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Senate

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

PRAYER

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

Let us pray.

Eternal God, who daily showers us with blessings, open our eyes to the generosity of Your grace. Help us to see in the beauty and bounty that surrounds us the movement of Your loving providence. Remind our lawmakers of their responsibility to use Your blessings to make a better Nation and world, and that to whom much is given, much is expected. Lord, give them the wisdom to relinquish their control and to ask You to take charge, guiding their steps by Your power. Break the bonds of self-sufficiency by showing them what they can accomplish with Your supernatural strength.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 22, 2010.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following leader remarks there will be a period for morning business until 12:30 p.m. today, with Senators being allowed during that period of time to speak for up to 10 minutes each. The majority will control the first 30 minutes, the Republicans will control the next hour, and then the majority will control the next 30 minutes, with the remaining time equally divided and controlled between the two leaders or their designees.

The Senate will recess at 12:30 until 2:15 for weekly caucus meetings.

Rollcall votes are still possible this afternoon.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to executive session to consider en bloc Executive Calendar Nos. 493, 494, 556, 581, 589, 590, 592, 647, 705, 722, 726, 747, 783, 784, 785, 786, 787, 788, 794, 799, 800, 801, 824 to and including 830, 836 to and including 842, 844 to and including 848, 880, 881, 882, 902, 904 to and including 907, 908, 916, 923 to and including 928, 930, 938, 939, 940, 941, 942, 943, 944, 952 and all nominations on the Secretary's desk in NOAA; that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc, that no further motions be in order, and any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

NATIONAL LABOR RELATIONS BOARD

Brian Hayes, of Massachusetts, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2012.

Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2013.

EXECUTIVE OFFICE OF THE PRESIDENT

Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy.

DEPARTMENT OF JUSTICE

John H. Laub, of the District of Columbia, to be Director of the National Institute of Justice.

AMTRAK BOARD OF DIRECTORS

Anthony R. Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors for the remainder of the term expiring July 26, 2011.

NATIONAL TRANSPORTATION SAFETY BOARD

Mark R. Rosekind, of California, to be a Member of the National Transportation

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

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Safety Board for a term expiring December 31, 2014.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Jim R. Esquea, of New York, to be an Assistant Secretary of Health and Human Services, vice Vincent J. Ventimiglia, Jr.

DEPARTMENT OF JUSTICE

James P. Lynch, of the District of Columbia, to be Director of the Bureau of Justice Statistics, vice Jeffrey L. Sedgwick.

DEPARTMENT OF STATE

Judith Ann Stewart Stock, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs).

DEPARTMENT OF ENERGY

Patricia A. Hoffman, of Virginia, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability), vice Kevin M. Kolevar.

NATIONAL COUNCIL ON DISABILITY

Ari Ne'eman, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012, vice Robert Davila.

DEPARTMENT OF TRANSPORTATION

David T. Matsuda, of the District of Columbia, to be Administrator of the Maritime Administration.

MARINE MAMMAL COMMISSION

Michael F. Tillman, of California, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2011, vice John Elliott Reynolds, III.

Daryl J. Boness, of Maine, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2010.

Daryl J. Boness, of Maine, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2013.

NATIONAL TRANSPORTATION SAFETY BOARD

Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2010.

AMTRAK BOARD OF DIRECTORS

Jeffrey R. Moreland, of Texas, to be a Director of the Amtrak Board of Directors for a term of five years.

ENVIRONMENTAL PROTECTION AGENCY

Arthur Allen Elkins, Jr., of Maryland, to be Inspector General, Environmental Protection Agency.

PEACE CORPS

Carolyn Hessler Radelet, of the District of Columbia, to be Deputy Director of the Peace Corps.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Elizabeth L. Littlefield, of the District of Columbia, to be President of the Overseas Private Investment Corporation, vice Robert A. Mosbacher.

INTERNATIONAL JOINT COMMISSION, UNITED STATES AND CANADA

Lana Pollack, of Michigan, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Dana Katherine Bilyeu, of Nevada, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2011.

Michael D. Kennedy, of Georgia, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2010.

Michael D. Kennedy, of Georgia, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2014.

