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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, our inability to solve our problems persistently reminds us of our need of Your mercy and power. Manifest Your power on Capitol Hill, doing for our lawmakers what they cannot do for themselves. Break down the barriers that seem impenetrable, enabling them to walk by Your Spirit toward the accomplishment of goals that will bless and protect America. Lord, divert them from the strategies that lead to dead ends, guiding them toward unity and consensus. Shine forth with Your power during this challenging season.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business for up to 2 hours, with the two sides alternating 30-minute blocks, with the Republicans controlling the first block. Following morning business, the Senate will resume consideration of H.R. 2055, the military construction bill. The Senate will recess from 12:30 p.m. until 2:15 p.m. today for our caucus luncheons. We continue to work on amendments to the military construction appropriations bill. We hope to complete that bill within the next day.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CUT, CAP, AND BALANCE

Mr. MCCONNELL. Madam President, today Members of the House of Representatives will have a chance to stand up and be counted. They will show with their votes whether they believe in freezing Washington's current spending habits in place and raising job-killing taxes or whether they believe, as I do, that the reckless spending and debt of the past 2 years has brought us to this point of crisis, and that something serious must be done to rein it in without damaging a fragile economy with job-killing taxes.

Frankly, it is that simple. Those who support cut, cap, and balance that the House takes up today will be voting for getting our fiscal house in order and against an unsustainable status quo. Those of us who have been calling for serious short- and long-term action to cut spending, rein in our debt, and preserve entitlements congratulate those who support it.

We look forward to voting on the same legislation here in the Senate soon. Before we do, it is important to remember how far we have come in this debate. A few months ago, the President's primary goal was to raise the debt limit without any spending cuts or long-term fiscal reforms at all—nothing but more debt. Now he is claiming not only to support cuts but a proposal he likes to call ''a big deal.'' Anyone who has looked at the figures knows it is not. But the larger point here is that the American people have already won this debate. No one, not even the President, can claim to support the status quo anymore, even when, in fact, he does.

But, of course, winning the debate is not nearly as important as achieving the reforms that are needed to convince the world we are actually serious about getting our fiscal house in order. That is why Republicans continue to hold out for significant reforms, and that is why we will continue to fight

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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for serious, long-term reforms this week.

Republicans have tried to persuade the President of the need for a serious course correction, but weeks of negotiations have shown that his commitment to big government is simply too great to lead to the kind of long-term reforms we need to put us on a path to both balance and economic growth. So we have decided to bring our case to the American people. The President recently cited a poll that suggests Americans want to see balance in this debate. I would point him to another poll showing nearly two out of three Americans want a balanced budget. That is what Republicans are fighting for.

Today, Republicans in the House will vote on legislation that cuts government spending now, caps it in the future to the average of the last 40 years, and which will only allow for a raising of the debt limit if it is accompanied by a constitutional amendment to balance the Federal budget. Cut, cap, and balance is the kind of tough legislation Washington needs and that Americans want, and Republicans will spend the week trying to convince Democrats to join us in supporting it.

Every single Republican in the Senate supports a balanced budget amendment. All we need is 20 Democrats to join us in supporting this commonsense legislation. At least 23 of our friends on the other side have said or suggested they support the idea and told their constituents that they will ''lead'' on the issue. We think they should have an opportunity to follow through on their statements with an actual vote.

I will repeat what I said yesterday to my Democratic friends. If I were you, I would take a long look at the cut, cap, and balance legislation the House is taking up today and ask yourself the following question: Are you so committed to the status quo that you will vote ''no'' on a bill to balance the Federal budget?

I strongly urge my Democratic friends to join us in supporting the cut, cap, and balance plan. The American people sent us here to make tough choices. Agreeing to balance the budget should not be one of them. This should be an easy one. I urge my colleagues in the strongest possible terms to join us. It is time to balance the books.

Madam President, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

CUT, CAP, AND BALANCE ACT

Mr. REID. Madam President, today the House will consider legislation that would force the Nation to default on our financial obligations for the first time in history, unless Congress adopts a new—well, let's put it this way: What the House is working on today would force the Nation to default on our financial obligations for the first time in history. They are going to do it with a radical—radical—new constitutional amendment.

That amendment would impose arbitrary, reckless budget caps. It would, without a doubt, force massive cuts to Medicare, Social Security, and other crucial benefits. At the same time, it would constitutionally protect wasteful loopholes and tax breaks for millionaires and billionaires.

To meet an arbitrary spending cap frozen at 18 percent of gross domestic product, it would shrink benefits and services back to the levels not seen since 1966. In 1966, Medicare was 1 year old, and there were 100 million fewer people in this country. In 1966, the country had 200 million people. We now have 300 million people, and they would take us back to the levels then. It is obvious it simply would not work.

For those who think rewinding 45 years is a good thing, consider how much America has changed since 1966. For example, life expectancy is 9 years longer today than it was 45 years ago. One reason it is longer is because of Medicare. Medicare has made people healthier to live longer and lead more productive lives.

This legislation would roll back the progress that has been brought about by these programs but especially Medicare. It would enshrine in this thing they are trying to do in the House today a set of priorities so backward even advisers to President Ronald Reagan and George W. Bush have called it unwise.

In the first decade alone, it would mean more than $3,000 a year in cuts to each senior's Social Security check. It would slash our social safety net, decimating Medicaid and cutting Medicare benefits by $2,500 for every senior. This is per year, every year.

In fact, the nonpartisan Congressional Budget Office says that within 25 years, it will slash government benefits and services in half. Everyone within the sound of my voice hear what I am saying: slash benefits in half—veterans, Medicare, Medicaid. Seventy percent of the people on Medicaid are in convalescent centers. It is obvious there would not be people in convalescent centers. They would be at home having their sons, daughters, wives, and others trying to take care of them in their so-called golden years, which would come to a screeching halt.

When I talk about slashing benefits in half, I am talking about Social Security, Medicare, Medicaid, veterans' benefits, and every other government service, no matter how essential. Yet it would make it almost impossible to end even the most wasteful tax breaks and loopholes already in place, such as the subsidies to oil companies, which are making market profits with subsidies from American taxpayers. It would allow benefits to go to corporations that are shipping jobs overseas and to rich people who buy yachts and private jets. If I were rich, I wouldn't buy a yacht. It would be nice to have an airplane though. But this will not stop people from buying airplanes. It will allow the tax program to treat the rich people similar to everybody else. It would require a two-thirds majority in the House—if the House issue prevails, it would require a two-thirds majority in both Houses of Congress to raise even a penny of new revenue.

Meanwhile, the so-called cut, cap, and balance does absolutely nothing to protect our economy from the kind of recession from which we are beginning to recover. In fact, if the economy wasn't already in a recession, this legislation would quickly produce one.

Bruce Bartlett, an economic adviser to President Reagan, a fine man, and a Treasury official under President Bush, said the kind of rapid spending cuts called for in this House legislation would ''unquestionably throw the economy into a recession.''

This legislation goes beyond the Draconian budget Republicans passed earlier this year. That budget would have ended Medicare as we know it, and it would have cut clean energy by 70 percent, axed education funding, and cost hundreds of thousands of private sector jobs. It passed the House, but it didn't pass here.

What they are trying to do is even more Draconian than the so-called Ryan budget, the House-passed budget. They are trying to do something worse. It would attack all the same programs, but its cuts would be deeper and deeper. It would slash Social Security as well, which the House budget didn't have in it.

This legislation they are debating in the House is so restrictive, the Republicans' own budget—the budget they passed earlier this year—would not meet the standards they are now asking to be passed. It is so restrictive, not 1 year of either the George W. Bush or Ronald Reagan administrations would meet its standards.

Of the last 30 years, the only 2 years that would make the cut were during the Clinton administration. As the Washington Post said:

> Every single Senate Republican has endorsed a constitutional amendment that would've made Ronald Reagan's fiscal policy unconstitutional. That's how far to the right the modern GOP has swung.

Bruce Bartlett—we talked about him before—said this about the legislation:

> This is quite possibly the stupidest constitutional amendment I think I have ever seen.

I repeat the direct quote:

> This is quite possibly the stupidest constitutional amendment I think I have ever seen. It looks as if it was drafted by a couple of interns on the back of a napkin.

That, in my opinion, is being awfully hard on interns.

Bill Hoagland was on this floor working with us, and he is a fine man, a close adviser to Senator Domenici and other Republican Senators. I worked with him on the floor trying to get bills passed. He is a fine man—a Republican first, wanting to get things done for our country second. Bill Hoagland was a Republican budget adviser for a quarter century. He described it best when he labeled this legislation a ''misleading political cheap shot.''

A balanced budget is something we can all get behind. But this legislation isn't about balancing the budget; it is about scoring political points. Based on 30 years of evidence and the Republicans' own measuring stick, the stunt falls flat.

After all, who do you think helped President Clinton balance the budget during the only 2 years of the last 30 that actually lived up to the restrictive rules outlined in this legislation? It was Democrats in Congress.

Today, Democrats are trying to rein in spending again and are trying to avert a catastrophic default on our Nation's financial obligations. Republicans are the ones standing in the way of a deal to avert default, refusing to move an inch, despite our offers to cut trillions from the deficit.

It is not just me. Read today's Washington Post and see again what David Brooks says. David Brooks is a card-carrying Republican conservative. Read what he says. As the conservative columnist Ross Douthat wrote in the New York Times yesterday, we can already be on the way to a deal if ''more Republicans had only recognized that sometimes a well-chosen concession can be the better part of valor.''

We are arriving at a point, 2 weeks from today, when we will default on the debt. I have not heard a Republican leader—and I have my friend on the floor today from our sister State of Arizona. He always has said there will not be a default on the debt. Senator MCCONNELL, Speaker BOEHNER, and Majority Leader CANTOR have all said that.

The proof is in the pudding. We have 2 weeks to prove they are right.

Would the Chair announce morning business.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will be in a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority and the Republicans controlling alternating 30-minute blocks, with the Republicans controlling the first block.

The Senator from Arizona is recognized.

TAX INCREASES

Mr. KYL. Madam President, first, let me reassure my friend and colleague, the leader of the Senate, that it is our view that the debt ceiling will be extended, and Leader MCCONNELL wanted to make that crystal clear in his discussions with Leader REID, so the two of them could work together on a plan that the Senate could pass and send over to the House, to ensure that our debt ceiling would be increased and, thus, assure the markets they need not be concerned about that fact. As I have said many times, Republicans are not going to be the ones who would throw us into default.

Yesterday, I spoke on the floor about the reason Republicans are opposed to raising taxes. The President himself, last December, said raising taxes in a time of economic downturn would be a mistake, the wrong thing to do. We are still in that economic downturn. In fact, things are worse now than they were then. It is similar to a doctor treating a patient. When we diagnose what is wrong, we deal with what is wrong. We don't try to fix something else. Our problem is spending; it is not taxes. That is why we need to focus on spending rather than taxes. At the conclusion of my remarks, I will ask unanimous consent to put an op-ed from the Wall Street Journal into the RECORD. It is written by Michael Boskin, who makes the point very clearly that our problem is spending, not taxes, and that we should be focused on reducing spending growth, especially in entitlements. He is a professor of economics at Stanford University and senior fellow at the Hoover Institution and he chaired the Council of Economic Advisers for the first President Bush. I will refer to that in a moment.

Yesterday, I said there were three reasons why Republicans were not willing to raise taxes at this time. The first was that the problem, as I said, is spending, not taxes. Spending has increased under President Obama from 20 percent of GDP—the historic average—to 25 percent in just 3 years. That has been the reason we have had a deficit of $1.5 trillion each of those years, and we will see deficits in that order of magnitude for as far as the eye can see.

The second reason not to raise taxes is that when we talk about whom the taxes actually apply to, it turns out they don't just apply to millionaires and billionaires. I pointed out that there were 319,000 households that reported over $1 million in income tax. Again, that is 319,000. But the tax the President is talking about would apply to 3.6 million taxpayers—more than 10 times that many. So the point is, frequently, Democrats like to aim at the rich—the so-called millionaires and billionaires—and they end up hitting a whole lot of other folks who aren't in that category of millionaire and billionaire. It has happened before with the alternative minimum tax, which was originally to apply to 125 people, I think, and now it hits between 20 million and 30 million households. That is the second reason.

I might add, by the way, my friend, the majority leader, said a moment ago there is nothing wrong with taxing yachts or airplanes and that he would, in fact, rather have an airplane than a yacht. I remember the experience we had with that. We were going to hit the millionaires. In 1990, we raised the tax on yachts and other luxury items. All the people who made boats in Maine, Massachusetts, and other States lost their jobs. I think it was something over 9,000 jobs that were lost in the boat building industry. Congress quickly repealed that. Within 3 years, we had to repeal that big luxury tax. We weren't hitting millionaires and billionaires; we were hitting the people who actually made the yachts.

Right after 9/11, Congress passed an accelerated depreciation provision for the general aviation industry. The idea there was to make sure 9/11 didn't hit that industry too hard and jobs would be saved. In the President's stimulus bill, that accelerated depreciation provision for business jets was reauthorized. That is the thing we are talking about here, when we talk about business jets.

The President has said business jets should not receive that kind of tax treatment. The people who he said would be benefited by the stimulus package with jobs created or saved are the people who will lose their jobs if that particular tax treatment is taken away.

Maybe we should look at that. I am not against looking at that tax treatment. If we should look at it and decide it is not appropriate, maybe people will lose their jobs, but we may want to get rid of it; we should use whatever reduction there is in that to create lower rates for corporations across the board, as the President indicated, because then we can be more competitive with corporations abroad that have much lower corporate tax rates than the United States.

That gets me to the third reason we should not raise tax rates: because it will kill jobs, hurt the economy. If we want to put people back to work, we cannot impose more regulatory or tax burdens on the very businesses that create the jobs. Two-thirds of the jobs coming out of a recession are created by small businesses. Fifty percent of the income of the small businesses is reported in these top two income tax brackets that would be affected by the President's proposal to raise taxes. They would be hit by this and, as a result, they would not hire as many people.

There are a couple items from today's paper that I will use to illustrate the point. From the Phoenix Business Journal, it says: ''U.S. small businesses out of gas on job creation.'' They point out:

Small-business owners continue to be pessimistic about the economy. . . . New jobs are not to be found on Main Street . . . Economic uncertainty was cited as the biggest obstacle to hiring. . . .

One of America's more colorful entrepreneurs, Steve Wynn, in Nevada, who is one of the majority leader's constituents, a self-described Democrat, says that ''this administration is the greatest wet blanket to business and progress and job creation in my lifetime.'' He says in his report to his company shareholders on the company's quarterly conference call that ''my customers and the companies that provide the vitality for the hospitality and restaurant industry in the United States of America, they are frightened of this administration, and it makes you slow down and not invest your money.'' He goes on.

I have talked to Mr. Wynn. He is very concerned about the regulatory and tax burdens being imposed upon not just his industry but across the board. That is what is inhibiting economic growth.

One of the taxes proposed by the administration was evaluated by this administration's Small Business Administration, the Office of Advocacy of the SBA. They said:

It could ultimately force many small businesses to close.

Why would the administration propose a tax increase on, in this case, retailers and manufacturers, primarily, that could ultimately force small businesses to close, according to the administration's own SBA? It doesn't make sense.

For all three reasons, we should not be raising taxes. The President was right last December, and the reason is because spending is the problem, not taxes; that we end up aiming at the millionaires and billionaires, but we hit a broader swathe of our economy; and, third, because it would kill job creation and inhibit economic growth to enable us to get out of this recession.

The final point I would make here relates to that. It is the Wall Street Journal op-ed of July 18 by Michael Boskin.

Madam President, I ask unanimous consent to have printed in the RECORD this op-ed piece at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. KYL. The point he makes here—and I will quote a couple of points—is regarding the President's demand that we raise taxes, and he says, ''His timing couldn't be worse.'' Let me quote from this.

Two problems arise when marginal tax rates are raised. First, as college students learn in Econ 101, higher marginal rates cause real economic harm. The combined marginal rate from all taxes is a vital metric, since it heavily influences incentives in the economy—workers and employers, savers and investors base decisions on after-tax returns. Thus tax rates need to be kept as low as possible, on the broadest possible base, consistent with financing necessary government spending.

The second point he makes is that as tax rates rise, the tax base shrinks, and ultimately you have a much smaller group of people paying at those very highest levels. He goes on to point out some examples of somebody in the upper brackets in the State of California, which is a high-tax State. When you add in the California taxes, the payroll taxes to fund ObamaCare, ultimately the President's idea of uncapping Social Security payroll taxes, the combined marginal rates would rise to a stunning 58.4 percent. Then, if you added in the requirements to pay for the additional costs of the excess spending the administration has proposed, the taxes could drive the combined marginal rate to more than 70 percent by 2035 and 80 percent by 2050. I mean, there is a point at which people will stop working for that next marginal dollar because most of it goes to Uncle Sam.

He also takes the example of a teacher in California earning $60,000, and when you add in all those other things, the marginal rate goes to an astounding 71 percent. He says:

At the margin, virtually everyone would be working primarily for the government, reduced to a minority partner in their own labor.

I will quote one of his conclusions and then conclude.

Higher tax rates are the major reason why European per-capita income, according to the Organization for Economic Cooperation and Development, is about 30 percent lower than in the United States.

The point is that imposing more taxes on the economy not only inhibits job creation, but it reduces productivity because Americans stop working that extra hour or that extra day since most of what they earn is going to be given to Uncle Sam. That is part of the problem and one of the reasons the European standard of living is 30 percent lower than here in the United States. Do we want to get to where Europe is? I think the answer is no.

So we have to deal with extending the debt ceiling. We should try to reduce spending so that we don't have this future cloud hanging over our head and, frankly, to prevent having to come back to increasing the debt limit every few months or years. But the way to do that is not by raising taxes, which will not raise the revenues—it will inhibit economic growth—but, rather, by focusing on the real problem, which is spending, which has increased from 20 to 25 percent of GDP in just 3 years, and getting spending under control.

I mentioned yesterday, for example, that the President had taken a lot of things off the table. My friend the majority leader said a moment ago that the President has decided he is willing to compromise about reducing spending. I don't think he is. I have been sitting in on those negotiations. I haven't seen that.

We proposed three things—just three things—that wouldn't touch beneficiaries: Medicare, Medicaid, and uninsured benefits going to people who aren't supposed to get them, or overpayments. You can save over $100 billion a year by simply not paying people what the law says they shouldn't receive, just stopping the overpayments, or paying people who aren't eligible for one of those three services. You are not touching anybody who is currently eligible for Medicare, Medicaid, or uninsured benefits. You are not touching them. They receive their full benefits. But let's simply watch out for taxpayer dollars.

The problem is, it is like renting a car. Has anybody here ever washed a rental car? When you rent a car and you go home, is washing it the first thing you do? If it gets a little dirty, do you wash it before you turn it back in? No. This is someone else's money, and people aren't watching it. It is taxpayer money that is now administered by the Federal Government through Medicare, Medicaid, and unemployed insurance, and the reality is that people aren't trying to stop the waste, fraud, and abuse.

All that is taken off the table. No, the administration says, we don't want to talk about that because we don't want people who receive those benefits to have to sacrifice. Well, the people who are receiving the benefits aren't sacrificing. The taxpayers are the ones who are sacrificing by contributing money to the government that is then wasting.

There is plenty of reform out there to stop wasteful Washington spending. If the administration would be willing to do those things, then I think we could find enough savings so that we wouldn't have to even be talking about tax increases, which for the three reasons I mentioned are so harmful to our society, to our families, to our businesses, and to our economy.

So I hope we will continue this debate on the so-called cut, cap, and balance legislation that does require cutting spending, constraining it over time, and ensuring that over the long term—over the next 5, 10, 15, 20 years—these savings don't all evaporate because we go back to our big spending ways. At least a balanced budget amendment would prevent us from doing that. So I fully support the legislation that will be brought forward. I presume it will pass the House of Representatives this evening, and I am looking forward to the debate here in the Senate so that we can try to adopt that same legislation.

EXHIBIT 1

[From the Wall Street Journal, July 18, 2011]

GET READY FOR A 70% MARGINAL TAX RATE

(By Michael J. Boskin)

President Obama has been using the debt-ceiling debate and bipartisan calls for deficit reduction to demand higher taxes. With unemployment stuck at 9.2% and a vigorous economic ''recovery'' appearing more and more elusive, his timing couldn't be worse.

Two problems arise when marginal tax rates are raised. First, as college students learn in Econ 101, higher marginal rates cause real economic harm. The combined marginal rate from all taxes is a vital metric, since it heavily influences incentives in the economy—workers and employers, savers and investors base decisions on after-tax returns. Thus tax rates need to be kept as low as possible, on the broadest possible base, consistent with financing necessary government spending.

Second, as tax rates rise, the tax base shrinks and ultimately, as Art Laffer has long argued, tax rates can become so prohibitive that raising them further reduces revenue—not to mention damaging the economy. That is where U.S. tax rates are headed if we do not control spending soon.

The current top federal rate of 35% is scheduled to rise to 39.6% in 2013 (plus one-to-two points from the phaseout of itemized deductions for singles making above $200,000 and couples earning above $250,000). The payroll tax is 12.4% for Social Security (capped at $106,000), and 2.9% for Medicare (no income cap). While the payroll tax is theoretically split between employers and employees, the employers' share is ultimately shifted to workers in the form of lower wages.

