when this highly-qualified nominee should be confirmed without further delay. Nor did anyone come forward to explain the Senate Republicans' delay for the last 4 months. Cloture has been invoked by the Senate and the filibuster will be ended. There was no good reason to continue to hold up a vote that has already been delayed for 4 months.

When I first became chairman of the Judiciary Committee in 2001, I followed a time when Senate Republicans, who had been in the majority, had pocket filibustered more than 60 of President Clinton's judicial nominations, blocking them with secret holds in backrooms and cloakrooms, obstructing more with winks and nods, but with little to no public explanation or accountability. I worked hard to change that and to open up the process. I sought to bring daylight to the process by making the consultation with home State Senators public so that the Senate Republicans' abuses during the Clinton years would not be repeated.

When Senate Democrats opposed some of President Bush's most ideological nominees, we did so openly, saying why we opposed them. And when there were consensus nominees—nominees with the support of both Democrats and Republicans—we moved them quickly so they could begin serving the American people. That is how we reduced vacancies in the Presidential election years of 2004 and 2008 to the lowest levels in decades. That is how we confirmed 205 of President Bush's judicial nominees in his first term.

Now we see the reverse of how we treated President Bush's nominees. Senate Republicans do not move quickly to consider consensus nominees, like the 15 still on the Senate calendar that were reported unanimously last year and should have had a Senate vote last year. Instead, as we are seeing today and have seen all too often, Senate Republicans obstruct and delay even consensus nominees, leaving us 45 judicial nominees behind the pace we set for confirming President Bush's judicial nominees. That is why vacancies remain so high, at 86, over 3 years into President Obama's first term. Vacancies are nearly double what they were at this point in President Bush's third year. That is why half of all Americans—nearly 160 million—live in circuits or districts with a judicial vacancy that could have a judge if Senate Republicans would only consent to vote on judicial nominees that have been favorably voted on by the Senate Judiciary Committee and have been on the Senate executive calendar since last year.

This is an area where we should be working for the American people, and putting their needs first. This is a nomination that has the strong and committed support of the senior Senator from Florida, Senator NELSON, as well as that of Senator RUBIO, Florida's Republican Senator. Judge Jordan had the unanimous support of every Republican and every Democrat on the Judiciary Committee when we voted last October, although one Republican switched his vote last night to support the filibuster of Judge Jordan's nomination. This is the nomination of a judge, Judge Jordan, who was confirmed to the district court by a vote of 93 to one in 1999, even while Senate Republicans were pocket filibustering more than 60 of President Clinton's judicial nominees.

I regret that Republican Senators chose to delay a final vote on Judge Jordan's confirmation. He is a fine man who, after emigrating from Havana, Cuba at the age of 6 went on to graduate summa cum laude from the University of Miami law school and clerk for Justice Sandra Day O'Connor on the U.S. Supreme Court. He served as Federal prosecutor and Federal judge. The needless delay of Judge Jordan's confirmation is an example of the harmful tactics that have all but paralyzed the Senate confirmation process and are damaging our Federal courts.

It should not take 4 months and require a cloture motion to proceed to a nomination such as that of Judge Jordan to fill a judicial emergency vacancy on the Eleventh Circuit. It should not take more months and more cloture motions before the Senate finally votes on the nearly 20 other superbly-qualified judicial nominees who have been stalled by Senate Republicans for months while vacancies continue to plague our Federal courts and delay justice for the American people. The American people need and deserve Federal courts ready to serve them, not empty benches and long delays.

SURFACE TRANSPORTATION ACT

Mr. LEAHY. Mr. President, I want to respond briefly to comments of the junior Senator from Kentucky earlier today regarding his amendment to cut off all U.S. aid for Egypt.

First, let's take a step back. The new conditions on military aid for Egypt, which I wrote with Senator LINDSEY GRAHAM and were signed into law just 2 months ago, require a certification by the Secretary of State that the Egyptian military is supporting the transition to civilian government and protecting fundamental freedoms and due process. If the crisis involving the nongovernmental organizations whose offices were raided and are now facing criminal charges is not resolved satisfactorily, there is no way the certification can be made and Egypt will not receive $1.3 billion in U.S. military aid. But the Leahy-Graham conditions give the Administration flexibility to respond to this crisis. If we take a leap into the lurch and adopt the Paul Amendment, we risk causing a backlash and the opposite reaction of what we want.

It is ironic that the junior Senator from Kentucky, who is now insisting on a vote on his amendment to cut off all aid—not just military aid but also economic aid—did not even vote for the Omnibus bill that contained the Leahy-Graham certification requirement. For him it is all or nothing, but the real world is not so black and white.

No one disagrees with the goals of the Paul Amendment. Its purpose is no different than the Leahy-Graham provision in current law that has caused the suspension of military aid. We are all outraged by the crackdown against the NGOs. We want the charges dropped and their property returned so they can resume their pro-democracy work. But the scope of the Paul Amendment is so sweeping that it could backfire and make the situation immeasurably worse: The amendment cuts off all U.S. aid to Egypt—current and prior year—including hundreds of millions of dollars in economic aid and funding for anti-terrorism and nonproliferation programs. Aid that supports the Government of Egypt's ability to interdict arms shipments to Gaza would be cut off.

There is much at stake: the fate of the 19 American citizens facing criminal charges in Egypt; Egypt's continued adherence to the Israeli-Egyptian Peace Agreement could be jeopardized; over-flights for U.S. military aircraft; access to the Suez Canal; and the potential for further crackdowns against Egyptian civil society organizations.

If the Administration were ignoring the certification requirement in current law I might vote for this amendment, but they are not. In fact, the NGOs have repeatedly praised the Administration's efforts on their behalf. They have applauded the new leverage provided by the Leahy-Graham conditions. Both the State Department and the Pentagon are intensely focused on trying to resolve this. General Dempsey was just in Egypt meeting with top military officials about it.

If, over the coming days or weeks the situation continues to deteriorate, we can revisit this. But I would urge the junior Senator from Kentucky to withdraw his amendment until such time and to refrain from obstructing other business of the Senate. Let us see how things play out. Hopefully cooler heads will prevail. The Egyptian military will recognize that these NGOs were doing nothing more than supporting the transition to democracy in an appropriate and transparent manner, and the Egyptian military will agree that it is in Egypt's best interest to preserve close relations with the United States.

I see other Senators on the floor, so I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Alabama.

THE BUDGET

Mr. SESSIONS. Mr. President, this morning we had the Budget Committee hearing and the testimony of Mr. Zients, OMB Director, who works for the President and prepared, under the President's direction, the budget they submitted to Congress for the United States for fiscal year 2013 beginning

October 1. It is an important document. It is important because in it the President lays out his plan for what this Nation needs to do not just this year but for 10 years, during a time in which our debt crisis remains the No. 1 threat to America. That is what the experts from the President's own debt commission told us—we have never faced a more predictable economic crisis if we don't change our course of borrowing. We are now spending $3,700 billion a year and taking in $2,200 billion, borrowing 40 percent of what we spend. So it was an important hearing.

I was deeply disappointed that our new Director, Mr. Zients, seemed to be focused on one thing; that is, regurgitating the talking points he had been provided and steadfastly avoiding answering simple, important questions put to him by members of the committee.

We have two members of the committee here who I think will be sharing remarks about what we talked about today and how we need to address our debt crisis—Senator JOHN THUNE and Senator KELLY AYOTTE. They were there and participated and asked questions.

I think we all agree it was one of the worst witness performances in terms of being responsive to the questions that we have seen in our time in the Senate. I hate to say that. I know he was told not to say anything, just to keep repeating the talking points. But when America is facing a financial crisis and you are asking the budget director fundamental, simple questions, you expect and have a right to expect answers, not for me but for the American people. He does not work for the Obama political campaign; Mr. Zients works for the American people. He is a man who has access to the foot-thick, four-volume budget that was sent out, and he helped write it. It was written under his supervision. So we should be able to get straight answers immediately from this gentleman.

For example, I asked a simple question right off the bat: Does the President's budget spend more money than the agreement we reached last August over raising the debt limit for America? Does it spend more or less? And it went on for 4 minutes, and I kept repeating again and again: Well, is it more or less? Finally, at some point he said the President's budget would spend less, and that is not accurate. It spends at least $1.5 trillion more. So the budget director can't get straight whether or not the President's budget spends more and is $1.5 trillion off? A trillion dollars is a lot of money. I felt strongly about it.

