

Part of this was, we adopted an amendment that would be part of the Quadrennial Defense Review and the Ballistic Missile Defense Review which are now both underway. It would give a detailed assessment of the ground-based midcourse defense system. That report would also require a detailed plan for how the Department of Defense is going to sustain the planned ground-based missile deployment capability. The Department would provide that assessment and the plan to Congress with the submission of next year's budget.

At the end of the day, what we are looking for is that we have a missile defense system that works and that we know it works in case some rogue state, such as North Korea or Iran, were to try to pull off an attack on the United States so we could knock that attack down.

We have a lot of other systems in place besides the ground-based interceptors. For example, we have our Aegis system of ships. We have the standard missile 3 that is land based that, on a lot of these threats coming, as I suggested, if it were from Iran or North Korea, we could get them in the boost phase of their threatening missile. But this missile defense system we are talking about, the ground-based interceptors in the silos in Alaska and California right now, this would get them in midcourse so that when an ICBM would be launched against us, if we did not get it in its initial phase, the boost phase, we would get it in its midcourse phase before it comes in to its terminal phase. The terminal phase would be the last part coming into the target.

We are going to have a layered system that is going to give us a lot of capability to protect ourselves in the future from anybody who wants to try to threaten us with an ICBM. That is a part of what we have done.

The Secretary of Defense has said he wants 44 of these missiles. We are planning for that. But at any one time, 30 of them would be in the silos in the ground, ready to go, knowing that if the balloon went up and that we had to strike, we would strike with accuracy and with redundancy in order to knock those threats out of the sky before they ever got to us.

In other strategic systems, we want to look at the bombers. We want to make sure we have the future technologies that, if it is the decision of the United States Government to develop a future bomber, in addition to what we have now, which is the B-52s, the B-1s, and the B-2s, we would have that capability by developing the technologies.

Part of our strategic systems are also our space systems; that is, the satellites in orbit that watch and listen in order to protect our national security. We have funded something called operationally responsive space. It includes funds for a new satellite which was not in the Air Force budget. It was on what they called their unfunded priority list.

Our recommendation is to develop that satellite, an ORS-1 satellite.

Then we are looking to the future to go out for competition on developing a next generation kind of satellite that would be a very small satellite that would be to observe but would be a lot more economical and quicker to launch. We want the Air Force to have space situational awareness information at all times, including from our commercial operators. We have a lot of commercial satellites up there. They take a lot of pictures. That is of a value to us in the government, to utilize those pictures in addition to the others we receive.

We also have added funding to look at a new low cost imaging satellite for future application. In our Strategic Forces Subcommittee we also deal in intelligence. We have asked the Department of Defense to look at some of these commercial imaging satellites to utilize that information, maybe even a new kind of commercial imaging satellite that would be capable and would give us information on how to disseminate that information.

We also, being concerned about the spread of nuclear weapons, have requested a report on the proliferation of nuclear weapons and materials. The Department of Energy is a part of our Strategic Forces Subcommittee. That is the part that is involved in weapons activity. We decided to increase their budget by \$106 million to a total of \$6.4 billion. It is focused on making sure that the stockpile we have is effective and that it is safe and that we continue the process, under the treaties, of dismantling.

There is a provision that directs the Department of Energy to carry out a stockpile life extension program, to do what I had said, which is to modernize and maintain the stockpile and to make it even safer, and to do all of that without testing. We have added additional funds for nuclear weapons laboratories to provide technical support and analysis to the intelligence community.

So there is another issue; that is, what we are going to do with some of the pensions at the Department of Energy contractor-operated sites. There is another real issue which we have addressed, which is what are we going to do with some of this nuclear waste—the waste from the weapons processing plants? And how do you go about making sure that waste is safe? And, ultimately, how is it disposed of?

So the Strategic Forces Subcommittee was quite active. It has been my privilege to work with the chairman of the committee, Senator LEVIN. What could have been a very contentious part of the Defense authorization bill ended up being where we got very wide and very considerable bipartisan support. It is my privilege to have been a part of that process.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, when the Senator from Florida says the subcommittee has been active, it is a true understatement. It has been extremely active. It has been very creative. It has operated on a bipartisan basis under Senator NELSON's leadership. It is a very challenging position he holds as that subcommittee chair because of the subject matter, and I wish to thank him and commend him for all the great work he does.

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

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

#### EXECUTIVE SESSION

#### NOMINATION OF ROBERT M. GROVES TO BE DIRECTOR OF THE CENSUS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Robert M. Groves, of Michigan, to be Director of the Census.