But there are also state income taxes that need to be kept in mind. They contribute to the burden. The top state personal rate in California, for example, is now about 10.5%. Thus the marginal tax rate paid on wages combining all these taxes is 44.1%. (This is a net figure because state income taxes paid are deducted from federal income.)

So, for a family in high-cost California taxed at the top federal rate, the expiration of the Bush tax cuts in 2013, the 0.9% increase in payroll taxes to fund ObamaCare, and the president's proposal to eventually uncap Social Security payroll taxes would lift its combined marginal tax rate to a stunning 58.4%.

But wait, things get worse. As Milton Friedman taught decades ago, the true burden on taxpayers today is government spending; government borrowing requires future interest payments out of future taxes. To cover the Congressional Budget Office projection of Mr. Obama's $841 billion deficit in 2016 requires a 31.7% increase in all income tax rates (and that's assuming the Social Security income cap is removed). This raises the top rate to 52.2% and brings the total combined marginal tax rate to 68.8%. Government, in short, would take over two-thirds of any incremental earning.

Many Democrats demand no changes to Social Security and Medicare spending. But these programs are projected to run ever-growing deficits totaling tens of trillions of dollars in coming decades, primarily from rising real benefits per beneficiary. To cover these projected deficits would require continually higher income and payroll taxes for Social Security and Medicare on all taxpayers that would drive the combined marginal tax rate on labor income to more than 70% by 2035 and 80% by 2050. And that's before accounting for the Laffer effect, likely future interest costs, state deficits and the rising ratio of voters receiving government payments to those paying income taxes.

It would be a huge mistake to imagine that the cumulative, cascading burden of many tax rates on the same income will leave the middle class untouched. Take a teacher in California earning $60,000. A current federal rate of 25%, a 9.5% California rate, and 15.3% payroll tax yield a combined income tax rate of 45%. The income tax increases to cover the CBO's projected federal deficit in 2016 raises that to 52%. Covering future Social Security and Medicare deficits brings the combined marginal tax rate on that middle-income taxpayer to an astounding 71%. That teacher working a summer job would keep just 29% of her wages. At the margin, virtually everyone would be working primarily for the government, reduced to a minority partner in their own labor.

Nobody—rich, middle-income or poor—can afford to have the economy so burdened. Higher tax rates are the major reason why European per-capita income, according to the Organization for Economic Cooperation and Development, is about 30% lower than in the United States—a permanent difference many times the temporary decline in the recent recession and anemic recovery.

Some argue the U.S. economy can easily bear higher pre-Reagan tax rates. They point to the 1930s–1950s, when top marginal rates were between 79% and 94% or the Carter-era 1970s, when the top rate was about 70%. But those rates applied to a much smaller fraction of taxpayers and kicked in at much higher income levels relative to today.

There were also greater opportunities for sheltering income from the income tax. The lower marginal tax rates in the 1980s led to the best quarter-century of economic performance in American history. Large increases in tax rates are a recipe for economic stagnation, socioeconomic ossification, and the loss of American global competitiveness and leadership.

There is only one solution to this growth-destroying, confiscatory tax-rate future: Control spending growth, especially of entitlements. Meaningful tax reform—not with higher rates as Mr. Obama proposes, but with lower rates on a broader base of economic activity and people—can be an especially effective complement to spending control. But without increased spending discipline, even the best tax reforms are doomed to be undone.

Mr. KYL. Madam President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

MILCON APPROPRIATIONS

Mrs. MURRAY. Madam President, there is no question that we need to make smart decisions to tighten our belts and reduce our Nation's debt and deficit. American families have done it around their kitchen table, and we owe it to them to get our fiscal house in order.

But there is also one group of Americans we owe an even greater promise to, a group we can never allow to become pawns or fall through the cracks, or be forgotten altogether in these budgets debates, and that is our men and women in uniform and the veterans who have protected our Nation for decades. That is why I am here today on the floor, in the midst of the whirlwind of debt and deficit rhetoric, to remind us all of the critical nature of the bill that is on the floor this week; to remind us all that no matter what fiscal crisis we face, no matter how divided we may be over approaches to cutting our debt and deficit, no matter how heated the rhetoric gets here in Washington, DC, we have to keep our commitments to our veterans and servicemembers, and we have to move this bill forward and we have to provide for those who wore or who are wearing the uniform with the peace of mind that we are keeping our promise to them.

A couple of years ago we took a proactive step to make sure the nonstop wrangling over appropriations bills here in Congress didn't interfere with the health care our veterans have earned. Thanks to the work of Senator AKAKA and many others, the VA spending for health care is now appropriated a year in advance, protecting it from an imperfect budget process that is so often affected by politics.

But I remember when we passed advanced appropriations, we were very clear. Our foresight was not going to be an excuse to sit on our hands when VA funding was up for consideration. We were not going to allow a precautionary measure to get in the way of passing timely increases in veterans' health care, and so this bill is the test.

Can we put politics aside for the good of our Nation's veterans and servicemembers? Can we show them that, despite our differences, we will work as diligently toward getting them the benefits and care they have earned as they have worked for our Nation? Well, I hope we can.

I say that because the investments in this bill are a lot more than numbers on a page. They are life-changing programs for veterans with post-traumatic stress disorder and traumatic brain injury. It is support for suicide hotlines that are seeing more callers than ever before. It is providing roofs over the heads of our servicemembers and their families. It is timely investments in the very biggest priorities of our Nation's heroes.

Today I want to talk about a few of the investments that are included in the bill we are considering today and how they translate into the lives of our servicemembers, our veterans and, critically, their families.

There is an influx of young veterans coming into the VA system right now that we have not seen in a very long time. In fact, the VA estimates that the number of Iraq and Afghanistan veterans in its health care system will reach well over ½ million at some point next year. That is an over 100-percent increase since 2008. This is a big challenge and one we have no choice but to step up to meet if we are going to avoid some of the same mistakes we saw with the Vietnam generation.

That is why this bill includes nearly $3 billion to meet the health care needs of veterans who served in Iraq and Afghanistan, which is a nearly $600 million increase over last year.

But it is more than just the sheer number of new veterans that will be coming home to the VA in the near future. It is the extent of their wounds,

both visible and invisible, that will require an untold resource from our Nation.

Through the wonders of modern medicine, servicemembers who would have been lost in previous conflicts are coming home to live productive and fulfilling lives. But they will need a lifetime of care from the VA. That is why part of this bill includes significant investments for research in a number of areas, including traumatic brain injury, spinal cord injury, polytrauma injuries, and sensory loss.

It includes funding that will go to maintaining world-class prosthetics such as the one that was worn by SGT Leroy Petry, whom I saw at the White House last week shake the hand of a grateful President Obama as he was awarded the Medal of Honor.

It is also funding that comes at a critical time as amputations have sharply increased among soldiers in Afghanistan, many of whom are getting out of protective MRAP and Humvees to engage Afghan citizens and at the same time putting themselves at far greater risk of severe IED injuries. According to a recent Washington Post article, twice as many U.S. soldiers wounded in battle last year required limb amputations than in either of the two previous years.

This funding also comes as mental health concerns continue to rise, and suicides among active-duty troops and veterans from these wars have risen to a level now on par with combat deaths. In April, the VA's suicide hotline took 14,000 suicide calls, more than they had taken in any month in the previous 4 years. This bill makes sure we are putting someone on the other end of that call. This bill funds efforts to give veterans access to mental health professionals, and ensures we are not leaving our veterans to go it alone.

But this will do much more than help our newest generation of veterans. For generations we have faced the problems of homelessness among our Nation's veterans without making any real headway. Recently, through the success of programs such as HUD-VASH and the Grant and Per Diem Program, we are seeing real progress toward putting homeless veterans into safe and secure housing, and the bold goals laid out by the Obama administration to end veterans' homelessness once and for all. This bill includes nearly $1 billion in direct assistance to homeless veterans, and this bill helps those who have taken on the monumental but deeply personal task of providing care to an injured veteran in their family, those people who have left behind their own careers and personal lives, and even their own health care and benefits to care for those who can't take care of themselves.

It includes major investments to meet the unique needs of one of the fastest growing groups of veterans, women veterans who, through health care and construction upgrades that improve privacy, will benefit from VA facilities that are more conducive to their needs.

This bill also includes major investments to fund military construction projects worldwide, including readiness centers, barracks, hospitals, clinics, and schools. It also supports family housing construction projects that ensure military families have a satisfactory roof over their heads. And that, by the way, will create thousands of good-paying jobs.

As we all know, the strength of our military is rooted in the strength of the families who support them. Investments such as these are what allow our servicemembers to go abroad knowing that their loved ones are being looked after by the Nation they are protecting.

After nearly a decade at war, the consequences of sending our servicemembers into combat and the sacred obligation we have to care for those injured in service have become clear. But so have the shortcomings and the challenges we have to meet.

Last week, I chaired a hearing on the gaps to mental health care that still exist at the VA, and the stories we heard were deeply frustrating. I heard the stories of two separate veterans who attempted suicide but were still left to wait for weeks, and even months, for appointments at the VA. We have to fix the VA in a way that meets that obligation so they are more flexible and responsive to the needs of today's veterans, and we have to do it in a cost-effective way by making sure we are getting the most value out of every dollar that a bill such as this one provides. Next week in our committee I will be examining the long-term costs of the wars in Iraq and Afghanistan to our newest generation of veterans, because I believe we need to address this problem openly and honestly.

Like generations of servicemembers and veterans before them, today's heroes have done everything that has been asked of them. They have been separated from their families through repeat deployments; they have sacrificed life and limb in combat; and they have done all this selflessly and with honor to our country. We cannot allow our commitment to them to lapse or to get caught up in politics. That is why we need to pass this bill.

We must also come to a budget agreement that avoids default and the consequences that would have on our veterans.

We have to keep our promise, no matter what.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

ABBY WAMBACH AND THE U.S. WOMEN'S NATIONAL SOCCER TEAM

Mr. SCHUMER. Madam President, first I want to thank my colleague from the great State of Washington for her remarks and her never-ending strong and successful defense of our veterans who have done so much for us. I want to salute my colleague from Washington State.

I am going to speak on two topics for the 10 minutes I have allotted. First, on Abby Wambach, the pride of Rochester and the U.S. Women's National Soccer team, and then on the Cut, Cap, and Unbalance Plan that is now being debated in the House and will soon be debated in the Senate.

First, I rise to recognize the extraordinary efforts of the U.S. Women's National Soccer team in this year's World Cup, and in particular Pittsford, NY's own Abby Wambach.

Over the last month, the Women's National Team has taken this country on the ride of a lifetime that we won't soon forget.

From their nail-biting efforts to qualify for the World Cup to their heroic comeback against Brazil in the quarter finals, this team showed the best of America during this year's World Cup. At each stage of this team's success, there was a driving force, a player who learned the game from her older brothers on the soccer fields of New York's greater Rochester region, a player named Abby Wambach. Hundreds of Rochester's fans gathered at her brother's pub to cheer on Abby as she headed ball after ball into the back of the net.

In the past few years, and especially the past month or so, Abby has become a household name. Fans from Rochester, the State of New York, and across the country watched in awe of Abby as she led the U.S. squad throughout the World Cup.

But in Rochester and the surrounding area, Abby has been a star ever since she played on Our Lady of Mercy High School's varsity team as an eighth grader. Unusually young to be playing on a varsity squad, she helped her team achieve a section V title. And as is clear to all of us who have watched Abby over the years, her success has continued ever since.

From Our Lady of Mercy to the Olympic games in Athens, and the 2011 World Cup, Abby has been an incredible player and leader at every turn. Abby Wambach has always represented the best New York has to offer and given young women across the country someone to look up to, and the last month of the World Cup action has only cemented her legacy as one of the greatest U.S. Women's Soccer players of all time.

She scored over 120 international goals, none more dramatic or meaningful than her goal against Brazil in the quarter finals. No matter the odds or the score, Americans will never give up and always believe, and Abby and her teammates showed that same drive and desire during the game against Brazil. Abby and the U.S. soccer team created a moment that will live long in the sports lore of our Nation.

As the buzz continues about her goal, there are some people close to Abby

who probably weren't surprised. For those who watched Abby during her sophomore year score two goals and make a clutch penalty kick that vaulted Our Lady of Mercy to the section V championship match, they know this is what Abby Wambach does.

For months, Abby has been a long way from home. But tomorrow, she will get the warm Rochester welcome she comes to know when her Magic Jack Club faces the Western New York Flash.

Of course, we all know the efforts of the U.S. women's team came just short in the end, and we can't help but be happy for the Japanese team and the entire country as they finally have something to celebrate after the challenging months they have been through. So Japan may have won this round, and congratulations to them, but they should know the U.S. Women's Soccer Team will see them in London for the Olympics next summer, and again for the World Cup in Canada in 2015, with the pride of Rochester, Abby Wambach, leading the way.

CUT, CAP, AND BALANCE

Mr. SCHUMER. Now to perhaps a less happy subject, the so-called Cut, Cap, and Balance Plan.

Let me say we are going to be debating this in the House and in the Senate over the next week. Theater trumps serious solutions as the House Republicans plan a vote on their unrealistic Cut, Cap, and Balance proposal. It truly is theater trumping serious solutions when you put something on the floor that you know may not pass your own body in the House, certainly won't pass the Senate, and would be vetoed by the President, at a time when our Nation's credit is teetering on the edge. Let's stop playing games and solve this problem once and for all.

We on this side of the aisle call the plan Cut, Cap, and Kill Medicare for one good reason. Under this reckless plan, seniors could see their Medicare cuts go up by $2,500 beyond Ryan cuts, Social Security benefits could be slashed by $3,000 a year. It is the Ryan plan on steroids.

The Ryan plan has been seriously rejected in a bipartisan vote in this body. The American people dislike it intensely. And yet now we have done something that is even more extreme. If you thought it wasn't possible to be more extreme, look at the Cut, Cap, and Kill Medicare plan that some of our colleagues on the other side of the aisle are offering.

There are three things wrong with their plan. First, we have a serious debt problem. If the credit of the United States goes into default, we will pay the price for a decade. It will make our deficit worse, it will raise costs to the Federal Government because interest rates on Federal bonds will go up and stay up for a very long time. It will raise the cost to average homeowners because both mortgages and credit card rates will go up. It could very well send our economy back into a recession. Let's roll up our sleeves, let's compromise, and let's meet in the middle and do something that will end our deficit problem, reduce our debt, and make sure we are able to pay the debts we have already incurred.

But, no, theater is the day. Ideologues do not see the world as it is. I read some of the statements by some of the freshman colleagues from the Republican side in the House. They just do not get it. Their view is that they are so right that all they have to do is put this on the floor and all of America and every other Senator and Congressman will go along. Ideologues do not see the world as it is, and that is why I have never been too fond of them, whether they have been on the far right or on the far left. Yet that is who is governing here.

If you read those statements in the papers this morning, that all they have to do is put this out there and everyone will see the righteousness of their cause, I have a word for them: Slashing Medicare and slashing Social Security is not the right thing to do, and I will never see things that way. Saying that millionaires should continue to get tax breaks while we are slashing Social Security and killing Medicare is something I will never go along with, nor will a single colleague on my side of the aisle.

It is not going to pass. It is theater and politics at its worst. It is ideologues governing—or trying to govern. They are not able to govern because they do not see the grays in the world; it is only black or white.

The plan has three strikes against it. No. 1, it will not solve the problem, and it is political theater. No. 2, it will kill Medicare as we know it. That is why we call it cut, cap, and kill Medicare. And, No. 3, it will not do a thing to help the middle class, while giving huge tax breaks to millionaires and corporate America. That is not the plan America wants. That is not the plan America needs. That is not the plan that will pass.

I understand many of us have to bow to an extreme base in the party. That happens around here a lot—but not when we are 2 weeks away from defaulting on our debt, not when we are 2 weeks away from potentially walking off a cliff and incurring injuries from which we will never recuperate.

I call on my colleagues on the other side of the aisle to stop the theater, to stop throwing red meat to the far right base, and join us in solving the problems of America.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Madam President, I ask unanimous consent that I be permitted to enter into a colloquy with my Republican colleagues for up to 30 minutes. Senator ALEXANDER of Tennessee, Senator HOEVEN of North Dakota, and Senator RISCH of Idaho will participate with me in this colloquy.

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

BALANCED BUDGET AMENDMENT

Mr. JOHANNS. Madam President, I rise today to speak to an issue that I believe has all the potential in the world to define the future of this great country. It is an issue with which all of us who are participating in this colloquy are very familiar, and that is a balanced budget. All of us are former Governors of the States from which we come.

In my State, the State of Nebraska, our Nebraska Constitution requires a balanced budget. It is not unusual. I believe 49 out of 50 States have this requirement in their constitution. It is not theater; it is the way we do things at the State level.

In addition to that provision, however, our State constitution also says the total amount of money the State of Nebraska can borrow is $100,000. What does that mean? We must balance the budget on an annual basis, and we cannot go out to the debt market and burden our children and grandchildren by fulfilling promises that, quite honestly, we have no idea how we pay for. We cannot do that.

Does that sound familiar? That is what the Federal Government does every single year, and the Federal Government has been doing it for decades. In Nebraska we are forced to prioritize and live within our means. We have a very simple, straightforward philosophy. We do not promise something we cannot pay for, and we do not buy something we cannot pay for.

Is that unusual? Is that radical? Every working family in America understands that, and they live by that simple concept: the simple concept that they should not buy what they cannot pay for. If they do, it gets them in trouble. Sadly, the Federal Government does not think that applies. It thinks it is kind of a radical notion to apply that to what happens in Washington.

Let's look at the results of this kind of policy in my State of Nebraska. The unemployment rate in Nebraska today is 4.1 percent. During one of the most difficult times since the Great Depression, the unemployment rate in Nebraska never exceeded 5 percent. As I have said before on this floor—let me state that a different way. That means about 96 percent of Nebraskans have work.

Our State believes in the philosophy of less government. I have said many times: Government does not create the jobs, the private sector creates the jobs. It is small businesses and businesses willing to take the risks that will get us out of the tough times we are in now.

When I was Governor, Nebraska went through some very difficult times. I was Governor on 9/11. I was Governor when the dot-com bubble burst. I did

not have the option of walking into my State of the State Address and standing there and saying: Folks, these are tough times. We are kind of divided out here. We will not be passing a budget. Had I said that, I would have been looking for another State to live in. I would have been laughed out of the Governor's office.

There were no easy decisions, but there were necessary and important decisions to be made. Nebraskan pragmatism would go a long way in Washington, but my State is not unique. My State is not unique in terms of this balanced budget requirement. In fact, I have other Governors with me today.

I would like to start out by recognizing Senator LAMAR ALEXANDER of the State of Tennessee. When Senator ALEXANDER became Governor, I know he had a lot of priorities, but he created an environment in which job creators could thrive. He created that environment with the spending requirements of his constitution. I would like him to tell us how he did it, how he took his State forward even though he had to balance his budget.

Mr. ALEXANDER. I thank Governor JOHANNS. It is terrific to be on the Senate floor with other former Governors. When we were doing the health care bill last year, I said everyone who voted for it ought to be sentenced to serve as Governor for 8 years and actually try to implement it. But let me try to answer the question briefly so we can hear from the other Governors.

I became Governor 30 years ago, in the early 1980s. Inflation was 20 percent. It is hard to imagine, in the early days of the Reagan administration, they had driven up interest rates to 12 percent to try to bring inflation down. We had terrible times. Of course, we still had to balance our budget. We had to live within our means. We had to have the amount of money coming in equal to the amount coming out.

Let me tell one story of the difference that has made in our State and how it could make a difference in the Federal Government. The other day, in the Environmental and Public Works Committee, the Tennessee chief highway engineer was testifying. He was there when I was Governor. He is still there. One of the Senators, the chairman, suggested perhaps some flexible Federal financing would be a good thing for Tennessee; in other words, loaning some money to the State of Tennessee to build roads.

The State engineer said: Madam Chairman, with all respect, we don't want to borrow any Federal money. The State of Tennessee has zero road debt.

That about brought the hearing to a halt because several Senators had not ever heard of such a thing.

He said: Yes, that is correct. We have zero road debt. We use all of our gas tax money to build roads, none of it to pay interest.

That means, I say to the Senator from Nebraska, when we have a tough time like we did when I became Governor, as when he was Governor, as we do in the country today, if our interest rates are low or we pay no interest, we can use that money to get through tough times. A lot of the businesses and the families today who have less debt are making their way through these tough times more easily.

On the other hand, the Federal Government, according to the President's budget, by the year 2020, would be spending more money on interest on the Federal debt than it would on our national defense. Interest on the Federal debt would be $931 billion by 2021.

What if that money could be put back in our pockets through tax cuts or used to help send kids to college or build roads in the State or energy research to lower the cost of gasoline? One way, I would say to the Senator from Nebraska, that balancing the budget helps create jobs is if we keep our interest payments down, we keep our taxes down, we can spend our money wisely on things that count.

Mr. JOHANNS. Senator ALEXANDER raises such a valid point. In the State of Nebraska we don't have any road debt either. If we wanted to pave a mile of highway we had to have the money in the bank or it did not get done. The other advantage of that is when the economy started to lift, we did not have to pay back all that money we had borrowed. We were ready to take off. So I would have to imagine in Tennessee, like Nebraska, our economic recovery was just much easier to achieve.

I had the pleasure of serving as Governor of Nebraska when Senator HOEVEN was Governor of North Dakota. The State of North Dakota is often recognized as one of the best managed States in the country. It has its fiscal house in order. It runs a surplus with some of the lowest unemployment rates of any State in the country. Yet they suffered through some of the same problems we had after the dot-com collapse.