Mr. President, I would ask unanimous consent to enter into a colloquy with my Republican colleagues for up to 30 minutes.

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

Mr. SESSIONS. Mr. President, I see Senator THUNE is here, and he has been through a lot of these matters and a lot of hearings during his time as part of the leadership here in the Senate, and I would ask him how he felt about the hearing this morning and the issues our country faces.

Mr. THUNE. Mr. President, I thank the distinguished ranking member on the Budget Committee for engaging in this discussion, and I am anxious to hear from our colleague from New Hampshire, Senator AYOTTE. She was there this morning and was able to ask questions of the witness, the panel we had in front of the Budget Committee.

I guess what struck me about listening to that discussion was just the evasiveness we had from Mr. Zients and, in fact, as the Senator from Alabama has mentioned, his failure to respond to very direct questions—not questions that are trick questions, questions that are just a matter of the facts.

I think what I was struck by too is that when he was asked about whether the administration wanted Majority Leader REID to bring the President's budget to the floor, he could not give a direct answer, and his comments indicated that they would not be calling on the majority leader to bring the President's budget before the Senate. The other thing I was struck by is that the President's own budget chief could not confirm or verify that the President has added already about $5 trillion to the debt since taking office. Those were both things that seemed like very straightforward questions and should have been very straightforward answers.

The fact is it is very difficult for him or any other official in this administration to defend this budget. This budget is not a serious budget, and even people on the other side, people in the media have all passed judgment and basically said that this is not the kind of budget that takes on the challenges the country faces.

I would say to my colleagues that it is hard to take this seriously when they aren't serious about it, but they ought to be because these are serious times. We live in a time where we are running a $15 trillion debt. This budget would add another $11 trillion to that debt over the next 10 years. We are living in a time when we have European countries that are on the verge of fiscal collapse with regard to their economic and fiscal situations, much of which we are watching on a daily basis unfold in front of us and what that might mean for our country, and hopefully there is something instructive about that because clearly we need to be taking a page out of what is happening there and getting our house in order now.

We have made promises to the American people that we can't keep. We need to reform our entitlement programs. And that probably more than anything else was the biggest disappointment in the President's budget because it is the fourth year in a row where he has proposed a budget that doesn't do anything to address the fundamental drivers of Federal spending, and by that I mean the mandatory part of the budget; that is, Social Security, Medicare, Medicaid, SNAP. All of those different programs represent today, with interest on the debt, about 64 percent of all Federal spending. At the end of the 10-year period, they would represent 78 percent of all Federal spending. So this budget is a dramatic increase in the amount we are spending on various programs. That is what is driving Federal spending today, that is what will drive Federal spending into the future, and that is why a failure and a lack of leadership when it comes to the issue of entitlement reform is so disturbing, and it really is a missed opportunity.

I understand that this is an election year. Everybody says this is a campaign document, this is a political document. That does not absolve the President or us of the responsibility we have to the American people to start making some decisions around here that will get this country back on the right fiscal track.

When you propose a budget that spends literally $47 trillion over the next 10 years, which is basically what we are talking about here, then you have not done much to bend the spending curve in the right direction. So I would strongly disagree with Mr. Zients' statement today that this is a ''very tight budget''—that is how I think he described it.

We have Governors around the country who are making some tough decisions to balance their State budget. The Federal Government ought to do the same. South Dakota is a good example of that. We made some difficult decisions this last year, and as a consequence of that, our budget situation is much better this year, but it is because they had the courage to step forward and do some things that needed to be done.

The budget proposed by the President fails to rein in government spending and balance the budget. As I said, it adds $11 trillion to the national debt, which will reach—if my colleagues can believe this—nearly $26 trillion by the end of the decade under the proposal the President put forward.

I could go on, but I would say to my colleague from Alabama and to my colleague from New Hampshire that based upon what we heard this morning, I guess I don't feel very reassured that this administration gets it. The President's budget submission clearly was an example that they don't get it, and the defense of it this morning that we heard in front of the Budget Committee certainly reinforced that impression with me. But I would be interested in knowing what the Senator from New Hampshire, who was there and able to question the panelists, including the OMB Director, thought based on the testimony we heard this morning.

Ms. AYOTTE. I thank my colleague from South Dakota as well as my colleague from Alabama, the ranking

member of the Budget Committee. I was deeply troubled this morning, because I asked Mr. Zients about the President's budget and my concern that under the trajectory of the President's budget we would be reaching $26 trillion of debt in the next 10 years, and I was shocked when he described the President's budget as a milestone, as leadership. This to me is not leadership. If it is a milestone for anything, this budget is a milestone for bankruptcy and what we see happening in Europe and other areas of the world that we don't want to happen to our country.

When I think about it—I am the mother of two children—how could we possibly ask our children to pay back $26 trillion in debt? It is outrageous.

I was surprised that Mr. Zients couldn't answer a basic question such as how much debt has been added under this President. As the Senator from South Dakota mentioned, it is close to $5 trillion in debt.

Also our entitlement programs. I know my grandparents are relying on Medicare and Social Security. I asked Mr. Zients—the Medicare trustees have said that Medicare is going bankrupt in 2024. We know Medicare is a huge driver of our unsustainable debt and that if we don't act to preserve these programs, then the people who are relying on them are going to be put in a horrible position very soon—2024 is coming very quickly. I asked Mr. Zients the question: What is the President's plan to preserve Medicare? What I got was a completely insufficient answer. That is because in this budget there is no plan to preserve Medicare for my grandparents and for everyone who is relying on Medicare right now.

When I reviewed the President's budget, it reminded me of a discussion I have had with my kids recently. In the last couple of weeks we have been talking about Punxsutawney Phil, the groundhog who comes out and looks at his shadow to see if we are going to have more winter. Well, Punxsutawney has already come out of his hole, but in Washington it is Groundhog Day all over again when it comes to the President's budget, because every year this President has been in office, his proposed budgets have left us with trillion-dollar deficits, increased gross debt as a percentage of the share of our economy, continued massive spending, racking up enormous debt to where we will reach $26 trillion in 10 years. There is no plan to reform Social Security and Medicare, to preserve these programs, and they are mandatory spending and, as Senator THUNE mentioned, the largest driver of our debt, and massive tax increases. It is staggering when we think about a budget that offers close to the largest—if not the largest—tax increase in the history of our country, yet still runs a $1.3 trillion deficit this year and at least a $900 billion deficit in 2013. It is the worst of all worlds. We are going to increase taxes on small businesses in this country that we are asking to generate revenue and create jobs, yet we are still going to run trillion-dollar deficits.

This is a very irresponsible budget. We cannot afford a campaign document. We need a budget for this country. Because when I think about where we are, when I think about what is happening in other countries around the world—in Europe—and the future of our country, and not only all of us here today, but what we will be passing on to my children and your children because they can't repay $26 trillion in debt—how is that going to happen? And how fair is that? They didn't incur this debt. We did. We have a responsibility to address this now.

I have been deeply disappointed by this President and his failure of leadership on this issue. Think about it: My colleague Senator Gregg served on the President's fiscal commission. The President convenes a fiscal commission and ignores his own fiscal commission. In fact, since that time, we have incurred $1.5 trillion of debt since the fiscal commission issued a report. Last year the President's budget came up for a vote in this body. It was so fiscally irresponsible that not one Member of this Chamber, from either party or the Independents, voted for the budget. That says it all. Yet, again, we have a similar budget being proposed by this President. That is why I say, unfortunately, it is Groundhog Day in Washington all over again.

It is unfortunate, because the American people have seen this over and over again, and they are very tired because they understand at home they have to balance their budgets. They understand that at home, they are making the difficult calls that need to be made to prioritize. Yet, here in Washington, with this President's budget and the trajectory our country is on because of the failure of leadership, we are in a position where we are hurting our country, and I am very concerned about what we are passing on to the next generation. I hope my colleagues on the Senate Budget Committee will actually do the work that needs to be done and put together a responsible budget for this country, because it has been over 1,000 days since the Democratic-controlled Senate has actually done the work that needs to be done for this country. If the President is not going to do it, then I hope that in this body, the Senate, we will put together a responsible budget that gets our fiscal house in order for the future of our country.

I hope this Acting Budget Director, Mr. Zients, the next time he comes before the Senate Budget Committee, will answer the questions he is asked. This is simple math. When Senator SESSIONS asked him whether we are spending more money, one would hope to get a straight answer. That is the least the American people deserve. I am hoping that is what they will receive going forward.

