try to force each other to do it on the backs of one piece of our large Federal budget.

So to my conservative neighbors or those in the other party, I am sorry, we just cannot do this through cuts to discretionary, nondefense programs alone or through entitlement reform. We cannot responsibly deal with this deficit and debt just within those two areas.

In the last 2 years we already made more than $5 trillion in discretionary spending cuts. On the trajectory we are on now, in the next decade the percentage these programs make of our total Federal Government will drop to levels not seen since Dwight Eisenhower was President, even as our revenues today are at their lowest as a percentage of our economy in 50 years.

Federal spending, done right, in the right sectors, fuels our long-term competitiveness. I am talking about investments in education, in infrastructure, in R&D—will be crowded out. Progressive growth—medical research, to speed up the development of new drugs, to cure cervical cancer screenings—the things that help make us healthier will be.

This place has become somewhat of an alternative reality where, if we dig in real hard and people get really worked up about programs such as “sequester” or “fiscal cliff,” we can ignore the facts. There is no question that we do have to reduce spending, but the sequester is the worst way to do it. When conceived, the sequester was supposed to be motivated to move Heaven and Earth to prevent it from taking effect. That is how terrible it is as policy. Yet here we are.

I am dumbfounded. It is not as though our leaders have spent plenty of time to make this better—18 months, by my count. Why are people talking now in the press here on Capitol Hill about whether BOEHNER will lose his speakership? Why are people talking now in the press here on Capitol Hill about whether BOEHNER will lose his speakership? Who owns the sequester problem? Who cares is my question. There are no winners in this fight.

I think the question of how we reduce our deficits, stabilize our economy, prioritize spending that will grow jobs—this debate can either dominate the next 10 years, as we lurch every 3 months from crisis to crisis, or we can address the broader, bigger question of how we fund our entitlement programs for health, for growth, for recovery. Again, when the math is not that hard, the politics are.

We here in Congress, with the executive branch, have largely created this problem, and now we need to solve it. Tomorrow, leaders from this Chamber and the House will go to the White House to meet with President Obama about how to address the sequester on the very day it takes effect. On behalf of my constituents, on behalf of the teachers, the police officers, the nurses, the veterans, the kids, their parents, my neighbors, on behalf of my State, I urge our leaders to embrace this moment and to work not only to avert this short-term sequester—not just this $85 billion in cuts—but to resume their work on the grand bargain. We need a big deal. We need it to be balanced. We need it to be fair. Spending, entitlements, revenue—they all need to be on the table, and they all have to be part of the solution.

My question for everyone in that meeting tomorrow:
Mr. MCCAIN. I have to ask for regular order.

Mr. COONS. I ask unanimous consent for 30 seconds to conclude my remarks.

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

Mr. COONS. My question for everyone—in both parties, both Chambers who goes to this important meeting at the White House tomorrow is, How much more time do we have to fight and not to act, to attack and not compromise, to spin rather than solve? Based on the e-mails, the calls, the contacts I have gotten from my constituents, from my neighbors, the time to step up and address this larger problem is now. The sequester, while savage, is not the underlying problem. It is our unwillingness to come together across parties and Chambers to deal with the underlying challenges of our budget. It is my hope, my prayer, that we will take this moment and act.

Thank you, Mr. President. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The AGENT PRESIDENT pro tempore. Morning business is closed.

AMERICAN FAMILY ECONOMIC PROTECTION ACT OF 2013—MO

The AGENT PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 388, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 18, (S. 388) a bill to appropriately limit sequestration, to eliminate tax loopholes, and for other purposes.

The AGENT PRESIDENT pro tempore. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I ask unanimous consent that in addition to the two cloture votes on bills dealing with the sequester today, there be set a time, to be determined by the majority leader in consultation with the Republican leader, that without intervening action or debate the Senate proceed to a rollover vote on the motion to proceed to my alternative bill dealing with the sequester which is now at the desk.

The AGENT PRESIDENT pro tempore. Is there objection?
The majority leader.

Mr. REID. Mr. President, I reserve the right to object and will say just a few things.

Unless we act by midnight tomorrow, Friday, across-the-board cuts will kick in. And the President is putting those cuts in play. Are we going to act to replace these across-the-board cuts?

The proposal that we have put forward would prevent the cuts with a balanced plan. Our plan will protect air safety, our food supply and, most importantly, our national security. And frankly, Mr. President, air safety, which I mentioned, food supply—that is also part of our national security in addition to our military.

The alternative that has been put forward by my friend the Republican leader would not replace the cuts. As I said earlier this morning here on the floor, one of my colleagues in the Democratic caucus said at our caucus on Tuesday that he understood what the Republicans were going to put forward, and he said it would be like sending the President an order: We have already decided you are going to have to cut this, and we are going to give you the alternative to decide which one you cut first.

The Republican alternative would not replace the cuts but would call for making the cuts in some different way. Republicans call their proposal “flexibility.” In fact, it is anything but that. Their proposal is entirely inflexible on one key point: not a single dollar of revenue, not a single tax loophole would be closed.

Now, remember, Mr. President, the one proposal we have forward says that if you make $5 million a year, you will have to pay 30 percent tax minimum. That is it. That does not sound too outrageous. That is why the American people agree—Democrats, Independents, and 60 percent of Republicans.

Now the Republican side seeks a third vote on the Ayotte amendment, which would replace the cuts with a parade of even more unfair cuts and penalties on immigrants, people receiving health care under ObamaCare, the Consumer Financial Protection Bureau, those kinds of things.

I also have trouble understanding, as I do—I frankly do understand why, as I read the newspaper, McCauley, McCain, Graham do not like the Republican proposal—haven’t we ceded enough power to the President?

So it is not our fault over here that the Republican leader chose to offer not the Ayotte alternative but instead chose the Republican alternative that we are going to talk about and vote on later today.

I return to my main question again briefly. Are Republicans really filibustering the vote on replacing the cuts? My question is: Would the Republican leader modify his consent to allow for simple up-or-down votes on each of the two alternatives? Would it make a difference if we allowed votes on three bills, including the Ayotte alternative? I would be happy to have three votes if the Republican leader would simply allow the votes to be held at majority thresholds.

So if the President can do it formally, I would be happy to do so if there is any taking of my request here. But this having been the case, if my friend the Republican leader says: Yes, why don’t you put that in proper form—and I would be happy to do that—and then we would have votes on all three, with a simple majority on each one of them. Not hearing someone say: Great idea, then I object to the request of my friend from New Hampshire.

Mr. MCCONNELL. Mr. President, I would say to my friend the majority leader that I would object. He can either propound such a consent or not, whatever he chooses, but I would object.

The ACTING PRESIDENT pro tempore. Is there objection to the original request?

Mr. REID. Yes, I did that.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, obviously we regret that we have not been able to reach an agreement. I am especially disappointed that we are unable to consider the Ayotte amendment, which is an alternative to the sequestration. The proposal would still sooner or later have the same Draconian effects on our national security.

I also would point out to my colleagues that we are about to go through is in some respects a charade because we know the proposal on that side will not succeed with 60 votes, and the proposal on this side will not succeed with 60 votes. Meanwhile, the clock moves on until sometime tomorrow night.

Some of us warned for a long time about the effects of sequestration, and if we want to have a blame game, then I will take blame, everybody takes blame. But isn’t it time that we prevented what our military leaders in uniform, who have made their careers and their lives serving and sacrificing for this country, say would harm and inflict terrible damage on our ability to defend this Nation, our inability to train and equip the men who are serving in harm’s way have the equipment, the training, and everything they need to defend this Nation?

I will take blame, everybody takes blame. But isn’t it time that we prevent this? I always appreciate very much when Members on both sides of the aisle praise the men and women who are serving this Nation a great disservice, and the President did them a disservice when he said in the campaign: Not to worry, sequestration won’t happen. The President of the United States said that. I didn’t say it. The three of us traveled this country warning about the effects of sequestration. Of course, we now know the idea came from the White House. That is the blame game, and I will be glad to engage in this game.

Can’t we at least come to some agreement to prevent this? Are we going to lurch from one fiscal cliff to another? If we want to do that, that is one thing.

General Odierno is one of the great leaders I have had the opportunity of knowing for many years. General Odierno, the Chief of Staff of the Army, a man who has decorations from here to there, said he cannot replace the crew of the aircraft carrier that they decided not to deploy to the Middle East at a time when tensions are incredibly high.

I would also point out to my colleagues that this is not a fair sequestration. Most Americans believe this is half out of defense, half out of non-defense. It is not.

Under the formulation of the sequestration, about half of the spending we engage in is exempt, such as compensations. We are asking the President, such as the Federal Home Loan Mortgage Corporation, such as payment to the District of Columbia Pension Fund, such as the Host Nation Support Fund for Relocation. All of these and many others were specifically exempt, which meant the cuts and the reductions in defense were even larger, and, obviously, those who designed this legislation decided that the Federal Home Loan Mortgage Corporation and relocation funding was more important than national defense because we didn’t exempt national defense.

That is disgraceful.

Nineteen percent of discretionary spending is out of defense. We are asking for a 50-percent cut out of defense, on top of $87 billion that has already been enacted under Secretary Gates, on top of $487 billion in defense which is already on track to be cut. The percentage of gross national product for defense continues to decline.

What are we doing?

A few days ago there was a wonderful ceremony in the White House where a brave young American received the Congressional Medal of Honor. I happened to go to an evening function at a pizza place with him and his comrades who fought. A book was written by Jake Tapper, an excellent book—I recommend it to all of my colleagues—about eight of their comrades who were killed. Here we are unable to make sure these young men and women serving in harm’s way have the equipment, the training, and everything they need to defend our national security. And our inability to defend this Nation warning about the effects of sequestration. Of course, we now know the idea came from the White House. That is the blame game, and I will be glad to engage in this game.

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votes; and the same thing here on this side, and the clock will tick.

Tomorrow, on the last day of the Presi-
dent is going to call people over to the
White House to see if we can address it.
Where was he in the last year? And
are we taking the floor today for the blame
game. I am pleading for the men and women who are
serving this Nation in harm’s way who every
ing single day have a hell-of-a-lot tougher
time than we do. Can’t we do something
on their behalf to sit down with the
President of the United
States, who is Commander in
Chief, and get this issue resolved before we do
great damage to our national security?
I thank Senator Ayotte for her
proposal. It contains real reductions in
spending so we don’t have to go
through this sequestration. On the
one side, now we have a choice between
“flexibility,” which nobody really
knows what it is. What Senator McCain
on the other side, obviously, a proposal
that really bears no relevance to the
issue that faces us.

I thank my colleagues for the time. If
I sound a little emotional on this issue,
it is because I am. It seems to me we,
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February 28, 2013

CONGRESSIONAL RECORD — SENATE

S973

acceptable outcome just makes me sick to my stomach. I don’t know how any Commander in Chief could have been comfortable with the idea that if the supercommittee fails, we are going to cut the military. You haven’t lifted a finger in the last year to do anything about it. We are going to go to aavy see down in Virginia, after the election, a few days before this kicks in.

To me, this is pathetic leadership by the Commander in Chief. This is an abandonment of the Republican Party’s belief in peace through strength. This is a low point in my time in the U.S. Congress.

We are not going to raise taxes to fund the government. We are going to raise taxes in my construct to pay down debt and fix entitlements. I cannot tell you how ashamed I am of what we have done to those who have been busting their butts for the last 11 years, to those who have been deployed time and time again, and to their families.