Could the Senator talk to us a little bit about how the balanced budget provisions in his constitution required him and the legislators to manage the State?

Mr. HOEVEN. I thank Senator JOHANNS. It is an honor to be here with him, and also with the good Senator from Tennessee, LAMAR ALEXANDER. It is great to be here with them as well as Senator RISCH from Idaho. We have a common shared experience as Governors. It is wonderful to draw on that.

I also have to mention that the Presiding Officer in the Senate today, Senator SHAHEEN, is a former Governor as well. So we have that common, shared experience, actually, here today on both sides of the aisle. It is an honor and it is a pleasure to be here with you and talk about this matter that is so very important, particularly as we face the need to do something on the debt ceiling. This issue of dealing with a balanced budget is paramount for our entire country and your lead-in is exactly right. We served together as Governors. As a matter of fact, the truth is, I would call the Senator—because he was elected Governor before I was—for advice and ask him about some of the things he was working on in Nebraska. Our States share many things in common; one the Senator mentioned, a low unemployment rate. The unemployment rate in our State is 3.3 percent. Again, I attribute that to the ability of building a probusiness, progrowth, projobs environment that stimulates private investments, stimulates jobs. The Senator mentioned so very accurately that jobs are created by the private sector, not by government. We have to create an environment that stimulates and encourages and helps create a forum for that private investment. That is how we create jobs and get this economy going.

On one side, we have to have a growing economy, which we don't have at the national level right now, and on the other side we have to live within our means. We have to control our spending, and the Federal Government has a responsibility to control its spending just as the States do, just as businesses do, just as families do. We have to not only balance this budget, we have to live within our means on an ongoing basis. We have 49 of the 50 States with either a constitutional or a statutory requirement that they balance their budget every year. Every single Governor with us today had to balance their budget every single year. It was recently reported that 46 States are already on track to make sure their budget is balanced by the end of their fiscal year. The Federal Government needs to do the same thing.

Look at our situation right now. The Federal Government takes in $2.2 trillion in revenues. We take in $2.2 trillion in revenues, but we spend $3.7 trillion. That is a $1.5-plus trillion deficit every year, and that is rolling up to a debt that is now closing in on $14.5 trillion. We have to address this. This is not something we can hand off to future generations. So our message to the administration is, you are making it worse. We have to start living within our means. We cannot keep spending and then borrowing and then raising taxes and expect to have an economy that grows and a government that lives within its means, and that is exactly why we are here today talking about the need for this balanced budget amendment.

If one thinks about it, the balanced budget amendment gets everyone involved both now and for the future because it has to be passed by both Houses of Congress with a two-thirds majority. That has to be done on a bipartisan basis and then it goes out to the States and three-fourths of the States have to ratify it for it to become part of the Constitution. That gets everybody involved in doing exactly what we need to do; that is, getting on top of this deficit and this debt, both now and for future generations.

Again, I wish to thank the good Senator from Nebraska for holding this colloquy and for inviting me to be part of it with my fellow Governors. I appreciate it very much.

Mr. JOHANNS. Let me thank Senator HOEVEN. I noticed today we are also joined by another former Governor. In fact, we were both elected to the Senate at the same time so we are both part of the same class.

Senator RISCH, at one point in his career, served as Governor of the State of Idaho. He had financial restrictions just as we did in terms of a balanced budget. I ask the Senator, how was he able to deal with important priorities while balancing the budget and bringing the legislative process along in accomplishing that? Could the Senator talk to us a little bit about that today?

Mr. RISCH. I thank Senator JOHANNS very much. I am honored to be here with the other former Governors. There are a handful of us on each side who have had the honor and privilege of serving their States as the chief executive, so it is a real honor to be here, and I bring that experience with me. I think every one of us brings that experience with us. I not only bring that experience, but I did almost three decades in the Idaho State Senate, balancing the budget and, indeed, I was in the leadership, having to do what the leadership does here, as far as bringing the two ends together, because we have a balanced budget requirement in the State of Idaho, as virtually every other State does. Does that create some angst when one is the chief executive or when one is in the legislative process trying to balance the budget? Of course it does. I am sure the Presiding Officer wound up with the same thing in her great State as she tried to balance the budget because no matter how much money one has, it is never enough. As Senator JOHANNS pointed out, it is a matter of priority. This is not rocket science.

What the States do and, indeed, what businesses do and, indeed, what families do around the kitchen table, either formally or informally, is anticipate how much money is going to come in over the year, sometimes over the month, sometimes over the week. They anticipate how much money is going to come in and then they say: We have priorities. What is our first priority? Of course, in a home, we have to be able to eat, we have to have the utilities paid and a roof over our head, so those become very important. To a government, obviously, if it is a State government, education is the largest expenditure for virtually everyone. For the Federal Government, obviously, the highest priority is national defense. But we make a list. Then what we do is we allocate the money we have to a list. When we are done, nobody ever stands and says: That went very well. We have enough money. We have everything funded. We are able to do everything we want to do.

No, absolutely not. Indeed, around here, in this city, this government is spending $3.8 trillion. I can tell you, there isn't a day that goes by where we don't get hit up with somebody saying: It is not enough. Our agency doesn't have enough money. Why we can't even—blank. Fill in whatever you want, whatever agency it is. Everybody tells you they don't have enough money.

Yes, that is right. Because a balanced budget requirement acknowledges a plain, simple fact of life; that is, there are not enough resources to do everything we want to do. Indeed, a lot of times there isn't even enough money to do what we need to do, but what we have to do is we have to do the best we can with what we have. Without a balanced budget amendment, it becomes the opposite of that—we keep spending.

People say to me: Well, JIM, you have been in public service all your adult life. Has anything in Washington, DC, surprised you? I said: Yes, but only one thing. The stuff that goes on here doesn't surprise me at all, except the cavalier attitude this city has and, indeed, this institution has for the value of money. It astounds me that in this institution they don't stop spending money when they hit the end of the budget or they don't stop spending money when they hit the end of the resources. They stop spending money when they run out of time. That seems to be the only sideboard on how much money is spent. If we look around—and people will criticize us on this—and say: You foolish Republicans, what are you talking about? A balanced budget amendment, that is dumb. You know what I say to them? Look at the States. Look around at the States. There are two, maybe three States that are having very difficult financial situations, and it is because they either don't have a balanced budget amendment or they have done some skulduggery to get around the balanced budget requirement they have. But every other State has its financial house in order. Has it been painful? Of course, it has been painful. It is painful to everyone when they don't have enough money, including American families, but that is simply the way it is.

One of the problems we are having is the basic foundation of the difference between Republicans and Democrats. People who say there is no difference between Republicans and Democrats ought to come and spend the day here. They would find that philosophically we are hardwired very differently. Similar to two brands of computers trying to talk to each other, we are hardwired differently.

Republicans believe this Nation was founded with the idea we would have a limited central government. It was founded by people who, indeed, feared a central government. By the way, their fear, as we now see every day, is very well founded. We believe in a limited government. We believe in individual responsibility. We believe in the responsibility of the States. It is hard to find people in this town who actually believe the States are sovereign, that it was the States that created the Federal Government and kept a leash on it and said you can only have the powers we are specifically putting into this Constitution. Now the courts over the years have expanded that dramatically, but nonetheless, the vision the Founding Fathers had, the American people had when they put together the country that created the most successful, the wealthiest, the culture that enjoyed the best quality of life anyone on the face of this planet has ever enjoyed before, the Founding Fathers said: Look, we are going to create a government for the individual, to give the individual the ability to prosper, to give the individual opportunity.

That is what they said. They didn't sit around the table and say: You know what we need is a nanny State. We need to create a government that is going to take care of every American from the time they are born until the time they die just as in Europe.

In Europe, the government pays for your birth. In Europe, the government pays for your funeral and, indeed, it pays for a whole lot of everything in between including every dime you spend after you retire. That is not what America was founded to do. They did not sit around and say: How can we take care of the whole society? They said: How can we defend this country? How can we make sure no enemies come into this country? How can we make sure people have the opportunity to succeed? Yes, some will fail. Yes, some will succeed. Yes, we are going to have poor people, and, yes, we are going to have rich people because that is what a free society is all about, but everybody is going to have the same opportunity. Everybody who is born into this country or becomes a naturalized citizen in this country is going to have the opportunity to succeed in a greater fashion than anyone on the face of this planet has ever succeeded before, and they are going to do it without government interference.

My goodness. How far we have come from those days and not in a good way. They couldn't conceive they needed a balanced budget amendment because the numbers we are talking about they never heard of. If a guy sitting around the table said: By the way, do you know the country is going to be over $1 trillion in debt someday, they would have said: What is $1 trillion? How many zeros is that? They couldn't even conceive of that, so they didn't put that in the Constitution. But this isn't difficult to do. It is how much comes in and how much comes out and they need to equalize each other.

I will be the first to admit our two parties don't understand each other. As I said, we are hardwired differently, and I have a lot of good friends on the other side of the aisle. We have good conversations. They don't understand how I can possibly think we could have a balanced budget, and I guess I don't understand how they think we can

spend ourselves into prosperity. We are, indeed, hardwired differently than each other.

I watched one of the leaders the other day come out onto the floor. He was carrying on about how bad the balanced budget amendment was. He said it would be an admission of the failure of this institution to be able to do its job. It would be abdicating our ability to do our job. Look around. We are $14.3 trillion in debt. Do you think the American people think we are doing our job, when we are at $14.3 trillion in debt and now debating adding another $2.4 trillion to that? If a person comes and spends a little bit of time here, they will understand this institution cannot budget and do so responsibly. Given the opportunity, it will spend and spend and spend and the only way this can be changed is if we have a balanced budget provision in the Constitution just as virtually every State in America has. We are going upside down at a rate of $4 billion to $5 billion a day. We are borrowing new money, $4 billion to $5 billion a day. That is about 12 hours of the entire annual budget for the State of Idaho. This can't go on. The way to fix it is with a balanced budget requirement that puts a new rule in place, and we need rules, we need sideboards when it comes to spending money.

I wish to thank the Senator for providing us with this opportunity. Those of us who have actually lived in the real world where we could not print money, we could not borrow the kind of money we are talking about here, where we had to make responsible decisions—it is time this government did that, and the only way it is going to do that, regardless of flowery speeches given during campaigns—oh, send me to Washington; I will take care of this; I will see we balance the budget; I won't overspend—they come here and do it. The only way this can be done is to balance the budget. Without a balanced budget amendment to the Constitution, we can't do this.

The American people have to do this. We can vote to ask the American people: Do you think we should have a balanced budget amendment to the U.S. Constitution? Let's find out. Let's find out. There can't be anything wrong with giving the American people the ability to do this. It takes three-fourths of the States to ratify this. Let's give them the opportunity. Let's have the debate. Let's pass this and give it to the States and see if they want to do it.

Thank you very much. I appreciate the opportunity.

Mr. JOHANNS. Let me wrap up this colloquy this morning by thanking each one of my colleagues for their comments.

Governors are practical people. We have to be. We have no choice. If jobs are going to be created in our States, we must lead that effort—not by jawboning and indicting the business community but by creating the atmosphere that creates those jobs. If we are going to have a balanced budget, we must lead that effort at the State level. Every Governor who has had an opportunity to speak this morning in this colloquy has made that point. At the end of the day, when our legislative sessions were over, we had to be able to tell the people of our great States that we passed the budget; that the budget was, in fact, balanced; and, for some of us, that we did not borrow any money whatsoever to get that job done. We could learn something in Washington from that.

This is not a radical idea. All the rhetoric we have heard about what a radical, crazy idea this is—well, how can it be so radical if 49 out of 50 States have decided this is the right course and the right direction for their State governments? I can't imagine the American people want anything less for their Federal Government. And, as Senator RISCH has just pointed out, why would we not give the American people the opportunity to cast their vote on how best to manage their government—their government?

With that, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

DEBT CRISIS

Mr. REED. Mr. President, I rise today to talk about the regrettable and avoidable looming debt crisis if we don't take appropriate and timely steps beginning today and continuing over the next few days.

As we continue to work to get our economy out from under a protracted and painful recession and on a more robust path of growth and job creation, not having an agreement to pay our country's bills has severe consequences. Defaulting could mean not only a potential stoppage of Social Security and veterans' benefits checks, but even more worrying than what could happen to bondholders and the middle class is the question of whether this could push us back into not only a severe recession but a worldwide economic catastrophe.

We can look across at European governments struggling with sovereign debt crises. Also, one of the lessons we should have learned from the events of 2008, and particularly that fall, is that a lack of confidence and a vulnerability in one part of the world's financial systems can be magnified dramatically because of connections and interrelationships and could potentially produce a worldwide crisis.

So this is an issue we have to address. A failure to act would cripple our government almost immediately. In August, if there is not a solution, it is estimated that spending in the economy could contract immediately from 40 to 50 percent. That means the U.S. economy would be hit with a loss of about $134 billion or about 10 percent of GDP for the month of August if we fail to find a solution. A 10-percent loss to August's GDP could bring our credit markets to a standstill and could lead to the loss of millions of additional jobs.

One of the ironies of this debate is that the proposal by some on the other side to simply not pass debt limit legislation would be tolerable. In fact, it would be catastrophic. It would be catastrophic in terms of the very objective they are urging—controlling the deficit. As people drop out of the labor force, they require more benefits. They are not able legally or in a position to pay the taxes they were paying while working. In addition to that, it has been estimated that for every 1 percent increase in interest rates—and if we default, interest rates will go up on U.S. Treasuries—we will over 10 years accumulate $1.3 trillion in additional deficit. So in one fell swoop, the deficit hawks who are screaming so loudly today could put us on an even worse deficit trajectory.

We all know the job of bringing this budget into alignment is not going to be easy. It involves many tradeoffs, some of which are likely to be very unpopular. It started in 1990, when Republicans joined us in a balanced approach. Along with my colleagues who served here in the 1990s under President Clinton, we then took some tough votes with not one Republican vote in support of us in 1993 when the process of balancing the budget continued. It takes time. It takes difficult votes. It was done in the 1990s.

As we all know, when President George W. Bush assumed office, we were looking not at massive deficits, we were looking at a potential surplus of trillions of dollars over a 10-year period. But with the programs that President Bush, together with his Republican colleagues, embraced, of significant tax cuts, an expansion of entitlements, such as Part D Medicare which was not paid for, which was put on the credit card, and two unfunded wars, we are sitting today with this huge deficit.

Frankly, this proposal to raise the debt limit is very simply paying for what President Bush and Republican Congresses did several years ago. Yet we find my colleagues on the other side saying: Oh, we cannot do that. We cannot do that without significant reductions in programs that are vital to Americans.

We have already demonstrated—we did that in a continuing resolution that is covering this year's funding—we can and will make difficult cuts. We can reduce spending. But we have to do it in a measured way. The other thing we have to do is recognize that any solution, just as it was in the 1990s, will

require revenues as well as expenditures. That is the only way the arithmetic will work.

I find it sometimes ironic when I go around and talk and they say: Oh, if we don't solve this problem, you are putting all this burden on our grandchildren. Where was that spirit when the President cut taxes and began to eliminate a surplus that would have benefited our grandchildren? Where was that spirit when the President decided to engage in two major wars but not pay for them? Where was that spirit when the President decided he was going to expand entitlements and not pay for them? There were very few of my colleagues on the other side worrying about grandchildren then.

Well, we do have to worry about our grandchildren. That means we have to start taking the tough steps today. We have to start making the sacrifices that will get our budget in order. Those sacrifices are not simply in cutting programs that are so vital not only to so many Americans but are so vital to our continuing economic growth.

I am sure everyone here will say they have important highway projects in their States, they have important infrastructure projects in their States. Do we sacrifice those projects? If we do, then we sacrifice our economic efficiency, we sacrifice our productivity, and we give the results to our grandchildren: a decrepit infrastructure, with the inability to be competitive in a very competitive global economy.

We have to move forward. We have to move forward to avoid a catastrophe to the economy if the debt ceiling is not raised. Also, we have to move forward to begin to balance our budget in the way it has been done in the past and, frankly, in the way it only can be done; that is, we have to start, beginning today, to make the sacrifices and make the tough choices that will provide a better future for our grandchildren.

We have done it in the past. In 1990 and 1993 we took tough steps, as I mentioned before, to begin to balance the budget. And in 1997, with a Republican Congress and a Democratic President, we took additional steps. We can do it, and we must do it.

The idea that we are going to default is difficult to imagine, but, still, there are those out there on the other side who are saying they will not vote for raising the credit limit in any way, shape, or form. I think that is irresponsible. I think we have to be responsible. We have stood up before. We have taken tough votes. We have to do it again.

Failing to do that puts a huge burden on the middle class. The wealthiest amongst us may be able to negotiate through the vagaries of what might happen after a credit default by the United States, but for Social Security recipients, for military retirees, for those people who are looking for the basic services of government—transit to get to work, the ability to get on a plane—who is going to be manning the TSA posts if the government cannot essentially pay its debts? All these issues have to be considered.

We have to, as I said, talk about revenues too. It is astounding that people would literally be suggesting we cut back Social Security benefits, that we cut back retirement benefits, that we do all these things at the same time we are providing about $4 billion in annual tax incentives to the oil industry, when the price of oil is at record levels, their profits are at record levels. These are a host of tax provisions that do not make us anymore productive. In fact, one might argue they do not even encourage employment here in the United States. One could make the suggestion, at least the way we set up the system, that it might encourage employment overseas, and then we repatriate the profits here. Well, that might be fine for the big companies and the executives, but what about Americans who are looking for jobs? What about Americans who are looking just to get by?

We also have to recognize that some of the proposals we have made—in fact, all of them the President has talked about with respect to revenues—would not be effective immediately because we are still in a period of very fragile economic growth. They would be effective in 2013. But they would go to that long-term goal of deficit reduction, which we can achieve, but it will take time, just as it took time in the 1990s.

But even these proposals to close loopholes, which are, in my view, very difficult to defend—and to do so not immediately but several years from now—even these proposals are being resisted by Republicans. That does not make sense to me. I also do not think it makes sense to a growing number of Americans across this country. They want us to be responsible. They want us to be able to pay our debts. Then they want us to get our debts under control. They recognize that requires not just good will and good wishes, it requires real, difficult choices and sacrifices.

We are seeing now an economy that is racking up huge profits for industry. The nonfinancial members of the S&P 500 index are sitting on about $1.1 trillion in cash. The Federal Reserve indicated similarly that nonfinancial businesses have about $1.9 trillion in cash defined as liquid assets.

Record profits are being accumulated by corporations. All of this is good, but it is much better if those cash resources and profits are put back into the American economy in terms of creating jobs. That should be part of our effort too, not simply reducing the deficit, but reducing it in a way where we grow jobs here in the United States. That is also at the heart of what the President is talking about in terms of his efforts.

We are on the verge of tough votes and tough choices, and I hope we make those tough choices and tough votes. We do have to pay our debts, but then we have to get our debt under control. We have done it. We did it in the 1990s. I would argue without some of the policies that were enthusiastically embraced by many who are here today, who are talking about sacrifice for the middle class but no sacrifice for the very wealthy, we would not be in the same position we are in today.

I believe we are at a very critical moment. We have to resolve this issue by August 2. I hope we can do that. I hope it will turn on the same kind of sensible, balanced approach that we adopted previously in the 1990s. We have to go ahead and think in terms of restoring our financial house and then getting our American people back to work. If we do that, I think we will fulfill not only the best hopes and wishes of the American people but their strong desires.

With that, 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. DURBIN. 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. DURBIN. Mr. President, are we in morning business at this time?

The PRESIDING OFFICER. We are.

Mr. DURBIN. I thank the Chair.

Mr. President, we know as Members of the Senate we are facing a deadline of August 2 for the extension of our debt ceiling. What is it?

The debt ceiling is the authority Congress gives to the President to borrow money. You say to yourself: Well, please stop borrowing. We are already deep in debt. But what the President is borrowing money to pay for what we have already spent money on, commitments we have already made.

Let me give you an example. Voting to continue the war in Afghanistan costs $10 billion a month. We do not have that money—not enough. We have to borrow 40 cents for every $1 we spend. So when Members of Congress say: Continue the war in Afghanistan at $10 billion a month, they are saying we are prepared to borrow $4 billion every single month to keep that promise.

The President comes to us about once a year and says: I need more authority to continue to borrow money to pay for the things you have asked us to do. That is what it comes down to.

Nobody likes to vote for the debt ceiling because it is so widely misunderstood. Most people basically say: I don't want to be associated with it. I have been guilty of that in my political career. But the fact is, most of us look over our shoulders at the final vote and say: We better pass this darn thing because if we don't, we will default on our debt.

The full faith and credit of the United States of America is like our credit score. Guess what. We have the best in the world. Of all governments

in the world, we have the best: triple A. It does not get any better, and it has always been there, and that has helped us. It has helped us not only to borrow money at lower interest costs, but the fact that our economy is looked on as so reliable attracts more businesses to our country.

So if on August 2 we default on our debt for the first time in our history, our credit score is going to suffer. The people who loan us money are going to say: We never dreamed the United States of America would fail to make a debt payment. If they are going to fail to make a debt payment, then we are going to have to raise the interest rates because they are riskier than we thought they were.

What happens when you raise the interest rates on the United States of America borrowing money? Every percentage point—every 1 percentage point—adds $130 billion a year to our national debt; and over 10 years, 10 times that amount: $1.3 trillion every 10 years for every single percentage point.

So is it important to extend the debt ceiling? You bet it is; otherwise, our debt goes up, our credit rating goes down.