I wish to ask my colleague, Senator SESSIONS, the ranking member of the Budget Committee, what his impression of the President's budget is in terms of where it leaves our country going forward and what he hopes the Senate Budget Committee will do to address this fiscal crisis.

Mr. SESSIONS. I thank my colleague. I know Senator AYOTTE wanted to be on the Budget Committee. We had a host of fabulous new Senators who wanted to be on it. We got four, but many more wanted to be on it. Senator PORTMAN, Senator TOOMEY, Senator JOHNSON, and Senator AYOTTE were selected.

I would say I know how disappointing it was because we talked about how we didn't even mark up a budget last year. So the people who wanted to be on there to participate in the great issue of our time—the debt this Nation is facing—got no ability or option or opportunity to participate in the debate because the majority party in the Senate decided that was not what they wanted to do. The majority leader said it would be foolish to have a budget. It is very sad.

The President's budget represents an opportunity and a responsibility to guide this Nation for the future. The President has no higher duty, no higher responsibility than to help the Nation avoid an obvious crisis. Mr. Bowles and Senator Simpson, who chaired President Obama's debt commission, looked us in the eye and issued a joint statement on the Budget Committee last year about this time that said the Nation has never faced a more predictable economic crisis. What they were saying was if we don't change what we are doing, we are headed to a crisis. Mr. Bowles, President Clinton's Chief of Staff, said to us that this crisis could happen within 2 years.

I saw yesterday on the television, ''Morning Joe,'' Mr. Haass of the Council on Foreign Relations talk about Greece. He is internationally recognized. He said the United States could be having this next year. I would say what is stunning to me is that when we look at this budget, it does not change the debt trajectory. We have looked at those numbers. We have looked at those numbers and it does not change the debt trajectory. It increases spending. It increases taxes. And, at the end of the day, based on current law that we achieved last year—minimum steps, but they were achieved—the Budget Control Act numbers that would allow the debt to increase to $11.5 trillion next year, under the President's budget that he asserts reduces the deficit by $4 trillion, the deficit would increase by $11.2 trillion—almost no change at all. We need big change. He took away some of the spending reductions and replaced them with more tax increases—the reductions we painfully agreed to last August.

I am disappointed in the President's leadership on that. The Senator from South Dakota has been here and dealt with these issues. Maybe he has comments about it. I will yield to him.

Mr. THUNE. I would say to the Senator from Alabama that it was interesting to me because at the White House Fiscal Responsibility Summit in February of 2009—this is in the context of discussing our unsustainable budget deficits—President Obama said the following:

> Contrary to the prevailing wisdom in Washington these past few years, we cannot simply spend as we please and defer the consequences to the next budget of the next administration or the next generation.

That is exactly what he has been doing now for 4 years, literally—every budget, every year. We think, OK, maybe this year the President is going to get serious because we have serious problems and these are serious times in which we are living and we have to get the situation turned around or we are headed for certain disaster. Yet, last year, as was noted, the President's budget when it was put on the floor of the Senate did not garner a single vote here—not a single vote. It was 97 to 0. It was unanimously rejected by the Senate, Members on both sides voting against it.

This year one would think, OK, the situation has gotten much worse. Our fiscal situation has deteriorated even more. The amount of debt we have racked up is continuing to accumulate. We thought perhaps this year we would see a budget that actually did address these problems, but, no, we have a budget that is filled with more spending, more debt, and higher taxes at a time literally when we need to be tackling spending, we need to be taking on saving Social Security and Medicare for the next generation, and doing something to create economic growth and get jobs created for American workers.

What is disappointing is not just the fact that the spending and debt situation is out of control but also the impact it has on the economy. The Senator from Alabama knows full well, because we both have studied this subject, that when we look at the research that has been done with regard to the impact of spending on debt and economic job creation, when we achieve a certain level or arrive at a certain level of debt as a percentage of the economy—90 percent is the threshold and it costs about a percentage point of economic growth every year, which means fewer jobs, and in this case about a million fewer jobs, in our economy. So the high, sustained levels, chronic high levels of debt and spending are directly impacting our economy's ability to get out of this cycle we are in and to start growing and expanding again and creating jobs.

Mr. SESSIONS. The Senator from South Dakota says ''directly impact.'' The way I read the Reinhart-Rogoff study and what I think I hear the Senator saying is that this isn't just that a debt crisis might happen—and those can happen quickly, as they warn in their book, that a crisis can happen when we are at this debt level out of the blue, things we never expected, and we are in serious financial trouble, like our 2006–2007 financial crisis that nobody predicted.

But I guess what I am saying to you is, they also indicate that huge debt can impact economic growth today. And they say, when your debt reaches 90 percent of GDP, your debt is that much that it will slow growth by 1 to 2 percent.

We are already at 100 percent of GDP. Does the Senator think it is possible their study, based on empirical data, might be telling us that the debt, right now—because it weakens confidence and drains investment capital—that our debt now could be slowing our economy?

Mr. THUNE. I think it is very clear. I think if you look at, as the Senator said, the debt as a percent of GDP—now over 100 percent; think about that—this is the highest level of debt, highest level of spending as a percentage of our GDP that we have seen literally since the end of World War II. We have not seen anything that rivals it. We have seen now 4 years in a row where we have run trillion-dollar-plus deficits, and we have added, as was said earlier, nearly $5 trillion to the debt since this President took office. But when you get that kind of debt level sustained over time, it does have a direct impact on jobs and the economy, and I believe we are paying a price for that right now. You can look at what is happening, obviously, with the high levels of debt and the impact it is having on countries in Europe.

So this whole idea with the President producing his budget and not taking that issue on, not doing anything substantial or meaningful with regard to spending or debt, and then adding to it, and making matters even worse, raising taxes by almost $2 trillion—it seems like a most natural instinct. It is just in their DNA. Everything has to be about raising taxes. And, clearly, that is not the solution. We all know that. In fact, we need to create policies that will be conducive to economic growth and job creation in this country.

Raising taxes on investment, which is what this budget does—by the way, it would raise capital gains tax rates from 15 percent to 20 percent right away, and then if you are hit by the Buffett rule, it would go up to 30 percent. It would raise the dividend tax rates from 15 percent to up over 39 percent—almost triple the tax on dividends in this country, which, incidentally, have already been taxed at the corporate business level. So you are talking about almost tripling the tax rate that Americans are going to have to pay on investment income. Then you look at the ObamaCare taxes that would kick in, the 3.8 percent on investment income, you add that and you start getting to a marginal income tax rate that is up in the 43, 44-percent range. It is very hard to argue that can be anything but awful when it comes to jobs.

The entire budget—from the failure to address spending and debt, the failure to take on saving Social Security and Medicare by reforming our entitlement programs; and it seems as though the constant reliance on taxes is their answer to everything—could not be a worse budget for the American people. It could not be a worse budget for the economy. It could not be a worse budget for jobs. And it certainly could not be a worse budget for seniors, as we continue to watch Medicare and Social Security cascade further and further toward bankruptcy. It is a bust as far as I am concerned. I think that is why people on both sides and people in the media and the American people get it.

It is time for this administration to get serious because these are serious times. When you are going to do big things, you need Presidential leadership. There are 100 Senators, 435 Members of the House of Representatives, 535 of us in all. There is only one President, one person who can sign a bill into law, one person who can engage the American public and the Congress in a way that will help us solve these big problems and tackle the challenges we face as a Nation right now. This budget does none of that.

Mr. SESSIONS. I thank the Senator for his comments and his leadership on all these matters that relate fundamentally to job creation and economic growth. Tax increases do not facilitate economic growth. And when you surge debt, it increases more and more pressure to raise taxes. A lot of people in my State say: JEFF, the debt is being run up so you will have to raise taxes. That is what they planned all along. Whether it is true or not, we are finding that. So we need to take steps today to put this country on a sound financial course.

To demonstrate how impactful the debt is, this year the interest on the debt we will pay—of the entire $3,700 billion we spend, $225 billion will be spent on paying the interest on the money we borrowed. A lot of people do not understand, when you borrow money, you pay interest on it. And the interest rates at this point in history are some of the lowest in history for a developed economy. But the President's own budget—the tables he has in his own budget, the assumptions he has about the expenses we will have to pay—assumes that 10 years from today we will not be paying $230 billion but $850 billion. That is more than Social Security. That is more than Medicare. That is more than the Defense Department. That is 10 times what we spend on food stamps. It is multiple times what we spend on education and highways—maybe 20 times what we spend on highways. And we are talking about a highway bill today and trying to find the money to keep it on a basic level of funding, to find the money for that, and this interest is going to be hammering us every year because we are running extraordinary deficits every year.

