

week the Wall Street Journal reported that Russia's state-owned energy giant, Gazprom, is now threatening to raise gas prices in the Ukraine. American natural gas exports could help Ukraine and other European countries reduce their dependence on Russia.

President Obama can also increase American exports by lifting the ban on exporting crude oil. The International Energy Agency estimates that the United States is going to overtake Saudi Arabia as the world's largest producer of crude oil by 2020. This really is a remarkable development, and it has happened because of hydraulic fracturing and unconventional oil and gas production. It is estimated that unconventional oil and gas production is going to create up to 1.7 million new jobs in this country by 2020. But in January the International Energy Agency warned that the ban on crude oil exports—the ban that exists on those exports—could impede American crude oil production.

If the President does not lift the export ban, he is going to put American oil production and thousands of jobs at risk. He will also pass up on an incredible opportunity—an opportunity to reshape the global oil market. For generations, Americans have been subject to the whims of the global oil market. Americans pay more at the pump when oil production goes offline, wherever it is located. American crude oil exports would boost the world's oil supply and help stabilize prices for American consumers.

American exports would also undermine the influence of oil-rich countries that do not like us very much. For years the United States has asked Japan and India to reduce their imports of Iranian oil. These are two of the world's largest oil importers—Japan and India. In 2012 Japan imported more than 4 percent of its oil from Iran. India imported about 8 percent of its oil from Iran. American crude oil exports could help cut off a vital supply of funding to the Iranian regime. If my colleagues are serious about ensuring that countries abide by U.S. sanctions on Iran, they should support American crude oil exports, not oppose them.

Finally, President Obama needs to promote exports of American coal. Like natural gas and oil, coal exports are going to create good jobs all across the country.

Over the last several years the Environmental Protection Agency has taken steps to block American coal exports. The EPA is asking the Army Corps of Engineers to radically expand the environmental review process for new export terminals. It wants the Corps to consider the carbon emissions that would be produced by exports after they leave the United States. I want to repeat that. The EPA wants to block exports because of the carbon emissions the exports would produce when they are used after they leave the United States.

The National Association of Manufacturers says the EPA's actions would set "a very dangerous precedent that could be used to block exports of all types." That includes exports of American automobiles, exports of civilian aircraft, exports of heavy equipment that we manufacture here in the United States.

To its credit, the Army Corps of Engineers has said it will not expand the environmental review process for new export terminals. President Obama should ensure that the Corps will complete its work in a timely manner and do so without interference from the EPA or any other agency.

President Obama is fond of saying he has a pen and he has a phone. He has boasted about ignoring the will of Congress. He seems to take delight in finding legal authority where he has none. President Obama should stop using his so-called authority that is authority he does not have, and he should start using authority he does have. He needs to use his authority to promote American exports. President Obama needs to lift restrictions on exports of natural gas and on oil and coal so Americans can get back to work and our country can regain its stature in the world.

THE BUDGET

I also want to speak very briefly about another area where I think the President's administration is really not doing enough.

Yesterday the White House finally released the President's budget. This budget included no evidence of leadership and no sign that the President is ready to make a single responsible decision when it comes to Washington's out-of-control debt. The budget increases spending by \$791 billion over the next 10 years. It is a 63-percent increase over where we are today—63 percent. It adds another \$8.3 trillion of debt over the next decade. That is on top of \$6.8 trillion in debt the President has already racked up. The President has never submitted a balanced budget in his life, and this one is no exception.

President Obama is now a lameduck President. That becomes more obvious every time he puts out a partisan political agenda such as this one instead of putting out a serious plan for how government should spend taxpayers' money. The President's budget does nothing to reform Washington's entitlement spending. Is this really the legacy the President wants to leave for America's young people?

The White House has called this plan "Opportunity for All." There is no opportunity in this budget. It is just more debt, more taxes, more accounting gimmicks, budget tricks so the President does not have to make the tough, responsible decisions one would expect of the President of the United States.

On energy exports and on the budget, the President should be taking opportunities to solve some of the real challenges facing our country, not letting them pass him by.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE BUDGET

Mr. HATCH. Mr. President, I rise to offer some remarks on President Obama's fiscal year 2015 budget proposal, some of which was released yesterday. As we all know, the release of the President's budget is an annual event here in Washington. It sets in motion a chain of processes and events that drive much of what we do right here in Congress.

Unfortunately, with President Obama's budgets in particular, this annual chain of events, for the most part, becomes an empty, almost meaningless exercise. The first problem with this year's budget is that we received it just yesterday, a full month past the statutory deadline.