There is another unfortunate consequence. As the debt of America requires a higher interest payment because we have defaulted, interest rates go up all across America—in Montana, in Illinois, in every State. People who are borrowing money to run a farm, such as our Presiding Officer, to buy a car or buy a house will pay more in interest.

Is that is a good thing? Of course not, particularly in a weak and recovering economy, with 9 million people out of work, maybe 14 million if you add those who are only partially employed. With 14 million people out of work and interest rates going up, businesses do not expand as they should, people do not buy. They put it off because interest rate costs are that much higher. That is what this is about. That is what the August 2 deadline is about.

But it is about something more. It is about the debt of this Nation, which is a serious issue. We are now in a position where, as I mentioned earlier, we borrow 40 cents for every $1 we spend. We borrow it from Americans who buy our Treasuries and securities, and we borrow it from countries around the world who buy our debt.

The leading creditor of the United States of America is China. The leading competitor of the United States of America is China. Put those two things together and realize our vulnerability as our debt grows larger and our indebtedness to countries such as China grows larger. That is not good.

Plus, my son, daughter, my grandchildren, and yours will end up paying this debt. They will pay in their lives for what we are spending today. Some of those will benefit them, but some won't. What we will consume, they will pay for. That is not fair.

If we are going to deal with this debt, there is only one rational way to do it. About a year and a half ago, HARRY REID appointed me to the Bowles-Simpson debt commission. We met for 10 months and came up with a conclusion—18 members—and 11 voted for it. We said that if we are going to reduce this debt in a meaningful way over the next 10 years, we need to put everything on the table—everything. That is painful. It means putting on the table what I have fought for as a Member of the House and Senate, and believe in, and I still do, but we have to look at them.

Is there a way to save money, to economize, to spread the burden of responsibility and sacrifice so that it is fair in America? Some say: No, we are not going to put everything on the table.

Our talks have broken down recently with the Republican leadership over whether, under any circumstances—and I underline the word ''any''—the wealthiest in America should pay more in taxes. They say: No, not a penny.

I don't think that is right. I think if we are going to deal with our debt and deficit in a meaningful way, those who are well off and comfortable in this great Nation should help us. They need to sacrifice if we are asking the same of working families and everyone else across the board. So this notion of no revenue, no tax increase is, in my mind, shortsighted and won't lead us to where we need to be.

We also have to put entitlements on the table. That is when we start getting nervous on the Democratic side. We know what the House budget does to Medicare. Frankly, I voted against that, and I would vote against it anytime it is brought before us.

What it does is dramatically change Medicare as we know it. For about 40 million Americans, that is their only health insurance. They are folks who are over 65, many with medical conditions, and they are uninsurable or certainly they cannot be insured at a premium rate they can afford. Medicare is there for them, and it has been for over 50 years. So the notion in the House Republican budget that we would double the out-of-pocket expenses for Medicare recipients and beneficiaries up to $6,000 a year is just something most people can't do. You know, if you are wealthy in your retirement, that is one thing. Most people are just living paycheck to paycheck on Social Security, with meager savings. The notion of spending $6,000 a year out of pocket for Medicare is beyond them. I reject that House Republican budget.

Are there ways to save money in Medicare? Yes. We created a Medicare prescription drug program and said that finally we are going to help pay for the prescription drugs of seniors because if they get their medicine and they take it, they are well, they don't go to the hospital, and then their lives are better and our costs are lower. So it is better to give them the medicine they need and help them pay for it. We created the plan with private health insurance companies right in the coverage for this prescription drug benefit under Medicare.

What many of us thought we should do is allow the Medicare system itself to offer a prescription drug benefit. We should model it after the Veterans' Administration, where the VA buys prescription drugs in bulk at a discount so that their veterans can get the benefit of those bulk purchases. We can do the same on Medicare and leave it up to individuals across America to pick the plan they want. If you want to go with the private health insurance when it comes to prescription drug benefits, that is your choice. If you want to go with the Medicare benefit, that is your choice. That choice could save us $100 billion a year. That is a lot of money. We can end up with savings there, helping to reduce the deficit, and not compromise the basic promise of Medicare prescription drugs.

The same is true with Social Security. This is where it gets very tricky, and a lot of people start heading for the exits. Here is the reality. Social Security as currently written, with no changes whatsoever, will make every promised payment to every beneficiary for 25 years, with an annual cost-of-living increase. You can't say that about anything else in government. But what happens at the end of 25 years? Unless something intervenes, at that point the Social Security benefits drop 22 percent. That is a big hit for folks living on Social Security.

So what can we do today, 25 years in advance—a small thing—to Social Security that will build up the solvency and life of Social Security for even more years?

I think that is an honest challenge. We should view it as an honest challenge not to eliminate Social Security but to say to the generation of younger workers in America that it is going to be there, and you will be lucky that it is there because a lot of seniors today can tell you the story of their lives. They paid into Social Security, and they now receive the benefits, but what happened to their other plans for retirement? Well, that little 401(k) or IRA or SEP plan took a hit a few years ago, and they lost about 30 percent of their value. Many Americans with the pension plans—some of their companies went out of business, and they walked away from those plans.

Social Security is still there, and we want it to be there in the future. We can strengthen Social Security and give it a longer life. We can find ways to strengthen Medicare and give it a longer life and still be committed to the basic mission of these entitlement programs. That has to be part of this conversation.

I have spent the last few months following up on the Bowles-Simpson deficit commission, meeting with a number of my Senate colleagues, three on the Democratic side and three Republicans. We have tried to take the

Bowles-Simpson proposal and put it into language that works, make it work. So we have been at it for a long time. We have had our ups and downs. One of our members left, then came back. It is a tough assignment. It is not easy. Sometimes emotions run high because there are things of great value and importance that are being discussed.

Something happened this morning that was perhaps historic. We took our plan, which still is short of completion, and we invited every Member of the Senate—Democrats and Republicans—to come listen to a description of the plan. If I am not mistaken—and Senator WARNER is here—it was 49 Senators who came. There were no fistfights and no swearing. Instead, Democratic and Republican Senators sat in that room—49 of them—and listened to the outline of this proposal from this group of 6 and came out with a positive feeling—not all of them. I am not suggesting they all signed up. I would not expect that to happen. But it is significant at this moment in our history that so many felt positive toward what we were doing. I hope we can take it to another level.

In the meantime, we have an important responsibility. We need to extend the debt ceiling. We cannot compromise the whole faith and credit score of the United States. We cannot let interest rates go up and raise our debt. We cannot let interest rates go up and kill the recovery that is taking place in this economy by killing jobs. We need to do our part here and solve this problem on a bipartisan basis. I hope we can fold into that, as a critical element, a plan to move forward in dealing with our debt.

Senator REID, the Democratic majority leader, and Senator MCCONNELL, the Republican minority leader, are working together. America should take heart that they are trying to find a way through a difficult political challenge. The clock is running, and we have to get it done.

Today, we have a largely empty Chamber, as we prepare for a debate on a Republican alternative, which I will oppose and speak against, and I will tell you why. It is not going to pass. We know that. But we have said to Republicans: We will give you your chance to make your case. That is all any of us can ask in the Senate. My plea to the Republican side of the aisle is, let's do this in a time-efficient manner. Let's not waste time. Let's try to get to a good, healthy debate and a vote and move to extend the debt ceiling on a bipartisan basis. If we don't and if the rating agencies which downgraded us last week come back and hit us again, it will hurt this economy and the families and businesses that count on us to make the right and important decisions on a timely basis.

I urge my colleagues on the Republican side, wage a spirited debate on what you believe in, and we will too, but let's not draw this out for days and weeks. We have to get down to business.

I yield the floor.

The PRESIDING OFFICER (Mr. WEBB). The junior Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I commend my colleague, the Senator from Illinois, for his comments. I affirm his sentiments.

We have two problems in front of us right now—one intermediate problem: raising the debt ceiling. If we have a downgrade in our debt, there will be a tax increase on every American family, every American business, in the cost of higher interest rates. We have to get that raised, which is something I have been advocating for over a year.

We have to take a second step—to put into place the long-term deficit reduction plan. The Senator from Illinois and I and others have been working on this. The Senator from Georgia and I started this over a year ago. We had I believe virtually half of the Senate who came and said it is not perfect, but this makes sense as a way to move forward. We have to do our jobs.

I particularly thank the Senator from Illinois, who has worked so hard on preserving the safety net in these discussions.

Some of my colleagues on the Republican side have recognized that we have to sort through a way to reform our Tax Code in a meaningful way. These are acts of political courage, and I commend them both.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

BUDGET NEGOTIATIONS

Mr. SANDERS. Mr. President, the issue that is under discussion in Washington on deficit reduction is of enormous consequence. It will impact not only our generation but the decisions reached will impact our children and our grandchildren and the future of our country. It is terribly important the American people become engaged in this debate. I fear if they do not, if we leave the discussions totally to folks inside the beltway, the results will be a disaster for tens of millions of working families, for the elderly, for the sick, for the children, for the environment, and for the future of our Nation.

So my plea today is for the American people to get heavily involved, to get on the phone and call their Senators and their Members of Congress to demand not that the budget deal that is reached is a big deal or a small deal or a medium-sized deal but that the budget agreement that is reached is a fair deal—one that reflects the values of our country, one that understands what is going on in the economy today, and one that addresses the issue of how we got into this horrendous deficit situation in the first place.

When we talk about a fair deal, one has to understand what the American economy is today, and that is that we have a middle class that is collapsing; we have poverty increasing; and we have a growing gap between the very wealthiest people in our country and everybody else. To my mind, at a time when the rich are doing phenomenally well, when corporate profits are extremely high, when the effective tax rate for the wealthy is the lowest in modern history, and when we have many corporations making billions of dollars in profits and paying nothing in taxes, it would be immoral and bad economic policy to move toward a deficit-reduction approach which balances the budget on the backs of working families, the elderly, the sick, and the poor, and that does not ask the wealthiest people or the largest corporations to contribute one nickel to deficit reduction. That would be absolutely wrong.

Mr. President, one of the areas that concerns me very much is that in the midst of all of this deficit-reduction talk, seemingly out of nowhere comes the idea we must make major cuts in Social Security benefits. That is absolutely wrong for a number of reasons.

No. 1, Social Security has not contributed one nickel toward our deficit. The Social Security trust fund has a $2.6 trillion surplus. Social Security can pay out every benefit owed to every eligible American for the next 25 years. So it is wrong, wrong, wrong to make significant cuts in Social Security a part of deficit reduction. It is wrong because Social Security hasn't contributed to the deficit; it is wrong because President Obama specifically campaigned against any cuts toward Social Security; and it is wrong because cutting Social Security would hurt in a very significant way millions of the most vulnerable people in our country.

There is a discussion going on about moving toward a so-called Chained CPI, which would be used to determine Social Security's annual COLA—a new formulation on the COLA. Let me be very clear. When I was in the House, I introduced bipartisan legislation to strengthen the Social Security COLA because I believed then, and I believe now, the current COLA is inadequate and unfair to seniors because it does not take into account the high cost of health care and prescription drugs.

In my view, the current COLA formulation understates what seniors and disabled vets should be getting. What some are proposing in terms of moving toward a Chained CPI would be to move us in exactly the wrong direction. It would not adequately reflect the purchasing needs of seniors but, in fact, would underestimate those needs.

The Social Security Administration's Chief Actuary estimates the effects of

the so-called Chained CPI would be that beneficiaries who retire at age 65 and receive average benefits would get $560 less a year at age 75 than they would under current law. Around here $560 may not seem like a lot of money. But if you are 75 years of age and are bringing in $14,000 or $16,000 a year, and you are trying to pay for prescription drugs or health care, $560 is, in fact, a lot of money. Worse, if we moved toward that Chained CPI, Social Security benefits, by the time a senior reached 85, he or she would receive $1,000 less a year, which would be a 6.5-percent cut in their benefits.

So we are in an unusual moment in that the people who helped cause this recession—the greedy people on Wall Street whose recklessness, whose greed, whose illegal behavior drove us into this recession—are not being asked to contribute one nickel toward deficit reduction. They were bailed out by the American people, and in many respects they are now doing better than they did before the Wall Street crash.

Many here are saying, my Republicans friends especially: No, Wall Street CEOs making tens of millions a year, who helped cause this recession, do not have to contribute one penny toward deficit reduction. But if you are an 85-year-old senior citizen who is struggling to take care of basic necessities, well, my goodness, we are going to have to do deficit reduction on your back.

That is not what America is supposed to be about, and that is not what the American people want. Poll after poll suggests the American people believe we should move toward deficit reduction based on the concept of shared sacrifice; that we are all in this together.

Even if you are a millionaire and you make a whole lot of campaign contributions, and, yes, if you are a billionaire and you have lobbyists running all over Capitol Hill, you know what. You are going to have to help us with deficit reduction. And, yes, given the fact that we have major corporation after major corporation—oil companies and Wall Street—making billions of dollars in profits and in some cases paying nothing in taxes, guess what. We are going to do away with those loopholes so they start contributing toward deficit reduction. Given the fact we have tripled military funding since 1997, yes, we are going to have to make some cuts in military spending.

Let me conclude by simply saying: Yes, we have to reduce our deficit and deal with our national debt. But the issue is not a big deal or a small deal, the issue must be a fair deal—one which protects Social Security, Medicare, Medicaid, the needs of working families, and a deficit-reduction approach which asks the wealthiest people and the largest corporations to also participate in deficit reduction.

With that, Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2055, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2055) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Coburn (for McCain) amendment No. 553, to eliminate the additional amount of $10,000,000, not included in the President's budget request for fiscal year 2012, appropriated for the Department of Defense for planning and design for the Energy Conservation Investment Program.

Johnson (SD) modified amendment No. 556, of a perfecting nature.

Mr. JOHNSON of South Dakota. Mr. President, as we begin our third day of debate on the Military Construction-VA appropriations bill, I would like to encourage my colleagues to file any amendments they may have as soon as possible, as we would like to begin disposing of amendments in short order. While we are waiting, I would like to take a few moments to talk about the VA portion of this bill.

The bill totals $58.6 billion in discretionary spending for the VA in fiscal year 2012. Additionally, the bill contains $52.5 billion in advance appropriations for health care for our vets. One of the very few funding increases above the budget request contained in this bill is for VA medical research. As every Senator knows, the unique combat situations in Afghanistan and Iraq have left many vets suffering significant injuries, including PTSD and TBI. We have a moral responsibility to take care of those who have put their lives on the line to defend our Nation and it would be shortsighted to cut funding for critical research designed to improve medical outcomes from injuries suffered on the battlefield.

Over the last several years, tremendous progress has been made by the Department in reducing the number of homeless vets. According to the VA, in 2005 an estimated 195,000 vets experienced homelessness on any given night. Today that figure is down to 75,600. Progress is being made and this bill continues those efforts.

The bill also includes funding for the VA to transform from a Department heavily dependent on paper to a modern agency that leverages technology to shorten the time vets have to wait for services. The funds contained in this bill are necessary for the VA to deploy its automated claims processing system on time.

These are only a few highlights of the VA title of the Military Construction-VA appropriations bill. As I have mentioned from the outset, this bill is a result of a bipartisan effort. Again, I urge my colleagues to file any amendments they may have so that we can continue to make progress in moving this bill toward final passage.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON of South Dakota. I ask unanimous consent that Senator COLLINS be added as a cosponsor to amendment No. 556.

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

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

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. WEBB. Mr. President, I wish to begin by expressing my appreciation for the remarks of the Senator from South Dakota about the need to help our veterans, particularly those who have been serving in these recent endeavors. I wish to express my personal appreciation once again for the service his own son has given our country during this period, and to the service of the Senator from Illinois, the ranking Republican on this bill, as well as to my own son for having served as an enlisted marine and infantryman in Ramadi, Iraq, through some of the worst fighting of that war.

I rise today to discuss two amendments Senator WARNER and I have filed to this particular bill. Each relates to the Navy's proposal to homeport a nuclear-powered aircraft carrier at Naval Station Mayport in Florida by 2019.

One amendment would eliminate funding of nearly $15 million for a Navy

military construction project—a four-lane divided highway on the naval station. The Navy describes it as the first in a series of what will be increasingly expensive projects required to enable the Navy to create a second homeport for aircraft carriers on the east coast.

The second amendment would eliminate approximately $15 million for architectural planning and design services for a number of follow-on military construction projects at Mayport tied, again, to carrier homeporting.

This is a slippery slope. The Navy says it will cost more than $½ billion in one-time costs to homeport a nuclear-powered aircraft carrier in Mayport. Other recurring costs will push the expense much higher. In fact, there are estimates these costs could achieve more than $1 billion by the end of this decade.

The reason for filing these amendments is straightforward. We owe it to the American taxpayers, as well as to the integrity of our DOD budget process. The Department of Defense has been directed to achieve reductions in defense spending totaling hundreds of billions of dollars. No part of that budget should be off-limits, especially a duplicative, redundant project such as the Navy's carrier homeporting plan for Mayport.

I wish to make it clear at the outset that this is not a Virginia v. Florida issue, although there are strong political implications in both Virginia and in Florida for this move. I have been involved in one way or another with naval service since I was 17 years old, and I will continue to be involved in one way or another long after I am involved as a Senator in the Senate.

I support the Navy's requirement to sustain the naval station at Mayport in some fashion, but speaking as a former Secretary of the Navy, I wish to point out there are other ways to get there. I question the fiscal responsibility and the strategic necessity to homeport an aircraft carrier in Mayport when less expensive homeporting alternatives do exist.

These amendments are directed toward necessary congressional oversight. The GAO has initiated an independent analysis of alternatives. Its assessment will be completed next spring. Before we commit to a plan to build expensive, redundant, nuclear-supported infrastructure on the east coast with long-term spending implications, our views on the Navy's proposal should be informed by this GAO study.

Let me explain my hesitations about this project. First, the Navy is proposing to expand a facility at the same time the size of its fleet has radically declined. This chart shows the size of the U.S. Navy active ship force vessels levels from 1970 until today. In 1970, the U.S. Navy had 743 active ships. Today they have 284 deployable battle force ships. It is rather ironic as I stand here today because when I was Secretary of the Navy in the late 1980s, the Navy had exactly twice as many combatants as it does today—568 combatants. It is only logical that the Navy's shore footprint should reflect this reality. The Navy's plan to build a large duplicative facility for aircraft carriers in Mayport contradicts this logic.

In 1970, with 19 aircraft carriers, which is this line showing the historical trend on aircraft carriers, the Navy homeported carriers at 6 locations. As the number of aircraft carriers has declined from 19 to 11 today, the number of their homeports has held fairly constant. There are now 5. So when we had 19 aircraft carriers in the Navy, they homeported them at 6 locations.

Today, with 11 aircraft carriers and 1, quite frankly, at risk, which I will speak to in a minute, we have 5. The Navy has upgraded its facilities and home ports on the west coast and in Japan, as well as our east coast home port in Norfolk to accommodate today's all-nuclear carrier fleet. With a fleet less than half the size of what it was in 1970—almost one-third of the size of what it was in 1970—it is only logical that we do not require the same number of shore facilities to support it.

Quite frankly, if I had $1 billion to spend, I think I would buy a couple of ships with it and try to get the Navy up to its stated goal, which I support, of 313 combatants. These are issues of fiscal responsibility—where the Navy puts its money.

Over the past 5 years, the Navy has had validated unfunded requirements—validated unfunded requirements—of more than $50 billion across its operations, military construction, modernization and acquisition programs. I believe it is more fiscally responsible for the Navy to reduce these unfunded requirements than it would be for them to build a redundant facility.

From fiscal year 2008 through 2012, the Navy reported unfunded priorities totaling $11.8 billion. These are priorities totaling $11.8 billion. They cover shipbuilding, aircraft procurement, aviation and ship maintenance, military construction, and other programs—all for future readiness needs.

The Navy's backlog in critical modernization repair projects at the four naval shipyards increased to $3.5 billion in fiscal year 2010 as a result of inadequate investment. The Navy acknowledges that the growing risk for shipyard operations is a major concern. Overall, the Navy's shorewide modernization backlog grew to $39.2 billion last year—up nearly $3 billion from the previous year. Simply stated, the Navy needs to do a better job of managing its existing facilities.

So I ask my colleagues: How can we be sympathetic to the Navy's request for additional funding to cover such shortfalls when it wants to invest up to $1 billion in an ill-advised, duplicative carrier homeporting project in Mayport?

There has been much discussion about the strategic justification and ramifications of only having one nuclear aircraft homeport on the east coast. Let me talk about that. First, the Navy says the new homeport is needed to mitigate the risk of a terrorist attack, accident, or natural disaster at the homeporting facility in Norfolk. However, every Navy risk assessment states there is a low risk of such events occurring in the Hampton Roads region. Alternate maintenance facilities for a carrier exist at Norfolk Naval Shipyard and the private shipyard in Newport News. Last year, I supported projects at Mayport to cover this possibility as well—to dredge its channel and modernize a pier so that a carrier could make a routine port visit there in the unlikely event that operations in Norfolk were interrupted so that a carrier could use Mayport in an emergency.

There has been some talk about the need for strategic dispersal. I recognize that concept. There have been photographs of Pearl Harbor with battleship row, with the ships bunched together, showing how the Japanese aircraft were able to knock them out in 1941. There was justification for the Navy's concept of dispersal during the Cold War. But even then many critics from GAO were faulting the Navy at a time when I was at the Pentagon for its lack of a focused threat assessment to justify what some people were calling ''strategic home-porking''—putting ships in too many different locations.