The American people are not happy with us because they know there can be no excuse for spending $3,700 billion and taking in only $2,200 billion and borrowing 40 cents of every dollar, having to have interest be the fastest growing item in the entire budget of America, and soon to dwarf the Defense Department, even Social Security and Medicare and Medicaid.

This is not right. This is bad policy. There can be no excuses. The President—the man who is captain of the ship—is having lunch somewhere while the ship is heading to the shoals and not providing any leadership to get us off this path. In fact, worse, I would say, the President attacks people who propose serious solutions. PAUL RYAN in the House worked hard on a budget. They laid out some good proposals that would have changed the debt course of America. It was a historic budget, do you not think, I say to Senator THUNE.

We can disagree about parts of it, but he was attacked by the President, who himself proposes nothing. And the leadership in this body will not even bring up a budget. He said it was foolish. Why is it foolish? Because if we have a budget debate on the floor of the Senate, people get to offer amendments, and they get to debate the honest depth of the danger this country faces, honestly, openly, and you have to vote on it, and the majority leader does not want to have to have his Members vote on it because he wants to avoid responsibility for facing the greatest crisis this Nation is facing.

Admiral Mullen, the Chairman of the Joint Chiefs of Staff, appointed by President Obama, said: The greatest threat to our national security is the debt. That is true. It is out there. If we do not deal with it, we are going to have a crisis.

I am disappointed at this whole process. I was disappointed at the hearing today. I thought we got irresponsible answers. I think the budget is irresponsible. It in no way deals with the main drivers, as Senator THUNE has said: Medicare, Medicaid, Social Security, food stamps—all entitlements. Those are not even touched in any serious way. Increasing at 8 percent, the highest growth rate predicted by the President in their 10-year budget is 4 percent. So these programs are increasing twice the rate of GDP. That is unsustainable. It is unsustainable. We need some leadership around here to confront it, and we do not need a President who attacks people who have the courage to actually lay out some plans to fix it.

Mr. THUNE. If the Senator would yield on that point, in closing, I do think there will be a vote probably at some point. The House is going to pass a budget. We know that. I suspect what will happen is what happened last year. If the Senate fails to produce, if the Democratic majority does not produce a budget here, we will end up voting on the House budget, perhaps on the President's budget. But the regrettable thing about all that is we are not doing our job as Senators. It has been over 1,000 days now, and this will be the fourth year in a row in which this body has not adopted a budget. What we have gotten from the President, of course, is not a serious one. All they want to do is get out and demagog and attack people who are serious about solving this problem.

Last year, as was the case with the House-passed budget, when it came over here, it was routinely attacked and demagoged. But nothing was ever put forward that would represent an alternative because they do not want to deal with these issues. It is unfortunate for the American people.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator's time has expired.

Mr. THUNE. We yield our time.

Mr. SESSIONS. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. BINGAMAN. Madam President, I want to talk about another subject; that is, five of the executive branch nominations that are pending before the Senate today.

To put this in context, every day when the Senate is in session, one of the documents that is put on every desk here in the Senate Chamber is what is called the Executive Calendar. The Executive Calendar is a listing of all the nominations that have been reported by the various committees of the Senate for consideration by the full Senate. These are, of course, nominations that the President has made and asks the Senate to agree with. So there is usually a list of these executive nominations.

I have become particularly concerned in recent weeks that this list has grown and grown and grown. In fact, there are now 79 appointments that the President has made, nominations that the President has made, that have been approved by the various committees of the Senate but have not been brought up and voted on here in the Senate itself.

That, to me, is an unfortunate result and one with which we need to concern ourselves.

I want to particularly talk about five of these nominations for important offices in the Department of Energy. We have Secretary of Energy Steven Chu coming before the Energy Committee on Thursday to talk about the President's proposed budget as it affects the Department of Energy in the upcoming year. These are nominations for management positions in his Department, he is very much in favor of us moving ahead.

Each of these offices—these five I am talking about here—has important responsibilities. Together, the five of them make up a large part of the management structure of the Department of Energy.

A frequent observation I hear on the Senate floor about energy policy in our country is that the United States needs to have an ''all of the above'' approach to energy. I do not know how we can execute an ''all of the above'' strategy for energy when we have vacancies in the key government offices that oversee fossil energy, nuclear energy, renewable energy, energy efficiency, small and minority business access to energy programs, and we have a vacancy in the legal counsel office for the Department of Energy as well.

The President has nominated five outstanding individuals to fill these ''all of the above'' energy posts. Our committee, the Energy and Natural Resources Committee, held hearings on each of the nominees, has examined their qualifications, and I am pleased to report that the committee reported all five of these nominees unanimously, recommending to the full Senate that we approve them.

The most senior of the five positions is the office of the Under Secretary of Energy. The Under Secretary's responsibilities include energy efficiency, renewable energy, fossil energy, nuclear energy, and electricity. This position has been vacant for nearly a year and a half. The President has nominated Dr. Arun Majumdar to this important post. Dr. Majumdar is currently the Director of ARPA–E, the Advanced Research Projects Agency located at the Department of Energy.

The Senate confirmed Dr. Majumdar to the position he now holds at ARPA–E as the Director of ARPA–E in October of 2009. He is currently serving as the Under Secretary on an acting basis, and serving as Secretary Chu's senior adviser.

Dr. Majumdar is a highly distinguished scientist and engineer. Before he came to Washington, he was the associate laboratory director for Energy and Environment at Lawrence Berkeley National Laboratory. He was a professor of mechanical engineering and materials sciences and engineering at The University of California at Berkeley. He holds a dozen patents. He has authored close to 200 scientific papers. He has served as an adviser to both the National Science Foundation and the President's Council of Advisers on Science and Technology, as well as startup companies and venture capital firms in Silicon Valley. He holds a doctorate from UC Berkeley, and he is a member of the National Academy of Engineering.

So it is clear to anyone who looks at his qualifications that he is an eminently qualified scientist, and, frankly, we are very fortunate to have someone of his caliber willing to serve as the Under Secretary of Energy.

The second nomination I want to talk about is for the general counsel's position at the Department. This is, of course, the Department's top legal officer. This position has been vacant since last March—nearly a year. The President has nominated Gregory Woods to be the general counsel. Mr. Woods is currently the deputy general

counsel in the Department of Transportation. He was previously a partner in a New York law firm. He was a trial lawyer in the Department of Justice before that.

The third office I want to speak about is the Assistant Secretary for Fossil Energy. This important office is responsible for research and development programs that cover coal, oil, and natural gas. It is a position that has been vacant for over a year.

The President has nominated Charles MCCONNELL to be the next Assistant Secretary for Fossil Energy. Mr. MCCONNELL is currently the Chief Operating Officer of the Office of Fossil Energy. Before coming to the Department of Energy, he spent 2 years as a vice president at Battelle Energy Technology and 31 years before that at Praxair, Inc., a Fortune 500 company that produces industrial gases.

The fourth vacant office I want to speak briefly about is that of the Assistant Secretary for Energy Efficiency and Renewable Energy. This office is responsible for programs designed to increase the production and use of solar and wind and geothermal and biomass and hydrogen and ethanol fuels, for improving energy efficiency in the transportation and building and industrial and utility sectors, and for administering programs that provide financial assistance to State energy programs and weatherization for low-income housing.

For this position, the President has nominated Dr. David Danielson. Dr. Danielson is currently a program director at ARPA–E. Before that he was a clean energy venture capitalist specializing in financing of solar and wind and biofuels and carbon capture and storage and advanced lighting projects. He holds a doctorate in material science and engineering from MIT.

The fifth and final office I want to mention is that of the Director of Minority Economic Impact, which is responsible for advising the Secretary on the effects of energy policies on minority business enterprises and educational institutions and communities and on ways to ensure that minorities are afforded an opportunity to participate fully in the Department's programs. This position has been vacant for nearly 2 years.

The President has nominated LaDoris Harris to head the office. Ms. Harris is currently the president and chief executive officer of Jabo Industries, a minority-woman-owned management consulting firm that specializes in energy and information technology and the health care industry. She has previously been an executive with General Electric and has held executive and management positions at ABB and at Westinghouse before that.