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate prior to a vote on the motion to invoke cloture.

Who yields time?

The Senator from Louisiana is recognized.

Mr. VITTER. Madam President, I rise to oppose cloture on the nomination of Robert Groves to be Census Director.

As we all know, the 2010 Census is right around the corner. This is a very important process that should not be taken lightly. The census, of course, is an official count of the country's population mandated by the U.S. Constitution, and it is used to determine distribution of taxpayer money through grants and appropriations and the apportionment of the 435 seats in the House of Representatives.

Every U.S. household unit, including those occupied by noncitizens and illegal immigrants, must be counted. We must take every effort to make this a fair and accurate census that is not skewed in any way by political influence or using poor statistical material. With that in mind, I have very serious concerns about some of the administration's plans for the census, particularly with regard to ACORN, the Association of Community Organizations for Reform Now.

ACORN signed up in February 2009 to assist the U.S. Census Bureau as a national partner, and they signed up specifically to help recruit 1.4 million temporary workers needed to go door-to-door to count every person in the

United States. So they are a “2010 census partner”—an official census partner given this delineation by the U.S. Census Bureau. There was a very full report on this by the Wall Street Journal just last month, in June of this year. I have very serious concerns about this.

As did Senator SHELBY, I wrote the administration asking for assurances that ACORN would have no role whatsoever in the Census. I believe Senator SHELBY originally wrote his letter in March. I sent my letter in early June. Today we have gotten absolutely no response.

Let me remind my colleagues why this should be a very serious concern for all of us. And we don't have to look far in terms of history to understand these concerns; the last election cycle will do. In May 2009, Nevada filed charges against ACORN. The complaint includes 26 counts of voter fraud and 13 counts for compensating those registering voters, both felonies. From July 27 through October 2 of 2008, ACORN in Nevada also provided additional compensation under a bonus program called Blackjack or 21-Plus that was based on the total number of voters a person registered. A canvasser who brought in 21 or more completed voter registration forms per shift would be paid a bonus of \$5.

There are other serious complaints that have been made against ACORN. In March 2008, an ACORN worker in Pennsylvania was sentenced for making 29 phony voter registration forms. In 2007, Washington State filed felony charges against several paid ACORN employees and supervisors for more than 1,700 fraudulent voter registrations.

I think it is fair to say the American public does have strong concerns about ACORN because of this long history of voter registration and voter fraud. So why should this organization be signed up as an official 2010 census partner to do exactly the sort of activity of listing people, signing up people as they did fraudulently with regard to voter registration?

Again, this is very worrisome. What is even more worrisome is that for months, these clear concerns have been brought before the Obama administration, and the administration has done absolutely nothing to dispel these very deep and very legitimate concerns. Again, my colleague, Senator SHELBY, who will be speaking in a moment, sent his letter in March of this year outlining these strong concerns, asking the administration to state categorically that ACORN would have nothing to do with the census. I sent a similar followup letter in June of this year. To date, we have gotten no response.

As it stands now, we are going to sign up ACORN to do exactly the sort of activity they have done over and over and over again fraudulently, illegally, with regard to voter registration. It is outrageous when so much is on the line with this next very important census.

For these reasons, I will strongly oppose this cloture vote for the census nominee. I continue to urge the administration to assure us that ACORN will have nothing to do with the process, after they have built up a long and storied record, unfortunately, of fraud with regard to similar activity in terms of voter registration.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I rise with concern regarding the nomination of Mr. Robert Groves to serve as Director of the Census. I have some of the same concerns my colleague from Louisiana has.

Conducting the census is a vital constitutional obligation. Under the U.S. Constitution, the country conducts a census every 10 years to determine apportionment to Congress. Article I, section 2 of the Constitution mandates “enumeration” to determine the allocation of seats for each State in the U.S. House of Representatives, as the Chair well knows. By extension, the census also determines the composition of the electoral college which chooses the President of the United States. The information collected from the census has a significant impact on the distribution of political power in this country.

The results of this process are a major factor in deciding where congressional district lines are drawn within each State. Through redistricting, political parties can maximize their own party's clout, while minimizing the opposition. If the census were politicized, the party in control could arguably perpetuate its hold on political power.