Today's threats are entirely different, and I would make the rather ironic note that dispersal in many ways has occurred through reduction. I will say this again: The U.S. Navy today is one-half the size it was when I was Secretary of the Navy, when we had 568 combatants. A certain amount of dispersal has occurred by the dwindling size of the Navy.

The second point is a conventional Pearl Harbor-type attack is very unlikely. Secretary of Defense Panetta mentioned this during his Senate confirmation hearing in June:

> The next Pearl Harbor that we confront could very well be a cyber attack that cripples our power systems, our grid, our security systems, our financial systems, and our governmental systems.

I do not minimize the need to protect our fleet from any sort of attack. We have done an extraordinarily good job of that in the Norfolk area with high-tech defensive systems. This is not the same type of situation that people have talked about in terms of what happened at Pearl Harbor in 1941.

Another point is that less expensive homeporting options do exist. Our Navy's own studies identify other less-expensive options to sustain the facility at Mayport, and I do believe Mayport as a Navy town is very important to the interests of our country and to that region. It is an important naval base. But we have a clear responsibility to find more cost-effective, more strategically responsible ways to do that.

Again, if I had $1 billion I would put it into ships. If I were looking for the

right kind of ship to go to Florida, I would look for amphibious and smaller ships so we don't have to build these highly expensive, nuclear-capable facilities that, again, are redundant.

I must also note that pressures to reduce the Navy budget are getting worse. Last week, Marine Corps GEN James Cartwright, the Vice Chairman of the Joint Chiefs of Staff, highlighted this challenge, saying that the Defense Department is ''looking at all options'' to reduce its budget by $400 billion over the next 10 years. General Cartwright then confirmed that the Navy was considering such options as delaying the construction of a nuclear-powered aircraft carrier or possibly cancelling a future aircraft carrier acquisition.

The effects of these budget pressures are manifested in the fleet today. The Navy's readiness for aviation squadrons and its surface ships has continued to decline since 2007, owing to inadequate funding for maintenance, deferred availabilities, and the fleet's high operational tempo. In their testimony on Navy readiness to the Readiness Subcommittee on the House side just last week, the Navy witnesses said, ''This is unsustainable over the long term.''

So do we want to spend $1 billion on a redundant homeport at the expense of building ships and maintaining our fleet? I would encourage my colleagues to consider a commonsense approach and to take a year's time out before embarking on a duplicative enterprise that the Navy simply cannot afford. The service has far too many higher priorities, unfunded requirements, and readiness problems on its plate.

The GAO study will be comprehensive, it will be rigorous, and it will give us the information we need to make informed judgments next year regarding the Navy's homeporting plan for Mayport. There is no cause to rush to judgment now. There is $30 million that could be saved presently.

As I said, this is a slippery slope that could take us down the road to $1 billion. We don't need it. We need the money in other areas in the Navy budget.

Mr. NELSON of Florida, Mr. President, I rise today to discuss the strategic dispersal of our naval fleet, and how this is vital to our national security. Why is strategic dispersal important? Well, we only have to look back a few decades to December 7, 1941, to see why all of our eggs should not be in one basket.

In the Pacific fleet, our Navy has had the forethought to station our most priceless assets at four different homeports—San Diego, Bremerton, Everett, and Japan. The Navy has been slow, however, to accomplish the same thing with our Atlantic fleet. When the last conventionally powered aircraft carrier, the John F. Kennedy, was decommissioned in 2007, we had a problem. All five nuclear carriers were now in one homeport Norfolk, VA. So since 2007 this has heightened the national security threat.

The threat could be an asymmetric one like the USS *Cole* bombing or the sinking of a freighter in the 15-mile-long channel at Norfolk, which would bottle up the carriers in port.

If we have learned anything, it should be this—we are not invulnerable to attacks or to the whims of Mother Nature, nor are we very good at anticipating when and where the next catastrophe will occur. Mayport, unlike Norfolk's carrier berths, is at the mouth of the river, adjacent to the ocean, with a protected harbor from the commercial ship channel.

The President's budget request supports the infrastructure improvements needed in order to homeport a carrier in Mayport, FL, in 2019. Why? The Chief of Naval Operations, ADM Gary Roughead, said that ''Moving a carrier to Mayport is needed regardless of cost.'' The Secretary of the Navy, Ray Mabus, said ''We have to disperse our carrier fleet, from a naval standpoint; it's something we have to do.''

The cost to homeport a CVN at Mayport is much less, almost half, of what the Navy anticipated. The Government Accountability Office estimates that the total cost of remaining projects will be from $258 million to $356 million, instead of $537 million. Indeed, this is cheap insurance when you consider the costs of replacing a carrier at $11.5 billion.

The military decision to disperse the fleet has been studied and restudied. Admiral after admiral, Secretary after Secretary have all testified keeping a second Atlantic homeport is essential to national security. The U.S. Congress has supported this decision for years.

The Senate Armed Services Committee and the Senate Appropriations Committee both have recommended the full funding of the President's budget request for Mayport improvements in 2012. The carrier move enjoys broad, bipartisan support in this Chamber.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 568

Mr. VITTER. Mr. President, I rise to make pending the Vitter amendment which is at the desk, and I will be happy to explain what it is about. If it is necessary, I ask unanimous consent to set aside the pending amendment and make the Vitter amendment pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

Mr. VITTER. Mr. President, I ask unanimous consent to waive reading of the admendment.

The PRESIDING OFFICER. The clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 568.

The amendment is as follows:

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act may be obligated or expended at a rate higher than the level of the Senate and House of Representative concurrent budget resolution for fiscal year 2012)

On page 117, between lines 12 and 13, insert the following:

SEC. 410. None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

Mr. VITTER. Mr. President, I will read it. It is very short, and I will explain it. This amendment simply says:

None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

That is the entire amendment.

The point this amendment makes is a pretty simple but a basic and important one. We do not have a concurrent budget resolution for fiscal year 2012. We are in the process of passing an appropriations bill, spending money without a budget, without a game plan, without a framework. That is clearly putting the cart before the horse and clearly having things backward in a dysfunctional process.

Every Louisiana family, every Louisiana small business, as families and businesses do in Minnesota, sits down and makes a budget, and then they spend money under that budget. That is the rational, straightforward way to do things. Unfortunately, that is not what we are doing in Congress and in the Senate.

This simple, straightforward process is not only rational, it is not only commonsensical, it is also required by law. Under Federal law, the Congress is mandated to pass a budget, to pass a concurrent budget resolution by April 15 of every year. We are months beyond April 15—several months and counting—and not only do we not have this required budget, this game plan, this framework which we are supposed to be living by, but on the Senate side we have not even made a meaningful effort to get there.

The distinguished chairman of the Budget Committee has not made an effort in committee to come up with a Senate budget resolution. There has been no effort in committee, and so no Senate budget has been sent to the floor. In fact, the same thing happened in the previous fiscal year. So we are now not just several months past this year's April 15 deadline, but we are over 800 days since the last time we had a budget resolution as required by Federal law—800 days, over 800 days and counting.

I am afraid this is exactly the sort of thing the American people shake their

heads at. This is exactly the sort of thing they scratch their heads about, shake their heads at, and say: What is wrong in Washington?

Every Louisiana family has a budget they have to live within. Every Louisiana small business has a budget and that is their framework and they operate within that. Yet Congress, apparently, does not get it, particularly the Senate does not get it under this majority leadership and is not even making an attempt to do what is not only a good, sound idea but is required by Federal law.

Again, I just suggest we put first things first: We have a budget and then we only spend money, only pass appropriations bills pursuant to and consistent with that budget. That is why, again, my amendment is very simple:

None of the funds appropriated or otherwise made available by this Act shall exceed the level of the concurrent budget resolution for fiscal year 2012.

I urge us all to do the right thing. We will have different ideas about a budget. We will have different priorities. We will have an important and healthy debate, but we need to follow the law. We need to follow common sense. We need to have a budget and then only pass spending and appropriations bills under that budget and consistent with it.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. KIRK. 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. KIRK. Mr. President, I share very much the sentiments of my colleague from Louisiana, Mr. VITTER, but I would urge us to not support the amendment because the Senate has already ruled on this question.

When we debated whether to take up this bill, we voted on a cloture motion in order to bring up an appropriations bill. Normally, we would want to pass a budget resolution before bringing up an appropriations bill, and it has been, I think, over 800 days since the leadership of this institution has even written and presented a budget. But I would put forward that this bill is rather unique because it conforms to the House Paul Ryan budget that passed the House on April 15. The legislation before us has come before the Senate because Chairman JOHNSON and I have agreed to put forward a VA–MILCON bill that is $1.255 billion in discretionary budget authority below the President's request. We are coming in $620 million below the 2011 enacted level.

We all remember that the House of Representatives has already adopted the MILCON–VA appropriations bill under Chairman CULBERSON, and the Senate bill actually spends in budget authority on the discretionary side $2.5 million less than the House bill. Because we did that, 71 to 26 was the vote on cloture to bring up this bill, including the support of the Republican leader, Mr. MCCONNELL, and our vice chairman on the Republican side of the Appropriations Committee, Mr. COCHRAN.

I do think for a bill that has been endorsed by the Veterans of Foreign Wars and other veterans service organizations, a bill that gets the Senate moving again for its regular duties as part of the appropriations process, and for a bill that actually cuts funding—Chairman JOHNSON and I have reduced funding in 24 separate programs in this budget, including denying a brandnew courthouse for the Court of Appeals for Veterans Claims and pressuring the Army, for example, when we found a proposal to spend $1.4 million on a general's garden in Germany. When all those 24 reductions were made—when we denied the new building, when we made the other reductions—we came in with a bill that is below the bill passed by the House of Representatives.

That is why this legislation has come up. That is why the Senate voted 71 to 26 for cloture to bring up the bill. I would just put forward that the fact is, this bill does actually comply with a budget. It complies with the budget of the House of Representatives, which is why it has such strong bipartisan support.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I congratulate Senator KIRK for bringing this legislation to the floor and getting it through committee in a way that is indicative of where we need to go. We were sent here not to increase spending. We were sent here to try to find a sensible way of moving forward by reducing expenditures and still providing essential services that only the Federal Government can provide. His subcommittee and committee have done that with this bill before us.

I commend him for bringing this in under budget. Savings actually have occurred. We are changing the culture of the Senate from one of increasing spending to one of oversight and looking carefully at how Washington spends taxpayer dollars. Every dollar is important. We have a lot of those dollars stacked up, in terms of debt, that have to be addressed. Looking at each appropriations bill and getting them through regular order is how the Senate needs to function. We know we cannot get there until we settle this debt limit situation with a sensible, rational plan that is credible with financial markets.

I have looked at details of this legislation as a member of the Appropriations Committee, and I think the Senator from Illinois and his colleague, the chairman, Senator JOHNSON, have come forward with a very good product that addresses our military construction needs and our welfare benefits and does it in a way that shows we can achieve savings.

What I wish to speak about is the balanced budget amendment we will be dealing with later this week. When I first came to Congress, I committed to the people of Indiana to support a balanced budget amendment. I have watched the process, and since I have left office and now come back, I have continued to watch the process, and we simply don't have that discipline that enables us to keep our fiscal house in balance.

There are so many temptations as a Member of Congress to say yes to everybody. Everybody pleads their cause. They come in and make their case. Over the years, our country has accumulated gradually a substantial amount of debt that we no longer can afford.

Washington needs something that locks us into a commitment to be careful with taxpayers' money and not spend more than we take in. Every family understands this. There is a point at which we simply have to say stop spending at this rate because we cannot afford it. Every business understands that. Most of our local governments and State governments are now realizing that.

As we see across the country, very drastic steps need to be taken to get the fiscal house back in order. That hasn't happened yet at the Federal level. Thankfully, we have before us this week attempt to debate and address the issue of a constitutionally mandated balanced budget. I look forward to that debate.

Let's just look back at a little history. When the balanced budget amendment came before the Senate in 1997, our Nation's debt stood at $5.36 trillion. Today, the debt has accelerated to $14.3 trillion and, as we know, it is accelerating even faster and climbing toward much higher numbers. We are borrowing more than 40 cents of every $1 we spend. That is unsustainable. Ultimately, it is having a negative impact on our economy, but it will continue to have an ever-increasing negative impact in the future if we do not get our fiscal house in order.

We clearly need a commitment. When we put our hand on the Bible and raise our right hand and swear to uphold the Constitution of the United States, that includes a commitment to be careful with the taxpayers' dollars and particularly understand the impact that deficit spending has on our economy and on unemployment—a commitment to be open and fair and upfront with the taxpayers who are funding all this.

Our State of Indiana has to go before the taxpayers each year and say this is a nice proposal, but this is how much it is going to cost. If we, the taxpayers, want to pay for such a proposal with increased taxes or we want to pay for it by reducing spending somewhere else, one of those processes will keep us in balance. Congress cannot end this session without achieving that balance. Our State has to go through that every

year. That is true of the majority of the States in this country.

That doesn't happen here in Washington. We just borrow more and worry about it later. The end of that road is here. We have hit the wall. Later is no longer a viable option. More debt is no longer a viable option. Without a constructive plan in place to address this now, we are going to continue to, in my opinion, remain at a stalemate. There is a lot going on in the Senate. There have been hours upon hours of discussions. Both sides, together, are trying to figure out a plan that will put us on a path to fiscal responsibility, which can both pass the House and the Senate.

The opportunity now is here to include in that plan a balanced budget amendment. We know it is going to take time to pass this. It requires a two-thirds vote of each House. If passed and agreed on, it has to be sent to the States, and three-quarters of the States have to ratify it. If the American people understood that behind whatever plan we put in place to deal with our fiscal problems we had a balanced budget amendment to the Constitution in place, they would have assurance that we are on the right track. I think that signal to the financial markets and the world. It would show that the United States is aware of its problem, has taken action, and is getting its fiscal house in order. The dollar will stay the world's currency, and America will remain the safest haven in the world to invest.

We are seeing debt crises all over the world, and we see our own dollar being challenged. The rating agencies are coming forward and announcing the possibility of a drop in our credit rating. The statistics show that a 1-percentage point increase in interest rates—which investors will demand if we don't show them a credible plan—produces, over a 10-year period, $1.3 trillion of extra money that we will have to spend to cover our debt. We simply cannot continue this process and ignore the problem. The time to do it is now.

Is it difficult? Yes. We have been trying to debate this and work on it ever since January. We are not there yet, and the clock is ticking toward August 2. A balanced budget amendment will help enforce a debt-reduction plan and gain the confidence of the American people that this will not just be something overturned by the next Congress, and it will not just be a piece of paper that doesn't have a long-term effect. Backing up a plan with a balanced budget amendment will provide the assurance that going forward America will tend to its fiscal needs and stay strong as a nation financially, as well as every other aspect.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask for 10 minutes in morning business.

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

Mr. MERKLEY. Mr. President, I rise to address an issue of fairness for our National Guard soldiers. They serve with honor and bravery at home and abroad. They have earned the respect and admiration of an entire Nation with their incredible sacrifices over the last decade.

We must not forget they have also, in addition to our respect and admiration, earned their compensation and their benefits. To take back a veteran's compensation after she or he has fulfilled the requirements for it is unthinkable. Yet that is exactly what is happening around the country in regard to National Guard bonuses.

Let me share the story of PFC Chelsea Wells. This story is emblematic of the struggle many men and women in the National Guard are facing today.

I thank Congressman WALDEN for bringing this situation to the public's attention and to my attention. I add my voice to his to call for fairness for PFC Chelsea Wells and for all other members of the National Guard.

Private First Class Wells is from my home State of Oregon, where she has served in the Oregon National Guard for the last 3 years.

In 2007, she enlisted as an intelligence analyst in response to the needs of the Army. At the time when she signed her enlistment document, she signed an additional document that stipulated she would receive a $20,000 bonus for enlisting in a critical Military Occupancy Specialty or MOS.

That agreement, which was also signed by the enlisting official at her processing station, also stated she would receive the first half of her bonus upon completion of her initial training and the second half after 36 months of service.

As planned, Private First Class Wells received that first $10,000 upon completion of her initial training. However, when her 36 months of service was completed, the second half of the bonus was nowhere to be seen. In fact, it was denied.

Following an inquiry from Congressman WALDEN, the National Guard stated the payments had been denied because her specialty was not on the critical skills list at the date of enlistment. However, the very document Private First Class Wells signed—also signed by the enlisting official—very specifically listed her Military Occupancy Specialty, 35F, as indeed being a critical skill specialty.

I have that document here: ''Annex E to Defense Department Form 4, Nonprior Service Enlistment Bonus Addendum.''

It says the purpose of this form is ''to explain and confirm obligation and to ensure that agreement to these conditions is a matter of record.''

The entire point of this document is to ensure that there is a clear understanding in regard to eligibility for bonuses. This document says on its list of eligibility—and this section is signed by the soldier:

> I am enlisting into a critical skill MOS under the 6x2 or 8XO enlistment option and will receive a NPS Critical Skill Bonus (50/50 payment.)

That means 50 after initial training and 50 at the end of 3 years.

At the end of this document, it has section IX, ''Certification by Service Representative,'' and this is in regard to the enlisting official, the recruiting officer. It says:

> I certify that I have witnessed the reading and signing of the above agreement and the signature appearing is that of the applicant. I have verified the soldier meets the eligibility requirement of NGR 600–7, paragraph 2–3, and the applicant's MOS/unit is currently eligible for an enlistment cash bonus.

I think that is pretty clear. The story gets even worse. Not only is our own military saying they are not going to award the second half of the bonus, but they want her to return the first half because, apparently, they made some kind of mistake in between the recruiting officer and the higher-ups. I must say any individual should have the right to a reward that he or she was contractually owed. And there are no individuals who deserve their reward more than our brave men and women in uniform who have already made so many sacrifices, large and small, to ensure the security and safety of our Nation.

Private First Class Wells upheld her end of the bargain. She signed this enlistment document in good faith. She answered the call to serve when she was needed, and she served with honor for the full term. Now we must uphold our promise to her and to other National Guard veterans who find themselves being punished due to a dispute that was no fault of their own. They signed these documents in good faith, with the certification of the listing officer that they were indeed eligible. What is absolutely clear is that whatever dispute there may be between the listing officers and authorities higher up the chain, that is not Chelsea Wells' fault. She served in good faith under a very clear document, and we owe her and all the National Guard soldiers who are being pursued in the same fashion the bonuses that were promised to them.

We ask a tremendous amount of those who serve. Now is when we should be giving back, not asking for more. Asking a soldier to give back money they have received under a document they signed in good faith and fulfilled in good faith is 100 percent unacceptable. I and my colleagues from the State of Oregon call on the National Guard today to resolve this matter and to make sure this wrong is made right.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 570, AS MODIFIED

Mr. WYDEN. Madam President, I ask unanimous consent to set aside the pending business to call up my amendment, amendment No. 570, as modified.

The ACTING PRESIDENT pro tempore. Is there objection?

The clerk will report.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mr. MERKLEY, proposes an amendment numbered 570.

The amendment is as follows:

(Purpose: To provide for the closure of Umatilla Army Chemical Depot, Oregon)

On page 84, between lines 5 and 6, insert the following:

SEC. 127. (a) CLOSURE OF UMATILLA ARMY CHEMICAL DEPOT, OREGON.—The closure of the Umatilla Army Chemical Depot, Oregon, and subsequent management and property disposal, may be carried out in accordance with procedures and authorities contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(b) RETENTION OF PROPERTY AND FACILITIES.—The Secretary of the Army may retain minimum essential ranges, facilities, and training areas at Umatilla Army Chemical Depot, totaling approximately 7,500 acres, as a training enclave for the reserve components of the Armed Forces to permit the conduct of individual and annual training.

(c) OFFICE OF ECONOMIC ADJUSTMENT ACTIVITIES.—Notwithstanding any other provision of law, the Office of Economic Adjustment Activities of the Department of Defense may make grants and supplement other Federal funds, using funds made available by title, in connection with the closure and management and disposal provided for in this section, and the projects so supported shall be considered to be authorized by law.

Mr. WYDEN. Madam President, I ask for the immediate consideration of amendment No. 570, as modified.

The ACTING PRESIDENT pro tempore. The amendment has been reported. It is now pending.

Mr. WYDEN. Madam President, when we have a conflict or a problem in my home State, we resolve it the Oregon way: by finding consensus and building common ground.

That is why, when it became apparent 20 years ago that the U.S. Army's Chemical Depot in Umatilla, OR, would be closing once all the chemical weapons were destroyed, the community leaders gathered all the stakeholders and began the process of planning what to do with the land once the facility closed. The Umatilla Depot straddles two counties, several cities, and historic tribal lands, so there are a lot of folks in my home State who are interested in what happens to the land.

As progress was made in destroying the weapons at Umatilla, the community built common ground and found a genuine consensus. The Federal Government would support it. It gave more than $1 million in assistance. When the facility was listed in the 2005 BRAC recommendations for closure, the Pentagon eventually recognized the group of stakeholders as an official Local Reuse Authority.

Everything appeared on track until last month. That was when, at the eleventh hour, the Pentagon changed the rules. After decades of planning and $1 million in preparation, a lawyer at the Pentagon decided to reinterpret the law and declared that the 2005 BRAC report—which became law when Congress didn't pass a resolution of disapproval—didn't matter. That lawyer decided that the Umatilla Depot would be closed outside of the BRAC authority because the last of the chemical weapons wouldn't be destroyed until after the 6-year limit for completion of BRAC actions. What this lawyer either didn't know or somehow missed is that this was precisely the intention of the BRAC Commission when they put the Umatilla Depot on the closure list.