All five of these nominees are outstanding individuals who are especially well-qualified for the positions for which they have been nominated. These are important positions. They need to be filled. All five nominations were unanimously reported, as I indicated before, by our Energy and Natural Resources Committee this last fall. Four of them have been on the calendar—the Senate's Executive Calendar—since November 10. The fifth was added on December 15.

I am not aware of a single objection that has been raised—any objection on any substantive basis for any one of these. In my view, they all deserve to be confirmed, and Secretary Chu deserves to have them confirmed so that he can implement the policies and the laws we are enacting in a responsible way.

I will ask consent now to go ahead and approve these nominees and see if we can get at least these 5 out of the 79 who are on the Executive Calendar approved. Hopefully, that will allow Senators to see that there is a way to get some of these executive nominees approved as well.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 493, 494, 495, 496, and 527; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no interviewing action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection to the request?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, I would like to accommodate the President and these nominees. I think the chairman, the distinguished Senator from New Mexico, has made very good points about their qualifications. But I would be remiss if I did not rise in support of 1,200 jobs in Paducah, KY, which are threatened to be lost because the Department of Energy is refusing to address the situation.

We have a company that has 1,200 jobs in Paducah, KY, which enriches uranium. For 50 years uranium has been accumulating, and it sits on the ground as a waste product. We could recycle this. It is a green project. It costs no taxes. In fact, it will actually bring back money to the Treasury.

What I would like is help from the chairman as well as the President as well as Secretary Chu on this issue. I have written to Secretary Chu, and we have not heard back. This is very important to us. We are in the midst of a great recession, and 1,200 people are destined to lose their jobs. Once again, this does not cause any spending. It does not cost any taxes. Actually, if you would allow us to reenrich this uranium, it would bring money back to the Treasury. That is my reason for holding this. I would hope that we could find some reason and means to accommodate each other.

Until that time, I would continue to object to these nominations.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. BINGAMAN. Madam President, maybe if I could just be clear as to exactly what action the Senator from Kentucky is requesting of the Secretary—I know he indicated that he had contacted the Secretary or written to the Secretary and had not heard back. But is there some specific action that the Secretary is being asked to take that we can clarify so that we would know whether this is a request that could be accommodated?

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, in response to that question, yes. The government owns the uranium. It has been sitting there for 50 years. It is my understanding that the Department of Energy or the President could at any time sign a statement saying that uranium can be enriched.

It is completely under his prerogative and 1,200 jobs could be saved. These are good-paying jobs. Many of these are union jobs. These are people I would like to help in my State. It does not cost the government anything. It does not cost the taxpayers anything. In fact, it uses a waste product that is sitting on the ground. We had an agreement. We have worked with United Uranium Mine Workers. We have worked with Senators and Congressmen from different States to try to get this figured out. But all it takes is a signature from the Department of Energy to allow them to enrich this uranium.

The Defense Department has written statements saying they could use this uranium. The GAO has said this is the best use of this waste product. But I believe the Secretary of Energy, through a stroke of the pen, could save these 1,200 jobs. That is what I am asking for help with.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, let me just indicate to my colleague from Kentucky that I am encouraged to hear that this is an action that could be taken without any cost to the taxpayer. I think that is obviously important.

I do not know all of the arguments for and against the action the Senator is advocating or requesting. But we certainly will look into that.

Let me ask one additional question, if I could. If we are able to accommodate the Senator from Kentucky with regard to this request he has made to the Secretary of Energy, is that the only objection he is aware of to the approval of these five nominees or are we going to have additional Senators coming to the floor raising additional objections in the future, even if this action is taken?

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, this is my only objection. If the Senator were to help me save these 1,200 jobs, we would erect a monument to him in Kentucky. This is a big deal for us. It does not cost anything. I would do everything within my power to make sure there is no objection on our side. I think it is the President's prerogative. I will help facilitate this process as soon as possible. This would be huge for us in Kentucky if we could save these jobs.

Mr. BINGAMAN. Madam President, obviously, I do not want a monument erected to me in Kentucky. But I do appreciate the Senator from Kentucky indicating his commitment to help get these nominees approved if some accommodation could be found for his concerns. As I say, I have no knowledge of this particular issue. I do not know whether the request the Senator from Kentucky is making is within the realm of possibility.

We will certainly go as far as to investigate the issue and try to get a response back to the Senator as to the Department of Energy view on this issue. That much I can certainly commit to the Senator from Kentucky. But I appreciate his willingness to discuss this issue on the Senate floor. I also very much, as I said before, appreciate his commitment to help us get these nominees approved if some accommodation of his concerns can be agreed upon.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

KEYSTONE XL PIPELINE

Mr. HOEVEN. Madam President, I rise to speak on the issue of energy security for our Nation. I have filed legislation which would approve the Keystone XL Pipeline. I filed our bill as an amendment to the highway bill. That bill is the Hoeven-Lugar-Vitter-McConnell-Johanns-Hatch bill. But it actually includes 45 Senators as cosponsors of the legislation. As I said, I filed it now as an amendment to the highway bill.

The fact is Congress needs to act. The administration, after more than 3 years, has decided not to act—evidently will not act on this important issue. So we in Congress need to.

This highway bill provides a tremendous opportunity. The highway bill is about infrastructure, vital infrastructure for our country. That is exactly what the Keystone XL Pipeline is. It is vital infrastructure that is very much needed by our country.

Look at gas prices today. According to the Lundberg Survey or AAA, gas prices are now more than $3.50 a gallon. That is the highest they have been at this time of year ever—more than $3.50 a gallon.

Since President Obama took office, gas prices are up 88 percent. They are up 88 percent. That is even though demand is down. We are using less. Demand in the United States for gasoline is down by 5 percent. Yet we are seeing record high gas prices. AAA is now projecting that gasoline will go to $4 a gallon by Memorial Day.

Some are saying we could see $5 gasoline this year—$5 a gallon. Why is that? All we have to do is look to the Middle East to understand what is going on. With the turmoil there, Iran is threatening to blockade the Strait of Hormuz. Something like between one-fifth and one-sixth of all the seaborne oil in the world goes through the Strait of Hormuz. So we can imagine what would happen if Iran blockaded that strait.

Why are we continuing to get oil from the Middle East and places such as Venezuela? Nearly 30 percent of the crude we use comes from places such as the Middle East and Venezuela. Why? Why are we doing that when we don't have to? We don't have to. Why not produce that oil in this country and get it from our closest friend and our strongest trading partner, Canada?

The reality is, we can have North American energy independence. We absolutely can do it. I believe we can do it within the next 5 years. In my home State of North Dakota, we now produce 535,000 barrels a day of light sweet Bakken crude oil. But the problem we have is we cannot get it to market. In the last 5 years, we have increased production from about 100,000 barrels a day to more than 500,000 barrels a day, and it is continuing to grow. But we need pipelines to get that product to refineries in the United States. That is what the Keystone XL would do. More than 100,000 barrels a day of our oil would go into the Keystone Pipeline to get it to refineries.

From Canada, 700,000 barrels a day would go into the Keystone XL Pipeline. So we are talking about 830,000 barrels a day that would go through the Keystone XL Pipeline, which we would not need to get from the Middle East.

Between the United States and Canada, and some from Mexico, building infrastructure such as the Keystone XL Pipeline, we can produce more than 75 percent of the crude oil we need in our country, and that is growing. When I talk about North American oil independence or North American energy independence, that is very attainable. It is something we can absolutely do, but we need the infrastructure to do it.

Today, in North Dakota, light sweet Bakken crude is suffering a discount of $27 a barrel. Our oil is suffering a discount of $27 a barrel because we are constrained by pipeline capacity. In Canada, Syncrude is suffering a discount of $21 a barrel because of that pipeline capacity. Even in Cushing, OK, a hub for oil in this country, oil has been discounted because it cannot move to the refineries because we lack the pipeline capacity.

But even with these bottlenecks, as I have pointed out, these discounts at the pump, consumers and businesses are paying more than $3.50 a gallon. The bottlenecks create those constraints. Think of the impact on our economy and to our consumers. There are other impacts as well. For example, in North Dakota, we have more truck traffic on our western highways than ever before. That means more fatalities, more traffic accidents. It also means a lot more wear and tear on our infrastructure. So we are talking about a highway bill to maintain and improve our highway infrastructure throughout the country, and in my State our roads are getting worn out by all that truck traffic. The Keystone XL Pipeline alone would reduce the truck traffic on our highways just in North Dakota by 17 million truck miles a year. Again, that is 17 million truck miles a year—all that without one penny of government spending, not one penny of Federal Government spending. So it is a $7 billion private investment in enhancing our infrastructure that would not cost us a penny.