The results of the census are also enormously important in another way—the allocation of Federal funds. Theoretically, if the census were to become politicized, the political party controlling the census process could disproportionately steer Federal funding to areas dominated by its own Members through a skewing of census numbers. This could shift billions of Federal dollars for roads, schools, and hospitals over the next 10 years from some parts of the country to others because of the population-driven financing formula.

The census is vastly important and must proceed in as reliable and accurate a manner as possible.

On March 20 of this year, I wrote to President Obama regarding reports that the Association of Community Organizations for Reform Now known as ACORN—that is what they go by—has signed as a national partner with the U.S. Census Bureau to assist with recruiting temporary census workers. I wish to say this again because it was disturbing to me: On March 20, I wrote to President Obama regarding reports that the Association of Community Organizations for Reform Now—ACORN—had signed as a national partner with the U.S. Census Bureau to assist the

census with recruiting temporary Census workers. That letter remains unanswered.

I cannot support the nomination of Mr. Groves when the administration he works for would partner with such a questionable organization as ACORN.

Further, I am dismayed that Mr. Groves, the nominee to head the U.S. Census Bureau, would not denounce ACORN's role in the census. Let me tell my colleagues a little about ACORN, as I understand it.

ACORN has had numerous allegations of fraud which should raise great concern about the accuracy of the data it would provide to the census. For example, Washington State filed felony charges in 2007 against several paid ACORN employees and supervisors for falsifying 1,700 fraudulent voter registration cards. An ACORN worker in the State of Pennsylvania was sentenced in 2008 for fabricating 29 falsified voter registration forms. In Ohio, in 2004, a worker for one affiliate of ACORN was given crack cocaine in exchange for fraudulent registrations that included underaged as well as dead voters. ACORN has been implicated in similar voter registration schemes around the country, and its activities were frequently questioned throughout the 2008 Presidential election.

I believe the census must be non-partisan. It must be totally above reproach. It must be honest. We cannot allow a biased, politically active organization to take any type of official role in the process, let alone recruit workers for the census. While overcounting here and undercounting there, manipulation could take place solely for political gain. Using ACORN to mobilize hundreds of thousands of temporary workers can surely lead to abuses for those who want to gain political advantage, as we saw with the voter registration issues in past elections.

The laws that govern voter fraud were not enough to dissuade those with the intent to throw an election. It is doubtful the laws governing fraud in the census will be any more effective against such deceitful intents.

The people of this Nation deserve a census that is conducted in a fair and accurate manner, using the best methods to determine the outcome, and that is free from political tampering. Given ACORN's history and political connections, the U.S. Census Bureau should not partner with an organization that has systemic problems with both accuracy and legitimacy.

While I cannot support Mr. Groves' nomination, I hope he will carefully review this issue and terminate ACORN's role in the 2010 census. It would be a big first step for him. We must not let the census become a blatant political tool in this country.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, this is not about ACORN. ACORN is not going to be hired or out there recruiting folks to go door-to-door to do the

enumeration for the census. ACORN isn't going to be out there getting any money or grants. In fact, no Census Bureau partners are receiving money or grants, and ACORN is no exception. As the Census Bureau has reiterated, ACORN is actually one of thousands of organizations whose purpose in this whole matter is to try to encourage people to respond to the census. That is what they are about, trying to make sure people respond to the census.

Right here is a copy of the Constitution that lays out one of the few responsibilities we have as a Federal Government. It is actually spelled out in the Constitution and says we are expected to do this. Every 10 years, we are supposed to conduct the census. It says we are supposed to count everybody. We are supposed to count everybody. Just as a ship needs a good captain, a school needs a good principal, the country needs a good President, the Census Bureau needs a good Director.

We have been 7 months without a Census Bureau Director. The Census Bureau is supposed to turn a light switch on next April 1 and do the census. It is a big deal. Hundreds of thousands of people are involved, years of effort, in making sure we count everybody as closely or as nearly as we can and in a cost-effective way. It is a constitutional requirement.

Gary Locke, Governor of Washington, was nominated to be Secretary of Commerce, and the census falls within the Commerce Department. I ran into him the day after, I think, his name was put out for nominee from Commerce, and I said: I have three things I want you to think about: (1) the Census Bureau Director; (2) the Census Bureau Director; and (3) the Census Bureau Director. I told him: We don't have anybody, and if you have any names of folks you think would be good, let us have them.

