

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ATTORNEY GENERAL NOMINEE

Mr. McCONNELL. Madam President, the Senate will soon be asked to confirm a new Attorney General. For the past several months, our Democratic colleagues have pleaded for this very thing. They have spoken at length about the importance of the Justice Department and the urgent need to install new leadership there as soon as possible.

They do not want to make the pick. All they want is someone with "integrity" and "experience," who "respects the rule of law," and who can "hit the ground running." These are their words. The senior Senator from New York has assured us he and his colleagues will not "obstruct or impede" such a nominee—again, their own words. This was their plea and their promise.

It now appears, however, that despite these promises, some of our Democratic colleagues may indeed obstruct and impede.

Roll Call reported Monday that Democrats on the Judiciary Committee may intentionally—intentionally—delay confirmation of the next nominee, whoever he or she is, in order to extract still more administration documents in the U.S. attorneys matter. It cited one Democratic leadership aide as saying that "it would not be surprising if Democrats decide to take their time on the nomination as a way to force the administration's hand."

So our Democratic colleagues have repeatedly told us that the central concern in all of this was the health and well-being of the Justice Department. Yet now they say they are willing to hold up the new Attorney General in exchange for more documents related to their fishing expedition—which, so far, has been long on fishermen and short on fish.

Let's remember that over the last 7 months, the Senate Judiciary Committee has held no fewer than 13 hearings on the U.S. attorneys matter—13 hearings. The administration has cooperated extensively in this process. It has provided more than 8,000 pages of documents, along with dozens of witnesses in both public hearings and private interviews.

None of these documents, none of these witnesses, none of these hearings has produced evidence of illegality on the part of the administration in the U.S. attorneys matter. Despite their best efforts, our Democratic friends have candidly and publicly conceded they have yet to find—again, in their own words—a "smoking gun," which is not to say these investigations have been a complete waste of time for Senate Democrats.

While the Senate Judiciary Committee was holding hearings, the

Democratic Senatorial Campaign Committee was hard at work too. According to the Washington Post, as the Judiciary Committee hearings began, the Democrats' campaign committee began to raise money off the matter.

Here, in fact, is a copy of one of the DSCC's fundraising solicitations. It points to the U.S. attorneys matter and asks for a donation. Interesting timing.

Well, Madam President, as the adage goes: The proof is in the pudding. Our Democratic colleagues will help prove their concern for the Justice Department was genuine and not motivated by partisan politics by confirming a nominee in a timely manner.

Now, we know what the precedents are. Since the Carter administration, it has taken, on average—let me say this again—since the Carter administration, it has taken, on average, about 3 weeks from nomination to confirmation for a nominee for Attorney General—3 weeks, on average, from nomination to confirmation for Attorneys General since the Carter administration.

Some nominees have actually taken less time. Benjamin Civiletti and Janet Reno, the second Attorney General nominees of President Carter and President Clinton, were confirmed in 12 and 13 days, respectively, after their nominations. Richard Thornburgh, President Reagan's third Attorney General, was confirmed 17 days after he was nominated.

Now is the chance for our Democratic colleagues to prove they meant what they said. If they were serious when they cried out for new leadership at the Justice Department, they will follow Senate precedent. They will carefully weigh the qualifications of the nominee and vote in a timely fashion, as has been the case since the Carter administration.

If, instead, our colleagues intentionally delay the nominee and hold him or her hostage, they will show the American people that their concern for the Department was insincere and that they simply did not mean it when, as the senior Senator from New York put it: "This Nation needs a new attorney general, and it can't afford to wait."

In these times, it is especially important that the Senate act promptly. We are, after all, at war, and as the distinguished ranking member of the committee has noted, apart from the Defense Department, no Department of the executive branch is more important to defending our Nation than the Department of Justice.

So, Madam President, we need to act. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I just note, listening to the Republican leader, it is a little difficult to accuse us of delaying a nomination that has not yet been made. This is a new one.

The way it works is the President actually has to nominate somebody be-

fore we can consider the nomination. So before we rush out here and start accusing our side of delaying a nomination that has not yet been made, they might want to direct their attention to the White House. They are the ones who have an obligation to make the nomination.

PAY-GO

Mr. CONRAD. Madam President, I have come to the floor because at the end of last week the ranking member of the Budget Committee made a speech on pay-go in which he suggested it is a meaningless exercise and that it makes no contribution to fiscal responsibility. I come to the floor because I beg to differ, and I think I have a responsibility, as chairman of the Budget Committee, to give the other side of the story.

The Senate pay-go rule says that any new mandatory spending or tax cuts must be offset or get a supermajority vote. So if you want new spending or new tax cuts, you can have them, but you either have to pay for them or get a supermajority vote. That is the Senate rule. It is a good rule, and it has been effective at contributing to fiscal discipline.

If we look back in history, here is what we see, as demonstrated on this chart. We had a strong pay-go rule in effect from 1991 to 2000, and the deficit was reduced each and every year. In fact, we moved into surplus—in fact, a surplus so large that for 2 years we stopped using the Social Security trust fund to fund the operating expenses of the Federal Government. That is what happened with a strong pay-go rule.

Then our colleagues on the other side took control of both Chambers, took control of the White House, weakened the pay-go rule, and look what happened to deficits afterward. The surplus was squandered. We moved into deficits that grew year after year after year to record levels.

Now we have restored pay-go, and we are moving back toward a balanced budget. Pay-go, in fact, is working. The Senate pay-go scorecard shows a positive balance of \$450 million. So, in fact, pay-go is working. Every bill coming out of conference this year has been paid for. Every one that has come out of conference has been paid for, or more than paid for. Pay-go also has provided a significant deterrent, preventing many costly bills from ever being offered. Let me say I know that because as the Budget Committee chairman, I am besieged by Members who want to somehow get around pay-go. When we tell them: No, we are going to insist that things be paid for, it is quite remarkable how many of these things go away or are reduced so that they can be paid for.

Now, Senator GREGG himself, in a previous incarnation, was a strong supporter of pay-go. Here is what he said previously:

The second budget discipline, which is pay-go, essentially says if you are going to add a