The BRAC report discusses the fact that the mission of destroying the chemical weapons wouldn't be completed until after the deadline. On page 239 of the report, the Commission found that Secretary Rumsfeld's assertion that the chemical demilitarization mission at Umatilla would be complete by the second quarter of this year was optimistic. The Commission wrote:

An examination of status information for the depot's mission completion and subsequent closure revealed that dates may slip beyond the 6-year statutory period for completion of the BRAC actions.

Therefore, the Commission took the Secretary of Defense's recommendation ''Close Umatilla Chemical Depot, OR'' and changed it to ''On completion of the chemical demilitarization mission in accordance with treaty obligations, close Umatilla Chemical Depot, OR.''

These facts make it clear the Commission did not—as the Pentagon has claimed recently—make a conditional recommendation that the facility only be closed if the chemical demilitarization mission is completed by September of 2011. Rather, the Commission acknowledged that the closure will have to happen when the demilitarization mission is completed even if that is after September of 2011. That decision by the Commission became law.

It is also important to note that the Commission is aware that the demilitarization mission had a deadline of its own. Under the terms of the Chemical Weapons Convention Treaty, Umatilla must complete the mission by April 29, 2012.

UMCD will meet this deadline, if not beat it. The Commission was not giving authority for the mission at UMCD to be one of a never-ending nature. They were simply giving UMCD the additional 8 months provided under the Chemical Weapons Convention.

The depot should be closed under BRAC so the will of the community, in the form of the local reuse authority, and the will of Congress in the BRAC law will be taken into account.

I strongly believe the local community should decide what to do with the land and not somebody who is off in the basement of the Pentagon.

I have spoken with Secretary Panetta about this matter, and he is fully supportive of our efforts.

I wish to also thank Senator JOHNSON and my good friend from Arizona, Senator MCCAIN, who have also been very helpful—and their staff—in working with us. The Pentagon has to implement the law as it is, not, in my view, as it wants. But since the lawyers at the Pentagon have in recent weeks thought there was some ambiguity, I wished to clarify it for them with the amendment that has been modified with the good counsel of the staff of Senator MCCAIN.

Let me also say, the staff of Senator MCCAIN has been very helpful in saying this would be permissive authority in terms of the Pentagon and that the Senator could join me in a letter making it clear it is important this be moved expeditiously. I hope we can complete this matter at this time.

My amendment, which I offer on behalf of myself and my colleague, Senator MERKLEY, would allow the Pentagon to follow the BRAC commission's report and close the Umatilla Depot under BRAC.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Arizona.

Mr. MCCAIN. Mr. President, first of all, I wish to thank the Senator from Oregon. This is an issue that needs to be resolved, and it has been a pleasure working with him on not only the behalf of the people of Oregon but also on behalf of the Department of Defense.

AMENDMENT NO. 564

Mr. President, I join the Senator from Oklahoma in supporting the amendment which Senator COBURN had intended to propose. The amendment would have amended Public Law 102–4, the Agent Orange Act of 1991, which I cosponsored, to provide clarity on the factual basis required for the Secretary of Veterans Affairs to make future determinations on the presumption of connection of military service in Vietnam with diseases associated with exposure to the herbicide commonly known as Agent Orange.

Agent Orange was unanticipated and certainly not something that at the time, given the scientific knowledge and information we had, was thought would be detrimental to the health of the men and women who were serving in the Vietnam war. But the fact is, Agent Orange did have a very serious health effect on the men and women who were serving and those who came in contact with it. For years, we delayed compensating our veterans, those who were exposed to Agent Orange.

In 1991, the act was a long overdue answer to questions on the health effects of exposure to Agent Orange, and it directed much deserved compensation to our veterans for certain diseases, including non-Hodgkin's lymphoma and certain cancers.

What has happened, and the reason why I appreciate the Senator from

Oklahoma raising this issue, is it has obviously now reached a point where the Secretary of Veterans Affairs has now expanded the eligibility to the point where it is beyond any scientific evidence that compensation would be required.

In 2006, it was found that the evidence linking ischemic heart disease to exposure to herbicides was inadequate or insufficient. Heart disease, as we all know, is the leading cause of death in America today and has been so for decades.

In 2008, they updated their findings based on two epidemiological studies which provided ''statistical'' evidence of a relationship. Still, they categorized the link between ischemic heart disease and exposure to Agent Orange as ''limited or suggestive evidence of an association.'' That already low standard was further qualified with the following statement:

> Epidemiologic evidence suggests an association—
>
> Suggests an association—
>
> between exposure to herbicides and the outcome, but a firm conclusion is limited because chance, bias and confounding could not be ruled out with confidence.

Despite this doubt, the Secretary of Veterans Affairs decided to grant a new presumption for ischemic heart disease, which according to the Department of Veterans Affairs will cost nearly $31.9 billion over the next 10 years. Similarly, with Parkinson's disease, which was also found to be in the category of ''limited or suggestive evidence,'' a decision was made to grant compensation and benefits based on exposure to Agent Orange, which according to the VA will cost $3.5 billion over the next 10 years.

This process is a risky, hit or miss, and costly way to administer the veterans disability program and resources, which are in scarce supply and which our veterans need and deserve in return for their sacrifice to our Nation.

In its report to the congressionally mandated Veterans' Disability Benefits Commission in 2007, the Institute of Medicine itself found that the ''association'' standard contained in the Agent Orange Act was inadequate and potentially misleading. That report recommended the goal of the presumptive disability decisionmaking process be to ensure compensation for veterans whose diseases are caused by military service and a new primary standard that sufficient evidence to support a determination of presumption would exist when evidence is sufficient to conclude that a causal relationship exists.

The Veterans' Disability Benefits Commission endorsed the need for establishing a new framework for presumptions with more transparent processes, but it failed to take the full step of embracing causality in decisionmaking.

The amendment my colleague from Oklahoma so bravely intended to offer would have achieved the goal identified by the Institute of Medicine to ensure that scientifically based causality is at the heart of the disability determination process.

My vote in favor of the Agent Orange Act of 1991 was a vote to discern facts from rhetoric and even politics and to put the welfare of our veterans above all other considerations, including costs. My support of the Coburn amendment would be no different. It is appropriate to adopt a clearer, stronger standard for the presumption of service-connected disabilities to ensure greater consistency in this process and, in doing so, to help ensure that our Nation's resources are available to provide appropriate compensation and benefits for veterans of wars to come.

Former Secretary of Veterans Affairs, the Honorable Tony Principi, before the Senate Veterans Affairs Committee, on September 23, 2010, on this very subject—the subject of presumptive disability decisionmaking—said:

> Make no mistake: these decisions do not merely affect those who may or may not receive presumptive service connections and their families. The American people watch these decisions closely, both to ensure that those who have defended our Nation while in uniform are treated fairly, and to ensure that those who have been given the responsibility to administer the program are good stewards of the resources with which they have been entrusted. If the American people lose faith in the integrity of our disability benefits system, veterans and their families will be the ones who suffer. The surest way for that to happen is for the public to be convinced that presumptive service connection decisions are based on anything other than sound scientific advice.

There is no sound scientific advice that indicates that many of these decisions are valid and directly connected to exposure to Agent Orange. I urge the chairman of the committee to look into this issue. We are talking about $31.9 billion and another $3.5 billion which may not be necessary to be spent.

I believe and understand the emotion associated with the issue of Agent Orange because for so many years our Nation neglected—that was not benign neglect, it was neglect—the plight of veterans who were exposed to Agent Orange and the terrible physical problems that ensued as a result of that exposure. But now it is pretty clear that the Secretary of Veterans Affairs has gone way over in the opposite direction in giving presumptive service connection when there is no valid scientific evidence to convince me that kind of illegibility is there.

So I thank my colleague from Oklahoma.

I urge the Senator, the distinguished chairman of the Veterans' Affairs Committee, to look at this issue, look at whether this $31.9 billion, plus $3.5 billion—over $35 billion—over the next 10 years is wisely spent. That does not mean we do not provide disability payments to those who actually have been exposed and need it. But there is a lack of scientific evidence that many of the benefits that are being extended are absolutely warranted.

So I know the Senator from Oklahoma will not be proposing this amendment, and I understand that. But I wish to assure the committee chairman that when we are talking about this kind of money, we need to investigate it very seriously and reach decisions which are in the best interests of our veterans. There are veterans out there who need compensation, and every day, unfortunately, we are having young men and women return from the battlefield who have disabilities as a result of serving our Nation in combat. So I hope the chairman of the committee will look at this issue very seriously.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, let me update my colleague. I do plan to call up this amendment, and I do plan to ask for a vote on it because it is important. I will call up the amendment in a moment.

What has happened—the Senator from Arizona has had the disease melanoma, cancer melanoma at his age. We kind of know somebody at his age, if they have large amounts of Sun exposure over prolonged periods of time on nevuses or birthmarks, can develop melanoma. There is causation related to that. I have also had melanoma, but I had it as a very young man. What science also knows is that one can develop melanoma without any Sun exposure to a birthmark or a nevus or a mole.

What has happened within the VA, we have taken and gone away from causation and gone to any association that could ever be made.

I am a survivor of colon cancer. What we know is, our risk for colon cancer goes way up if we eat a highly refined diet, with very few vegetables, and have that kind of a diet associated also with high levels of sugar. I did not have any of those things, but yet I had colon cancer. Because there is an association, we cannot infer causation.

So what is happening now?

The Secretary of Veterans Affairs has put us on the hook for people who have no causation but do have association. This amendment, which I will call up, does not change our ability to do that in the future when we, in fact, would see causation. But the presumption that association with the Sun caused my melanoma is wrong. The assumption that my diet caused my colon cancer is wrong. It does cause colon cancers, but we cannot show causation.

Nobody can speak for veterans better than JOHN MCCAIN, having served the amount of time he did in Vietnam as a prisoner of war. He has the body image that shows his sacrifice. Let me tell you what has happened.

We are transferring $½ million to veterans under this decision by Secretary Shinseki for people who weigh 350 pounds, smoke three packs of cigarettes a day, and have hyperchol-

esterolemia because they will not take their medicine. We are saying the reason they have heart disease is because, at some point in time they were in Vietnam, because they moved from causation to association.

I can think of nothing unfairer to those who are truly needing to benefit from this than to give the benefit to somebody whose lifestyle absolutely caused their heart disease, and there is no association with dioxin or Agent Orange, the active ingredient that causes disease, which we know several of them actually did have. But now we have moved to a whole new level where we are saying if someone was exposed, both above or in Vietnam, and they have any of these other diseases which he has listed, that there can be an association.

Let me remind you that an association doesn't prove anything about cause. It just says there is a statistic out here, and it may be right or may not in fact be right. All of the evidence is the other way. The Secretary has chosen to spend $42 billion—counting last year and this year—on this program for diseases that are not caused by Agent Orange. How is that fair? How is it fair to the people who are administering this? I found out about it because VA workers called me and said: This cannot be right. What are you all doing? Why are you giving money to people who have no association with the disease caused by that? Yet you are paying them out of money that should be reserved for those who have a disease really caused by Agent Orange. Consequently, we are going to spend $42 billion that we don't have to pay people.

Another interesting fact is, I have a brother who has idiopathic pancreatitis. The VA told him that under this new guideline he can be eligible for Agent Orange compensation. He served in Korea, but because he has a chronic disease now, they are lining him up to get a payment from the VA because he has idiopathic pancreatitis. He is going to get approved. There is absolutely no association or causation with that. Yet that is what is happening.

Mr. President, I ask unanimous consent that amendment No. 564 be called up, and the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 564.

Mr. COBURN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require evidence of causal relationships for presumptions by the Secretary of Veterans Affairs of service connection for diseases associated with exposure to certain herbicide agents)

On page 112, between lines 2 and 3, insert the following:

SEC. 230. (a) Section 1116(b) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking ''positive association'' and inserting ''causal relationship''; and

(2) by striking paragraph (3).

(b) The amendments made by subsection (a) shall apply with respect to determinations made by the Secretary of Veterans Affairs under section 1116 of such title after the date of the enactment of this Act.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. COBURN. Yes, I will.

Mr. MCCAIN. Mr. President, I want to make it clear that in this amendment there is no desire to deprive someone who was actually exposed to this herbicide called Agent Orange and suffered physical consequences as a result; that this amendment basically draws a difference among three words: One is ''causation,'' which is generally the criteria used in any of these cases, the causation, and that would replace the current ''positive association.''

As the Senator just described, positive association could be most any encounter that anybody would have had who served. I always thought it was in Vietnam, but now he tells me it is even adding someone who served in Korea.

Isn't it true that we are not trying to deprive anyone who was legitimately exposed to Agent Orange and shows the causation, and that they are entitled to benefits from the taxpayers of America? What we are talking about, isn't it true, is that ''positive association'' is such an amorphous definition that it leads to an enormous waste of taxpayer dollars, while there are veterans out there who are in need of these taxpayer dollars for their legitimate reasons?

Mr. COBURN. Mr. President, the answer is that the Senator is absolutely correct. We have a lot of science that shows causation with this herbicide and disease. We have made the assumption that any other association should fall into that same category, such as hairy cell leukemia, and we know lots of things about this group to which there is only an association, statistical association, and no correlation, no causation, such as if someone has Parkinson's, they are compensated from Agent Orange. Yet there is not one scientific study that will show there is any causal relationship between those two diseases.

I will answer that I want every veteran to get the compensation due them when they have a disease related to this chemical. If we find in the future more science that would say so, then we will go on the science.

Now, we have had a Secretary who doesn't understand the difference between association and causation, and we are going to spend $42 billion that we don't have, giving it to people whose diseases were not caused by Agent Orange. That is my problem.

As a physician, I could never defend myself in a court of law using this logic on anything I would do in practicing medicine. As I stated while the Senator was talking with the chairman, we have both had melanoma. The Senator's came from something that we know is associated with it and also a cause—it is called the Sun, ultraviolet radiation. Mine didn't come from that because I didn't have that kind of exposure, and I experienced it at a very young age. Under the guidance of the Secretary, we both would be compensated as if ultraviolet light was the cause of both of our melanomas—the Senator from Arizona, appropriately; me, inappropriately.

So the fact is, no one ever wants to move back, but this is a mistake the Secretary made. My intent is not to harm any veteran who has a disease that is truly caused by Agent Orange. My intent is to make sure we can have the ability to take care of our veterans in the future by spending money wisely to compensate those who are truly injured, truly inhibited and limited by their exposure to that as a result of their service to this country.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, I first want to say what a good job—actually, a wonderful job—the Military Construction Subcommittee appropriators have done. They have adopted a very strict budget line, the same as the House of Representatives, and the chairman, Senator JOHNSON, and the ranking member, Senator KIRK, have put together a very good, solid proposal for military construction, and I appreciate working with them. I was the chairman and ranking member of that subcommittee, and I loved working on it because I wanted to take care of our troops and to make sure they had the construction they needed for housing and for training headquarters. So I commend the great staff of that subcommittee and am very pleased it is continuing in good hands since I have left that committee to go to the Commerce, Justice, Science, and Related Agencies Subcommittee.

I also want to say that there is so much going on in the Capitol right now. I think America is focused on the debt ceiling issue, the overwhelming debt we have in this country. We know it is too much, and so many have been working in different quarters trying to solve this issue.

Senator MCCONNELL, the Republican leader, came out with a proposal early this week to try to assure the markets

and all of the people watching so carefully that we were going to address this issue, even if, in the end, we couldn't come to an agreement. So I commend Senator MCCONNELL. He has taken a lot of criticism for the proposal he made, but I think he said from the beginning that it was the last effort so we wouldn't have a default by our country. It wasn't his first choice or his second choice or even his third choice, but leaders have to make tough decisions to ensure bad things don't happen, if they can avoid leading Members into bad situations. So he was trying to ensure that we wouldn't. I think Senator MCCONNELL's proposal has actually spurred people to get going and try to come to agreement.

I believe the group who is being called the Gang of 6 has come up with some very concrete proposals. It is the first plan I have seen that I believe really begins to cut spending, and it cuts spending immediately. It also has mechanisms that will ensure that the spending cuts happen. Caps are put in place.

There is a freeze in spending for 4 years. There is a freeze in all the elected representatives' pay. Every Member of Congress and the President would have a freeze in pay. There is a freeze in budgets.

I think it also begins entitlement reform, which is very bold, and it is very important that it be done in a bipartisan way. It would go to the chained CPI, which is a better base for determining what kinds of increases there should be for payments that have to be adjusted. So I believe they have taken a first major step. Now, I put out a Social Security reform proposal that also lowered the rate of increase of the COLAs. This one does it in a different way. All I wanted to do was to make sure we address that issue as part of Social Security reform, but it also affects many other areas, and I think it is something all of us, in a bipartisan way, can accept as a reasonable adjustment that will preserve the basic benefits that go across many areas.

Also in the proposal that was put out today is a safety net for people at 125 percent of poverty. They will be getting a benefit that increases more—and I think everyone would agree that is a good thing—and then the CPI adjustment will be in place for others.

I think it also has a very good proposal in the area of taxes because they want to lower the overall rates for everyone and make fewer rate groups, so the top rate would be 29 percent. They even cut the lower rate down to 9 percent.

So these are good proposals, and I think tax reform is something that will bring in more revenue, and it will bring in more revenue in the right way. It will bring in revenue by building the economy, by ensuring a more fair tax system so there will be less fraud and fewer numbers of people who don't pay taxes.

So I think this group has done a good thing—three Democrats and three Republicans working together. Not one of us would have written a proposal exactly the same way, but there are 100 in this body, so we know we cannot dictate exactly what we want. I do believe this is a responsible approach that should give us a good start and something that, over a 10-year period, will put us in the position of bringing down our enormous debt, lowering our deficits, lowering our interest costs, and also beginning to reform entitlements.

There is going to be so much written and talked about—a lot of education. This plan will begin to go into legislative language, and there may be refinements of it. I am sure there will be amendments. But it is a great start, and it has provided great leadership. So many people have been involved in this process—our leaders, the group who has been meeting for months, others who have come together in a bipartisan way to do what is right for our country and for our children and grandchildren.

So I am very pleased we can start this debate and get these things out in a way that the American people will have the confidence we are going to address the debt, do the right thing, bring down the deficits, bring down the interest our country is paying, and, most of all, put people back to work by enlivening our economy.

That is the key. You can't have 9.1 percent unemployment in this country and believe that is a recovery. You can't do it. You have to put people back to work. That is the way you increase revenue, by putting people back to work and having the economy revived. That should be all of our goal, and I think that maybe, just maybe, we are on the right track and can do in a bipartisan way the entitlement reforms, the tax reforms, and the spending cuts that will put together a package that will put our country on a fiscally responsible path for the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

MORNING BUSINESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Colorado.

BUDGET NEGOTIATIONS

Mr. BENNET. Mr. President, I wanted to talk a little bit about our debt ceiling and our deficit and debt issues as well.

I wish to thank the Senator from Texas for her words of encouragement for the product that the so-called Gang of 6 read out this morning. It was a remarkable hour. To see roughly 50 Senators, both Republicans and Democrats, set aside the talking points and try to come across a partisan divide to hear their colleagues who have been working for such a long time on a plan, a bipartisan plan, three Democrats and three Republicans, to really try to address in a material way our debt and our deficit was, to say the least, refreshing. I wish it weren't as unique an experience as it has been, but in the 2½ years I have been here, I can't remember as thoughtful a conversation as the one we had this morning.

I have said for months, month after month, week after week on the floor of the Senate, that I think I am pretty clear about what Colorado wants, whether it is red parts of the State or whether it is blue parts of the State.

They want a plan that materially addresses the problem we face. They know we can't solve it overnight because the hole is so deep, but they want us to move past the rhetoric and the talking points and actually start materially addressing the problem.

They want to know that we are all in it together. It took all of us to get to this point of a $1.5 trillion deficit and almost $15 trillion of debt, and it is going to take all of us to get us out of it, and the people in Colorado know that.

They want the plan to be bipartisan because they don't have any confidence in either party's go-it-alone approach on this particular set of issues and I think on many other issues as well.

The only corollary that I have added to all of that is we need to do something that satisfies our capital markets that their paper is worth what we have paid for it and that the full faith and credit of the United States is good.

We face something momentous at this moment in our country. I wanted to quote just three brief quotes from the rating agencies recently.

This is S&P, July 14:

> Today's CreditWatch placement signals our view that, owing to the dynamics of the political debate on the debt ceiling, there is at least a one-in-two likelihood, 50 percent chance, that we could lower the long-term rating on the United States within the next 90 days. We have also placed our short-term rating on the U.S. on CreditWatch negative, reflecting our view that the current situation presents such significant uncertainty to the U.S.'s creditworthiness.

It is important to realize this isn't just about the debt ceiling, although that is a very important piece of this.

Here is S&P continuing:

> The CreditWatch action reflects our view of two separate but related issues. The first issue is the continuing failure to raise the U.S. government debt ceiling so as to ensure that the government will be able to continue to make scheduled payments. The second pertains to our current view of the likelihood that Congress and the administration will agree on a credible, medium-term fiscal consolidation plan.

Now, I have taken the view all along that we shouldn't make raising the debt ceiling contingent because it has been a ministerial act for most of our history; it is about debts that are already incurred, not about debts that

are coming forward. But I understand the politics in the moment and time, and the only point they are trying to make is that we have to do something material or we are going to be downgraded.