What budget information we did receive yesterday is certainly incomplete. For example, when you look at the appendix of the budget, there is often reference to a section called "analytical perspectives." But those perspectives are nowhere to be found. I assume the rest of the budget information is forthcoming. Still, we can only wonder why it is being released a few pieces at a time.

Of course, the problems with this budget go well beyond the delays and the sporadic release of information. Put simply, no one in their right mind would say the substance of this budget was worth the wait. Despite the fact that they took an extra month to put this budget together, the most striking thing about it is how little there is in the way of new ideas and proposals.

Indeed, when you look for the substance of the budget, you will see the administration appears to be short on new ideas. President Obama's new budget consists largely of proposals from his past budgets, which is surprising, given that none of them have received a single affirmative vote in Congress. Let me repeat that. None of his past budgets have received a single affirmative vote in Congress.

These proposals center on three familiar themes, all of which we have seen in past budgets, and in virtually every policy proposal from this President. First, we see the administration's continued insistence that we can tax and spend our way into prosperity, and that growing the Federal Government is the same as growing our economy.

Second, there is the effort to further redistribute income and the notion that this will, on its own, somehow lead to economic growth and job creation.

Finally, we see another attempt to define “tax reform” as a process of closing whatever the administration deems to be a “loophole” in the Tax Code, and using the resulting revenue not to reduce the deficit or lower tax rates but to fuel even more Federal spending.

Using overly optimistic economic assumptions, the administration claims this budget will reduce our high debt-to-GDP ratio. However, to get there, and to help fulfill its tax-and-spend objectives, the budget envisions well over \$1 trillion of additional taxes in the face of a persistently sluggish economy.

That bears repeating. President Obama’s latest budget contains more than \$1 trillion in proposed tax hikes.

No one should mistake the President’s intentions. Indeed, this budget is the outline of his domestic policy priorities for the future. Once again, chief among those priorities is another massive tax increase which, if the President had his way, would come on top of all of the tax increases we have seen already under this administration. This is hardly what our struggling economy needs.

Let’s talk about the economy for a moment. Someone certainly should, so I will. If this economy is any indication, President Obama certainly is not interested in that conversation. Currently we have an economy in which labor force participation has fallen from around 66 percent, prior to the financial crisis, to 63 percent with no recovery in sight. This is the lowest labor force participation rate we have seen since the Carter administration, and it is holding back our country’s economic growth.

The nonpartisan Congressional Budget Office has noted that a decline in the growth of the labor force is a principal reason that potential growth in the economy will decline in the coming decade. No one seriously disputes that there is a problem except, of course, when such declines can be attributed to ObamaCare.

We all remember last month when the CBO found that, as a result of the generous subsidies and the not-so-generous taxes in ObamaCare, millions of workers would either reduce their hours or leave the workforce entirely.

Virtually every objective observer saw this as a bad thing. Yet in response to these numbers, the administration and its supporters took to the airwaves to applaud the fact that ObamaCare would “free” people from their jobs and allow them to, in the words of the White House Press Secretary, “pursue their dreams,” courtesy of their fellow taxpayers.

While the economists in the administration and liberal pundits might applaud the reduced labor supply resulting from ObamaCare, it is, to say the least, difficult for me to find merit in the resulting reduction in economic growth. Of course, there is nothing in the President’s budget that would ad-

dress this issue. If anything, the policies contained in this new round of proposals would make all of this worse.

Returning to the latest call for well over \$1 trillion of new revenue, the administration claims—as it has for years now—that these tax hikes are needed to restore fiscal responsibility and reduce the deficit as part of a “balanced approach.”

However, we need to look at the facts. If we look at the deficit reduction that has taken place over the past 5 years, we will see just how unbalanced this approach is.

In fiscal year 2009, we achieved a high deficit watermark of \$1.4 trillion. That number fell to a still high \$680 billion in fiscal year 2013. Of the \$736 billion of deficit reduction over that 5-year span, \$670 billion came from increased revenue or taxes and only \$66 billion came from reduced outlays.

In terms of budget realizations, rather than promises for the future, less than 9 percent of the deficit reduction between 2009 and 2013 came from reductions in spending. The vast majority came from increased revenue.

Yet the mantra from the administration continues—more revenues and higher taxes, along with ever more spending. One can only wonder where job creation falls into the mix, if it does at all.

Since President Obama came into office, we have heard a lot of talk about his laser-like focus on job creation. However, the record of this administration suggests that his focus is more on growing government than on growing our economy.

We have seen the failed stimulus, ObamaCare, and initiatives such as Dodd-Frank, all of which have expanded the size and scope of the Federal Government without laying any foundation for economic growth.