The thank-you you receive from your President and your Congress is we are going to put your way of life on the chopping block. God, if we can’t do better than that then all of us should be fired.

Mr. MCCAIN. I would ask the Senator to yield to respond to one question.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, if I may, I would like to engage, I believe I have the floor.

Mr. MCCAIN. I have the right to ask a question from the person who has the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina has yielded for a question.

Mr. MCCAIN. My question is, does the Senator think the American people appreciate and understand what this does to the lives of the American men and women serving? For example, those who are serving on that aircraft carrier they said was going to deploy for many months and was cancelled at the last minute, the training plans which are now going to be cancelled, the deployments which will be changed—not to mention the massive layoffs in the defense industry, which sometimes are not easily replaceable. That is my question.

Mr. GRAHAM. Well, I don’t know if they do or not. We have done everything we can—the three of us—to tell them what is coming our way. All I can say is that every general and admiral who has told us the same thing, I respect what they are telling us. Leon Panetta is a Democrat, but he is dead right. He has been a great Secretary of Defense. I trust their judgment.

I know enough about the military budget to know if we take $500 billion out of their budget, on top of the $487 billion, plus the $39 billion, we are going to make them less able to defend our Nation, putting our men and women at risk, and that is what this debate is about.

I wish to thank Senator AYOTTE, who came up with an alternative to avoid this without raising taxes.

My time is up. I don’t know who is next, but I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. WHITEHOUSE. Mr. President, I wish to interject just for a moment to sort out the order on the floor.

I apologize to the Senator from Arizona for the last exchange. I thought I had the floor at that point. I understand now this is a debate.

I think Senator AYOTTE seems to be in order, but the chairman of the Appropriations Committee is here, so perhaps she could be recognized at the conclusion of Senator AYOTTE’s remarks. I see Senator INHOFE, so if he could follow Senator MIKULSKI and then I will follow Senator INHOFE, I offer that as a proposal.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object, I don’t need to be in this lineup. I will be talking later on. I only wanted to ask one question of Senator AYOTTE when she has the floor.

Mr. WHITEHOUSE. The Senator has that right, and she will yield to him.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Ms. AYOTTE. I thank the Chair, and I thank my colleagues from Rhode Island for allowing me the opportunity to continue and for sorting out the order on the floor.

Mr. INHOFE. Would the Senator yield for a question before she starts?

Ms. AYOTTE. I will, and then, obviously, I would like to make a few comments.

Mr. INHOFE. Yes, of course. The question is this—and I know the Senator already knows this, but others may not know that and I want to make sure they are aware.

I am in support of the Senator’s bill. I am a cosponsor of the bill and have been since way back when the Senator first started with Jon Kyl a long time ago.

Ms. AYOTTE. I thank the Senator for that.

Mr. INHOFE. I agree with what was said by both the Senator from Arizona and the Senator from South Carolina. I am in fact, I do not feel that Senator AYOTTE’s measure be the Republican alternative. So I just wanted to make sure everyone knew that. I think it is a good idea.

Ms. AYOTTE. I thank the Senator for his statement and for his support and I certainly join in the comments and concerns that were just raised by my colleagues Senators MCCAIN and GRAHAM.

Here is where we are. We are in this position with the Congress, frankly as Senator MCCAIN said, this is a charade. Both parties are acting out this play where we are going to have one vote on the Democratic alternative that is going to fail, and then we are going to have another vote on one Republican alternative that is going to fail. So I put pen to paper and came up with some other ways to cut spending, which comes to about $250 billion in savings over the next 10 years, in order to address the thing we are supposed to be doing in this sequester.

I offer that as a proposal because I believe the American people see through this charade of what is going to happen today and that, ultimately, as oppositions have said, the sequester was set up to fail, and this is an alternative because I believe the American people see through this charade of what is going to happen today and that, ultimately, the people who are against the sequester will be unable to come up with a plan that will fix our national security and some of the core services that we could be putting at risk in the way the sequester is structured.

I firmly believe, when we look at what has happened, this bill was ill-conceived from the beginning. I didn’t support it. I didn’t vote for it. One of the fundamental problems with it was it was a kick-the-can-down-the-road exercise where we gave our responsibility to find the $1.2 trillion in savings—the sequester—to a supercommittee, rather than the Senate and the Budget Committee doing our job of budgeting and prioritizing.

Stepping back, that is what has led us here. But I am also disappointed in my Republican colleagues, and that is why I offer an alternative of spending cuts, because it seems to me, the way this is structured have already been removed from our budget. I serve on the Senate Armed Services Committee. For 1 year on that committee, I have been listening to our military leaders at every single level when asking them about the sequester. From the highest leaders, the Chairman of the Joint Chiefs of Staff to the Secretary of Defense, we have heard things such as we are going to shoot ourselves in the head, we are going to hollow out our force, and America will no longer be a global power, which is what General Dempsey once told us, as a result of sequestration.

This morning, we had leaders of our military before the Armed Services Committee and I asked Assistant Secretary Estevez: If we go with the flexibility approach, does this address the impact on our national security? In other words, will this address making sure we can still meet the needs of our national security?

Over and over, we said this was set up from the beginning, was exempt from the sequester, which of course is no way to find savings throughout the whole government, and we didn’t exempt the war funding.

When I spoke earlier, I asked the Assistant Secretary: Does the flexibility solve the problem to our national security? And she said: Certainly, flexibility...
The American people deserve better addressing our deficit, still with saving our country. I think we can do it, still protecting our country at a very dangerous time. Let's make sure we stop the charade and it is a time to come to the table because it is a time to propose and we should have every idea when we should have a vote on every proposal, but I think that now is the time.

People can be critical of my proposal, but I think it is a correct way to find alternative ways to save our country. I think we could actually get down to resolving this in a responsible way for our country. That is why I put pen to paper. People can be critical of my proposal, but I think that now is the time when we should have a vote on every proposal and we should have every idea come to the table because it is a time to stop the charade and it is a time to solve this problem. Let's make sure we protect our country at a very dangerous time.

I will continue to work to do that for our country. I think we can do it, still addressing our deficit, still with savings, but we certainly need to do it, and having the charade vote we are going to have today will not solve it. The American people deserve better and we should be giving them better and solving this.

I thank the Chair for allowing me the time, and I yield the floor.
Let me start first with defense, because much has been said about defense. Many tables have been pounded, many chests have been thumped talking about it. And we do have to look out for our military. But our $27.5 billion recognizes the reality of boots on the ground. The reality of boots on the ground. Our troops are coming home. They will all be home by the summer of 2014. Our defense cuts kick in in 2015, so nothing we do will in any way dudge, or terminate money that would go to our men and women in harm’s way. So our cuts don’t kick in until 2015, and then it will be $3 billion a year over a 9-year period, which our generals and our Acting Secretary of Defense, Secretary Hagel, now concur with. So we are OK with defense. And, most of all, the military is OK with it.

Then we also cut domestic spending. Here, we cut $27 billion in the farm bill. It eliminates subsidies we don’t need to do anymore. The Presiding Officer is from an agricultural State. We love your cheese. We even from time to time cheer on the Green Bay Packers. So we know agriculture is important. But essentially, we have a tax subsidy structure that goes back to the 1930s—a different reality, a Dust Bowl, people vacating homes in Oklahoma and following the grapes of wrath trail to California. So we came up through the New Deal with a way of subsidizing farming, which went to more people to their land. But a lot of those subsidies aren’t needed anymore and, quite frankly, a lot goes to agribusiness for crops not even planted. So working with the Agricultural Committee— Appropriations didn’t do this out of the blue—we come up with $27.5 billion.

Much is said about asking Democrats if we know math. Yes, we know math. We have $27.5 billion cuts in domestic spending, cuts in the farm bill kicking in in 2015. That is $55 billion. Getting rid of tax-break earmarks and making those who make more than $2 million a year pay their fair share, we come up with 110. Quite simply, that is our plan.

I spoke quite a bit during this week about the impact of sequester. Sequester was never meant to happen. We have got to end sequester. We could do it this afternoon. For all those people who talk about their tears and their want it, do they want to protect America’s middle class, the 99 percent, or do they want to protect billionaire tax-break earmarks? That is the choice. So they can rally: We don’t want to pay more taxes. You can’t have a government expense account deductions while they came to lobby us. And how did they come in? On their subsidized tax-break jets and their expense accounts that they could deduct, from sushi to Cabernet. They came to tell us to raise Social Security. Then they told us to raise the age in Medicare because, after all, people live longer. Maybe when you have all that wealth you can afford health care and you don’t need Medicare. If you can afford it, you don’t need it, you don’t have to take it. If you don’t need Social Security, you don’t need to take it.

My whole point was, often the very solutions are given by people who get the most tax breaks. That is a pet peeve of mine.

But really what hurts me is this: I represent some of the great iconic institutions in America—the National Institutes of Health, the National Security Agency, each doing its own work to protect the American people. The Federal Drug Administration—I have 4,000 Federal employees keeping our drugs and medical devices safe for the American people. And food safety. We have to make sure those people work and we keep our economy strong.

The Democratic alternative is sound from the standpoint of policy, it is sustainable and reliable. We could end sequestration this afternoon.

I will be back to talk more about it. But I think we have a good idea here. Let’s not follow the politics and let’s not dither in the U.S. Senate.

Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. Baldwin). The Senator from Rhode Island.

Mr. TOOMEY. Madam President, would the Senator from Rhode Island yield for a question?

Mr. WHITEHOUSE. I yield for a question.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. I thank the Senator, the gentleman from Rhode Island.

I wish to ask a question clarifying the procedure. My understanding is there is time reserved for me after the Senator from Rhode Island finishes with his comments.

The PRESIDING OFFICER. No order has been forthcoming to that effect yet.

Mr. TOOMEY. But there will be time available?

Mr. WHITEHOUSE. Having the floor, why don’t I propose now that at the conclusion of my remarks Senator Toomey be recognized.

Mr. TOOMEY. I have no further questions. I thank the Senator from Rhode Island.

The PRESIDING OFFICER. Without objection, the Senator from Pennsylvania will be next.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am rising today in strong support of Leader Reid’s proposal to stop the sequester. We need to reduce our debt and deficit. We should do so in a thoughtful manner.

We have so often on this floor heard our Republican friends criticize Demo-
committee here: The President believes no spending, even wasteful spending, should be cut.

Well, let's look at the facts. Through the Budget Control Act of 2011 and several other measures, we have cut spending almost $1.5 trillion in the last 5 years of the budget period of the next decade. When you include interest savings—the top part—from that reduced borrowing, it comes to $1.7 trillion in spending cuts and associated interest savings.

On the revenue side, we have only generated a little over $700 billion from ending the Bush tax cuts for the top 1 percent—at least over $450,000 in income—and from the associated interest savings. This together puts us $2.4 trillion in deficit reduction toward our goal of $4 trillion in total deficit reduction that most economists agree is needed to stabilize our budget. But notice, in the balance between spending cuts and new revenues, spending cuts are ahead by $1 trillion.

The ranking member of the Budget Committee said President Obama believes no spending, even wasteful spending, should be cut. And he is $1 trillion ahead on spending versus revenues. We have cut $7 of spending for every $1 of revenue we have gotten back, so now U.S. Government revenue is at its lowest percentage of GDP in more than 50 years, more than half a century. Our proposal going forward is 50/50, spending cuts and revenues. So let's not pretend we are immune to or allergic to cutting the deficit. The middle class will be helped with those special provisions that I talked about, the loopholes, the tax spending that disproportionately benefits high-income folks. They are special deals for special interests. Of them all, perhaps the most egregious is the so-called carried interest loophole that allows billionaires—literally billionaires—to pay lower tax rates than regular families. That is why in the last election it became apparent that Mitt Romney was paying something like an 11-percent tax rate.