Moody's also says: The government bond rating would very likely be changed to negative at the conclusion of the review unless substantial and credible agreement is achieved on a budget that includes long-term deficit reduction. To retain a stable outlook, such an agreement should include a deficit trajectory that leads to stabilization and then decline in the ratios of Federal Government debt-to-GDP and debt-to-revenue beginning with the next few years.

They said we are at a unique inflection point.

I asked Chairman Bernanke the other day at the Banking Committee—I knew the answer, but I asked him anyway—when was the last time our credit ratings were threatened for downgrade. His answer was, not in the 20th century. And I said to him, well, we are now in the 21st century. The answer was, never. Never in our country's history, that I am aware of, has our credit rating—which is the envy of the world and one of the most important assets that we have as a country and as an economy—been threatened with a downgrade. And now we find ourselves in the position of potentially being downgraded because on the one hand we might not raise the debt ceiling—which I find unimaginable, but it is possible—and on the other hand because our politics look so dysfunctional to everybody who is watching this debate that there is real concern that we can never get to a long-term debt and deficit plan where the math actually pencils. What we know about a plan where the math actually pencils is it is going to require a comprehensive approach that involves discretionary spending cuts, both for military and nonmilitary, that requires entitlement reform and tax reform.

A number of weeks ago, Senator JOHANNS and I sent out a letter that said just that. We passed it around the Senate offices. There are 32 Democrats who signed it and 32 Republicans who signed it. That is a pretty big number around here, and that is a pretty bipartisan effort around here.

Then I began to despair because it didn't feel as if we were making progress toward the goal many of us wanted to get to, and then today we had this conversation with the Gang of 6, who I think have presented a plan, as the Senator from Texas said, that is not perfect, and everybody is going to have a disagreement about this piece or that piece, but does meet the three-part test by and large that I have come out to the floor and I have said time and time again that we ought to meet for the people of Colorado, which is whom I represent.

What I also know is this: At this remarkable time in the country's history, if we act in a way that leads to a downgrade of this country's credit rating; if we, the 100 people who are in the Senate at this moment, don't step up to make sure that doesn't happen, no one is ever going to care what pledge was made about this or that or where we drew the line in the sand. The only thing they are going to know about us is we allowed the full faith and credit of the United States to be compromised for all time. No generation of Americans, no matter how dysfunctional their politics was, managed to sacrifice that much of our future.

I believe the only path through this is a bipartisan one, and I believe the only path through this is a comprehensive one. I think that is what the people of Colorado want and what the American people want.

So I think today marked an important turning point in the conversation we are having around here, and I for my own part believe that if we are confident in the people who sent us here, confident enough to do the job they have asked us to do, we can make sure we don't erode the full faith and credit of the United States because undoing that is going to be the work of generations if we don't protect the work of generations that have come before us. And I feel confident that we can and that we will.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

COMMENDING THE GANG OF 6

Mr. KIRK. Mr. President, I rise briefly to commend the work of the Gang of 6 and what they have done for our country in what is a complicated proposal with details forthcoming but largely reflecting the actions of the bipartisan deficit commission and what could be between a $3.5 trillion and $4.5 trillion reduction in the borrowing needs of the United States.

Specifically, so often we do not thank our colleagues here, but I want to thank especially Senator COBURN, Senator CRAPO, and Senator CHAMBLISS on the Republican side, Senator WARNER, Senator CONRAD, and Senator DURBIN on the Democratic side, because I think they are creating a vital center on what is the most important issue facing the country. I believe the outlines of the plan, as I understand it tonight, will dramatically reassure the American people, our markets, and especially our allies overseas that a free people and their elected representatives can kick their spending habit over time.

At the meeting this morning we had 43 Senators attending, 23 Republicans and 20 Democrats. In this age of very complicated and tight schedules, that is a mass meeting of the Senate.

I conclude by saying this may be the rise of the policy wonks as opposed to partisans of either side, to actually address the solid details of what is the most difficult financial problem facing the country. I commend the work of these three Republicans and these three Democrats in creating a space now where at least 43 Senators attended the meeting on the most creative and most detailed plan I have yet seen come forward to take on this problem.

We all know under our Constitution that the Senate may be the most difficult place to pass legislation. To see even this initiative coming out of the Senate gives me tremendous optimism that one of the most difficult problems in our country can be handled by some of the most capable policy wonk Members of the Senate.

With that, as we begin a discussion on the Gang of 6 proposal, I want to take a moment to personally thank these six Senators and what they have done in putting together what appears to be an initial outline of, not just a very good proposal but in several key areas as a fiscal conservative, an even better proposal than the bipartisan commission put forward.

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 2055

Mr. REID. Mr. President, I ask unanimous consent that at noon tomorrow, July 20, Senator JOHNSON of South Dakota be recognized to move to table Vitter amendment No. 568; that there be no amendments or points of order in order to the Vitter amendment prior to the vote on the motion to table; and the motion to reconsider be considered made and laid upon the table.

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

SUDAN

Mr. DURBIN. Mr. President, last night the Senate adopted S. Con. Res. 25, a concurrent resolution welcoming the independence of the Republic of South Sudan, congratulating the people of South Sudan for freely and peacefully expressing their will through an internationally accepted referendum, and calling on the governments and people of Sudan and South Sudan to peacefully resolve outstanding issues including the final status of Abyei. I was happy to see us recognize this important development.

Years ago when violence was raging in Darfur I regularly came to the floor to try to keep the world's attention on the calamities happening in that far corner of the world.

Fortunately, after a number of years and constant international pressure, a sizeable international peacekeeping force was deployed in Darfur, and over time the worst of the violence largely subsided.

Meanwhile a fragile peace treaty—the Comprehensive Peace Agreement or CPA—also started to bring an end to a devastating civil war between North and South Sudan that killed and displaced millions. I give President George W. Bush credit for seeing that important agreement to fruition.

A key CPA provision called for an independence referendum for the southern half of Sudan. This referendum occurred in January and was largely peaceful and without incident.

The South voted overwhelmingly for independence, which the North agreed to respect. And on Saturday, amid widespread celebration and a host of visiting international dignitaries, South Sudan became the world's newest country.

Last year Senator SHERROD BROWN and I visited Sudan. I wanted to see the country—and the new one about to emerge—with my own eyes.

The South faces a daunting task—building a nation that can be responsive to the needs of its 8 million residents, writing a constitution, and creating a functional government.

The people of South Sudan, who have seen so much suffering after years of civil war, deserve this chance at a peaceful and democratic nation—and the international community should help it get started and remain viable and stable.

The people of the North face challenges too, including a fragile economy and a dwindling of the Nile River due to climate change.

And despite the peaceful independence process for the South, many complicated issues related to borders, oil revenues, and immigration still remain to be worked out between both sides.

The Obama administration, including its special envoy Ambassador Princeton Lyman, has been working diligently to help resolve these very thorny issues.

Unfortunately, we have seen a rash of new violence in a number of border areas between North and South Sudan.

With much of the world's attention turned elsewhere, we must not let new violence undermine the hard fought gains that have been achieved in Sudan.

First, in May the Sudanese armed forces invaded the disputed oil-rich Abyei region, displacing as many as 100,000.

Fortunately, both sides met recently in Ethiopia and agreed to withdraw their forces from the region. The U.N. Security Council also voted to send a 4,200-person Ethiopian peacekeeping force there for 6 months to protect civilians and humanitarian workers.

These are steps in the right direction, and I urge both sides to respect the agreement and work to negotiate a long-term solution to Abyei that will allow its people to live in peace.

More recently there has been a new outbreak of violence—one with disturbing similarities to the violence in Darfur—in an area called Southern Kordofan.

Most people have probably never heard of Southern Kordofan—an area that borders South Sudan and is one of the few major oil-producing regions in the north.

During the North-South civil war, segments of the population supported the south and tensions remain today as a result. Southern Kordofan has a certain degree of autonomy and recently held separate state elections, yet there were allegations of election rigging in favor of North Sudan.

In early June, the North Sudanese government sent troops into the Nuba region in Southern Kordofan to disarm individuals sympathetic to the South—resulting in the displacement of more than 70,000. Humanitarian aid was blocked and U.N. staff harassed and detained.

And there have been allegations of targeted aerial bombing and house to house violence on the Nuba mountain people that are of grave concern.

North Sudan stands to lose sizable revenue from Southern independence and Southern Kordofan is one of the North's major sources of oil revenue. Many have speculated about the timing of the attacks—so close to Southern independence—but I am not going to dwell on motives because what matters most is that the aggression stops.

Two weeks ago both sides signed an African Union-mediated agreement to find a ''peaceful resolution of their differences . . . cease hostilities, permit humanitarian access, and allow the return of displaced persons to their homes.''

I hope this agreement is respected. The last thing the people of North or South Sudan need is more human suffering and displacement.

There must be an immediate cessation of hostilities and end to harassment of U.N. staff in Southern Kordofan.

Both sides must follow through with commitments to demilitarize Abyei.

Humanitarian agencies must have safe an unrestricted access to the areas.

And it is long overdue that the various parties in the Darfur conflict reach a long-term political settlement that will allow people to be safe and to return to their homes.

Continued progress on all these fronts is also the best path forward for improving Sudan's relations with the United States and the rest of the global community.

President Obama has called on Sudanese leaders to choose peace, and I strongly echo his sentiments.

EXTENDING THE TERM OF FBI DIRECTOR ROBERT MUELLER

Mrs. FEINSTEIN. Mr. President, I rise to speak in strong support of S. 1103, the legislation before the Senate to extend the term of Robert Mueller, the Director of the Federal Bureau of Investigation.

This is an important piece of legislation because without it, Director Mueller's term will end very soon, as he completes his 10 years in office.

That would leave the FBI, the Nation's leading law enforcement agency and the lead intelligence agency for domestic counterterrorism, without a Director as we approach the 10th anniversary of the September 11 terrorist attacks.

This would be unacceptable in my view. Unfortunately, unanimous consent to pass this legislation, S. 1103, is being held up. I urge my colleagues to approve this bill quickly.

Earlier this year, the President conducted a search for a replacement for Director Mueller. He determined that the best choice for the nation, at this critical time, was not to replace him, but rather to seek a legislative extension to Director Mueller's term.

The Judiciary Committee held a hearing with Director Mueller on June 8, 2011, and has considered the text of this legislation, S. 1103. Under a proposed unanimous consent agreement circulated earlier this month, passage of this legislation would be followed by the President's formal nomination of Mr. Mueller for an additional 2 years, and the nomination will be placed directly on the Senate's Executive Calendar.

I do not know of any Senator who does not respect and support Director Mueller. Over the past 10 years that he has been in office, Robert Mueller has provided steady leadership and stability at the FBI. He has worked to transform the Bureau into an agency that can better detect and prevent terrorist attacks against the United States.

Under Mueller's direction, the FBI has played an essential role in more than 20 significant counterterrorism operations, while infiltrating and arresting groups of individuals charged with planning attacks against our country.

The FBI has also built its cyber investigation capability, focused on counterintelligence, investigated public corruption cases, and tracked and disrupted gang activity.

Despite the major setback of the September 11 attacks, the FBI is among our most respected government institutions, and it has changed dramatically to respond to the challenges of our time.

Let me talk about Director Mueller for a moment, who is, personally, a symbol of integrity and dedicated public service. I am very pleased to call him my friend, and thank him for his willingness to continue to serve for another 2 years.

I recognize that there were good reasons that Congress placed a term limit on the Director of the FBI. History has shown that the position, and the FBI, wield enormous powers and that the Bureau should not have a director for life.

The legislation before us recognizes that concern, and creates a one-time extension that would only apply to Director Mueller. Future FBI Directors would still be limited to a 10-year term.

Extending Director Mueller's term at the FBI for an additional 2 years will ensure the evolution of the FBI continues. It will provide important stability to the President's national security team during this sensitive and challenging time and while it is otherwise going through important leadership changes.

This summer Leon Panetta has succeeded Robert Gates as Secretary of Defense, and GEN David Petraeus has been confirmed to be the next Director of the CIA, but because he is transitioning out of Afghanistan, General Petraeus won't arrive at Headquarters in Langley until after Labor Day.

We are seeing changes in major military commands, and changes in the Joint Chiefs of Staff are coming soon. Also, the Senate Intelligence Committee, which I have the honor of chairing, is now considering the nomination of Matt Olsen to be the Director of the National Counterterrorism Center, NCTC, because Mike Leiter stepped down as the head of NCTC on July 8.

So in the midst of this change, Director Mueller will be an experienced, steady hand among the President's national security advisers. The American people will be well-served having him in place.

I support the legislation and urge its adoption. Now is not the time to keep it from passing.

OBJECTION TO CONSIDERATION OF H.R. 872

Mr. CARDIN. Mr. President, I have filed a formal objection to the consideration of H.R. 872, a bill to exempt pesticide applications from coverage under the Clean Water Act. I rise today to explain the reasoning for my opposition to this bill.

H.R. 872 is based on the notion that the law governing the licensing of pesticides provides all the environmental safeguards that are necessary. In proponents' view, obtaining a Clean Water Act permit would be duplicative. That is incorrect.

As chairman of the Water and Wildlife Subcommittee of the Senate Environment and Public Works Committee, I have serious concerns about how pesticide pollution is impacting human health, natural resources and the economies that depend on them.

Today, more than 1,800 waterways in the United States are known to be impaired because of pesticide pollution. Limited water quality sampling suggests the number is actually much higher. In a nationwide study conducted by the U.S. Geological Survey, more than half of the streams sampled had concentrations of at least one pesticide that exceeded a guideline for the protection of aquatic life. In California alone, more than one in four of the State's waters are officially listed as impaired because of pesticide pollution.

Chesapeake Bay is the most biologically diverse estuary in the country and serves as a vital economic resource to the region. One recent study found that portions of the bay with higher concentrations of pesticide pollution exhibited decreased species diversity and reported a ''surprising number'' of such sites in the lower bay. Pesticide pollution in the Chesapeake has been linked to fish kills and abnormalities. Moreover, extensive samples taken from Chesapeake tributaries displayed a range of pesticides and herbicides. Atrazine, one of Maryland's most used herbicides, was detected in every water sample taken. The active ingredient in atrazine is resistant to natural degradation in water and inhibits photosynthesis in plants. The USGS found that concentrations of atrazine commonly found in agricultural streams and rivers produced reproduction and development abnormalities.

Pesticides, by their very nature, consist of various toxins. They are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act, FIFRA, to determine if they are generally safe to use. The law is not designed to deal with the many real-world instances in which those ''general'' conditions are not applicable.

Pesticide pollution can cause severe reproductive and developmental harm and even death. Even at levels that allow for the product to be registered, pesticides may cause health problems in fish, amphibians and other aquatic species. Additionally, pesticide pollution can affect human health through contaminated drinking water and bioaccumulation in those that eat contaminated fish.

These pollution levels are the result of massive releases of pesticides that are having adverse environmental impacts that go far beyond what is regulated under the general application rule in FIFRA. We need FIFRA, but we also need the Clean Water Act.

Approval of a pesticide under FIFRA only requires that the active chemical ''will not generally cause unreasonable adverse effects on the environment.''

Clean Water Act permits, on the other hand, are approved based on a pesticide's impact on a specific waterway. It takes into account the water body specific context including specific uses, such as swimming and fishing, and whether significant fish species rely on the waters. Additionally, Clean Water Act permits place enforceable limits on the amount and type of pollutants that can be discharged.

FIFRA registration is not an acceptable substitute for water discharge permits. The localized impact assessment and enforceable discharge limits of Clean Water Act permits are far better equipped to address water quality issues than FIFRA's nationwide cost-benefit-based assessment. To exempt pesticides from comprehensive regulation would unreasonably compromise the quality of our waterways.

Clearly, the Nation has a problem with pesticide pollution in our waters that needs to be addressed. The courts have said so, and scientific data reinforce that conclusion. That doesn't mean that every backyard application of a weed-killer needs a Clean Water Act permit. Providing targeted exemptions of de minimis users of pesticides makes good sense. Generally speaking, backyard applicators and local lawn care companies should be exempt from coverage. Regulating these users would do little to improve water quality and would be an unnecessary burden on them. Emergency applications to control mosquito outbreaks associated with West Nile virus or a new outbreak of gypsy moth, for example, should be allowed. Permits could be obtained after-the-fact in these emergency situations without penalty. Agricultural applications to land should continue to be exempt. Permits should be easy to obtain and impose minimal monitoring, recordkeeping, and reporting requirements.

H.R. 872 simply goes too far, providing blanket exemptions and ignoring the real water quality problems that pesticides are causing in America's waters today. I support a more balanced approach.

The Clean Water Act has resulted in tremendous successes in preserving and restoring U.S. waterways, but many of our waterways are still impaired and require further attention. To categorically exempt pesticides from Clean Water Act permitting would be a step backwards in our nationwide efforts to ensure our waterways are healthy and safe. We can do better.

REMEMBERING BETTY FORD

Mrs. BOXER. Mr. President, today I ask my colleagues to honor the memory of one of our Nations' great leaders, former First Lady Betty Ford. Mrs. Ford passed away on July 8, 2011, at the age of 93. She leaves behind a legacy of candor, service, equal rights for all and a strong record of bipartisanship.

Elizabeth Ann Bloomer was born in Chicago, IL, on April 8, 1918, to William Stephenson Bloomer and Hortense Neahr. She had two older brothers, William and Robert Bloomer. When she was young, the family moved to Grand Rapids, MI, where she spent her childhood.

Dance was a passion of hers from a young age. While performing in Grand Rapids, she met Martha Graham, who

became a lifelong friend, and was invited to perform with her dance company in New York City. To offset the cost of her own lessons, Mrs. Ford began teaching dance to children. She took on students with disabilities, even learning sign language so she could better help those who were hearing impaired.

In 1947 a friend introduced her to Gerald Ford, a lawyer who had been a Navy lieutenant during World War II. They became engaged in February 1948 but waited to announce their plans to marry until June, when Ford had won the Republican primary for the local U.S. congressional seat. The couple was married in October 1948 in Grand Rapids, just 2 weeks before he was elected to his first of 13 congressional terms. They spent their honeymoon attending a campaign rally and a University of Michigan football game.

Betty Ford served as the First Lady of the United States from 1974–1977, during her husband's Presidency. Mrs. Ford broke new ground as an activist First Lady who was an outspoken champion for the causes that she cared about passionately. She advocated programs that supported the arts and provided services for the disabled. She was a champion for women's rights and an ardent proponent of the equal rights amendment.

She became a prominent leader in the women's rights movement and led marches and rallies for the ERA. The National Organization for Women appointed her as the cochair of the ERA Countdown Campaign. Even after she left the White House, she continued to lobby for women's equality and remained an active voice for the feminist movement.

Mrs. Ford never shied away from an opportunity to speak her mind, even when her opinions were opposite her husband's. She is known as one of the most candid First Ladies in history, who took a strong, public stance on those issues she found to be most important: reproductive rights, fair pay, and gun control. Mrs. Ford was known for speaking plainly about these issues, as well as those that affected her personal life.

In 1982, after her recovery from an addiction to alcohol and prescription drugs, she founded the Betty Ford Center for chemical dependency. Her willingness to openly discuss her personal struggles raised awareness of alcoholism and drug addiction. Similarly, she became a pioneer in the fight against breast cancer when she announced she had been diagnosed with a malignant breast tumor and underwent a mastectomy. Seeing her recovery helped to remove the stigma about cancer and inspired many more women to seek treatment. She helped to get the Susan G. Komen Foundation off the ground when the organization was first started in 1982. In 1987 the first Betty Ford Breast Care Services Center was opened in Grand Rapids, MI, to provide state-of-the-art diagnostics, education, and testing for breast health. Since then, six more centers have opened in the Grand Rapids area.

In 1991 she was awarded the Presidential Medal of Freedom. In 1999 Mrs. Ford, along with President Ford, received the Congressional Gold Medal.

In addition to her public service, Mrs. Ford was a devoted wife and mother, and was actively involved in her family's life. She volunteered to help with her children's Cub Scout activities, football, baseball, and of course, her daughter's dance recitals. She also served as a Sunday school teacher at the family's church, and on the PTA.

Betty Ford was a highly respected and beloved leader. She will be missed by all who knew her. She inspired future generations of leaders and helped us make huge leaps toward gaining equal opportunities for women. She is survived by her three sons: Michael Gerald Ford, John Gardner Ford, and Steven Ford; her daughter Susan Ford; and her grandchildren Sarah, Rebekah, Hannah, Christian, Johnathan, Tyne, and Heather.

REMEMBERING CONGRESSMAN ROBERT F. ELLSWORTH

Mr. ROBERTS. Mr. President, today I commemorate the life of Robert F. Ellsworth—a dear friend and mentor to myself, loving husband to his wife Eleanor, and leader to many. In his service throughout his life as a lawyer, officer, Congressman, Presidential aide, and Ambassador, Bob met challenges as opportunities and transformed ideas into reality. His memorial service was held at St. Francis Episcopal Church in Potomac on Saturday, June 11. Along with my own statement, I ask that the following statements from that day be printed in the RECORD.

STATEMENT FROM SENATOR PAT ROBERTS

It is both an honor and a privilege to offer just a few brief thoughts as we friends celebrate the unique and special life of our friend Bob Ellsworth.

