nominee who is filibustered.

I will concede to the Senator there are many times we have questions that need to be answered before we can make a sound or final decision, but what is peculiar about this vote is that the questions are being asked about a fellow colleague, someone the Republicans served with for years. This is not a name that was just dropped out of the blue. I would assume my Republican colleagues knew Chuck Hagel. You served with him, you were on committees with him, you sat hour after hour, day after day, and maybe month after month in meetings together. So

he is a known quantity more so on the Republican side of the aisle than on our side. I served with him on the Intelligence Committee, and I thought he was a person of sound judgment. There were times when I thought he showed real courage. I never doubted for a minute his commitment to some of the basic issues.

The Senator from Texas, who is also a friend, said: Well, we are not sure where he stands on issues such as Iran. I think he has said unequivocally over the last several weeks his position is the same as the President's, that we need to stop Iran from developing a nuclear weapon. The same has been said relative to our relationship with Israel. If people still have questions about that today, they are ignoring his answers or they do not believe him. And in that case, they can vote yes or no. I don't know how many more times he needs to say that to satisfy his critics. Perhaps, for some of them, he will never satisfy them.

But it is troubling to me, and I would agree with Senator REID—and Leon Panetta is a close personal friend. We go back to our House days. I recall he had a unanimous vote when he was nominated for Secretary of Defense—an indication of the respect we have for him. But his days are coming to a close and he said so. What the President has said is, I need to move up somebody into this critical position for the national security of the United States, and Chuck Hagel is the person I propose.

We have had ample time. I would be surprised if there are any—perhaps many—Senators who didn't have a chance to personally sit down with Senator Hagel. He came to my office, and I know he made himself available to virtually every Senator before this process started. So Chuck Hagel has done what he was asked to do, answer the questions and appear before the committee. And for a person who is a former colleague, it is hard to understand or explain why there are so many people on the Republican side of the aisle puzzled by this fellow from Nebraska, someone whom they served with for so many years.

Let me also say I want to join with the majority leader in saying, God forbid anything happens in the next 10 days. I hope it doesn't, for our sake and for the sake of the Senate and the people of this country. We do need a Secretary of Defense. I would like to think if the tables were turned the other side would not be pillorying us for leaving the Secretary of Defense office vacant in these dangerous times. I am afraid many on your side would be asking, why didn't you get this done when you could have? This was a Democratic Senator; why do you need to keep asking questions over and over?

But we have reached this point and there is nothing we can do about it. Senators have left and we are going to be off next week for the Presidents holiday. I just hope, as soon as we return, as quickly as we return, we can defeat

this filibuster on Chuck Hagel—this rare filibuster in Senate history—and we give him his chance to continue to serve this Nation as ably as he did in the U.S. Senate and as a soldier in combat in Vietnam.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. I want to assure the assistant majority leader that we still have a Secretary of Defense. His name is Leon Panetta. And I am referring to an e-mail his press secretary George Little sent out on Thursday:

The Secretary plans to stay in office until Senator Hagel is confirmed and sworn in.

So if anybody is under any misapprehension, I believe the Pentagon press secretary has made that clear. We have a Secretary of Defense. He has not resigned, and he will continue to serve until such time as his successor is sworn in.

I would say again to my friend, the Senator from Illinois, the assistant majority leader, we all know what a filibuster is. A filibuster is designed to kill a nomination or to defeat legislation, as the Senator from Tennessee said. I would also say this is equivalent to what happened back in 2005.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter signed by Chris Dodd and JOSEPH BIDEN.

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

(See exhibit 1.)

Mr. CORNYN. And I will quote from that letter. This is a letter signed by Chris Dodd, our former colleague who served on the Foreign Relations Committee, and JOE BIDEN, when he was a ranking member of the Foreign Relations Committee back in 2005.

Dear Democratic Colleague: We write to urge you to oppose the cloture on the Bolton nomination tonight. We want to make clear that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

I will skip down, because the letter will be in the RECORD, to the last paragraph, which says:

The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today.

And the letter, as I said, was signed by Chris Dodd and JOE BIDEN.

My point is, this is exactly what the Senator from Tennessee said it was—a vote not to end debate but to allow these inquiries to be answered. And the shoe will likely be on another foot some other time with some other nominee, so we ought to, I think at a minimum, respect and protect the right of the Senate and of an individual Senator to make reasonable inquiries of a nominee as part of the power of advise and consent.