It is not just Mitt Romney. The IRS tracks the effective tax rates paid by the top 400 highest income earners in the country. In 2009, the last year they have data, the top 400 earned an average of $238 million each. That year's income, over $200 million each. What did they pay in taxes on average? About 20 percent. About 20 percent on average. Some paid more. The nominal rate was supposed to be 35 percent. How many people pay more than 11 percent in order to average to 20 percent? And 20 percent is the same rate that an average firefighter pays in Rhode Island, or a brickmason pays in Rhode Island. Don't tell me a billionaire hedge fund manager cannot pay a higher tax rate than a brickmason.

It is not just the top 400. The Congressional Research Service estimates that about a quarter of people in America who make more than $1 million a year are either using or alleging they are using spending cuts. There have been more spending cuts than new revenues. We have tried to find a balanced approach and so far, in this $2 trillion, we have not even looked at tax loopholes, at spending that happens through the Tax Code that mostly benefits big corporations, special interests, and super-high-end American earners.

Take a look at how big that amount is. We collect, in individual income tax revenue, about $1 trillion every year from individuals. But the total liability of individuals under the Tax Code is over $2 trillion. What happens to this other $1.02 trillion? It flows back out. It never comes into the government as revenues. It goes back to people as tax deductions, loopholes, and various ways that we spend money through the Tax Code.

If you look at the corporate income tax side, it is about the same. We look at our calculations—which, by the way, contribute about one-sixth as much into our national revenue as they used to. They are at an all-time low in terms of contributing to our national revenues in the last couple of decades—60 years, I want to say. They are at $118 billion, and that can we use to help defeat or replace the sequester.

It is a big deal to look at the tax spending as well as just the revenues that come in. We have done nothing on that yet. That should be part of this discussion. That is what we do in the proposal I put out.

Last year we spent a great deal of time in this body debating whether the top 5 percent or top 35 percent or 15 percent and 39.6 percent, and we ultimately set the rate at 39.6 percent for families whose income is over $450,000. But what we know is that many of those families will never pay anything close to that rate. The middle class deals with those special provisions that I talked about, the loopholes, the tax spending that disproportionately benefits high-income folks. They are special deals for special interests. Of them all, perhaps the most egregious is the carried interest loophole that allows billionaires—literally billionaires—to pay lower tax rates than regular families. That is why in the last election it became apparent that Mitt Romney was paying something like an 11-percent tax rate.

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Mr. LEAHY. Madam President, I thank the distinguished Senator from Pennsylvania for allowing me to go first. I assure him I will be very brief. I know the distinguished Senator from Washington State is here. She has an interest in this issue which is important to her. I am going to speak today on behalf of the cause of her very strong support of the Violence Against Women bill.

Earlier this month, the Senate came together in the best tradition of the chamber to pass the Leahy-Crapo Violence Against Women Reauthorization Act with a strong bipartisan vote. I am happy to report that the House of Representatives just passed the Senate-passed bill. This vital legislation will now go to the President, and it will be signed into law. It will help victims of rape and domestic violence and victims of human trafficking who could not wait another day for us to act. This action of Congress will prevent terrible crimes and help countless victims rebuild their lives.

Today Congress showed that we still can act in a bipartisan way. I thank Senator CRAPo for being my partner on this legislation from the beginning, and I was glad when he and Senator MURkowski, steadfast supporter, joined me on a bipartisan letter earlier this week asking Speaker BOEHNER to pass this legislation to help all victims of domestic and sexual violence. Today, the House followed the Senate’s example, and listened to the call from thousands of survivors of violence and law enforcement by passing this fully-inclusive, life-saving legislation with a bipartisan vote.

We made the Violence Against Women Act our top priority this Congress but it should not have taken this long. Our bill was written with the input of law enforcement, victims, and the people who work with victims every day to address real needs. None of those commonsense changes included should have been controversial. Still, at a time when we face gridlock and stonewalling on even the most compelling issues, I am glad to see that we could find a way to cut through all of that to help victims of violence.

This new law will make lives better. It will encourage and fund practices proven to help law enforcement and victim service providers reduce domestic violence homicides. It will lead to more services and protections for rape and sexual assault crimes and more services provided to victims of those crimes. It will also help eliminate backlog of untested rape kits to help those victims receive justice and security promptly.

This reauthorization, like every VAWA reauthorization before it, takes new steps to ensure that we can reach the most vulnerable victims whose needs are not being met. For the first time, it guarantees that all victims can receive needed services, regardless of sexual orientation or gender identity. This law strengthens protections for vulnerable immigrant victims. It ensures that colleges and universities will do more to protect students from domestic and sexual violence. This reauthorization also includes new steps to combat the appalling epidemic of domestic violence on tribal lands and to ensure that no perpetrators of this terrible crime are above the law.

The bill that the President will sign also includes the Trafficking Victims Protection Reauthorization Act, which continues and strengthens effective programs abroad to stop the operation of this scourge of human trafficking. It is unacceptable that 150 years after the Emancipation Proclamation, the evils of sex trafficking and labor trafficking, forms of modern day slavery, still exist around the world and even in the United States. It has been too difficult, but I am glad that Congress is finally acting once again to address trafficking.

I will never forget going as a young prosecutor to crime scenes at 2:00 in the morning and seeing the victims of these awful crimes. As we worked on this bill, I heard the moving stories in hearings and rallies and meetings of those who survived true horrors and had the courage to share their stories in the hopes that others could be spared what they went through. We have finally come together to honor their courage and take the action they demanded.

I thank the many Senators and Representatives of both parties who have helped to lead this fight, and the leadership of both Houses who have prioritized moving this vital legislation. I thank Representative COLE for his steadfast dedication to help preserve the protections for Native women. But most of all, I thank the tireless victims, advocates, and service providers who have given so much of themselves to ensure that this legislation would pass and that, when it did, it could make a real difference. Lives will be better because of their work and because of this law.

I yield the floor and thank my colleagues.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. TOOMEY. Madam President, I rise to address the issue of the sequestration and the Democratic and Republican alternatives. But I want to start with the fiscal reality that we are having the debate in this fashion. This is certainly among the very most important issues we are grappling with—should be grappling with as a Senate, as a Congress, as a Federal Government. Getting ourselves on a sustainable fiscal path is as important as anything we can be doing. The sequestration is an important part of that, and unfortunately the majority party here does not want to have a full and open debate and will not permit multiple amendments from both sides.

I don’t know how many ideas there are on the Democratic side. I know there are at least three or four or five different ideas on the Republican side. Frankly, I think any sensible approach to this ought to have a full and open, robust debate and I am happy to vote on every one of them. I will vote against some, I will probably vote for others. But what would we say there can only be two choices, one Democratic choice and one Republican choice? I have to say I am extremely disappointed that we have gotten to this point where we cannot have an open and fair debate on a wide range of ideas, because the challenges require that kind of response. It is very disappointing that the majority party refuses to conduct that debate and appears unwilling to have those votes.

Nevertheless, I have developed a bill, together with Senator INHOFE, which I think is a much more sensible way to achieve the savings we badly need. I will say unequivocally, we need to trim spending. We cannot continue spending at the rate we have been spending money. We cannot continue trillion dollar deficits. We have a $16 trillion debt. The massive deficits and the accumulated debt are today costing us jobs and holding back our economy, so at the rate we have been spending, the fiscal reality is stark. But I am glad that Congress is finally acting once again to address trafficking.

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I don’t know how many ideas there are on the Democratic side. I know
account the people who have given up looking for work altogether, it is much higher than that. The fact is economic growth doesn’t depend on a bloated government that is always growing.

In fact, we will have stronger economic growth as we begin to demonstrate that we can get on a sustainable fiscal path, as soon as we can start to take the threat of a fiscal collapse off the table by showing we can get spending under control. It is absolutely essential that the future of our economy and job growth that we achieve the savings of this sequester.

I am the first to acknowledge there are a couple of problems with the way this legislation goes about it, and that is the reason I introduced this legislation along with Senator INHOFE. The two big problems are, first, the savings hit our defense budget disproportionately. The defense budget is about 18 percent of total spending, but it is half of this whole sequester, and that is after we already cut $34 billion in spending. I am very sympathetic to the concern that this imposes a real problem on our defense budget.

The second problem is that the cuts are not very thoughtfully designed. There is no discretion or flexibility. The categories that are subject to the sequester are spending cuts across the board. There are huge categories that are not subjected, such as the entire Social Security Program and many other programs that are targeted at needs. But for those programs that are cut, there is no ability to discern which programs ought to be cut more or which ones ought to be cut less and which ones, perhaps, should not be cut at all.

The bill Senator INHOFE and I have introduced will be voting on today—at least the cloture motion—addresses both of these problems. It does require that we achieve the savings of the sequester—and that is very important—but it would allow the President flexibility in how it is achieved so we don’t have these very ham-handed, poorly designed, across-the-board cuts.

If the bill passes, the President will be able to go to his service chiefs on the defense side, he could go to his agency and department heads on the nondefense side and say: OK. Look, you have been used to budgets that keep growing and growing, and that is what has been happening. This year you are going to have your defense budget back a little bit. But it will be a few pennies of every dollar. Look for the programs that are working least well or not at all. Look for areas where there is waste and inefficiency. Look for redundancies, and that is where we are going to trim a little bit, and we will hit these areas. But it will be a few pennies of every dollar.

That is what competent managers in any business would do. That is what families have to do, and that is what State and local governments have to do. That is what we need to do here, and that is what the bill would enable the President to do. He would have to find the areas where we can make the cuts without causing great disruption.

This is not a blank check for the President. There are constraints on what the President could do under the legislation that Senator INHOFE and I are proposing. For instance, there could be no tax hike. We don’t think we need still more tax increases after the tax increases that have recently been enacted. The defense cuts could not be any greater than what is contemplated in the current sequester. Under Senator INHOFE’s approach and mine, they could be less. The President could choose to trim away his senior military advisers and cut the defense budget a little bit less and shift this elsewhere.

I am one who believes our defense budget should not be exempt from scrutiny, from spending discipline, and some cuts, but I think they ought to be done carefully and thoughtfully.

The President would not be able to increase any amounts. This is not an exercise in just shifting money to another budget where we can do the cuts most thoughtfully and sensibly. Any cuts in the defense budget would have to be consistent with the National Defense Authorization Act that has been passed. The President would only be able to save 100 percent of the savings; that is part of this. He could not use any gimmicks to do it. There would be no phony cuts in the future offset by promises for cuts at another time. There would be none of that. We would have to be straightforward and honest.

Finally—and I think this is an important part—Congress would have a final say. When the President—under this approach if it were to pass and be signed into law—would be required to propose an alternative series of cuts, and then Congress could vote to disapprove them if Congress chose to do that. Ultimately, Congress would still control that important element of the budget process, but we would allow the President to find the most sensible way to do this.

The President is saying he does not want this flexibility. That is kind of unbelievable to me. He is going around the country scaring the American people and threatening all kinds of disastrous things he says he will have to do. Then in the same breath he says: By the way, don’t give me the flexibility to do something else. I don’t understand that. It seems to me that if Congress wants to have an unbelievable list of options for doing it, the President needs to reduce the spending on the less vital things and continue to fund the important things.