Ironically, a week or so later, I held a subcommittee hearing focused on the census, getting ready for April of 2010—without a Bureau Director. We had before us that day folks who were involved in the census in 1970, 1980, 1990, and 2000. At the end of the hearing, I said we need somebody really good to run this operation. Dr. Murdock had been the Census Bureau Director the previous year. He was only with us for a year, but I said we need somebody that good or even better. I said: By the close of this week, I want each of you to give me one or two names of who you think would be a terrific Director for the Census Bureau. Guess whose name I got back from almost every one of the witnesses. Robert Groves.

Dr. Groves, in my view, is an inspired choice for this position. His extensive expertise in statistics, social research and survey methodology, and the administration of large-scale surveys makes him ideally suited for this position. He served once as the Associate Director for the Census Bureau, I think about 10 years ago. Dr. Groves knows

how it operates. He has been involved in the census. He knows what the employees need, and he will be able to successfully implement the census and other programs. Those experiences have prepared him extraordinarily well to lead the census at a time when rapid changes are occurring.

He elevated the University of Michigan's survey research organization. I am an Ohio State undergraduate, and I am raising the flag and promoting a fellow from Michigan, so you know he has to be good for me to do that. I said to my colleagues on this floor that we are lucky to have somebody this good and willing at this late stage to lead us into doing a great job on the census. Numerous Federal and State agencies and policymakers have sought his expertise on survey design and response.

Dr. Groves has been accessible to Senators and our staffs throughout this process. Requests to meet with Dr. Groves were extended to every member of the Homeland Security and Governmental Affairs Committee in the Senate. He also met with every Senator, as far as I know, who requested a meeting, regardless of committee assignment. Dr. Groves received two questions for the record after his hearing. They were answered within hours—not days or weeks—of the hearing's end. Every Senator who agreed to meet with Dr. Groves, Republican and Democrat alike, decided to support him.

Dr. Groves—or whoever will be our next Census Bureau Director, and I hope it will be he—will undoubtedly face a host of operational and management challenges as we move closer to the 2010 census. I am confident he is extraordinarily well equipped to understand the agency's inner workings, to lead his staff, and to be a national spokesman for the 2010 census and the agency's other equally ongoing survey programs.

Somewhere here, I have some questions that were asked of him at our hearing. Let's see if I can find one of them. I know this has been mentioned on the floor.

I see Senator COLLINS, who is the ranking Republican on the committee. I think it might have been Senator COLLINS who actually questioned Dr. Groves about sampling and whether we are going to just sample as opposed to actually counting people and making sure things are right. The Census Bureau has been very clear that it will not adjust the 2010 census counts. The plans and designs for the 2010 census have been in place for nearly a decade. The operations are already underway. The Bureau began to address canvassing this spring, which is finding out all of the addresses—not necessarily who lives there but the addresses—and try to automate that. The Secretary of Commerce reiterated that sampling is not included in the design for the 2010 census. It couldn't be even if we wanted it to be. At this late stage of the game, not only do we not want it to be, but it couldn't be.

As to what 2020 will bring or need, it is too early to tell. First, until we know how we are going to perform in 2010, what works best, and where we can improve, we cannot begin to dictate the design of the 2020 census; neither should we attempt to prescribe for the future in the Congress and in the scientific community that which we cannot, frankly, foresee.

How much time have I consumed?

The PRESIDING OFFICER. The Senator has consumed 7 minutes.

Mr. CARPER. I will reserve the remainder of my time. I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Madam President, I rise in support of the nomination of Dr. Robert Groves to be the next Director of the Census Bureau. Our committee, the Homeland Security and Governmental Affairs Committee, scrutinized this nominee very carefully. First, I wish to give some background on why it is so critical that we have a well-qualified individual heading the Census Bureau as quickly as possible and then talk to my colleagues about why I believe Dr. Groves is, indeed, the right person for that critical position.

With the 2010 census fast approaching, the Director of the Census Bureau will need to quickly take action to ensure an accurate, actual enumeration of all those residing in the United States, as set forth and required by our Constitution.

The decennial census is a complex and extensive operation. The information collected has significant impact on the distribution of political power because, after all, it governs the allocation of seats in the House of Representatives and it also affects the allocation of more than \$300 billion in Federal resources. With so much at stake, it is essential that the results of the census be accurate, objective, credible, and free from even the appearance of political influence.

The Census Bureau, unfortunately, faces significant operational and organizational challenges. Bureau officials acknowledged in 2008 that they were experiencing critical problems in the management and testing of key information technology systems.