Sadly, the budget offered this week does not present a vision for such growth in the future. This budget is, instead, a political document. Its purpose is to galvanize support from the President’s left-leaning base in an election year. Nothing more; nothing less.

This is disappointing, to say the least, particularly when we look at the challenges our Nation is currently undergoing and facing. One such challenge is our Nation’s broken Tax Code. While this budget comes close to acknowledging that the Tax Code is a problem, it misses an opportunity to actually do something about it. Tax reform, if it is done correctly, would promote growth and competitiveness in jobs, the economy, and provide greater economic efficiency, simplicity, and fairness.

However—as I said earlier—in the administration’s review, tax reform is guided primarily by a desire to obtain more tax revenue to fund yet more expansion of the Federal Government, along with an insistence on unilaterally picking winners and losers. The “tax reform” outlined in the President’s budget uses a corporate-only approach.

In other words, it would amend the business tax system and leave the individual Tax Code largely as it is. That approach is different from the ideas outlined by the two chairmen of the tax-writing committees, both of whom have proposed detailed comprehensive tax reform plans.

While I haven’t endorsed either Chairman CAMP’s or Chairman WYDEN’s plan, they both recognize that the non-corporate business sector, which makes up over half of all U.S. businesses, is also in need of tax reform.

This sets them apart from President Obama and the proposals in his latest budget. Of course, let’s not forget hard-working individual Americans, far too many of whom need assistance in filling out their tax returns. These people would be left behind under the President’s proposal.

The President’s proposal looks to raise tax revenue largely to increase more spending in what it calls “investments” in infrastructure. That sounds wonderful.

However, what is taken to be infrastructure in the minds of the Federal bureaucrats—who the President would empower to spend hard-earned taxpayer money—is sure to be guided more by politics than by economic efficiency. The so-called infrastructure bank or infrastructure finance authority—or whatever is the label of the day—that the President has continually called for would surely become the next Fannie and Freddie, putting innocent taxpayers on the hook for any losses resulting from the large Federal contractors rolling the dice on building projects.

As I said, our Nation and our economy face a number of challenges. Ongoing sluggishness threatens to become a permanent fixture on our long-term economic path. Indeed, as I referred to earlier, the nonpartisan Congressional Budget Office has already ratcheted down its estimate of the long-run growth path of the economy—partly because of the negative effects of the ever-evolving health care law that Democrats unilaterally enacted and that the President seems intent on unilaterally implementing.

I don’t think that any Member of this body would argue that the status quo in our economy is acceptable. We have a lot of work to do when it comes to creating jobs, economic growth, prosperity, and opportunity in this country.

Unfortunately, the President’s recent budget does not, in my view, add to the intelligent discussion. Rather, it returns to already-rejected ideas and appears to be aimed at the politics more than the need for proven private-sector jobs.

At this critical time in our Nation’s history, the American people are demanding leadership. Sadly, they aren’t getting it with President Obama’s latest budget, and I think that is a catastrophe.

We need to change it in Congress. Of course, the Senate seems to be slow in

wanting to make any changes for the better. In fact, we hardly ever really debate legislation anymore—and, by the way, we will probably be voting on eight different votes this evening on various judges, all of whom would have been passed by unanimous consent in December had it not been for the majority breaking the rules to change the rules.

It is pathetic, really. It is pathetic what this body hasn't done, and it is time for us to bring it into account.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF PEDRO A. DELGADO HERNANDEZ TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session to resume consideration of the Pedro A. Delgado Hernandez nomination.

Under the previous order, the time until 4 p.m. will be equally divided between the Chair and ranking member of the Judiciary Committee.

Mr. LEAHY. Mr. President, to use part of my time, we are finally going to vote to end the filibusters of four judicial nominees to the Federal district court in Arkansas, Puerto Rico, Tennessee, and California.

None of these nominees is controversial. Timothy Brooks is to fill a vacancy in the Western District of Arkansas; Pedro Delgado Hernandez is to fill a vacancy in the District of Puerto Rico; Pamela Reeves is to fill a vacancy in the Eastern District of Tennessee; and Vince Chhabria is to fill a judicial emergency vacancy in the Northern District of California. They were voted out of the Senate Judiciary Committee with bipartisan support from both the Republicans and Democrats.

Incidentally, all of them have the highest rating by the ABA Standing Committee on the Federal Judiciary—a “well-qualified” rating. It is rare to have all four nominees with that high rating.