The Keystone XL Pipeline will create needed infrastructure, tens of thousands of jobs, more energy security for our Nation, and millions in tax revenues, all with no government spending. The U.S. Department of Energy said the Keystone XL Pipeline will lower gas prices—not ''may'' but ''will''—for the east coast, the gulf coast and the Midwest. But the Obama administration says no.

So the Canadian Prime Minister, Stephen Harper, goes to China last week. While there, he met with President Hu Jintao of China about selling Canadian oil to China. Prime Minister Harper said this in The Gazette:

> We are an emerging energy superpower. . . . We have abundant supplies of virtually every form of energy. And you know, we want to sell our energy to people who want to buy our energy. It's that simple.

He also spoke of ''a new era in a strategic Canada-China energy partnership.'' To the United States, he said:

> If you don't want Canadian oil sand crude, China is a waiting customer.

To back it up, he returned with a memorandum of understanding from China to develop energy sales from Canada to China.

To those who don't think the Canadian oil sands are going to be produced, that is wrong. They are going to be produced. This oil will be produced. The issue is whether it is going to go to China or come to the United States. The reality is, if it goes to China, it will be worse environmental stewardship. If it comes to the United States, there will be better environmental stewardship.

Let's talk about that for a minute. First off, if it comes from the United States in a pipeline instead of going to China, we don't have to haul it in tankers across the ocean, which produces greenhouse gas. The oil going to China creates more greenhouse gas because we have to haul it to China.

Second, if we are not getting it in the pipeline, we are going to have to continue to have tanker loads coming here from the Middle East and Venezuela—again, producing more greenhouse gas.

Third, we have the best refineries in the world. We have the highest standards and the lowest emissions in our refineries. Instead, this oil will go to China, where they have more emissions and more greenhouse gas. That is worse environmental stewardship by sending it to China, not better.

Another point. Eighty percent of new production in the Canadian oil sands is in situ. That means drilling down to bring up the oil, as we do with conventional oil, not excavating, as they have done historically but drilling or in situ, which has the same impact on greenhouse emissions as conventional drilling. So 80 percent of the new development is in situ, with the same impact as conventional drilling.

That is the real solution. The real solution is using better technology to not only produce more energy but with better environmental stewardship. That is the real solution, and it means jobs and energy independence for North America.

Finally, on the issue of reexporting the oil, the issue has been brought up that, OK, if we bring the oil in from Canada, it will just get exported to some other country and not be utilized in the United States. But 99 percent of the crude in the United States is refined here; 97 percent of the gasoline refined in the United States is used in the United States; 90 percent of the transportation fuel refined in the United States is used in the United States. We need this oil. We need the refined product.

The reality is, for the small amount exported—think about that. For that, we get jobs, and we get dollars for our economy. Think about it like manufacturing for just a minute. Refining is a process. We take crude oil, refine it, and we have a finished product, a refined product. Similar to manufacturing, we take inputs and manufacture and we have a finished good. Would anybody, for a minute, argue that we don't want to manufacture products in the United States and send them overseas? Of course we do because we get jobs and wealth from that, don't we? In other words, we want to manufacture and process goods in the United States, and when we export them, we get value, we get jobs, and we get a growing economy.

What is going on with this argument? If we think about this argument in the simplest form—for those who say we don't want to build the pipeline because some product might get exported, stop and think for a minute. If we don't build the pipeline, all the oil goes to China; none of it comes here. So we are worried that some might get exported? That makes no sense. None.

I will wrap up. The reality is this: Whether we measure it by jobs or whether we measure it by energy security for this Nation—national security with what is going on in the Middle East—or whether we measure it from an environmental stewardship standpoint, it absolutely makes sense to develop this infrastructure. This is an important step in the right direction toward North American energy security. There is a lot more we need to do, but the reality is we can get there with this kind of private investment by creating the right environment for that. With the infrastructure and steps we need to take, we can get to energy security. It is time for Congress to step forward and act.

This is vitally important infrastructure for our country. This is a vitally important step in terms of national security for the American people.

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

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

The Senator from Arizona is recognized.

Mr. KYL. I thank the Chair.

(The remarks of Mr. KYL pertaining to the introduction of S. 2109 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

THE SUGAR ACT

Mrs. SHAHEEN. Mr. President, I know this comes as no surprise to you, but today is Valentine's Day. Today millions of Americans are buying flowers and candy for their loved ones to celebrate Valentine's Day. This is an important day for American businesses, especially candy manufacturers. Consumers will purchase over 36 million heart-shaped boxes of chocolates for Valentine's Day.

Unfortunately, the price American candy manufacturers must pay for this sugar leaves a very bitter taste in their mouths. Why, you ask. Well, because these companies face artificially high prices for sugar, about twice the world average. That is because there is an outdated and unnecessary government program that keeps sugar prices significantly higher than they should be.

It is programs such as these sugar subsidies that reflect people's frustration with what is going on here in Washington because the sugar program, like too many other subsidies, protects special interests at the expense of regular businesses and consumers. That is why I joined with Senator MARK KIRK on Valentine's Day last year to encourage our colleagues to join us in supporting our bipartisan SUGAR Act.

The SUGAR Act would phase out the U.S. sugar program, which costs businesses and consumers about $4 billion a year. This is a big concern for us in New Hampshire as we are the American home of Lindt chocolate as well as a number of other smaller candy companies that use a lot of sugar. I know it is a concern for the President, who has Hershey's chocolate in his home State of Pennsylvania, and it is a big concern for Illinois, where Senator KIRK is from, because they have so many candy companies.

This legislation isn't about Democrats or Republicans. This legislation is about ending a bad deal for businesses and consumers. Senator KIRK and I sponsored this legislation because we need to end the sweetheart deal for the sugar industry. There is simply no reason to continue a program that makes candy makers, bakers, and other food manufacturers in our States pay double the world average price for sugar.

One of the other fallouts from these high sugar prices is that it costs jobs. For every one job we save in the sugar industry because of these subsidies, we are losing three manufacturing jobs.

Today, as we celebrate Valentine's Day, my thoughts are with Senator KIRK, who continues to recover from a serious illness. While Senator KIRK couldn't be with us this Valentine's Day, I do wish him well, and I look forward to his speedy return to the Senate. I know he is focused on getting better so that he will be able to get back here to work for his constituents from Illinois.

It has been my pleasure to work with Senator KIRK on this bipartisan legislation. I look forward to our continued work in the future on the SUGAR Act and on other matters that help our constituents in New Hampshire and Illinois.

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

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

Mr. MERKLEY. Mr. President, I ask to speak as in morning business for up to 10 minutes.

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

TRIBUTE TO CLAIRE GRIFFIN

Mr. MERKLEY. Mr. President, I rise today to recognize the dedicated service of one of my team members, Claire Griffin. Claire retired this January after a long and eventful career. She stuck with me through thick and thin, from when I was a newly elected State representative to the speakership of the Oregon House, to my service here in the Senate.

I first met Claire in 1998 at a candidate training event when I was running for the Oregon House. Claire came as the campaign manager for another candidate who was running in a tough race for an open seat. Claire and her candidate kept making key points, responding to all the questions being

asked about how one would run their campaign. I just kept thinking: I am in so much trouble. I wish I had it together—like the two of them.

They were enormously outspent in their race and did not win but finished respectably. It was just after the election that the candidate called me and encouraged me to hire Claire for my team, so I did. Thus began a wonderful 13-year partnership.

One of the first things I got to know about Claire was that, while she had moved to Oregon, she was steeped in California politics. Her face would light up with stories from her California days. Jesse Unruh, former California assemblyman, treasurer, and speaker figured prominently in these stories. The underlying theme of these stories was, if I had just a fraction of Speaker Unruh's political smarts, we could get a lot more done.

Fortunately, Claire did what she could to help provide those political smarts for me. During these years I was working full time for the World Affairs Council of Oregon, in addition to serving as a legislator in the citizen legislator system in Oregon. This greatly increased Claire's workload and, on pretty much a daily basis, it increased her blood pressure. I don't know how I would have gotten through those years without her extraordinary diligence.

I kept hearing from constituents how promptly Claire responded when they called my legislative office. In fact, I think a good share of the folks in my Oregon House district thought Claire was the State representative and I was assisting her.