We don’t have to only go after wasteful spending, we have an unbelievable number of redundancies in duplicate programs. I have just a few examples. We have 80 different economic development programs spread across the Federal government. We have 14,000 vacant and underutilized properties. We spend money for a cowboy poetry festival and $1 million for taste-testing foods to be served on Mars.

I don’t know about anybody else, but I think some of these are a little less important than keeping our air traffic system intact and safe. And, it seems like common sense that we ought to give the President the discretion he needs to reduce the spending on the less vital things and continue to fund the important things.

We don’t have to only go after wasteful spending, we have an unbelievable number of redundancies in duplicate programs. I have just a few examples. We have 80 different economic development programs spread across the Federal government. We have 14,000 vacant and underutilized properties. We spend money for a cowboy poetry festival and $1 million for taste-testing foods to be served on Mars.
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and save a lot of money and overhead in administrative and bureaucracy costs.

There is just any number of ways to achieve savings. Senator TOM COBURN has made an enormous contribution to our Federal Government by providing exhaustive litanies of duplication, redundancies, waste, and excesses. In addition to what I have mentioned, that would be a very useful place to begin in terms of finding alternatives. I would simply say we have a simple choice here. This sequester is going into effect. Nobody here suggests they have the votes or they have a way to prevent it. So the question is, Are we going to achieve these savings through badly designed spending cuts that make no attempt whatsoever to distinguish between more sensible government spending and less sensible government spending or will we adopt this bill that Senator INHOFE and I have in- troduced which will give the President the flexibility to cut in spending where the cuts would not be painful, where there is waste, and where there are excesses? We are talking about what will amount in actual outlays to a little over 1 percent of the total government spending. This is something that has doubled in size in the last 12 years.

The people in Pennsylvania who I represent don’t believe that every dollar of government spending is spent wisely and prudently and is necessary. They know that there is a lot of waste. This is all about the next 6 months. As we know, the $1.2 trillion in savings in subsequent years is achieved by statutory spending caps. In those years the savings will be figured out by the Appropriations Committee, which is where this should be happening. I wish we had taken up an appropriations bill over this last year, but we didn’t. At least given the reality that we face, we have an opportunity to avoid the kind of calamity and disaster that is being threatened and is completely unnecessary.

I hope we do the commonsense thing and adopt a bill that will give the President the flexibility he needs to make these cuts in a rational and sensible fashion. We need to achieve the savings for the sake of economic growth and job creation. This is no time to trade higher taxes for more spending, as my Democratic colleagues would prefer. This is a time to make sensible spending. We can do that, and I urge adoption of the measure that Senator INHOFE and I have proposed.

Iyield back the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mrs. MURRAY. Madam President, in the last 2 weeks we have learned more and more what the across-the-board cuts for sequestration really mean for our families and our communities that we are representing. We have heard of workers who are on pins and needles about getting a layoff notice. We have heard from businesses that are experi-encing fewer customers. We heard from school superintendents wondering how they are going to absorb deeper cuts on the budgets that are already extremely tight.

After 2 years of watching our econ-omy limp along in a crisis, I think we can all agree the American people have dealt with more than enough of this. That is why I am here today urg-ing our colleagues to support the American Family Economic Protection Act which will replace the automatic cuts from sequestration in a responsible and a fair way.

Our legislation builds on the prece-dent that was set in the year-end deal, and it is in line with the balanced ap-proach that the American people favor. It would replace the first year of the sequestration with equal amounts of responsible spending cuts and revenue from the wealthiest Americans and big-gest corporations. Half of the deficit reduction would come from responsible cuts and divestiture between domestic and defense spending.

As the drawdown from Afghanistan is completed, our bill will make targeted reductions in an overall defense budget which will be phased in responsibly as our nation’s security is actually completed and are in line with the strong military strategy for the 21st century.

Our bill would eliminate the direct payments to farmers that have been paid out during times for crops that are not grown. Those are the kinds of cuts we can and should make, because responsibly tackling our debt and deficit is crucial to our country’s long-term strength and prosperity.

But to do this in a way that puts American families and our economy first, we are all going to have to do our fair share, and middle-class families and seniors and the most vulnerable Americans shouldn’t be asked to share the whole burden alone.

Our bill would replace half the se-questration with new revenues from the wealthiest Americans and biggest corporations. It calls on the wealthiest Americans to pay at least the same marginal tax rate on their income as our middle-class families pay. It will help reduce the deficit by eliminating a tax break that encourages companies to ship jobs overseas and by getting rid of a special tax loophole for oil compa-nies—and, by the way, 56 percent of Americans is too high a price to pay—open up nondefense spending to-wards unneeded expenses, and give the President the power to decide which categories of cuts we make so that we can achieve the savings we need in an efficient way.

My Republican colleagues will say the year-end deal closed the door on revenue. Most of them seem to think that closing loopholes for the richest Americans is too high a price to pay. They want to see a balanced replacement, and with responsible deficit reduction the way our bill does, the Republican bill simply hands the problem off to the President. Instead of making the tough decisions required to replace those cuts with responsible deficit reduction the way our bill does, the Republican bill would protect defense spending from cuts, open up nondefense spending to more cuts, and specifically prohibit raising revenue to replace the cuts.

One of my Republican colleagues who is very concerned about the cuts to de-fense spending that would be locked in by this Republican bill called this ap-proach “a complete cop-out.” That
same Republican said if something such as this were to pass, Republicans would be forcing President Obama to make impossible choices and then “every decision he’ll make, we’ll criticise.”

Another Republican opposed this approach as well, saying, “I believe the appropriations process belongs in the legislative branch.” That is us.

The Republican bill will be devastating to our economy. The Congressional Budget Office has estimated that sequestration would cause 750,000 workers to lose their jobs by the end of this year. They estimate the economy would shrink by six-tenths of a percent by the end of the year. Federal Reserve Chairman Ben Bernanke said on Tuesday that rearranging these cuts would not have any substantial impact on the near-term economic picture.

Republicans have spent months talking about how they would not raise taxes on the rich and that we need a cut-only approach. But now they can’t even agree on a bill that names a single cut. They want the President to do it. Leader Reid and Leader McConnell agreed to have these votes we are having today over 2 weeks ago, and it took the bill last night to decide what they were even going to bring to the table. After all that time, they decided to play political games and not make any of the tough choices.

Tackling our debt and deficit is a serious issue, so I hope Republicans get serious. I hope they will listen to their constituents, come back to the table, and work with us on a responsible replacement to these automatic cuts that are scheduled to begin tomorrow I urge my colleagues to support our approach, the American Family Economic Protection Act, and to oppose the Toomey-Inhofe bill.

VAWA

Before I yield the floor, I wish to say that I am very pleased the House of Representatives just took up and passed the long delayed, very hard-won, and badly needed victory for millions of women in this country, the Violence Against Women Act that was just passed. That means that after over 16 months of struggle, tribal women in this country, the LGBT community, immigrants, and women on college campuses will now have the tools and resources to live their lives without violence.

The passage of VAWA today is validation of what we all have been saying on this side, and I am proud of the Senate for its bipartisan work. I see Senator CRAPAN here today, and I thank him for his leadership on this critical issue. I have heard from so many women throughout this months-long battle, and I especially want to mention one woman today: Deborah Parker, a member of the Tulalip Tribe from my home State who happened to be here the same night those many months ago when Congress wanted to dump the tribal provisions in order to move the bill. She stood up with all the courage she could muster and told the story she had never told before about the abuse she had suffered while she was a very young girl and watching the same person who abused her abuse other tribal members because she had nowhere to go for recourse.

Today, that changes, for Deborah Parker and for thousands and thousands of other tribal members and other women and men in this country. This is happening in their work places, and I am very excited that this President is going to sign this bill into law and pass something that is going to make a difference in the lives of many Americans.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, as I look at my watch, the clock is ticking toward midnight. Midnight becomes March 1, and that is the point at which the sequester kicks in, which is the across-the-board cuts—hardly massive when this year it will be about 1.2 percent of our total outlays this year. So, I am not making a massive ‘no deal’ statement, for that can be used with any credibility; but, nevertheless, this is going to happen.

Republicans have proposed a way to address the President’s concerns—the very concerns that have been stated on this floor—including the concern that across-the-board cuts is no way to govern because it doesn’t separate the essential from the nonessential. I think we as Republicans couldn’t agree more. It is not the best way to govern, because it treats everything on an equal basis and basically says that every Federal program, no matter what its performance over the years, doesn’t deserve a look at how to adjust it for its lack or strength of performance. It doesn’t separate the essential functions of the Federal Government from the “this is what we would like to do but can’t afford to do right now.” So, to say that this government and the out-of-control spending that has occurred over these last several years is totally functional and that every penny we have spent is wisely spent and has been done in the interests of the taxpayer and protecting their hard-earned dollars, and that the money we are extracting from them is being spent on some of the things which happened less than 2 months ago on every American; every American’s paycheck was reduced. It is not just the millionaires and billionaires who took the hit, because $820 billion over the next 10 years of money coming out of Americans’ paychecks. So, for someone to say that what we are doing is massive when this year it amounts to a 1.2-percent cut in total spending, when virtually every business in America, every family in America has had to tighten their belt and then to simply say we don’t have a spending problem, as the President famously said, defies common sense.

We don’t need fancy explanations or fancy words such as “sequester” for the American people to understand what is happening to them and their States having to tighten their belt. They see the companies they work for having to tighten their belt. And, as families, they see themselves having to cut back on some of their spending or some of their intuitions because they no longer can afford to do it. The only entity they see in the United States not addressing a fiscal imbalance is the U.S. Government.

In an attempt to deal with this a year and a half ago, Congress passed the so-called sequester. The sequester was a fallback in case we weren’t able to come to grips with the problem we have and reach an accommodation, an agreement, on how to address it in the best way possible. This was the fall-safe. And all the attempts, starting with the President’s own commission, which he rejected, and then the Gang of Six proposals, and then the super-committee of 12, all of the efforts, none of them on a majority basis, for whatever reason did not succeed. So, what was put in place to drive a solution, didn’t drive a solution, and as a result, here we are with a sequester. But, to say the sequester cutting; this is not what’s going on, is going to make the sky fall and cause a total economic meltdown and keep people from getting on their planes and keep us from ordering meat because meat inspectors can’t go to the meat processing plants to certify the quality of the meat, and all of the things the President is out campaigning for, for his own program—it was the President’s idea. Maybe it was his staff, but he certainly had to agree to it. It was proposed by the President and now he is campaigning against it. The fact is, it wasn’t that long ago when he said if it didn’t go into effect, he would veto it. So there has been a real change here, and I won’t go into the motivation for all of that. There is also talk about balance. Balance is a code word for new taxes and for more taxes. It has been said over the past couple of years, during the campaign and leading all the way up to the fiscal cliff vote, that Republicans won’t take 1 penny from the rich when they just took $620 billion from the rich; there-fore, what we need are more taxes on the American people to achieve balance.
It seems the White House has an obsession with solving this problem through increasing taxes and not wanting to make the hard decisions to cut even 1.2 percent of our total budget—2.4 in succeeding years. To say we cannot, or oversight in spending is an insult to the taxpayers to keep sending them hard-earned money to Washington in order to cover that spending—when Senator Coburn, Senator Toomey, when many of us—I have been standing here every day in virtually every session basically saying, just through waste and ineffec-
tive programs we can easily come up with this amount of money. Everyone else in America has had to do it. Why can’t we?
The Senate has heard over and over is that this is such a terrible way to address it that we need the flexi-
bility so these agencies can move the money around and take the money from the nonessential programs to keep the security at the airports with the FAA and the air traffic controllers and also keep the meat inspectors and the others who are essential.