I mentioned this because nominees who would normally have just gone through in a matter of weeks have been held up, and held up, and held up, and held up, for no good reason. Pamela Reeves was originally nominated in May of last year—almost 1 year ago. Timothy Brooks and Pedro Delgado Hernandez were originally nominated last June. Vince Chhabria was nominated last July. Everybody knows they

all could have been confirmed last year. They all had strong Republican and Democratic support in the Senate Judiciary Committee, but instead Republicans blocked their confirmation all year long until they had to be returned to the President at the end of the year. These nominees then had to be renominated and reprocessed. People who had already gone through the whole procedure had to go through it all over again.

After they had been voted out with strong support by the Judiciary Committee, Senate Republicans again forced us to file cloture to end the filibusters of these nominations. It will have taken the Senate 8, 9, and 10 months to bring these nominees up for a vote, and that is shameful.

What this does to the nominees is outrageous. These are people with distinguished careers, and all of a sudden, they have to put it on hold. Once they are nominated to be a judge, everything in their life is put on hold. Most of them have to take a big cut in pay to take the job to begin with, and then they sit there month after month after month.

Everybody has told them there is no controversy to their nomination, and that when their nomination does come to a vote, they will be easily confirmed. At some point they have to say: When is this when? It was not last year when it should have been, and we are well into this year when it comes before the Senate.

I have heard some Republican Senators say the filibuster is dead now that the rules have changed. That is simply wrong. The Senate Republicans are just filibustering nominees for the sake of filibustering them under different rules. They refuse to consent to vote on dozens of pending non-controversial judicial nominees, and that means these nominees sit on the floor for months, and months, and months before we have to overcome unnecessary procedural hurdles. The result is that precious time and resources better devoted to other critical business is wasted on overcoming the dilatory tactics of Senate Republicans.

We could be done with this, and debating and voting on things that are critically important to this country—everything from rebuilding the decaying bridges and roads of this Nation, to health care for the elderly, to health research and all the things we need. Instead we spend time on the pettiness and, I would say, total balderdash in the arguments from the other side holding up these nominees.

These are the same people who shut down the Federal Government last year. This government shutdown cost the taxpayers of this country tens of billions of dollars and cost the private industry tens of billions of dollars more. They caught so much grief for this disruption that, I suppose, they do not want to have a complete shutdown of the Federal judiciary. Instead, they do it by a sort of water torture—drip,

by drip, by drip. They are doing the same thing to the Federal judiciary that they did to the Federal Government, trying to close it down. It may be the case that Republicans cannot stop a noncontroversial judicial nominee from eventually receiving an up-or-down vote, but they have done a pretty darn good job of delaying five judicial nominees from filling longstanding vacancies. This kind of needless delay only hurts the American people. It is hurting the Federal judiciary. It is one of the reasons so many people in this country are angry at what happens here, when they see one thing after another delayed and slowed up.

I hope we can overcome the filibusters on the qualified judicial nominees before us, and I hope the Senate Republicans will not continue to try to shut down the Federal judiciary. I hope they have learned how much the American people are angry at them for shutting down the Federal Government last year, which cost the taxpayers tens of billions of dollars.

Timothy Brooks is nominated to fill a judicial vacancy in the Western District of Arkansas. He has worked in private practice at Taylor Law Partners LLP for approximately 25 years, first as an associate (1989–1993) and subsequently as a partner (1993–current). He has extensive experience as a litigator before both State and Federal courts, and in both civil and criminal cases. Mr. Brooks earned his J.D. with honors in 1989 from the University of Arkansas School of Law, where he served as an editor on the University of Arkansas Law Review. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Brooks well qualified to serve on the U.S. District Court for the Western District of Arkansas, its highest rating. He received the support of both of his home State senators, Senator BOOZMAN and Senator PRYOR. The Judiciary Committee reported him by voice vote to the full Senate on October 31, 2013, and again by voice vote on January 16, 2014.

Pedro Delgado Hernandez has worked in private practice at O'Neill & Borges LLC for nearly 15 years, first as an associate (1986–1990) and then as a partner (1990–current). From 1995 to 1996, he served as a judge on the Circuit Court of Appeals of Puerto Rico. He previously served as solicitor general for Puerto Rico's Department of Justice by appointment from 1993 to 1995. Following law school, he clerked for Judge Juan Torruella, of the U.S. District Court for the District of Puerto Rico and the U.S. Court of Appeals for the First Circuit, from 1984 to 1986. He served in the U.S. Army Reserve from 1979 to 1985. He earned his B.S. from the University of Puerto Rico in 1979. He earned his J.D., magna cum laude, from the University of Puerto Rico School of Law in 1983. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Hernandez well qualified to serve on the U.S. District Court for the District of Puerto