Then, in 2003, our collective experience took a big turn. The good news for Claire was that I resigned from my day job as director of the World Affairs Council of Oregon, and I could finally devote myself fully to my responsibilities as a State legislator. The bad news for her blood pressure was that I also decided to make a long-shot bid to be House Democratic leader.

Claire always said she was sure I would win. I, on the other hand, was equally sure I would not win. But as so often has proved the case over time, Claire was right and I was wrong.

When the first day of voting arrived, it became clear after the first ballot that the race was going to be a close three-way contest, and in the next two rounds of voting one of us won and the other two tied and nobody was out of the race, so the voting continued. I finally won on the fifth ballot, bringing a new challenge for Claire, developing a strong working relationship with the entire House Democratic leadership.

Over the next 3 years, Claire had to hear me obsess over the challenge of recruiting candidates in 60 districts, raising funds, developing a policy agenda, and overcoming the sometimes dramatic ups and downs of a State legislature. But together we soldiered on.

Starting in the 2005 session, Claire took on a new duty, the essential task of training and mentoring the Democratic legislative assistants. Just as she had impressed me in that first fortuitous meeting in 1998, she impressed her new trainees. Many of the LAs would stop me in the halls of the capitol in Salem, OR, and give thanks for her down-to-earth training and support.

In 2007, our world changed again when I became speaker of the house. As always, Claire was the rock of our operation, even as I assumed my new duties and then, shortly after the 2007 session, took on the long-shot race of running for the U.S. Senate.

When I was elected to the Senate in 2008, Claire applied her enormous skills to lead my casework team. She and her team have done an amazing job. If you would like to see proof, just visit her office in Portland. The wall is covered in multitudes of thank-you notes.

Recently, I received this letter from a constituent:

> Senator, you hardly need one of your constituents to tell you how great your staff operates but I must try. I recently had a problem with government bureaucracy and I was beyond frustration. Then, 2 years ago, I contacted your office and was put in contact with Claire Griffin. I may have found my government to be unresponsive before this, but from that day forward I had been amazed. . . . My issue did not even affect very many people, but Claire did not let those facts guide her efforts. . . .
>
> From the very beginning, she made me feel that my problem was worthy of her total effort. . . . In the end, Claire brought the ''mountain to me'' and a large part of my problem was resolved. . . . The frustration that I experienced for so many years with an unresponsive government has been lifted through [her] actions.

Like so many other letters through the years, it closed by thanking Claire.

For the past 13 years I have always appreciated Claire's dedication as a staff member, but I have been equally blessed to know her as a person. If anyone should doubt, I can testify that Claire has been the funniest person in Oregon politics. She wields her wit like a sword, and sometimes it stings. But you can't help but smile even when her comments make you smart.

She made it, in part, her job to make sure the various offices did not go to my head, and she was very good at this. When she trained legislative assistants in Salem, she made sure they were trained in how to keep their bosses from taking their offices too much to their headbands.

Claire has been a full member of my and Mary's extended family. She joined the team when my son Jonathan was 2 years old and my daughter Brynn was a newborn. She has stepped in to cut down the mountains and fill in the valleys, all along this 13-year journey. She gave my son Jonathan the best gift he ever had, a box of eight classic adventure novels rewritten for a little tyke to read. He enjoyed them immensely. She rescued me when I forgot my I.D. card and could not get through airport security. As you can imagine, over the years she has been there through one crisis, one challenge after another.

Claire, I couldn't have done it without you. My family could not have done it without you. Thank you for joining our team and our family and working so hard to make this journey a success.

Claire, you have carried on the fight to build a better world, and you have carried on that fight with heart and humor. Thank you. We will miss you. Please enjoy your well-earned retirement and, of course, keep in touch. You will always be a valued member of Team MERKLEY.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

ADOPTION

Ms. LANDRIEU. Mr. President, that was a beautiful tribute by my colleague.

I come to the floor to just speak for a few minutes while we are trying to figure a way forward on a very important piece of legislation having to do with the transportation infrastructure for our Nation. I know it is a bill that Senator BOXER, as the chair of the EPW Committee, has worked on tirelessly for years along with Senator INHOFE. It is a very important piece of legislation authorizing billions of dollars of programs and projects. I really want to say that I appreciate her leadership so much.

I was so hoping the Republican leadership and the Democratic leadership could come together so sometime in the next few days we could have some votes relative to this important legislation and move forward because I know for the people I represent in Louisiana, this is one of our most important infrastructure bills.

I am sure, Mr. President, you have many people in Pennsylvania talking with you about the importance of getting these road projects authorized. At a time when people are looking for jobs and looking for work, this would be one of the bills we would like to pass. Let's all be patient but not too patient, to get this through because it is very important.

While we are waiting for that, I thought I would come to the floor on this very special day, Valentines Day, to talk about a very special kind of love that happens between children and parents. Mr. President, you know because you have been a wonderful leader, along with many others here on the Senate floor, for the idea that every child deserves a protective family and that children do not do a very good job of raising themselves. Governments do not do a good job of raising children. Children need to be raised in a family. Children should be with their siblings whenever possible, raised in the protective arms and under the watchful eye of parents—at least one responsible adult.

Mr. President, you know how heartbreaking it is on every day, but particularly a day like today when we are sending cards to our loved ones. I know the first call I made this morning was

to my husband and to my children to wish them a Happy Valentines—people are doing that all over the world today. In fact, I was given some very interesting information.

I had no idea that 180 million Valentine cards were purchased today—that is pretty amazing—200 million roses were sold today, and 36 million heart-shaped boxes of chocolate will be eaten today. I have not gotten my box of chocolate; I don't know if you have. I am still looking for mine.

But the sad thing is, there are millions of children who are not going to receive a phone call today. They are not going to receive a card. They will not receive a box of chocolates, and they may not even receive a pat on the head or a hug or a word of encouragement because they are orphans.

These are children who live all over the world and in our own country, sad to say. We have about 100,000 children in our foster care system whose parents have had their biological rights terminated because of either gross neglect or abuse, children who are waiting for another family to step up. The Presiding Officer has been very active and successful in passing the adoption tax credit provision that provides some financial assistance to families who are stepping forward to adopt children in need in our own country and around the world.

There are 100,000 children waiting for that Valentines card or that box of chocolate or a hug or just to belong to a family. Around the world, we don't even know what those numbers are. They are overwhelming. We know that in countries that have a high incidence of AIDS, for instance, that causes the death of a parent, particularly a mom—a dad as well—really that leaves sometimes families of eight children, nine children, six children abandoned. Even if a grandmother steps in to try to do that work and she dies within a few years, what happens to these children?

Well, the Presiding Officer, along with many of my colleagues here, I am proud to say, has introduced a resolution today. I wish to thank my cosponsors, particularly Senator LUGAR, who has been a terrific advocate as the former chair and now ranking member of the Foreign Relations Committee; Senator KLOBUCHAR; Senator GRASSLEY, who is my cochair on the foster care caucus; Senator GILLIBRAND; Senator INHOFE, who has probably traveled to more countries—more times to Africa than any Senator in the history of our country, and he should be commended for the work he is doing on that continent; and Senator BLUMENTHAL and Senator BOOZMAN, who have been outstanding advocates in their own right for different aspects of family policy. We are proud to submit a sense-of-the-Senate resolution. Of course, this does not have the force of law, but it most certainly expresses our views as a body and does have impact on policymakers around the world, nonprofits, the faith-based community, the private sector, and, most importantly, governments around the world.

People would say: What does the Senate think about this, Senator? You say this, but what do the other Senators think about the fact of adoption or international adoption? Do they agree with you that children belong in a family? Because it is sad to say that there are some places in this world that think children can grow up fine in an institution or they can grow up fine without parents. Now, we don't think that in the United States. Not only do our hearts and our minds and our faith tell us otherwise, but the science also says that children who grow up in a family of loving nurturing, particularly in the early years—we know this is true raising our own children; I know this as a mother—every year but particularly those early years get the confidence and the affirmation of kindness and gentleness from a parent.

I have been learning more about this lately, not only how important it is, but what I have been learning about is what the science says when children don't get that. The term that the American Academy of Pediatrics just released calls it toxic stress—toxic stress on the brain of an infant. They underline how even one caring and supportive relationship with an adult in those early years is so important that it can offset the damaging neurological and physiological affects of stress on children. I know adults have stress because I have it myself. What I didn't realize was that infants—the tiniest little infants—can have toxic stress that affects the development of their brain and their ability to function.