In order to keep them from having to take the hit, we came up with the idea—Senator Toomey and Senator Inumbo—that gives the executive branch the flexibility. That is what they have been asking for all these years. If we have to have the sequester, just do not do it across the board be-
cause it forces us to do things we do not want to do. But if we had the flexi-
bility—if you could give us the flexi-
bility—then we could move the money within the accounts and we would still reach the same amount of cuts—the 1.2 percent of this year’s budget—but we would have灵活性 to spend the money to scare people or keep people waiting in lines at airports for 4 hours and do all the things, all the doomsday scena-
arios that have been proposed by the President and his Cabinet members.

We bring that forward and then sud-
denly there is a 180-degree reversal on the other side, which basically says: No, no, no. We do not want flexibility. That is not the way to do it. Well, what do you want? Yesterday you wanted flexibility. Today you gave it back, and today you are saying: No, we do not want that. It sounds like what they want is only a solution to this problem if there is a big increase in taxes.

This word “balance,” which I say, is a code word for taxes. I just came from the Joint Economic Committee where a very respected economist, Michael Boskin, said: Balance is not 50-50 if you want economic growth because every dollar you raise in taxes is a hindrance to economic growth. He said: I am not saying that we should not be increasing taxes. But the ratio should be “5 or 6 to 1.” If you want to position this country for growth, you need about five to six times the amount of spending cuts as taxes increased.

So balance—50—50 according to a very respected economist and many others—I do not know of anybody who said raising taxes encourages growth because it takes money out of the pri-

vate sector and puts it to the public sector. But rather than get into that argument today, what the President defines as balance is simply evermore taxes to solve our problem, when we know that after 4 years of effort here that has not worked, and it will not work.

Mr. Durbin. Mr. President, will the Senator from Indiana yield for an unani-

mous consent request? I will yield the floor right back.

Mr. COATS. I am happy to do that.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that notwithstanding the provisions of Rule XXII, the Senate resume the motion to proceed to S. 16 and the Senate proceed to the cloture votes on the motions to proceed as pro-

vided under the previous order, with the time until 2:30 p.m. equally divided between the Senate leaders and all other Senators.

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

Mr. DURBIN. Mr. President, I thank my colleague for yielding.

Mr. COATS. Mr. President, I am going to wrap up because my col-

leagues want to speak also.

But, let me say this: I have been say-
ing from this platform, and I have been say-
ing from everywhere people will lis-
ten that we need to move to a solution to the problem. The solution to the problem involves, I believe, three or four essential elements, and I think there is widespread consensus on this among Republicans, Democrats, Demo-

crats, Republicans, economists, and others. Unless we address that which is growing out of control—which is our mandatory spending—no matter what we do on the spending level and no matter what else we do, we are not going to solve this problem and we are going to keep careening from short-
term fix, short-term measure to the next one, from fiscal cliff to fiscal cliff.

Already, we have another cliff which people are talking about to go over at the end of this month, where we have to fund the government for the rest of the year. That will be another drama, soap opera, played out before the American people. In May, we hit the debt limit.

None of this is necessary. None of this had to happen if we had taken the steps we knew we needed to take that were presented in the Simpson-Bowles presentation to the President years ago and, unfortunately, rejected that and bankrupting us, we are headed for cata-
trophe, we are headed for insolvency because this mandatory spending is growing out of control and the amount of discretionary spending we have which we can control is ever shrinking.

Yes, we need to sort out the fat, the duplication. My colleagues and I have been laying out things that I do think any American who looks at it carefully will agree we do not need that, of course that is not an essential function of the Federal Government. It has had a miserable performance as a program. Why do we keep throwing money at it, particularly at a time of austerity when so many people are out of work?

Yes, we need to do that. But that needs to be coupled with what I think there is almost full agreement on: The need for comprehensive tax reform. That is where closing the loopholes, which Republicans are willing to do in order to lower the rates, to make us more competitive and make our Tax Code much simpler and much fairer—that needs to happen. Of course, it cannot happen if we take closing loopholes and use it for spending, which is what the President wants to do instead of using it to make our code simpler, fairer, and make us more competitive around the world and to promote growth.

This is a proven process. Unless we put that together with some regulatory reform—but most important of all and most essential of all is to address the runaway mandatory spending, which if not addressed will undermine the sanc-
tity and the solvency of entitlement programs such as Social Security and Medicare. The trustees—do not trust a Republican conservative saying this—the trustees of the programs have said: “You have to deal with this, and the longer you put it off, the tougher it is and the more painful it will be.”

This morning, again, Dr. Boskin and even Dr. Goolsbee—the President’s former Economic Council head—said you have to do this, you have to take it on, to, one, save the programs, two, save the country from bankruptcy, and, three, give us the opportunity to have funds to pay for the essential functions of government.

We are not against government. We want it to be leaner, more efficient, more effective. My State has taken measures that quintuple what is being talked about here. We ended up achieving a surplus. We have a AAA bond rat-
ing. We have put our State government, the most efficient spending, which is the government with taxpayer dollars of any State in the country.

It can be done, and it can be done here. But what we have that is dif-
ferent from what our States have is the fact that mandatory spending—that spending which we have no control over—is eating our lunch. Until we step up and deal with it, we are not going to solve this problem; we are going to keep careening from crisis to crisis.

And I say to the President: We are not at odds with the sequester going in place—can we step up and sensibly adjust it through flexibility in terms of how we reach
that goal? Can we summon the will and the political courage to do what we all, I believe, know we need to do; that is, simply to do what is right for the future of America—America’s interests not our own political interests?

Finally, this cannot be done, despite all the time, all the efforts made, many on a bipartisan basis—Simpson-Bowles was bipartisan, the Gang of 6 was bipartisan, the Committee of 12 was bipartisan. It is not true we are at a standoff in terms of how we move forward. What we have not had is leadership from the White House. Something of this magnitude cannot be done without Presidential leadership, and the President has refused to do anything other than plead on a campaign basis for yet evermore taxes, which he calls balance.

So that is our challenge.

We need you, Mr. President, to lead the way. We will work together with you in putting together a package which is balanced and just, and right ratios of spending. We will work together to do what is right for the future of America and not what is right for our political future this year or next.

I guess we are pleasing with the President. Similar to Presidents of the past—Ronald Reagan, a Republican, and Bill Clinton, a Democrat, took on the toughest issues and together we worked for the benefit of our people and for the future of this country and we made enormous strides in that regard. But it would not have happened had the President not become engaged. At this point, the only engagement the President has made is to call for higher taxes and go out and campaign against the way. We will work together with you to see there are areas in Congress where we can come together to support these important causes.

This act provides critical services to victims of violent crime as well as agencies and organizations that provide services to all individuals. For nearly two decades, the Violence Against Women Act has been the centerpiece of our Nation’s commitment to ending domestic violence, dating violence, and sexual violence. This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation’s communities. It provides interventions to prevent witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn.

There is significant evidence that these programs are working not just in Idaho but nationwide. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008. In 2012 it was reported that in 1 day alone, 688 women and their children impacted by violence sought safety in an emergency shelter or received counseling, legal advocacy, and children’s support.

These important provisions are making a difference in the lives of people across this Nation. I again wish to commend all of my colleagues who supported this legislation and helped to move this critical piece of legislation to the President’s desk.

Mr. CORKER. Mr. President, I rise to speak about the vote we are going to have today at 2:30 regarding sequestration, and I wish to strongly support the notion of giving the executive branch the flexibility it needs over the next 7 months to work through this situation in a more graceful way.

Instead of the negative for the American people, we are going to spend $47 trillion of your money over this next decade. It was incumbent upon a bipartisan group about a year ago to try to come up with about $1.2 trillion in savings over the next 10 years. Believe it or not, that didn’t happen. The sequestration was a method to ensure that at least there was some reduction in the growth of spending. I do want to say that there have been a lot of discussions and the only thing worse in spending.

The overall effect of sequester over this 10-year period is not to reduce any spending but to slow the growth of spending over the next 10 years. We are one of the few entities in the world that don’t budget over the last year’s spending. It is not like your city, your county, your State government, your household, or your business. We budget off of projections and growth.

I ask a year ago that was for six Republicans and six Democrats to come up with $1.2 trillion. It is beyond belief that this did not occur. The sequester was put in place as a mechanism to ensure that there at least was some slowing of growth. The first 7 months of the sequester is the most ham-handed portion of it. It is cut at the PPA level. It is across the board and focused on two important categories. I agree that it is ham-handed, and it is only thing worse in sequestration, in my opinion, would be kicking the can down the road on some much needed fiscal discipline here in Washington.

I hope what we will do today is get behind a very thoughtful proposal that would say: Look, we are still going to reduce spending by this amount, but we are going to give the executive branch, because this first 7 months is happening so differently, we are going to give them the flexibility it needs over the next 7 months to work through this situation in a more graceful way.

Republicans thanked me because it was a way for us to at least begin turning the curve in a different direction.
and certainly still having the cuts that are necessary in growth, I might add, not in real spending. That is where we are.

We have a proposal, the Tooney-Inhofe proposal, which gives the executive flexibility. It is the way to work through this. It is my understanding they don’t want that flexibility. I can’t imagine being President of the United States and having something that I thought was a little bit ham-handed and bureaucratic, look, we will candidly defer to you to make some transfers.

I have spoken with some of the folks in our security apparatus in this Nation. The good news to me: Cornyn, look, we understand we are going to have some reductions, but if you would just give us some flexibility, we could work through this gracefully. We could live within these constraints.

Speakers on the other hand, I want to say that there is a number that has been thrown out of $85 billion over the next 7 months. Again, know that this is Washington’s language. We are really only talking about half that in real expectations. We have budgeted amounts and then we have outlays. We do things very differently than do most people back home. This is not nearly the amount of reduction people are talking about as far as real money flowing out.

I strongly support the Tooney proposal, the Inhofe proposal. I hope others will join in and at least move to debate this issue. I have a sense that is not going to be the case today. Mr. CORZINE, look, we understand we are going to have some flexibility. Hopefully, on a bill that would allow the executive branch to have the flexibility it needs to work through this in a way that is least harmful to the American people, and if that doesn’t work, another step—continuing resolution in 3 or 4 weeks—there is another way of hitting this in an intelligent way.

I hope we have the opportunity to work this out in a way that is better for the American people. At the same time, I hope there will not back away at all from at least $1.2 trillion in spending reductions. I wish we would move later this year into real tax reform, which is really where all the money is.

To the American people, the reason we are moving to sequester and the reason we are cutting discretionary spending is we don’t have the courage in the Senate to deal with entitlements. When the word “entitlement” comes up, everybody runs for the hills. They know where the money is—62 percent of our spending. If in 10 years, combined with interest, will be 90 percent of our spending.

The reason we are here today is this body has not come to terms with the fact that we need to reform entitlements for these two reasons: to make future generations and certainly people who are getting ready to retire.

This situation is a shame, and so we are going through this pain again due to a lack of courage in the Senate to address the problem. That is a shame, and what you are going to see playing out is solely because of that.

As a matter of fact, I am understanding that if the Appropriations Committee wanted to, they could pass out an omnibus—not a CR but an omnibus—that has already gone through the checks. I think the two staffs have been talking about it; I don’t like talking about it at the House and the Senate. It is my understanding that they could pass something out in a week. I think there are going to be some discussions about this later in the majority leader’s office. Hopefully, we will give the green light to the Appropriations Committee to move ahead with something like this, which would be very sensible, in my opinion. I think most people around here would love to see something actually happen under regular order.

