

wouldn't have to borrow. We wouldn't have to make some defense cuts that are going to have to come. We could maybe put more money into Medicare prevention and disease prevention rather than what we have done. There are all sorts of things we could do.

The point behind the report is that most Americans don't realize how we are subsidizing through tax credits the very wealthy in this country. I don't have any real problem with them taking the tax credits. We put it out there. The real question we ought to be asking is why are we doing all of this in the first place. Does the economy itself in a free market not allocate resources better than we can do? How many Chevy Volts have been sold this year? The answer is 5,000. So 5,000 times \$7,500 is what we paid in tax credits to have the Chevy Volt sold because everybody who bought it got a \$7,500 tax credit. If it is a viable product, then let people buy it. If it is not, they won't. Yet who are the people who bought most of the Chevy Volts? People making significantly more than the average American.

If we are going to play in the Tax Code, what we ought to do is play on a very level playing field. If we want to create incentives, then we ought to create incentives that actually will do something for the economy rather than benefit those who make the most money in the economy.

I would say what this spells is a case for us to totally reform our Tax Code. Most people don't realize this is one of the side effects. That is not to say there are not some good side effects. But the fact is when we are running \$1.3 trillion deficits, do we want to be subsidizing the rich and famous in this country with our programs? I would say no.

When Medicare Part B started, 50 percent of the cost of Medicare Part B was to be borne by the Medicare recipient. We are at 25 percent now. There was never any thought—and, remember, nobody ever paid anything for that. In other words, that is all borrowed money to do that. Nobody ever contributed into a Part B fund. They contributed into a Part A fund which, by the way, will be bankrupt in 4½ years. What about those on Part D? Nobody ever paid a penny, and we have \$13 trillion in unfunded liability in Part D. Why should the very wealthy get subsidized drugs in this country? Why should they get subsidized Part D? In other words, we ought to ask ourselves a question.

Think about Social Security. Why is Canada's Social Security system not in trouble? Because Canada looks at how much income a person is making every year, and at certain levels a person gets half of their Social Security because they obviously don't need it because their income is up there, and at a certain other level they get none of it. Why? Because it is based on a means-testing mechanism that says this program is designed to be an un-

derpinning for those who need it. We have gone completely the other way.

My point is we have all this discussion about what we should do. We are wringing our hands. The first thing to do is to fix the Tax Code and the best way to fix it is to say 3 months from now it is going away, and have Finance and Ways and Means Committee in the House come together with a new Tax Code that fixes all of this. Everybody in Washington says that can't be done. Nobody outside of Washington says it can't be done, but we say it can't be done. It can be done. It needs to be done.

If we want a healthy future, we need to reform our Tax Code to generate greater investment, greater job opportunity. We need to lower the rates, and we need to eliminate things such as these that don't truly help the economy, but help those who were smart enough to figure out how to play the game, who are the wealthiest in this country. I am proud of them. I want them to be more successful. But in these difficult times, we need to ask them to contribute more. We need to not have these kinds of programs in our Tax Code that actually subsidize those who need no subsidy.

With that, I yield the floor and note 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. BEGICH. 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.

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#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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#### EXECUTIVE SESSION

NOMINATION OF SHARON L. GLEASON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ALASKA

NOMINATION OF YVONNE GONZALEZ ROGERS TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

The bill clerk read the nominations of Sharon L. Gleason, of Alaska, to be United States District Judge for the District of Alaska and Yvonne Gonzalez Rogers, of California, to be United States District Judge for the Northern District of California.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour for debate, equally divided in the usual form.

The Senator from Alaska.

Mr. BEGICH. Madam President, I am glad the Senate will confirm two more highly experienced Federal judges this morning. I wish to take a moment to speak in support of the nomination of one of Alaska's finest State judges to the Federal bench.

Today, the Senate will vote to confirm the nomination of Judge Sharon Gleason to be a judge for the U.S. District Court for the District of Alaska. I know Sharon quite well, and I recommended her to the President for this opening.

I can say without hesitation that she is one of Alaska's finest. She is smart, she is compassionate, well rounded, and possesses an ample supply of common sense.

Alaska's judicial candidates are rated by their peers, and Judge Gleason consistently receives among the highest marks possible. For these reasons, and many others, I hope all my Senate colleagues will join me in supporting her nomination.

Her confirmation will make Judge Gleason the first female judge appointed to the Federal bench in Alaska history. That is truly momentous for our State and long overdue.

I know many Alaskans back home—and 4 hours earlier—are watching these floor proceedings today because of the significance of this appointment.

Sharon was appointed to the Anchorage Superior Court in 2001 by Gov. Tony Knowles, who was my boss when he served as mayor of Anchorage. On the Superior Court, Judge Gleason has presided over a large variety of cases, including complex civil litigation, divorce and custody proceedings, child-in-need-of-aid proceedings, and criminal cases.

Judge Gleason now serves as the presiding judge of the Third Judicial District in Alaska. That position is responsible for overseeing 70 percent of the caseload of the entire State trial courts and includes 40 judges and 20 magistrates.

Her record as a judge has been excellent. She is widely praised for her judicial temperament, her fairness on the bench, and especially her pioneering work on behalf of families and children. For that work, she was awarded the prestigious Light of Hope award in Alaska.

Sharon is an active member of her community, serving on numerous legal committees. She also is a heck of a clarinet player, and she has been playing in the Anchorage Symphony Orchestra for more than 25 years.

Judge Gleason received the unanimous bipartisan support of every member of the Senate Judiciary Committee. The American Bar Association has rated her "unanimously well qualified," their highest possible rating for a Federal judge.