Due to the leadership and investigative work of Senator CARPER and Senator COBURN, our committee held numerous hearings looking at the failed procurements of the Census Bureau. Believe me, it has not been a pretty picture. These problems have resulted in a dramatic increase in the cost of the 2010 census, and it is particularly alarming in this day and age of technology that millions of dollars invested by the Census Bureau in handheld computers have gone to waste. The Bureau,

in fact, has once again returned to the use of paper and pencil to gather important data. Isn't that extraordinary in this day and age? It is clear there are woefully inadequate and wasteful procurement practices and even gross mismanagement at the Bureau. We simply cannot afford to waste time and money on critical programs that do not produce results, particularly when it comes to a constitutionally mandated task such as the census.

The next Director of the Census Bureau must take steps right now to address the current shortcomings and to prepare for the current and future census challenges. He will be responsible for ensuring that the Bureau fulfills its mission in accordance with the U.S. Constitution, without undue political influence and with careful management of taxpayer dollars.

I have concluded that Dr. Groves is superbly well qualified for this important position. That is why our committee unanimously voted, by a voice vote, to confirm him. Our committee spans the political spectrum, and all of us felt Dr. Groves was well qualified for this critical position.

Madam President, personally, I have had the opportunity to meet with Dr. Groves, to scrutinize his qualifications and background, and to question him intensely about the issues that have caused a few of my colleagues concern. I say to my colleagues, look at the hearing record, look at Dr. Groves' responses. I pressed him, as Senator CARPER has pointed out, about the need to conduct the census free of any political influence, and I specifically asked him about the use of sampling for the 2010 census and the 2020 census. Dr. Groves not only committed to keeping politics out of the population count but also said he would resign and actively work to stop any action to improperly influence the census for political gain. He further stated, under oath, that he had no intention of seeking an adjustment of either the 2010 census or the 2020 census.

Let me read from the committee transcript because I, too, am very concerned about this problem. There were some initial indications that this White House might, in fact, be looking to influence the census in an improper way. That is why I wanted to get Dr. Groves on the record, under oath, on this important issue.

Here is what I asked him:

Dr. Groves, would you be prepared to resign if you were asked or pressured to do something or take some action to satisfy a political concern?

Doctor Groves responded to me:

More than that, Senator. If I resign, I promise you today that after I resign, I would be active in stopping the abuse from outside the system.

In other words, Dr. Groves told me that if political pressure were put on him, he would not only resign, he would go public and he would lead the fight to protect the census from undue political influence. He committed to a transparent census process, stating:

Sunshine, doing one's work in an open environment, having an ongoing dialog with all of the stakeholders is one way to insulate the Census Bureau from that political partisanship.

He went on to add:

Transparency is a very powerful antidote to attempts for partisan influence.

What could be clearer than that? Here we have a nominee who has pledged that he would resign if political influence were brought to bear on his office. I don't know what more you could ask, and this is the commitment given at a public hearing, under oath, as well as privately to me when we met in my office.

Let me go on to the second issue that has been raised. Again, an important issue. I agree with my colleagues on my side of the aisle who have been concerned about whether sampling would be used rather than the actual count mandated by the Constitution. On this issue of sampling, I asked Dr. Groves:

Will you advocate for the statistical adjustment or use of sampling for the 2010 census?

Dr. Groves's response:

No, Senator.

That is an unqualified response: "No, Senator."

I then asked him a further question: "Will you advocate for the statistical adjustment of the 2020 census," since, after all, maybe there is not time to adjust the 2010 census to have sampling or a statistical adjustment, given how close we are to the 2010 census. So I asked him about the 2020 census.

Dr. Groves's response:

I have no plans to do that for 2020.

Dr. Groves's record of service and leadership and scientific research spans the academic, government, and private sectors, both within the United States and internationally. As the director of the University of Michigan Survey Research Center, a very well-known prestigious research center; as the former director of the Joint Program in Service Methodology; and the former associate director of Statistical Design Standards and Methodology at the Census Bureau, he is considered to be one of a half dozen most highly regarded service research experts in the world.

He is extraordinarily well qualified. He is not a political person. He is a scientist, a researcher, a statistician. That is why it is not surprising that Dr. Groves's nomination has received strong support from a number of organizations, including the American Statistical Association. I will concede, I did not know that such an organization existed prior to this nominee. But they have endorsed him, as well as some, perhaps, groups better known to us, such as the U.S. Conference of Mayors, the National League of Cities, and the Population Reference Bureau.