These reductions are necessary, in my opinion, to get our fiscal house in order. Much more needs to be done beyond this $1.2 trillion—much, much more. I don’t think there is anybody who doesn’t want deficit reduction greater than $1.2 trillion needs to occur. Right now we are focused on the cuts side. We focused on the income side at the end of the year.

As we move ahead and are able to deal with the Appropriations regular order, where committees have looked at the impact, this is the best way to go forward.

Again, sequester will kick in tomorrow. I think we all understand that. There is a bill that would allow the executive branch to have the flexibility it needs to work through this in a way that is least harmful to the American people, and that doesn’t work, another step with a continuing resolution in 3 or 4 weeks—there is another way of hitting this in an intelligent way.

I hope we have the opportunity to work this out in a way that is better for the American people. At the same time, I hope there will not back away at all from at least $1.2 trillion in spending reductions. I wish we would move later this year into real tax reform, which is really where all the money is.

To the American people, the reason we are moving to sequester and the reason we are cutting discretionary spending is we don’t have the courage in the Senate to deal with entitlements. When the word “entitlement” comes up, everybody runs for the hills.

I have a bill which would deal with that. LAMAR ALEXANDER, my colleague from Tennessee, is a cosponsor. It was based on Bowles-Simpson, Domenici-Rivlin—bipartisan concepts.

For some reason, when it comes to dealing with the real issues of America, this body runs for the hills. Hopefully, soon we will be brought back together and we will deal with this in a mature way, deal with the real issues our Nation is dealing with, solve them, put it in the long perspective, and all of us will come together and focus on those things that would make our country stronger.

I ask unanimous consent that all quorum calls before the votes at 2:30 P.M. today be equally divided.

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

Mr. CORZINE. 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. 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.

Mr. SESSIONS. Mr. President, we have heard a lot of discussions recently about the author Bob Woodward and his comments about spending and the sequester. It is important for us to understand this. This is not an easy matter. We have a lot of confusion, I think, as to what has been happening in the last seven days. So from my perspective, as ranking member on the Budget Committee, I wish for all of us to understand the issue that is at stake.

Here is what Bob Woodward said in his Washington Post Op-Ed earlier this week:

So when the President asked that a substitute for the sequester include not just spending cuts but also new revenue, he’s moving the goalpost.

And when the President talks of spending cuts, he’s referring to some other spending cuts somewhere in the government so that they do not fall so hard on defense, for example.

But Bob Woodward goes on to say—referring to the President’s request for a substitute—that was not the deal he made.

So we need to all remember what happened was that in August of 2011, as the American people focused and spoke strongly in the 2010 election, the debt ceiling was reached. We couldn’t borrow any more money.

Since we are borrowing almost 40 cents out of every dollar, it amounted to a 40-percent cut in spending, had we not raised the debt ceiling. So it was important to raise the debt ceiling, but it was also important to do something about the surging debt. So a bipartisan agreement was reached, and the agreement basically said we will reduce spending by $2.1 trillion, and we will raise the debt ceiling $2.1 trillion.

The good news, for those who wanted to keep spending, was that we spread
the spending cuts over 10 years. But we have already reached the debt ceiling again. We have already spent $2 trillion more than we took in. We have to deal with that again very soon.

I would like to say this to my colleagues: I do not believe that increasing the debt by $7 trillion is called for. The debt of America by simply constraining the rate of growth in spending. Instead of going up $10 trillion, it would go up $8 trillion. Instead of adding $9 trillion to the debt of the United States, $7 trillion to the debt of America by simply constraining the rate of growth in spending. It was not cutting spending. Except the way the sequester part of that agreement was reached, the cuts fell disproportionately on defense and maybe a few other programs. And over 10 years, defense would take a real cut. This isn’t war costs. This is a fundamental problem.

What I would say to my colleagues is this: Please don’t come in and say, there are loopholes we can close or we can tax the rich more here and we can do this, that, and the other in order to bring in more revenue and to spend more. You see? But we agreed to a new baseline in spending. It passed the House and the Senate and the President signed it into law. He agreed to it. And he was the one who insisted on the sequester, even though he has denied it since. He got that, he and his budget director, Mr. Lew, whom he just promoted to Secretary of the Treasury. So he agreed to that. And closing loopholes is simply a tax increase, of course.

So if we agree at some point to close loopholes, it ought to be part of tax reform and it ought to be part of reducing the deficit, not funding new spending. Because, you see, we have agreed to this new baseline. When the President says don’t do the sequester, the sequester amounts to $1.1 trillion out of the $1.2 trillion 매년 budget. So he is talking about increasing spending over the amount he just agreed to 19 months ago. He is talking about increasing spending at a time this Nation has never faced a more serious systemic financial debt crisis. And his excuse is that we will close loopholes. But you see, reducing the amount of new debt we incur over 10 years from $9 trillion in to $7 trillion is not enough. The President and his allies have spent a lot of time misleading the American people about that as well.

If you describe the sequester using the worst possible numbers, it is an $85 billion reduction from $3.5 trillion of yearly Federal outlays—yes, that is $85 billion out of $3.5 trillion. When all is said and done, it is a reduction of less than 2.5 percent from overall Federal spending. And, as the Congressional Budget Office has made clear, not all of the $85 billion in reduction will even take the form of reduced spending this year. Even if it did, keep in mind that $85 billion would represent less than 9 days of Federal spending, based on the rate of spending last year. One again, that is if you describe it in the worst possible terms. At this moment, let’s go with those numbers.

The President would have the American people believe that a 2.4 percent reduction in Federal spending out of $3.6 trillion will cripple our government and irrepairably damage our economy, even an economy that the President must have felt was strong enough to absorb a $600 billion tax hike back on New Year’s Day. The ramifications of the 2.4 percent spending reduction are so great, according to the President and his allies here in Congress, that the only alternative is to raise taxes yet again.

I will be the first to admit there are better, more responsible ways to reduce the deficit than the President’s indiscriminate sequester. But these scare tactics don’t even pass the laugh test. Does the President really expect the American people to believe our government is so fragile it cannot absorb a 2.4 percent spending cut—less than 9 days of Federal spending—without inflicting massive damage on the American people and our economy? Apparently so.
Once again, I am describing the sequester in the worst possible terms just to demonstrate the outlandish nature of the President’s arguments. However, when you look at whether the sequester even represents a reduction in spending, you find the claims are even more extreme. When you look at whether we are cutting spending at all relative to past periods, you can easily see we are not, even with the sequester. The so-called spending cuts in the sequester are actually increases in spending levels. We should all remember that in fiscal year 2014, spending levels were moderately elevated as a result of the President’s stimulus and other “temporary” spending measures passed in response to the financial crisis and recession. So, in other words, the sequester reduces spending only if you are measuring against an extremely high baseline that was, at that time, supposed to be temporary.

Whether something is an increase or decrease depends on what you are measuring against. If you measure relative to a big number—such as the Democrat-fueled spending of 2010—then proposed spending looks like a cut. But if you look at spending levels relative to more reasonable baselines, you will find that spending will actually be up even with the sequester in place. For example, you will see what post-sequestration spending looks like relative to a more reasonable baseline.

According to the Congressional Budget Office, baseline estimates for post-sequestration discretionary budget authority total $307 billion for fiscal year 2013. The average during the Bush years, in inflation-adjusted fiscal year 2013 dollars, was $397 billion. Neither of these figures includes spending on wars or emergencies, so this is an apples-to-apples comparison.

In adjusted current dollar terms, post-sequestration spending this year will be more than $20 billion higher than the average during the Bush years. Someone may have to refresh my memory, but I don’t believe the government ceased to function during the Bush years. I certainly don’t remember hearing anyone express concern about the elimination of basic governmental services. In fact, I don’t think anyone remembered the Bush years as being a time of spending restraint here in Washington. In fact, we have had President Obama claim it was the extravagant spending of the Bush administration that, in part, caused our current budget woes. Yet now the President is telling the American people that a return to those spending levels will devastate our country, leaving children hungry and our border unprotected.

Not surprisingly, the President and the Democratic leadership’s solution to this problem is more tax hikes, which makes these claims about the impact of sequestration all the more transparent. Indeed, it appears that the President’s current campaign on the sequester is less about reaching an agreement to replace the sequester than it is about satisfying his drive to once again raise Americans’ taxes while also serving his desire to vilify Republicans, no matter what the costs to the American people.

I don’t minimize the negative impact the sequester may have in some areas. I think there are very few of us who would not like to see the President’s indiscriminate sequester cuts fall, and those responsible spending reduction alternatives. There are alternatives to the approach we are debating today. But whatever we do, we should do it through regular order.

Today we are yet again debating a bill that has bypassed the relevant committees of jurisdiction. Regular order has become the exception rather than the rule here in the Senate, things have gone beyond what the President remembers the Bush years as being a time of spending restraint here in Washington. Someone may have to refresh my memory, but I don’t believe the government ceased to function during the Bush years. I certainly don’t remember hearing anyone express concern about the elimination of basic governmental services. In fact, I don’t think anyone remembered the Bush years as being a time of spending restraint here in Washington. In fact, we have had President Obama claim it was the extravagant spending of the Bush administration that, in part, caused our current budget woes. Yet now the President is telling the American people that a return to those spending levels will devastate our country, leaving children hungry and our border unprotected.

Not surprisingly, the President and the Democratic leadership’s solution to this problem is more tax hikes, which makes these claims about the impact of sequestration all the more transparent. Indeed, it appears that the President’s current campaign on the
would save the government $115.5 million over 10 years.

There are numerous other places where we can cut spending immediately. Instead of pursuing the Democrats’ tax hike strategy or the President’s defense sequester, we should instead sensibly restrain spending through proposals such as these.

I anticipate that some of my friends on the other side will argue we should pursue these spending cuts in addition to passing more tax hikes. My response is that we should be saving all of these revenue raisers for future tax reform efforts.

There is a growing bipartisan consensus here in Congress in favor of comprehensive tax reform. The leaders in both the tax-writing committees are committed to this effort, and I believe we have a real opportunity to accomplish something on tax reform this year. However, if we start closing loopholes and eliminating preferences now in order to avoid the sequester, they won’t be there to help us lower marginal tax rates later on when we are working on tax reform, which will make an already difficult process that much harder.

Ultimately, if we follow the path my Democratic colleagues want us to take, we will be raising taxes on the American people while at the same time hampering future tax reform efforts. This is simply not the way to go, particularly if we are going to avoid the sequester, they won’t be there to help us lower marginal tax rates later on when we are working on tax reform, which will make an already difficult process that much harder.

I want to work with my colleagues on both sides of the aisle to find a way to restore the deliberative traditions of the Senate by allowing the committees to do its work. If we can return to regular order, the words “honest leadership and open government” will be more than a campaign slogan. The American people should expect nothing else.

I understand my unanimous consent will be objected to, and so I ask unanimous consent that I be immediately recognized to make this unanimous consent as soon as the distinguished chairman of the Finance Committee arrives.
and hear both sides and hear the top experts in the country. I feel very badly that this simple motion has to be objected to. I feel badly because I know neither of the amendments that will be filed, that will be heard or voted on, are going to pass. One reason they will not is because we have not followed the regular order.

Mr. INHOFE. Will the Senator yield?

Mr. HATCH. I am happy to yield.