I hope our country will realize how important it is for us to do a better job of connecting orphans and abandoned infants and neglected children of all ages—not to put them in an institution, not to turn them out on the street, not to allow them to be trafficked by drug cartels or sex traders or people who will exploit them for other purposes, but to put them in the arms of a loving family, connecting them to a loving and responsible adult.

Of course, we try to keep children in their own biological families when possible, but if war or disease or death separates them, why don't we think that it is the most important thing in the world—because it is—to connect those children to a loving family?

That is what this resolution says. It is just as simple as we can say it on Valentines Day: For kids who will never get a kiss or a box of chocolates or who haven't yet, there is still hope that we can give them a protective family, that we can protect these sibling groups. If government would work just a little bit smarter, not even necessarily throwing that much more money at it, although I find we can always use a little extra, but just working smarter and better and working with the churches, working with faith-based communities around the world, we can connect children to families. That is all this resolution says. It expresses the sense of the Senate. I hope we can pass this by unanimous consent.

So when I travel around the world, as I do often, when I am in Guatemala or when I am in Uganda or when I have been in places such as Russia and in China, and the Senators there or the members or the people, the leaders, ask me, ''What do the other Senators say? Do they believe this as well?'' I can say, ''Absolutely.'' I am going to carry this resolution with me, and I will show it to them because all this resolution says is that every child in the world deserves a protective and loving family.

So I don't know if Valentines Day will be perfect for many children. I hope my children have had a wonderful day today. But we can work a little harder to try to do our best to make sure they have at least one caring, nurturing, loving adult in their life. It would make a world of difference in our school systems, in our health care systems, in our criminal justice system. It will make our communities stronger. It will make our States and our Nation stronger and ultimately the world. I know the Presiding Officer believes that.

I thank the leadership for allowing me to come to the floor and speak on this today, and hopefully all of my colleagues will vote favorably for this Senate resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent to speak as in morning business.

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

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. WICKER. Mr. President, I expect that a resolution authorizing National Crime Victims' Rights Week will be adopted unanimously by the Senate in a few moments. I wanted to come to the floor today and reaffirm my support for the rights and needs of survivors of crime. I also wanted to express my gratitude to the dedicated advocates of crime victims as well as the health and law enforcement professionals who work to fight crime and help its victims recover.

Keeping our neighborhoods and communities safe is and will always be a top priority of this country. But close to 20 million Americans are victims of crime each year, and these individuals and their families are confronted with unique and difficult challenges. Acts of crime inflict lasting physical, emotional, and psychological wounds that take time and care to heal. It is important that the necessary resources and services be available to help rebuild the lives of crime survivors.

National Crime Victims' Rights Week, which our Nation has commemorated annually for the last 30 years, renews our commitment to those impacted by crime and the ways we can help them move forward. It is a time for remembrance and reflection, a moment to pause and honor victims, advocates, professionals, and volunteers.

This year's theme is ambitious but critical: ''Extending the Vision: Reaching Every Victim.'' This calls on each of us to make sure that all victims get the help they need. Too many victims are still unable to receive the protections and services they deserve. Our efforts toward better safety and security now are integral to ensuring the safety and security of future generations.

On April 8, 1981, President Ronald Reagan proclaimed the first Crime Victims' Rights Week. As a former prosecutor myself, I remember when the concept of victims' rights was practically unknown as few mechanisms for victim assistance and support even existed. With this first proclamation, President Reagan fulfilled an important and long-awaited call to put the concerns and rights of crime victims on the national agenda.

As President Reagan said in the first proclamation in 1981:

> We need a renewed emphasis on and an enhanced sensitivity to the rights of victims. These rights should be a central concern of those who participate in the criminal justice system, and it is time all of us paid greater heed to the plight of victims.

This pioneering vision of President Reagan is one we continue to embrace today.

We are blessed to live in a nation of Good Samaritans, and we have achieved impressive strides toward helping crime victims get the services they need. But the task of preventing crime and healing its harmful effects remains a constant battle. Technology, globalization, and new types of criminal behavior have made the challenge before us more complex than ever before.

Our fight against crime in the 21st century will take strategic partnerships at the local, State, and national levels. It will rely on supportive, vigilant, and compassionate communities and individuals. Serving these individuals is more than an act of kindness; it helps make all of our homes, neighborhoods, and communities safer and stronger.

The resolution I have submitted with Senators LEAHY, SCHUMER, and GRASSLEY and which I expect to be passed today supports the mission and goals of this year's National Crime Victims' Rights Week. I urge my colleagues to continue supporting those who have suffered crimes' effects and a renewed commitment toward reducing crime during this week, which this year will be observed the week of April 22.

In closing, we have come a long way since the days when crime victims had few rights and services. Yet it is also true that too many crimes are still committed and too few are reported and that many victims struggle to overcome the lasting effects of crime. I am pleased that National Crime Victims' Rights Week offers us the opportunity each year to highlight the needs of crime survivors, recognize those who help them, and engage the public in the fight for victims' rights.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING K-I LUMBER & BUILDING MATERIALS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a thriving and successful business in Kentucky, the K-I Lumber & Building Materials company, headquartered in Louisville. K-I Lumber was founded in Louisville in 1932 by Mr. Walter M. Freeman, Sr., who was working as a lumber salesman for another company in the 1920s. As the Great Depression hit, the company he worked for began to decline, and this enterprising American decided that was the time to strike out on his own.

Mr. Freeman opened K-I Lumber's first headquarters in the Starks Building in downtown Louisville, and began selling carloads and truckloads of lumber to customers in Kentucky, Indiana, and surrounding States. By the early 1950s, he had purchased property for a distribution center and lumberyard. Walt's son, Walt Freeman, Jr., joined the business and began to expand it into Kentucky and Indiana's largest lumber company.

Walt, Jr. grew K-I Lumber until it had nine locations in three States and employed approximately 500 people, turning it into one of the largest independent lumber and building materials companies in the industry and earning it the Home Builders Association of Louisville Associate of the Year award until his passing in 2011.

Now led by the company's chairman, Sharon Freeman, and its president, Bob DeFarraro, K-I Lumber continues to serve as an example of the success Kentucky businesses can achieve with hard work, good leadership, and a passionate spirit. K-I Lumber recently celebrated its current employees for their combined total of 2,074 years of service to the company and to its customers in Kentucky and the region.

Speaking of the company's custom millwork division, Walt Freeman, Jr. was fond of saying ''If you can dream it, we can craft it.'' Whether it is custom millwork for one very special customer, or lumber needs for the largest distributors, K-I Lumber & Building Materials has survived and thrived over the past 80 years by crafting the desires of its customers, employees, and managers into reality. I know my colleagues join me in wishing many more years of success to this proud and locally owned Kentucky business.

SURFACE TRANSPORTATION ACT

Mr. ISAKSON. Mr. President, amendment No. 1574 modifying the Congressional authorization for the Savannah Harbor Expansion Project, SHEP, is clearly supported in the Constitution. Article I of the Constitution grants Congress the power to authorize and appropriate funds and Article I, Section 8, specifically grants Congress the power ''To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.'' The power of Congress to fund the Savannah Harbor Expansion Project is unquestionably granted by the Commerce Clause of the Constitution. The Supreme Court has also expressly stated that ''Commerce with foreign nations means commerce between citizens of the United States and citizens or subjects of foreign governments. It means trade, and it means intercourse. It means commercial intercourse between nations, and parts of nations, in all its branches. It includes navigation, as the principal means by which foreign intercourse is affected.''

The power to regulate, authorize, and appropriate funding for the ports comes from the authority to regulate navigation, arising from the Commerce Clause. The Savannah Harbor Expansion Project, and by extension all harbor deepening projects, involves the general welfare of the United States. The Port of Savannah is a turnstile for cargo that impacts the United States as a whole. Congress is permitted to contribute to the project because it would improve the ability of the United States to receive larger ships entering through the Panama Canal. The Project will make national trade more competitive, while greatly impacting the State and the region. Trades, and its relations (ports), are fundamental extensions of the congressional power to regulate commerce. The Savannah Harbor Expansion Project is a permissible exercise of Congress's authority to regulate commerce and contributes to the general welfare of the United States. The constitutional ability of Congress to provide funding for the program is unquestionable.

The Port of Savannah is the second largest container port on the East