But here is what is more telling. Six former Census Directors from both Democratic and Republican administrations have also endorsed Mr. Groves's nomination. Six from both

parties, from both sides of the aisle, from Democratic and Republican administrations. This is a testament to the respect that Dr. Groves's peers have for his work.

Dr. Groves has the leadership and professional experience that is needed to lead the Bureau through the 2010 census to plan for the 2020 census and to direct the Bureau's other vital programs. I would be the first to be here in opposition if I believed he was going to use sampling or if I believed he was going to be susceptible to political pressure. There is nothing in the record or in his testimony that suggests that.

I, therefore, urge my colleagues to support this nomination and to let us get on with the critical work that needs to be done at this Bureau which, regrettably, has been so poorly managed in the last few years.

I look forward to working with Dr. Groves. I urge our colleagues to support his nomination.

Mr. CARDIN. Madam President, I rise today to express my support for the nomination of Robert M. Groves to serve as the Director of the U.S. Bureau of the Census. I believe that he is extremely qualified to serve in this position. Dr. Groves is highly recognized by the academic community for his extraordinary work in survey methodology. He has previously held positions at the Census Bureau, including Associate Director and visiting researcher. His extensive academic and professional background makes him well suited for the responsibilities and challenges he will face as U.S. Census Director.

As the year 2010 draws near, the Census Bureau is preparing to conduct the 23rd census of the United States. This national decennial census, as mandated by our Constitution, will yield results that will affect each and every citizen. The census serves to determine the apportionment of legislative seats, the distribution of Federal funding, and it provides important data as to what community resources are needed and how these resources should be allocated. Additionally, census data can offer a better understanding of the changing dynamics of our country. Thus, it is imperative that the census count be accurate. The Census Bureau must be led by a Director who understands the challenges presented by this daunting task. Mr. Groves is ready to face these challenges with the help of a comprehensive technology strategy and a dedicated workforce.

I am proud to say that many members of this dedicated staff are based at the U.S. Census Bureau Headquarters in Suitland, MD. Since 1942, the U.S. Census Bureau has been headquartered in Suitland. Currently, approximately 4,300 individuals are employed there, working hard to ensure that we have the data necessary to make important decisions affecting the lives of all Americans. I commend each of them for their valuable work.

Coordinating the census is a herculean task. To compile socio-economic

data on each and every individual in this country is a daunting, mind-boggling task. The timeliness, relevancy, and quality of the data collected and services provided by the men and women at the Census Bureau Headquarters with Dr. Groves at the helm will ensure the successful completion of the upcoming decennial census and the future of the Census Bureau.

I am pleased to support the nomination of Robert M. Groves as Director of the U.S. Census Bureau and encourage my colleagues to do the same.

The PRESIDING OFFICER. Who yields time?

Ms. COLLINS. Madam 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. CARPER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Michigan.

Mr. LEVIN. Madam President, I yield myself 3 minutes.

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

Mr. LEVIN. Madam President, I am very pleased to support the nomination of Bob Groves to be Director of the U.S. Census Bureau. Dr. Groves is not just a well-qualified candidate; he may be the best qualified candidate ever nominated for this position.

Dr. Groves has been endorsed by many scientific and professional associations, including the American Statistical Association, the American Sociological Association, and the Council of American Survey Research Organizations. He has also been endorsed by six former Directors of the U.S. Census Bureau who were appointed by both Republican and Democratic Presidents.

I ask unanimous consent to have printed in the RECORD a letter of endorsement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CENSUS PROJECT,  
Washington, DC, April 14, 2009.

Hon. JOSEPH I. LIEBERMAN,  
Chairman, Committee on Homeland Security and Governmental Affairs, Washington, DC.

DEAR CHAIRMAN LIEBERMAN: We, the undersigned former Directors of the U.S. Census Bureau who are familiar with the career of Robert M. Groves, want to endorse his nomination as the next Director and urge his speedy confirmation.

It is a plus that Dr. Groves has had experience at the Census Bureau, where he was brought in to reinvigorate the Statistical Methods Division. He built a strong research team who did much of the early research for improving the 2000 census. He came to the Census Bureau under the condition that the Bureau would provide positions in his division for him to recruit a small number of research specialists from academic institutions, other federal statistical agencies, and from within the Census Bureau for his team. Everyone he asked to join that team considered it a career plus to join him.