This is not a filibuster. If it is, then this was in 2005, contrary to the asser-

tions of JOE BIDEN and Chris Dodd. But I agree with them in this instance, this is merely an effort not to close off debate but to allow reasonable inquiries to get information that will advise the Senators in their vote when it comes time to vote on this matter after the next break.

EXHIBIT 1

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, May 26, 2005.

DEAR DEMOCRATIC COLLEAGUE: We write to urge you to oppose cloture on the Bolton nomination tonight. We want to make clear that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

For more than a month, we have been requesting two types of information from the Executive Branch. First, materials related to the preparation of congressional testimony on Syria and weapons of mass destruction that Mr. Bolton planned to give in July 2003 and ultimately gave that September. We think this will show Mr. Bolton's continued effort to exaggerate intelligence information. It may also show that he misled the Foreign Relations Committee when he told us that he was not personally involved in the preparation of the testimony. Second, information related to National Security Agency intercepts and the identity of U.S. persons on those intercepts. During the past four years, Mr. Bolton requested the identity of U.S. persons on ten occasions. There may be nothing improper in this; or there may be something highly improper. But we won't know unless we see the very same information shown to Mr. Bolton. So far that has not occurred. The Chairman and Vice Chairman of the Select Committee on Intelligence were shown the intercepts, but not the identities of the U.S. persons.

In refusing to provide the information about the Syria testimony, the State Department has asserted that it does not believe that the request is "specifically tied to the issues being deliberated by the Committee." In other words, the Executive Branch is deciding what it thinks is relevant to the Senate's review. That's unacceptable. In the case of the NSA intercepts, no one in the Executive Branch has even tried to explain why the chairman and ranking member of the Intelligence and Foreign Relations committees are not allowed to see information that was made available to Mr. Bolton and even to his staff. That, too, is unacceptable.

The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today. We urge to you vote no on cloture.

Sincerely,

CHRISTOPHER J. DODD.
JOSEPH R. BIDEN, Jr.

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

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

SEQUESTER LEADERSHIP

Mr. SESSIONS. Mr. President, we are facing a very serious problem with the sequester that will impact our Defense Department and other government agencies. It is a very serious matter. It has been out there for well over a year. We have known this is coming, and it is time—long past time—for the Democratic Senate and the President of the United States to provide some leadership on the issue.

I was pleased with Senator MCCONNELL this morning when he raised this matter, suggesting we are in a pattern here of how business is being done in the Senate. It goes something like this, Senator MCCONNELL said: Phase 1, Republicans identify a challenge and propose a solution; phase 2, the liberals sit on their hands until the last minute; phase 3, they then offer some gimmicky tax hike designed to fail and then blame everybody when it does.

This is essentially, I am afraid, where we are. We are now at the time where they are about to sweep in with some gimmicky solution that won't be successful. I don't know where they are in that. We have seen a 1-page outline that suggests there is a plan out there, but we haven't seen legislative language, I don't believe, unless it was produced in the last few hours. So we are 2 weeks away from a sequester that will include cuts that I believe will be too damaging to the U.S. military and can be avoided and should be avoided.

The sequester, remember, was part of an agreement that was reached in August a year ago—August 2011—between the President of the United States, the Democratic leadership in the Senate, and the leadership in the House of Representatives. It was designed to raise the debt ceiling because we had borrowed all the money that could legally be borrowed and the administration wanted to spend more and borrow more money. We were borrowing well over 35 cents out of every dollar we spent at that time—and still are—and the President wanted to raise the debt ceiling. The people holding the credit card—the U.S. Congress—said: Wait a minute. You have run up too much debt. You have to lay out a plan that, at least over 10 years, would equal the amount you want to raise the debt ceiling. The Administration could spend that money now—and it was spent in 18 months, because we have already hit the debt ceiling again—and we will raise the debt ceiling \$2.1 trillion.

So an agreement was reached to reduce spending over the next 10 years by \$2.1 trillion. That was the agreement. The President signed that, the Democratic leader in the Senate agreed to that, the Speaker of the House, the Republican, agreed to that, and that became the law.

These are numbers we live with every day. I am the ranking Republican on the Budget Committee, and it is a constant item in our face out there. We were then spending \$3.7 trillion a year. So if you extend that for 10 years, we

would spend \$37 trillion over 10 years. But the budget was expected to grow. It was expected to grow so that we spent \$47 trillion over 10 years. At the end of that time we would have increased spending by almost \$10 trillion over 10 years. This deal would have said that we wouldn't spend \$47 trillion but \$45 trillion, therefore reducing the increase by a modest amount.

These were the first significant cuts we have had in the Congress in a long time. It is the first time we have actually made some alteration in the growth of spending. And really, it is not a cut in spending; it is reduction to the growth of spending. But the President not only agreed to the sequester, he actually proposed the sequester as part of the deal.

The sequester came about under the theory this would be a stopgap emergency measure if the committee of 12 didn't reach some long-term fiscal plan to alter the debt course of America, and the committee didn't reach that agreement.

The agreement fell apart and the sequester happened. The sequester was put in the bill at the last minute, according to Bob Woodward in his book, at the request of the President and the White House. It was put in there, and nobody knew what it meant. That is the reason primarily that I voted against it. I didn't like this situation that looked to me as though it would be a meat-axe cut that would fall disproportionately on the Defense Department. At any rate, good people disagreed, the bill passed, and it became law. So that is how the sequester came to be, and it is set up in a way that disrupts the Defense Department.

If you cut the Defense Department as much as is presently scheduled to be done now, it would hurt under any circumstances. But if it is done the way the sequester says, everybody agrees it will be far more damaging than it needs to be because it gives the Defense Department very little control over how to manage their money in a way that has the least adverse circumstances, and that is why we should not let the sequester go forward.

The sequester needs to be reevaluated for a lot of reasons. One-sixth of the federal budget is the Defense Department. One-sixth of the amount of money we spend is by the Defense Department. One-half of all the cuts in the sequester falls on the Defense Department. It is disproportionate.

Some people are under the impression that it is the war costs that are being cut. This is not what we are talking about. The war costs are funded in a separate account. All of these cuts fall on the base defense budget of the United States of America.

It means too rapid and severe a reduction in our military and civilian personnel, and it endangers the smart management of the war, while entire portions of our government—almost one-half of our government—have no cuts at all. Amazingly, there is no re-

duction in the growth of the spending of one-half of our government; and defense spending increases are less than half of what you see in many of the other major spending programs in our government.

The base defense budget has not been surging out of control. It has been increasing at about the rate of inflation in the last several years. But defense has already reduced its budget as part of the first part of the Budget Control Act agreement last August. That was \$487 billion. So this sequester would be an additional \$500 billion, should it go through. It would be a cumulative reduction of almost \$1 trillion over 10 years. That is a big reduction. It alters the ability of the military to function in the way they have been functioning, and it threatens the ability for them to carry out the missions they have been assigned to carry out today.

The Chairman of the Joint Chiefs, General Dempsey, said this week:

If sequestration occurs, it will severely limit our ability to implement our defense strategy. It will put the nation at a greater risk of coercion, and it will break faith with the men and women in uniform.

That is a serious statement and we should respect it. I know right now they are threatening all kinds of draconian cuts, and probably when the dust settles it won't be quite as draconian as they tell us. But the fundamental truth is, this is disproportionate and dangerous to the Defense Department, and it is not necessary.

Remember how we got here. We saw this coming. The defense authorization bill was not brought up before the election maybe for the first time in 50 years. Why was it not brought up in July, August, September, or October? Why was it not?

One of the reasons I think was that everybody knew the sequester was out there. It needed to be fixed, and this would have been the opportunity to fix it when that bill moved through the Senate. And so Senator REID wouldn't bring up the defense bill. He refused to bring it to the floor.

Senator MCCAIN came to the floor and said, shame, shame, shame, as ranking Republican on the committee, pointing out this failure was the first time I believe in 50 years that the defense bill had not moved. No other appropriations bill had moved, either; not a single one. But not passing the defense authorization bill was historic—again, I think in big part because they didn't want to talk about the sequester.

In the debate, I believe last October, with Governor Romney, the sequester came up. What did President Obama say? It will not happen. The sequester will not happen. And here we are, with no plan to fix it from the White House, no plan to fix it from the Democratic majority—which apparently wants to lead this country, wants to be in the majority, wants to justify their leadership position. Senator REID has not brought forth—unless it is today, until