Mr. INHOFE. I asked unanimous consent that after the two of you went through this. Can I inquire as to about how much longer it will be? I am the author of the bill that is coming up in just a few minutes.

Mr. BAUCUS. Will the Chair indicate the time remaining?

The PRESIDING OFFICER. There is 22 minutes.

Mr. BAUCUS. Madam President, I ask which side has the 22 minutes?

The PRESIDING OFFICER. The majority.

Mr. BAUCUS. I will be glad to yield time to my friend from Oklahoma.

Mr. INHOFE. I appreciate that. It is my understanding, responding to my friend, that the other author of this bill, who is a Democrat, would like to be heard for 2 minutes prior to the vote. I would like to be heard for a few minutes of time.

Mr. BAUCUS. At this time?

Mr. INHOFE. Right after his time, yes.

Mr. BAUCUS. I don’t fully understand. I am happy to yield 10 minutes to the Senator from Oklahoma.

Mr. INHOFE. I appreciate that.

Prior to the time we propounded the unanimous consent request, I was talking about my frustration about what has been happening fiscally in this Senate during the last 4 years and the mere fact that under this administration we have increased deficits by $5.3 trillion. Now we are trying to come up with a budget that is less than that in a period of 10 years. To me, people look at that and say: What is this all about? But that is not the reason I bring this up.

I bring this up because the amount of money that has come out of the military is actually a reduction. If you look at the increase in the spending in the last 4 years, it has all come out of defense accounts, so it is defense that has taken the hits on this. Government has expanded approximately 30 percent across the board. At the same time our military has been reduced in terms of defense accounts, so it is defense that has been reduced in terms of our budget for defense accounts.

Anyway, when this came up a few weeks ago, I thought it was not going to happen. I thought we were going to have something come up and change this whole idea of having to make these reductions. So what I did at that time was draft a bill. The bill merely said if we are stuck with sequestration, let’s allow the chiefs—speaking of the military—to reevaluate everything. Let’s allow the chiefs—speaking of the military—to reevaluate everything. That is including so they can look and see where we can take cuts and it will not be as devastating.

In fact, I called each one of the five service chiefs and I said: Would it be less devastating if you were able to take the same amount of money out but take it out selectively, out of accounts where it would be not as significant?

They said: Yes, it would.

I said: Would you be able to prepare for this in the next 4 years?

The answer is yes. That is where we are today. They said they are able to do that.

The frustrating fact is this President—I am getting criticized on both sides. People are saying you are giving too much to the President. We are not because we have safeguards in here, which I will explain in a minute. But at the same time, the President comes out and says he will issue a veto threat against this bill. What does this do? It gives flexibility for the President.

I am going to read something. This is a statement that President Obama said on February 19, 2013. He said:

Now, if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won’t consider whether or how to extend the across-the-board cut, a program that has outrlived its usefulness, or a vital service that Americans depend on every single day. It doesn’t make those distinctions.

He goes on to say that he wants that flexibility. This is the President asking for it on February 19, 2013. Here we come along with a bill that gives him that flexibility with certain restrictions so that he can’t pick and choose areas that we find are against the policy that has been set. I will give an example.

We had the National Defense Authorization Act. It was one that took months and months to put together. It took a long time to put together, and we made evaluations, with a limited budget, on what we could do. All this does is if we have to make some changes from the across-the-board cut, let’s make the right cut with the National Defense Authorization Act.

In other words, all those weeks and months of work by the Senate Armed Services Committee and, I might say, the House Armed Services Committee would not be in vain. Those cuts would be consistent with the intent, to make sure the President would do this.

A lot of people say we can’t trust the President; he is going to put more cuts in place. I am keeping with what the Senate Armed Services Committee wants. But we have a provision called a congressional disapproval mechanism. That means if the President doesn’t do what the intent of this legislation is, then we can go ahead and disapprove it.

We have those two safeguards. One is they have to follow the criteria that is consistent with the Senate Armed Services Committee, the national defense strategy, which is the House and the Senate. To be sure we will be able to do that it has the disapproval mechanism.

People do not realize the costs of this. If you take the same amount of money that we are talking about in sequestration and allow the service chiefs to massage this and make changes, give them flexibility to go and programs that are not as significant as some that might otherwise be cut—the bill allows the President to listen to the advice of his military leadership and offset some of the devastating impacts of sequestration. If the sequester is allowed to take place and the congressional resolution is not fixed, the Department of Defense stands to waste billions of dollars through the cancellation of contracts.

People don’t think about this. We make commitments backed by the United States of America that we are going to do certain things. A lot of these are contracts such that if they are terminated it could cost quite a bit of money.

The termination of multiyear contracts is something that we would be concerned about. Providing the Department of Defense flexibility to determine how these cuts will be implemented will let us take this into consideration.

At this point, I ask the Senator from Pennsylvania how much time he would like for his concluding remarks.

Mr. TOOMEY. Madam President, I thank the Senator from Oklahoma. I will only ask for a minute or two to make my closing comments.

The PRESIDING OFFICER. The time is 22 minutes.

Mr. TOOMEY. Madam President, I appreciate that very much. He has been a great partner. I have given a background of what went on 5 weeks ago and our discussions with the service chiefs. I was hoping this day would not come and that we would not be faced with the continued devastation of our military, but the time is here. Tomorrow is the 1st of the month. The Senator from Pennsylvania and I have come up with a bill that will be voted on, and it will minimize the damage and still preserve the cuts that are mandated and are out there.

One of the problems we have not talked about is the continuing resolution. When I was talking to the different service chiefs, one was General Odierno, who is in the Army. He said that just as devastating as how the CR is set up, this corrects that problem that the Congress is coming up with that is not going to cost any more money. Believe me, a lot of my closest friends—for instance, in the House of Representatives—think it is a good thing that we are making these mandatory cuts. They cannot argue with that, but we can at least minimize the damage in these cuts.

I will read something that shocked me when I saw the President had issued—I am not sure if it is a veto message. I am told it was a veto message.

Here we have a bill that gives him flexibility with the restrictions we
talked about. Yet he says he is now going to veto it. It is worth reading this again, and we need to make sure we get this in the Record.

This is his quote on February 19, 2013. This is the President speaking.

Now if Congress allows this meat-cleaver approach to take place, it will jeopardize our military readiness; it will eviscerate job-creating investments in education and energy and medical research. It won't consider whether we're cutting some bloated program that has outlived its usefulness, or a vital service that Americans depend on every single day.

We are now giving him a vehicle that makes those distinctions so we have that flexibility. It has the safeguards to take care of the problems that have been brought up. I think it is not a good solution, but right now it is the only solution.

With that, I yield the floor.

The PRESIDENT pro tempore OF the Senate from Pennsylvania.

Mr. TOOMEY. Madam President, I would like to thank and compliment the Senator from Oklahoma, who has been a terrific leader and ally. I appreciate his hard work and the work product we have come up with.

At the end of the day, it is not complicated. If Congress allows this meat-cleaver approach to go ahead with indiscriminate across-the-board cuts that give us no ability whatsoever to establish priorities, to recognize that some spending is more important than others, or do we adopt this approach and give to the President of the United States the flexibility for him to turn to his service chiefs and say to them: Folks, is there a better way to do this? I am sure they know best what their needs are. I am sure they can come up with a better set of spending cuts than these across-the-board cuts that are in law.

Similarly, on the nondefense side, any competent middle manager of any business in America knows that when they have a budget they go through and prioritize. So when the President and the Secretary of Transportation go around the country saying: Oh, we are going to have to lay off air traffic controllers; we are going to have to shut down towers; we are going to have delays, none of it is necessary. It is not necessary if we pass this legislation because it would give the President the flexibility to cut the items that would not be disruptive to our economy, and it would not be disruptive in any meaningful way.

I gave the example earlier of the FAA. The FAA would have more money postsequester than what the President even asked for. Obviously, what the President needs is the discretion to be able to make some cuts where they can be best be borne.

After having a total budget that has grown 100 percent over the last 12 years, we can find the 2.5 percent that is needed now. These are flexibility measures we would give the President for the remainder of this fiscal year. Thereafter, the savings we will achieve will happen through the spending caps and, therefore, will be decided by the Appropriations Committee.

I urge my colleagues to support the Republican alternative. I yield the floor.

Mr. LEAHY. Madam President, earlier this week I was surprised with the Senate the consequences of sequestration for the budget of the Department of State and foreign operations and its impact on the security of the United States. Funding for the entire Department of State and foreign operations budget amounts to only about 1 percent of the Federal budget, not the 15 or 20 percent some mistakenly believe.

That 1 percent includes funding to operate our embassies and consulates in over 290 countries, to carry out diplomacy in dangerous environments like Syria, Afghanistan, and Pakistan, respond to humanitarian crises, and build alliances with security and trading partners. Sequestration would harm those foreign assistance programs and assistance for diplomatic security at a time when everyone agrees we need to do more to protect our Foreign Service officers overseas.

On the development side, sequestration will mean cuts to global health programs and to our programs to combat AIDS and pay for vaccines for children, protect maternal health, and combat malaria and tuberculosis. It will also mean reductions for funding for disaster and refugee aid at a time when an increasing number of refugees are fleeing wars, drought, famine, and extremist violence around the world need assistance.

As has been pointed out repeatedly, sequestration was included in the Budget Control Act as an incentive to negotiate. The idea was that it would have such catastrophic consequences that rational minds would replace it with a thoughtful and balanced approach to deficit reduction.

That has not happened. To the contrary, just last week, the sequester is to take effect, our friends on the other side of the aisle, who favor cutting government programs and particularly those that help the neediest, seem to have decided that they would rather see sequestration take effect rather than close tax loopholes that only benefit the wealthy and pad growing corporate profits.

However, as President Obama and others have been warning for weeks, allowing the across-the-board cuts to go into effect tomorrow will have a tremendously negative impact on jobs all across the country and on essential services provided by our government.

The American people elected us to come to Washington to work together and make tough decisions. It is well past time for a certain amount of reasonableness to come back to Congress. I have always believed that a balanced approach of pairing decreased spending with increased revenues is a far better way to resolve the debt deficit than sequestration. That is what we did with President Clinton in the 1990s, and we saw record budget surpluses.

We simply cannot cut our way out of this deficit. We created this situation partly by putting two wars on the Nation's credit card. We already have reduced the debt by $2.5 trillion, with the vast majority of those savings coming from spending cuts, of the most pressing and prudent way to adjust their priorities. Over time, we cannot finish the job of deficit reduction through spending cuts alone.

We must understand that even in these difficult budgets, we cannot sacrifice the future of critical Federal programs in education, in health care, and in national security that affect hard-working families across the country, every single day. The American people want and expect us to take a balanced approach. They know it isn't wise to protect endless corporate loopholes and tax breaks for the wealthiest Americans instead of investing in our schools, our factories, our roads, and our workers. Yes, they want us to get our books in order—but in a balanced way where everyone pulls equally.

Today the Senate has the opportunity to avoid this devastating sequester by voting for the American Family Economic Protection Act, which does just that. This balanced legislation will delay sequestration by replacing it with a combination of new revenues and targeted spending cuts. These spending cuts would reduce the deficit in a responsible way, eliminating unnecessary direct payments and farm subsidies and implementing reasonable and responsible defense spending reductions beginning when the war in Afghanistan is expected to end. This legislation would also generate revenue, equal to the amount of spending cuts included, by eliminating oil industry tax loopholes, denying deductions to companies that ship jobs overseas, and ensuring that millionaires do not pay a smaller share of their incomes in taxes than the typical middle-class family.