Many people would define happiness in many different ways. However, a good definition of happiness would be Eleanor in that she brought so much happiness into Bob's life and, for that matter, to everyone privileged to meet and know her. Eleanor, our prayers and thoughts are with you. I really don't think anyone can capture or fully describe Bob Ellsworth, but here is my take:

First, he was a friend of the Roberts family dating back to my Dad and such a loyal friend. Second, throughout his wonderful and most notable career, Bob was just plain nice; a true gentleman. The late congressman Bill Emerson of Missouri, who worked as a staffer for Congressman Bob Ellsworth, said he was the best and most unique boss he ever had. Bill often said, ''Bob Ellsworth would come around and ask us if we were happy with our jobs. I first thought I was going to be fired but soon realized he really cared about his staff and wanted them to feel useful and if they thought they were making a difference.'' As a Senator, I try to follow his example with my staff today. But, seriously, who does that today?

Third, he was not only my friend but mentor as well. He made wonderful things happen for me and gave me so many opportunities: serving on the German-American International Exchange just as the wall came down and putting up with a freshman Senator and later on the Commission on America's National Interests with the Who's Who of America's foreign and national security policy makers. This time, with Bob's help, I think I actually made a difference. And, he was a mentor and advisor to so many and like so many of his stature and knowledge, he seldom offered advice and counsel without first being asked. Bob Dole and I asked a lot and I know Bob regrets deeply he cannot be in attendance.

I affectionately called Bob Ellsworth the Phantom with the light bulbs. He would always call, drop in suddenly, like the Phantom and then give me a rapid fire summary of what others of like mind were thinking and what he thought. During his dissertation and wonderful visit, light bulbs would go off in my head always with the thought, ''Why didn't I think of that?''

I really think Bob Ellsworth was a genius who somehow let you believe you really came up with his latest insight. Being an over the top Kansas State University enthusiast, genius may be the proper description but we mere Kansas State graduates simply said he was ''pretty damn smart.''

I will miss my friend and mentor as will so many. We shall not see the likes of Bob Ellsworth again. I thank the Dear Lord for allowing me to know, learn from and truly enjoy Bob Ellsworth during this space and time.

STATEMENT FROM SECRETARY OF STATE HENRY A. KISSINGER

As we grow older, life becomes more and more lonely as the pillars on which we counted disappear one by one. Bob was one of those patriots who sustained our country and gave meaning to our personal life. Over the decades of our acquaintance, he always stood for principles I respect and was committed to concepts of service that have made our country great.

He will be missed but long remembered.

STATEMENT FROM FORMER SECRETARY OF DEFENSE DONALD RUMSFELD

Bob Ellsworth led a life dedicated to service. From his time as a Naval officer in World War II and in the Korean War, to his service in the Congress and as U.S. ambassador to NATO, to his tour in the Pentagon as an Assistant Secretary and later Deputy Secretary, Bob did not drift from his love of country and sense of duty. Never one to give in to pessimism or mistrust, he radiated warmth and solid, common sense. Our paths first crossed in the early 1960s, a time when warmth and common sense were not always in ample supply. We came to know each other in the U.S. Congress, when differences over civil rights, riots over political assassinations, and rancor over the Vietnam War peaked across the country. His was always a steadying hand. A serious legislator, he believed that his job in representing his constituents consisted of the often unglamorous work of working on legislation in committee rooms and at late nights behind his office desk. Bob wasn't a man short on courage. He helped a small group of upstart Republicans turn out the incumbent House leadership in 1964 and elect Gerald Ford as Minority Leader.

It's been said by Soviet dissident Aleksandr Solzhenitsyn that ''hastiness and superficiality'' are distinguishing features of the 20th century, and that nowhere are they on more display than in the press and in politics. But Bob Ellsworth was the antidote to hastiness and superficiality. What he lacked in flash, he made up in substance. As the senior official in charge of Defense Department intelligence operations, Bob manned

the ramparts against white-hot Congressional committee investigations that often seemed to be excoriating the intelligence community rather than helping to fix it. He responded to partisanship with collegiality and to bluster with thought. Joyce and I regret that we cannot be with Bob's family and his many friends to mourn, to remember, and to most of all, to celebrate a life lived to its fullest. Our thoughts and prayers are with Eleanor, Ann and William. May God bless Bob Ellsworth, his loving family, and the country he served so ably.

STATEMENT BY FORMER SENATORS BOB AND ELIZABETH DOLE

Dear Friends of Bob Ellsworth,

Longstanding commitments in Kansas prevent us from being physically present as you celebrate Bob Ellsworth's life and legacy. But we are very much with you in spirit and in our prayers. We share not only the grief felt by Bob's family and friends—but also their gratitude for all he accomplished in 84 remarkable years. Along the way Bob earned many titles of distinction. Yet no resume, however impressive, can do justice to the character of this man. Exactly fifty years have passed since the two Bobs—Ellsworth and Dole—first arrived in Washington. We came from opposite ends of Kansas, and not just geographically. But from the start we were kindred spirits. Bob loved his country second only to his family. He made politics a noble calling. His example of personal civility and respect for his colleagues has much to teach today's public servants as they strive to be patriots ahead of partisans. Nor will either of us ever forget the day in December, 1975, when Bob served as best man at our wedding. The title might well have been coined for him, and not in a ceremonial capacity alone. For the odds were great that, whatever setting Bob graced by his presence, he was the best man there.

It is customary to address public officials, and particularly members of Congress, as ''Honorable.'' No man we know did more to deserve that label than Bob Ellsworth. Much as we will miss him, we will be forever thankful that our lives were so entwined with, and enriched by, the life we celebrate today.

STATEMENT FROM THE CENTER FOR THE NATIONAL INTEREST

The Center for the National Interest and The National Interest lost a leader and a dear friend with the death of Bob Ellsworth on Monday, May 9.

Center Honorary Chairman and former Secretary of State Henry Kissinger, a close colleague for many years, described Ellsworth as ''a great public servant and a valued friend.'' Bob was a key member of the Center's board from its inception and had been Vice Chairman since 2008. He was also President of The National Interest, Inc. and a long-time member of the magazine Advisory Council.

Bob was among the small group who advised Richard Nixon on the creation of the Center in the early 1990s. Nixon relied heavily on Bob's advice over the years, both in and out of government—he knew, as he put it, that Bob was one of the rare individuals in Washington who would tell him what he needed to hear, not what he wanted to hear.

As a true gentleman, Bob Ellsworth always delivered his candid views with grace and tact, to Nixon and to others. Though very independent-minded—demonstrated in his opposition to the wars in Vietnam and Iraq, and his endorsement of Barack Obama after a lifelong career as a leading Republican—Bob's personal charm and openness ensured that he was widely respected and admired, even by those with different perspectives. Bob was rare for one of his stature and accomplishment in being able to take bold positions on important issues while always remaining civil and ensuring that differences were substantive rather than personal.

During his long and varied career, Bob was a soldier, a politician, a diplomat, an official, a scholar, and, most recently, an investor. This included service in World War II and the Korean War, in the United States Congress, as Ambassador to NATO and later Assistant Secretary and Deputy Secretary of Defense. In addition to his leadership at our Center and its magazine, Bob served for many years as Chairman of the Council of the International Institute for Strategic Studies (London). He was also a member of the Council on Foreign Relations, the Atlantic Council, the American Council on Germany, and many other internationally focused organizations.

Bob was also a great patriot. He worked and fought throughout his life to advance American leadership, American security, and American principles. He believed strongly in America's exceptionalism—but was convinced that our country should also be exceptional in its tolerance and humility in dealing with others. Bob was also a profoundly religious man, married to an Episcopal priest. Yet as in the case of his patriotism, his piety was personal rather than public.

Robert Ellsworth was a genuine role model—a man of uncommon strength, determination, wisdom, and warmth whom all should emulate. He will be greatly missed. We offer our deepest condolences to his wife, Rev. Eleanor Ellsworth, and his family.

TRIBUTE TO JUDGE WILLIAM F. DOWNES

Mr. BARRASSO. Mr. President. On July 24, 2011, Chief U.S. District Judge William F. Downes will retire after 17 years on the Federal bench in Wyoming.

Judge Downes has long recognized that for our democracy to survive, a strong judicial branch is necessary. As he acknowledged during his Senate Judiciary nomination hearing in 1994, the strength of the judiciary is not determined by activist judges and changing the law to achieve a desired outcome. Rather, a strong judiciary consists of judges who uphold the Constitution, are thorough in their decisions, have not formulated an opinion prior to a case being heard, and treat people with respect and decency. This was the standard that Judge Downes set for himself in 1994. By all accounts he achieved that standard in his courtroom.

Judge Downes, the grandson of Irish immigrants, has enjoyed the opportunity to welcome new citizens to our nation by performing Naturalization ceremonies. Cited as one of the highlights of his career, he has always said a Naturalization ceremony is one of the few times people come to the courthouse happy and leave even happier.

He began his public service early in life when he served in the U.S. Marine Corps from 1968 to 1971. Though he did not make military service his career, his career in the law has been profoundly affected by his military service.

In an article that appeared in the 2007 June edition of the Wyoming Lawyer, Judge Downes discusses the important role played by the citizen jury system in our government. He quotes from a letter sent by Thomas Jefferson to Thomas Paine:

> I consider trial by jury as the only anchor yet devised by man by which the government can be held to the principles of the Constitution.

In the same article, he describes two photos he keeps under the glass top of his desk. One photo is of his family on Easter Sunday in 1985. The other photo, from the spring of 2003, is of a 6-year-old boy named Tony, clutching a teddy bear, walking out of a church, wiping tears from his eyes. He had just attended the funeral of his father, MAJ Kevin G. Nave, USMC, who died on March 26, 2003, in the early stages of the Iraq war.

Judge Downes writes:

> Kevin Nave died so that we might have the opportunity to live under a Constitution which guarantees us the opportunity of life, liberty and the pursuit of happiness.

He ends his article with the following:

> Thomas Jefferson and the other founding fathers of this Nation expected that we citizens would participate in the governance of our nation and, by our efforts, make it a more perfect union. If we judges and lawyers do our utmost to uphold the constitutional right to trial by jury, we will achieve the highest aspiration of our profession. For Tony's sake, and for all our children, we can do no less.

Judge Downes achieved the highest aspiration of his profession. He has contributed to the governance of our Nation with distinction.

Mr. President, I ask my colleagues to join me in thanking Judge Downes, a true American Patriot, for his service to Wyoming and to our Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. GENSHITSU SEN

• Mr. AKAKA. Mr. President, I wish to honor the work of Dr. Genshitsu Sen, renowned Japanese tea master and humanitarian, who has promoted peace and appreciation of the Japanese culture through chado, the Japanese Way of Tea. Dr. Sen is the 15th grand tea master of the Urasenke School of Tea, which for nearly 500 years has served to perpetuate the ancient rite. On March 3, 1951, just 6 years after the end of World War II, during which he served in the Japanese Imperial Navy, Dr. Sen performed a tea ceremony in Honolulu, HI, the first such performance outside of Japan. This auspicious occasion launched Dr. Sen's dream of promoting ''peacefulness through a bowl of tea.'' In the years that followed, Urasenke chado centers were established in cities worldwide, including Washington, DC, New York, London, Paris, Rome, São Paulo, Dusseldorf, Mexico City, Beijing, and Honolulu.

Today, in my home State of Hawaii, we celebrate the 60th anniversary of Dr. Sen's vision and work to promote

peace and understanding, with a special tea ceremony performed on a sacred American site, the Arizona Memorial. The Memorial is positioned above the sunken battleship USS *Arizona*, the final resting place of hundreds of servicemembers killed in the attack on Pearl Harbor. The ceremony is a strong statement supporting the potential for peace despite a tragic history.

Japan is one of America's strongest and most trusted allies and I thank Dr. Sen for his work to promote good relations between our two countries. I also recognize Soshitsu Sen, the 16th and current grand tea master of the Urasenke School. Finally, my thanks to Mrs. Jean Ariyoshi, former First Lady of Hawaii, who was instrumental in arranging today's historic event at the *Arizona* Memorial.●

MESSAGE FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 33. An act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 33. An act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2502. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' ((44 CFR Part 65) (Docket No. FEMA–2011–0002)) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2503. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC–2504. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments'' (RIN0648–BB21) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2505. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder; Scup, and Black Sea Bass Fisheries; 2011 Scup Specifications; Fishing Year 2011'' (RIN0648–BA92) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2506. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Western Pacific; Mechanism for Specifying Annual Catch Limits and Accountability Measures'' (RIN0648–AY93) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2507. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; Prohibiting Longline Fishing Within 30 Nautical Miles of the Northern Mariana Islands'' (RIN0648–AW67) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2508. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interim Enforcement Policy for Certain Fire Protection Issues'' (RIN3150–AG48) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2509. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions'' (FRL No. 9440–7) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2510. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Delaware; Regional Haze State Implementation Plan'' (FRL No. 9440–1) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2511. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Alabama; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards'' (FRL No. 9438–1) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2512. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Georgia; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards'' (FRL No. 9438–2) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2513. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plan; Kentucky; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards'' (FRL No. 9437–9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2514. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Section 110(a)(2) Infrastructure Requirements for 1997 8-hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards; New Mexico Ambient Quality Standards; Approval of New Mexico's PSD Program; CFR Codification Technical Corrections'' (FRL No. 9438–7) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2515. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plan; North Carolina; Disapproval of Interstate Transport Submission for the 2006 24-hour PM2.5 Standards'' (FRL No. 9438–3) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2516. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Control of Nitrogen Oxides Emissions from Portland Cement Kilns'' (FRL No. 9439–8) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2517. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Vermont; Reasonably Available Control Technology (RACT) for the 1997 8-hour Ozone Standard'' (FRL No. 9439–5) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2518. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Missouri'' (FRL No. 9440–9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2519. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Outer Continental

Shelf Air Regulations Consistency Update for Virginia'' (FRL No. 9434–5) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2520. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District'' (FRL No. 9438–6) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2521. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Notice of Data Availability Concerning Transport Rule Allowance Allocations to Existing Units'' (FRL No. 9435–6) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2522. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL No. 9439–2) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2523. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Hipps Road Landfill Superfund Site'' (FRL No. 9438–4) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2524. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New York; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference'' (FRL No. 9430–3) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2525. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval, Disapproval, and Promulgation of Air Quality Implementation Plans; Utah; Revisions to New Source Review Rules'' (FRL No. 9428–9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2526. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List'' (FRL No. 9440–4) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2527. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9431–9) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Environment and Public Works.

EC–2528. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''RCRA Hazardous Waste Identification of Methamphetamine Production Process By-products''; to the Committee on Environment and Public Works.

EC–2529. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Determining the Amount of Taxes Paid for Purposes of the Foreign Tax Credit'' (RIN 1545–BK25) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC–2530. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2011–59) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC–2531. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice and Request for Comments Regarding the Community Health Needs Assessment Requirements for Tax-exempt Hospitals'' (Notice 2011–52) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Finance.

EC–2532. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Neurological Devices; Clarification of Classification for Human Dura Mater; Technical Amendment'' (Docket No. FDA–1997–N–0040) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2533. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Exception From General Requirements for Informed Consent'' (Docket No. FDA–2003–N–0212) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2534. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2010''; to the Committee on Health, Education, Labor, and Pensions.

EC–2535. A communication from the Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees Health Benefits Program: New Premium Rating Method for Most Community Rated Plans'' (RIN3206–AM39) received in the Office of the President of the Senate on July 14, 2011; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–59. A resolution adopted by the Commission of Wayne County of the State of Michigan relative to recognition of the importance of the continuing funding and support for the F–35 Joint Strike Fighter Program; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 745. A bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ (for himself and Mr. GRASSLEY):

S. 1383. A bill to amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 1384. A bill to amend the Immigration and Nationality Act to provide for the temporary employment of foreign agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. DEMINT):

S. 1385. A bill to terminate the $1 presidential coin program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEVIN:

S. 1386. A bill for the relief of Hussein Bazzi; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, and Mr. BAUCUS):

S. 1387. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. MCCAIN, and Mr. LIEBERMAN):

S. 1388. A bill to support private sector development, employment growth, rule of law, democratic reform, and accountable government in qualified transition countries in the Middle East and North Africa through the authorization of the participation by the United States in the general capital increase of the European Bank for Reconstruction and Development, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 52

At the request of Mr. INOUYE, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 52, a bill to establish uniform administrative and enforcement procedures

and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 344

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 697

At the request of Mr. CASEY, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 697, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Services for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 798

At the request of Mr. TESTER, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 835

At the request of Mr. CRAPO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 835, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearms laws and regulations, protect the community from criminals, and for other purposes.

S. 866

At the request of Mr. TESTER, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Montana (Mr. BAUCUS) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 905

At the request of Mr. HARKIN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 905, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 946

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 958

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1052

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1052, a bill to amend the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 1175

At the request of Mrs. HAGAN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1175, a bill to provide, develop, and support 21st century readiness initiatives that assist students in acquiring the skills necessary to think critically and solve problems, be an effective communicator, collaborate with others, and learn to create and innovate.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, and for other purposes.

S. 1314

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1314, a bill to amend title 38, United States Code, to require the Secretary of Labor to establish minimum funding levels for States for the support of disabled veterans' outreach program specialists and local veterans' employment representatives, and for other purposes.

S. 1333

At the request of Mr. REED, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1333, a bill to provide for the treatment and temporary financing of short-time compensation programs.

S. 1349

At the request of Mr. JOHANNS, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1349, a bill to amend the National Flood Insurance Act of 1968 to clarify the effective date of policies covering properties affected by floods in progress.

S. 1354

At the request of Mrs. HAGAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1354, a bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1372

At the request of Mr. REED, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1372, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 1378

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1378, a bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

S.J. RES. 6

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S.J. Res. 6, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

S.J. RES. 17

At the request of Mr. MCCONNELL, the names of the Senator from North Carolina (Mr. BURR), the Senator from Washington (Ms. CANTWELL), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S.J. Res. 17, supra.

S.J. RES. 21

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 216

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

S. RES. 228

At the request of Mr. LAUTENBERG, the names of the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. LEAHY), the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Ms. CANTWELL), the Senator from Montana (Mr. BAUCUS), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. WYDEN), the Senator from North Carolina (Mr. BURR), the Senator from Delaware (Mr. COONS), the Senator from Delaware (Mr. CARPER), the Senator from Colorado (Mr. UDALL), the Senator from Texas (Mr. CORNYN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL), the Senator from Wyoming (Mr. ENZI), the Senator from Georgia (Mr. ISAKSON), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Nevada (Mr. REID), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Nebraska (Mr. JOHANNS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Wisconsin (Mr. KOHL), and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

AMENDMENT NO. 556

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 556 proposed to H.R. 2055, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 562. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 563. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 564. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra.

SA 565. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 566. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 567. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 568. Mr. VITTER proposed an amendment to the bill H.R. 2055, supra.

SA 569. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2055, supra; which was ordered to lie on the table.

SA 570. Mr. WYDEN (for himself and Mr. MERKLEY) proposed an amendment to the bill H.R. 2055, supra.

TEXT OF AMENDMENTS

SA 562. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended for a permanent United States Africa Command headquarters outside of the United States until the Secretary of Defense provides the congressional defense committees an analysis of all military construction costs associated with establishing a permanent location overseas versus in the United States.

SA 563. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 2055, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between lines 5 and 6, insert the following:

SEC. 127. None of the funds appropriated or otherwise made available by this title may be obligated or expended on a military construction project at Grafenwohr, Germany, or Baumholder, Germany, until the Secretary of the Army submits to Congress, in writing, a report on installations and properties in Germany that the Army intends to return to the host nation, including—

(1) intended timelines for closures along with the list of military construction projects required at other installations to facilitate the downsizing and consolidation of Army forces in Germany;

(2) an identification of the brigade combat team that will be withdrawn from Germany; and

(3) an estimate of costs (including operation and maintenance costs and military

Protection Agency and Rebecca Wodder to be Assistant Secretary for Fish, Wildlife and Parks for the Department of the Interior.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 19, 2011, at 10 a.m.

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

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY AND INTERGOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, July 19, 2011, at 2:30 p.m. to conduct a hearing entitled, ''2011 Spring Storms: Picking up the Pieces and Building Back Stronger.''

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on July 19, 2011, at 10:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Drug and Veterans Treatment Courts: Seeking Cost-Effective Solutions for Protecting Public Safety and Reducing Recidivism.''

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 19, 2011, at 2:30 p.m., to hold a Near Eastern and South and Central Asian Affairs subcommittee hearing entitled, ''U.S. Policy in Yemen.''

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

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Aaron Hernandez of my staff be granted privileges of the floor for the remainder of this week.

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

ORDERS FOR WEDNESDAY, JULY 20, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. tomorrow, Wednesday, July 20; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate resume consideration of the Military Construction appropriations bill.

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

THE DEBT CEILING

Mr. REID. Mr. President, for the benefit of Senators and everyone within the sound of my voice, we are doing our very best, recognizing we have 13 days left until the debt ceiling comes to be, to do something about it, that we would not default on our debt. It would be cataclysmic to our country and the world. We have not done a lot on the floor, but there are a lot of people working in a lot of different ways to arrive at a way to stop the country from defaulting on the debt.

Many Democrats, many Republicans are working toward that end. But we need a path forward, and we think we have one, but it is certainly not completed yet. This is a bicameral legislature, and we have another meeting at the White House tomorrow. We are doing our very utmost to do this as well as we can. There is no easy solution.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote at approximately noon tomorrow in relation to the Vitter amendment. We have every belief we can complete action on the Military Construction bill tomorrow.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 6:54 p.m., recessed until Wednesday, July 20, 2011, at 9:30 a.m.