Dr. Groves is a nonpartisan, academic researcher who has focused much of his re-

search on non-response to household surveys and survey error, has published three of the most-cited textbooks and numerous journal articles on survey research, and has mentored many graduate students who now staff most of the major academic and private sector survey organizations in the field. As Director of the University of Michigan's prestigious Survey Research Center/Institute of Social Research, he is one of the half dozen most highly regarded survey research methodologists not only in the United States but in the world.

As you know, time is short, and his speedy confirmation can help achieve a 2010 census that is as accurate as possible.

Sincerely,

CHARLES LOUIS KINCANNON  
(2002–2008);

KENNETH PREWITT  
(1998–2001);

MARTHA FARNSWORTH  
RICHE  
(1994–1998);

BARBARA EVERITT BRYANT  
(1989–1993);

JOHN G. KEANE  
(1984–1989);

VINCENT BARABBA  
(1973–1976; 1979–1981).

Mr. LEVIN. In 2001, Dr. Groves was elected by his peers to lead the Institute for Social Research and the Survey Research Center at the University of Michigan. This is the largest academic-based research institute of its kind in the world. It has educated many of our Nation's scientific leaders in the field of survey statistics. We sometimes talk about peer review. Well, he has been peer reviewed, and he was selected by his peers to lead that prestigious institution.

Dr. Groves is a longtime Michigan resident. He has been part of the University of Michigan community since he began his master's studies in Ann Arbor in 1970. He graduated summa cum laude from Dartmouth College with a degree in sociology and earned master's degrees in statistics and sociology and a doctorate in sociology from the University of Michigan.

He is truly a highly respected expert in survey methodology and statistics, and he will bring greatly needed leadership to the Census Bureau as it continues to prepare for and execute the 2010 census. Dr. Groves deserves the overwhelming support of the Senate.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Madam President, I think we are going to vote in about 12 minutes or so, but I just wanted to reiterate a couple of things that have been said.

First of all, our Constitution doesn't talk about a lot of the things we do to run our government in this country, but one of the things it talks about at some length is the census. It says to do

it every 10 years. We have tried to do that and do it well. It has gotten more difficult. We have a lot more people, and far flung. We have a lot more people to count next year than we did 10 years ago. People have concerns about privacy, and folks in this country speak a lot of different languages, just like they did when the first census was done.

We are going to use technology. We are not going to use the technology we ought to. We need a Director who understands that and is in a position to make sure the technology we do plan to use in 2010 we use well, and when 2020 rolls around, we will use it a whole lot more effectively.

It would be great to have a Census Director who was well schooled, well educated in doing the kind of work that is called on in conducting a census—counting large numbers of people. This fellow's credentials are superb. It would be great if we had someone who had actually worked at a high level in the census and demonstrated by his work his ability to run a large organization. He has done that, and at the University of Michigan he has headed up a very large organization of some of the smartest people in this country who work on these sorts of issues and has done so, from everyone we have heard, with great aplomb and great ability.

As I said earlier, at the hearing I conducted several months ago with some of our colleagues on the Homeland Security and Governmental Affairs Committee, we reached out to people who have run the census in the last 30 or 40 years. We asked some of these folks to tell us who they thought would be good, and virtually everyone who has been involved in the census in a high leadership position has said not only would we be lucky to get a fellow with Dr. Groves's reputation, his leadership and ability, but we would be lucky to have somebody with this kind of experience.

For me, and I know for my colleagues, an important issue is what is the character and the integrity of the person taking this position. I think it was Senator COLLINS who asked the question: If you believe political influence is being used in the conduct of the 2010 census, would you be willing to look into resigning as a form of protest against any kind of political involvement?

And he said: Not only would I be willing to resign, I will resign. I would use whatever ability I could to bring to light the kind of behavior that led to my resignation, to discredit that behavior, and make it clear that is what I think we should not do, and that, literally, that behavior caused me to resign as the Census Director.

I think it would be great if we had somebody who is interested in this job, willing to do the job, is well qualified, and who was willing to meet with anybody who wanted to meet with him whether they were on the committee of

jurisdiction—Homeland Security and Governmental Affairs—or not; whether they were a Democrat or not. To my knowledge, he has met with all of us who wanted to spend time with him.

The last thing I would say—and one of the things I found so refreshing—is that he is not a political guy. This is someone who is a scientist. He is a statistician. He is good at leading a large organization. He gets this stuff. He enjoys this stuff. How lucky we are to get someone who wants to take on this challenge for us in our Nation's history.

For these reasons and others that Senator COLLINS and I have mentioned, he deserves our support. I hope in 10 minutes or so, when we have the opportunity to vote, we will vote for him in very large, overwhelming numbers.