The American Family Economic Protection Act provides us with a clear, balanced proposal that would avoid the devastation of sequestration. I look forward to the opportunity to support this responsible approach to deficit reduction and hope all Senators will join me in doing the same.

If we choose to not act responsibly and not pass this legislation today, I am afraid sequestration will go forward and would mean devastating cuts around the country and for Vermont. Without action, sequestration would mean that Vermont schools would lose more than $2.5 million for primary and secondary education and the education of children with disabilities, while putting the jobs of teachers and aides at risk. Vermont would stand to lose more than $1 million in environmental funding to clean water and air over the next 10 years as well as tax revenue from pesticides and hazardous waste. Vermont would lose roughly $2.6 million in funding for medical research.
and innovation funding from NIH and $400,000 in funding from the National Science Foundation, costing the State 53 jobs. Vermont would lose funding for the grants that support law enforcement, prosecution and courts, crime prevention and education, corrections, drug treatment and enforcement, crime victim and witness initiatives. Sequester would mean Vermont would lose $101,000 in funding for job search assistance, referral, and placement, meaning 3,000 fewer people will get the help to get skills they need to find employment, just when they need it most.

In Vermont, sequestration would impact public health. Fewer children will receive vaccines for diseases as measles, mumps, rubella, tetanus, whooping cough, influenza, and hepatitis B due to reduced funding for vaccinations. Across-the-board cuts mean Vermont will lose about $270,000 in grants to help prevent and treat substance abuse programs. And the Vermont Department of Health will lose about $55,000 resulting in around 1,400 fewer HIV tests. Sequestration would mean the state stops funding used to provide meals for seniors and services to victims of domestic violence.

If we do not pass the American Family Economic Protection Act today, our States will lose funding for community development and housing vouchers helping to put a roof over families’ heads, we will lose funding for cancer screenings, childcare, and Head Start programs helping to get our Nation’s children ready for school.

We cannot afford to allow this self-inflicted devastation move to forward. The bottom line is that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class—all things that President Obama and Democrats in both Houses of Congress are eager to do if only we had more cooperation from our friends across the aisle. We simply cannot cut our way out of this. We cannot allow an unbalanced approach that would once again require that deficit reduction be achieved solely through spending cuts, and would disproportionately impact low-income Americans and middle-class families. That’s because short-changing the IRS makes it easier for tax cheats to avoid paying what they owe. Last year about $400 billion in taxes owed were never paid.

Mr. President, I was a CEO for many years. If there is one thing I learned in my time at ADP, it is that you can’t run a company without revenues. And the IRS budget is going to be slashed without revenues. The sequestration plan Republicans insisted on will slash the IRS and sacrifice revenues. In fact, for every dollar the sequester cuts from the IRS, our deficit will increase by at least $5.

These cuts make no sense. But these IRS budget cuts are just the beginning of our problems. Under sequestration, as many as 1,900 small businesses won’t get loans, which would mean 22,000 fewer jobs at a time when millions are looking for work. Wall Street watchdogs like the SEC and CFTC will be forced to go home, leaving investors on Main Street vulnerable to wolves on Wall Street. And cuts to the Judiciary could lead to more offenders relapsing into lives of crime.

The Federal Bar Association agrees. They wrote in a letter last week to Chairman Grassley and me that, Funding reductions could jeopardize the supervision of thousands of persons under pretrial release and convicted felons released from federal prisons, compromising public safety in communities across the Nation.

Mr. President, I voted against the legislation that put us on the path to sequestration because I was concerned about the effects of reckless cuts on everyday Americans. Just look at what sequestration will do to Head Start a program that helps our most vulnerable children learn how to learn: 70,000 kids could be kicked out of Head Start, including 1,800 in New Jersey.

We had a chance today to vote on a bill to replace these cuts with a balanced approach to deficit reduction, but our Republican colleagues insisted on protecting loopholes for the wealthy and big corporations. I hope that they will reconsider their position in the next few weeks and work with us to undo these damaging cuts.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask for an opportunity to respond to the Senator from Pennsylvania, and then yield to the Senator from Iowa.

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

Mr. DURBIN. Madam President, we just met with Secretary of Transportation Ray LaHood, a former Congress-man from Illinois. He said the opposite of what the Senator from Pennsylvania said. The Secretary of Transportation said exactly the opposite of what the Senator just said.

The sequestration is going to force him to reduce the payroll in his department. The largest payroll source is the Federal Aviation Administration and the largest cohort within that administration is the air traffic controllers. Sequestration is going to go in an announcement by the Department of Transportation within the next several days—if we don’t avoid it with a vote on this Senate floor—of restrictions on airports across the United States because of sequestered air traffic controllers.

Mr. TOOMEY. Madam President, will the Senator yield?

Mr. DURBIN. Madam President, I will when I am finished.

We know we are going to have to tell them they are only going to be able to work 4 days out of the week. It is mindless to stand on the Senate floor and say we can cut $1 billion out of the Department of Transportation and no one will feel it. C’mon. Get real. We have 7 months left in this year. These agencies are trying to come up with the savings, and the only places they can turn are very limited.

Ashton Carter, Deputy Secretary of Defense, just went through with what they are facing. These are not easy because the sequester was never meant to be easy. It is hard. Please don’t sugarcoat it and say there is a magic wand out there to find $1 billion in the Department of Transportation and that if the President would just look closely, I am sure we can do it. It is not that simple.

The Senator has been involved in the supercommittee, and he has been involved in looking at this budget. He knows that on a bipartisan basis we can find savings. There is money to be saved in every single agency of government, but you don’t do it with a heavy-handed sequester approach.

Please don’t suggest we are favoring the idea of air traffic control being limited in America. I want it expanded. Unfortunately, the sequestration is going to limit it in the State of Illinois...
and in the Commonwealth of Pennsylvania. I will yield for the Senator's question.

Mr. TOOMEY. Madam President, it is hard for me to follow this. The Senator is devoting his time to an explanation, and what Senator INHOFE and I are offering is a way to minimize the damage. In the President’s submitted request for the FAA, did he contemplate laying off air traffic controllers or closing towers? I know the answer. The President's budget—which he submitted to Congress and is a public document—requested a certain funding for the FAA.

Mr. DURBIN. For the next fiscal year?

Mr. TOOMEY. For the current fiscal year, the President's most recent request. The President's request was for less money than the FAA will have if the sequester goes through. I don't think it was planning to lay off air traffic controllers.

Mr. DURBIN. Reclaiming my time, this is getting perilously close to a debate, which I will tell those in attendance never happens on the floor of the Senate. I will tell the Senator this time we are dealing with the CR and last year's appropriations for the Department of Transportation; that is what Secretary LaHood is using. He is using the Budget Control Act numbers. So the President's request, notwithstanding I am not sure how the Senator voted, but there was a bipartisan vote for limiting the amount of money that could be spent in this fiscal year. I voted for it, and that is what the Secretary is operating under.

The reality is this: Even with the Inhofe amendment, $1 billion has to be cut from the Department of Transportation, and the flexibility notwithstanding, the options are so limited at this point in time.

I will tell the Senator pointblank that I believe we need to reduce this deficit. Sequestration is a terrible way, but there is an alternative. There will be an alternative this afternoon, and we will ask the Senator from Pennsylvania and to the Senator from Oklahoma: Are they prepared to say we are going to limit the direct agriculture support payments to farmers who have had the most profitable years in their lives and don't need them? Are they prepared to say we are going to allow people making $2 million a year in income ought to pay the same tax rate as the secretaries who work for them? If they are, we can avoid the worst parts of the sequestration. If they are not, be prepared, we are in for a pretty rough ride.

Mr. INHOFE. Would the Senator yield?

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. This has been very interesting. This is not what I was going to speak on, was going to speak on the amount of cuts we have already taken in our appropriations bill on Labor, Health, Human Services, Education, NIH, and Centers for Disease Control. I could not help but hear my friend from Pennsylvania talk about the President's budget as though that is controlling this. Would the Republican Senate have been in the President's budget? I don’t think so. They might want to select this or that or this or that, but we are now hearing from my friends on the other side that we should just carte blanche rubberstamp the President's budget? I sure hope not.

I remind my friends that the Constitution of the United States clearly says this body has two functions: taxing and spending—not the President and not the executive branch. The executive branch can propose whatever budget they want, it is up to us to decide both how to collect the taxpayers' money and how to spend it. It does not matter to me exactly what the President proposes. What I want to know is how do we as Congressmen—feel about where we should be investing our money and on what we ought to be spending the taxpayers' money.

The idea that somehow the President's budget says this or that and that people can pick and choose whatever they want with it, I submit again, I will bet my friends on the other side will not say: We will just adopt the President's budget as it is and we will go with that. I don't think they are ready to do that. I would not even do that for a President of my own party.

I wish to talk a second, again, about sort of the intransigence on the part of my friends on the Republican side—not only in this body but in the other body—of not countenancing any other funding or raising of revenues. I keep hearing the Speaker say: We gave revenues last month, that we had $700 billion of revenues last month; now it is time to talk about tax cuts.

What the Speaker has done is he has drawn an arbitrary starting line of January 2013. What about last year and the year before when we adopted over $1.4 trillion in spending cuts that have already been adopted? What about the starting line there? That is when we started to address the $4 trillion we needed by 2020 to stabilize our debt.

We have come up with about $1.4 trillion in spending cuts and about $700 billion in revenues. It is not the idea that we have already given up and that we have collected enough revenue. That is not it at all. Going forward we need a balance between revenues and spending cuts.

I want to read some of the things we have done in our own committee last year. We had $1.3 billion in cuts. We eliminated the education technology state grants, which a lot of people kind of liked. The Even Start Program was eliminated. The tech-prep education state grants were eliminated. The mentoring children of prisoners was eliminated; the foreign language assistance was eliminated; the civic education was eliminated; The Alcohol Abuse Reduction Program was eliminated. The career pathways innovation fund was eliminated.

Many of these programs were started by my friends on the Republican side at some time in the past, some of them were started by Democrats, but most of them were started jointly with Republican and Democrats. What I am pointing out is that we have already cut a lot of things out of Health and Human Services, education, NIH, and the Centers for Disease Control. I can tell that you Dr. Francis Collins, the head of NIH, warned that the sequester will slash another $1.6 billion from NIH's budget at the very time when we are on the cusp of having some good breakthroughs in medical research. A lot of medical researchers have been lined up and doing some great programs out there. Now all of a sudden they are going to have the rug pulled out from underneath them, but that is what is going to happen.

I might mention the kids with disabilities and what is going to happen with the funding for the IDEA, the Individuals with Disabilities Education Act. I am told about 7,200 teachers, aides, and other staff who help our communities and our schools cope with kids with disabilities who come into schools—because under IDEA we are providing that kind of support—are going to be cut. But it is going to be cut.

So this idea that somehow we can keep cutting and cutting and cutting and we are going to get to some magic land where we can continue to function as a society just isn't so. We need revenues. That is what is in the bill the majority leader has proposed, revenues that will help us reach that point where we can have both spending cuts and revenues and stabilize our debt at a reasonable percentage of our GDP.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I ask unanimous consent to waive the mandatory quorum call in relation to the cloture vote on the motion to proceed to S. 16.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TO PROVIDE FOR A SEQUESTRER REPLACEMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the motion will resume consideration of the motion to proceed to S. 16, which the clerk will state.

The legislative clerk read as follows: Motion to proceed to Calendar No. 19, a bill to provide for a sequester replacement.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows: