NIST to end its work on the Manufacturing Extension Partnership, which helps small manufacturers innovate in their business practices and develop market growth at home and abroad.

The Department of Education is the operator of 10 world-class national laboratories that specialize in developing advanced commercial technologies. DOE's Advanced Research Projects Agency, ARPA, has achieved several remarkable breakthroughs in recent years, such as doubling the energy density of lithium batteries, increasing the capacity of high-power transistors, engineering microbes that can turn hydrogen and carbon dioxide into transportation fuel. Sequester cuts are going to slow and curb our Nation's progress toward a 21st century energy sector.

Not only does the sequester fail to invest in things that make America great and make America grow, the sequester is also costing the government more money for the same product in the long run. There are certain weapon systems that DOD knows it needs and will purchase in the future; however, because of sequestration, they have canceled the contract order for the time being. As a result, the manufacturer has shut down that production line and possibly terminated jobs. Restarting that process is expensive, and those costs are ultimately passed on to us, the government—the American people.

I urge my colleagues to rethink the current strategy of addressing the sequester crisis by crisis and whatever is on the front page of the news. It ultimately is not equitable. It disadvantages our Nation's most vulnerable and it is harming our economy.

In February, CBO's Doug Elmendorf testified that the effects of sequestration would reduce employment by 750,000 jobs this year. That is the opposite direction we need our job numbers to go during our economic recovery. I have not even been able to touch on the risk the defense sequester poses to our military readiness in my remarks here today.

The bottom line is we need to address every facet of the sequester together with a mix of new revenues and smarter targeted cuts. We should meet every new, high-visible consequence of the sequester with the same response. It is more evidence that we need to replace the entire sequester.

Democrats have put forward a plan to address the most immediate consequences of the sequester with a mix of new revenues and targeted cuts to replace the first year of sequestration, and it garnered a majority in the Senate. But because a majority is not enough to pass legislation in today's Senate when the minority chooses to obstruct, that plan failed to pass.

What we have passed in the Senate is a budget that proposes to replace the entire sequester in a balanced way that would also spare the most vulnerable pain and protect our economic recovery and our economic future. That is the kind of approach we need to take.

I hope in the days ahead we can begin a dialogue about fixing this problem so kids in Minnesota, Indiana, and in the Presiding Officer's State of Hawaii—kids all around the country—can return to Head Start. We need to help the senior citizens in Maine so they can get off the Meals on Wheels waiting list. We address this issue so that Minnesota's tribal school districts can finish out the school year as scheduled.

When we hear about the next highly visible problem the sequester has caused, we should think about all the problems the sequester has caused, and that is what I will be doing. We need to fix the problem in a comprehensive and balanced way.

I stand ready to work with my colleagues and achieve that comprehensive and balanced fix for the sequester.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. 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.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DAVID MEDINE TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

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

The bill clerk read the nomination of David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board.

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 Iowa.

Mr. GRASSLEY. Mr. President, I oppose the nomination of David Medine to be the Chairman of the Privacy and Civil Liberties Oversight Board, which is commonly referred to as the PCLOB.

Mr. Medine was nominated for this position during last Congress and the Judiciary Committee, where I serve as the ranking member, held a hearing on his nomination in April 2012.

At the hearing, I asked a number of questions about the various national security statutes that the Board is tasked with overseeing. This included questions about the Foreign Intelligence Surveillance Act and the PATRIOT Act.

Specifically, I asked for his views on these laws. Unfortunately, the responses I received failed to provide his views. He simply stated that he would balance the views of the government against the Board's mandate to review privacy.

I also asked Mr. Medine about his views on the use of law enforcement versus military authorities for combatting terrorism.

I was disappointed that he failed to answer a basic yes-or-no question about national security law: ''Do you believe that we are engaged in a war on terrorism?''

Instead, of a simple yes or no, he opted for a more limited answer that military power is permissible in appropriate cases.

This technical answer gives me pause especially in light of the continued threat we face from international terrorist organizations.

Perhaps the most concerning response he provided was to another simple constitutional law question. I asked all the Board nominees an important question about the use of profiling based upon country of origin for immigration purposes.

The Constitution provides broad discretion to the government for purposes of immigration. Each year the government places quotas or caps on how many and what types of visas are allowed for each particular country.

For example, if we face a threat from an unfriendly nation, it is important that we have the ability to limit immigration from that country. At the least, immigration and customs agents and consular officers should be able to make decisions of admissibility solely on country of origin.

I asked this same question to the other four current members of the Board—two Democrats and two Republicans. They all answered the same way, that foreign nationals do not have the same constitutional or statutory rights as citizens and therefore U.S. officials should be able to use this as a factor in admissibility determinations.

In contrast to the other four nominees, Mr. Medine argued that use of country of origin as the sole purpose was ''inappropriate.''

Specifically, Mr. Medine noted that it would be ''inappropriate'' for the Federal Government to profile foreign nationals from high-risk countries based solely upon the country of origin. This is troubling.

As the other four nominees noted, foreign nationals do not have the same constitutional or statutory rights as U.S. persons and the government may, lawfully and appropriately, use country of origin as a limiting factor for purposes of admission to the United States.

I think this is especially concerning given the recent attacks in Boston and the concerns surrounding potential holes in our immigration system related to student visa overstays.