Madam President, how much time remains on our side?

The PRESIDING OFFICER. Twenty seconds remain.

Mr. CARPER. Madam President, I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Robert M. Groves, of Michigan, to be Director of the Census.

Harry Reid, John D. Rockefeller, IV, Christopher J. Dodd, Arlen Specter, Richard J. Durbin, Mark Begich, Mark Udall, Michael F. Bennet, Jeff Bingaman, Robert P. Casey, Jr., Frank R. Lautenberg, Blanche L. Lincoln, Tom Udall, Bill Nelson, Byron L. Dorgan, Claire McCaskill, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Robert M. Groves, of Michigan, to be Director of the Census, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from West Virginia (Mr. ROCKEFELLER), and the

Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. BENNETT), the Senator from South Carolina (Mr. DEMINT), the Senator from Texas (Mrs. HUTCHISON), the Senator from Indiana (Mr. LUGAR), and the Senator from Ohio (Mr. VOINOVICH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 76, nays 15, as follows:

[Rollcall Vote No. 230 Ex.]

#### YEAS—76

Akaka	Franken	McConnell
Alexander	Gillibrand	Menendez
Baucus	Graham	Merkley
Bayh	Grassley	Mikulski
Begich	Gregg	Murkowski
Bennet	Hagan	Murray
Bingaman	Harkin	Nelson (NE)
Bond	Hatch	Nelson (FL)
Boxer	Inhofe	Pryor
Brown	Inouye	Reed
Burr	Johanns	Reid
Burriss	Johnson	Sanders
Cantwell	Kaufman	Schumer
Cardin	Kerry	Shaheen
Carper	Klobuchar	Kohl
Casey	Kohl	Snowe
Coburn	Kyl	Specter
Cochran	Landrieu	Tester
Collins	Lautenberg	Thune
Conrad	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Dodd	Lieberman	Warner
Dorgan	Lincoln	Webb
Durbin	Martinez	Whitehouse
Feingold	McCain	Wyden
Feinstein	McCaskill	

#### NAYS—15

Barrasso	Crapo	Roberts
Brownback	Ensign	Sessions
Bunning	Enzi	Shelby
Chambliss	Isakson	Vitter
Cornyn	Risch	Wicker

#### NOT VOTING—9

Bennett	Hutchison	Rockefeller
Byrd	Kennedy	Stabenow
DeMint	Lugar	Voinovich

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 15. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, all postcloture time is yielded back. The question is on agreeing to the confirmation of the nominee.

The nomination was confirmed.

Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Ms. STABENOW. Madam President, I was necessarily absent for tonight's vote on the nomination of Robert M. Groves, of Michigan, to be Director of the Bureau of the Census at the Department of Commerce. I was in Michigan attending an event with the Secretary of Agriculture. Had I been present for the vote on this nomination, I would have voted in favor of both the motion to invoke cloture and on confirmation of the nomination.●

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010—Continued

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. DODD. Madam President, I rise this evening to express my opposition to the Levin-McCain amendment which would cut short the production of the F-22 fighter. I understand my position on this puts me at odds with our President, President Obama, as well as the chairman and ranking member of the Senate Armed Services Committee, both fine public servants for whom I have a tremendous amount of respect and with whom I have worked on numerous occasions, and I look forward to doing so in the future once we get beyond this.

I also think I have a duty to stand up for an airplane built by constituents of mine. I wouldn't make the case strictly on job loss in an individual State. That is not a legitimate argument to make to 99 of my colleagues from around the country. If we made the case that job losses would occur in our own respective districts or States, obviously it would lead to chaos and we wouldn't have a situation like that.

My argument in support of this F-22 goes far beyond the potential job losses in my State, although that is not insignificant. Some 2,000 jobs could be lost potentially in Connecticut. More important than the job loss, as important as that is, is the potential loss of the industrial base that is absolutely critical to maintaining the ability to produce the superior engines that we historically have been able to produce at the Pratt & Whitney Division of United Technologies, a corporation in my home State. The work being done by machinists and engineers and technicians in my State and others all across the country not only produce quality work but also make a significant difference in saving lives and in giving us the superior ability to deal with potential threats that our Nation faces. That has been a hallmark of every generation that has come before us, not to achieve parity with potential adversaries but to be in a superior position to potential adversaries.

So let me begin with my concerns over this amendment's potential impact on our national security. Since the advent of modern warfare, military strategists have sought the highest