SPECIAL PANEL ON APPEALS

Dennis P. Walsh, of Maryland, to be Chairman of the Special Panel on Appeals for a term of six years.

THE JUDICIARY

Milton C. Lee, Jr., of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years, vice Jerry Stewart Byrd.

Todd E. Edelman, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Judith Anne Smith, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

DEPARTMENT OF EDUCATION

Eduardo M. Ochoa, of California, to be Assistant Secretary for Postsecondary Education, Department of Education.

DEPARTMENT OF LABOR

James L. Taylor, of Virginia, to be Chief Financial Officer, Department of Labor, vice Douglas W. Webster.

NATIONAL MUSEUM AND LIBRARY SERVICES BOARD

Robert Wedgeworth, of Illinois, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2013, vice Amy Owen.

Carla D. Hayden, of Illinois, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2014, vice Kevin Owen Starr.

John Coppola, of Florida, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2013, vice Gail Daly.

Winston Tabb, of Maryland, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2013, vice Beverly Allen.

Lawrence J. Pijeaux, Jr., of Alabama, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2014.

DEPARTMENT OF ENERGY

Donald L. Cook, of Washington, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

DEPARTMENT OF DEFENSE

Sharon E. Burke, of Maryland, to be Director of Operational Energy Plans and Programs.

Katherine Hammack, of Arizona, to be an Assistant Secretary of the Army.

Michael J. McCord, of Virginia, to be Principal Deputy Under Secretary of Defense (Comptroller).

Elizabeth A. McGrath, of Virginia, to be Deputy Chief Management Officer of the Department of Defense.

DEPARTMENT OF ENERGY

Jeffrey A. Lane, of Virginia, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

FEDERAL ENERGY REGULATORY COMMISSION

Cheryl A. LaFleur, of Massachusetts, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2014, vice Suedeen G. Kelly.

Philip D. Moeller, of Washington, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2015.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Michael James Warren, of the District of Columbia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2011.

NATIONAL BOARD FOR EDUCATION SCIENCES

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2011.

Deborah Loewenberg Ball, of Michigan, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012.

Margaret R. McLeod, of the District of Columbia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012, vice Elizabeth Ann Bryan.

Bridget Terry Long, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2012, vice Joseph K. Torgesen.

EXECUTIVE OFFICE OF THE PRESIDENT

David K. Mineta, of California, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sherry Glied, of New York, to be an Assistant Secretary of Health and Human Services, vice Benjamin Eric Sasse.

STATE JUSTICE INSTITUTE

Daniel J. Becker, of Utah, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

James R. Hannah, of Arkansas, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Gayle A. Nachtigal, of Oregon, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012.

John B. Nalbandian, of Kentucky, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Marsha J. Rabiteau, of Connecticut, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2010.

Hernán D. Vera, of California, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2012.

SMALL BUSINESS ADMINISTRATION

Marie Collins Johns, of the District of Columbia, to be Deputy Administrator of the Small Business Administration.

DEPARTMENT OF JUSTICE

Thomas Edward Delahanty II, of Maine, to be United States Attorney for the District of Maine for the term of four years.

Wendy J. Olson, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

James A. Lewis, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years.

Donald J. Cazayoux, Jr., of Louisiana, to be United States Attorney for the Middle District of Louisiana for the term of four years.

Henry Lee Whitehorn, Sr., of Louisiana, to be United States Marshal for the Western District of Louisiana for the term of four years.

Kevin Charles Harrison, of Louisiana, to be United States Marshal for the Middle District of Louisiana for the term of four years.

Charles Gillen Dunne, of New York, to be United States Marshal for the Eastern District of New York for the term of four years.

NATIONAL TRANSPORTATION SAFETY BOARD

Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2015.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN1849 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (16) beginning DAVID A. SCORE, and ending DEMIAN A. BAILEY, which nominations were received by the Senate and appeared in the Congressional Record of June 8, 2010.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will resume legislative session.

NOMINATIONS

Mr. REID. Let me express my appreciation to our being able to work through some of these. There are quite a few left to go. The Secretary for the majority just indicated to me that there are some other names that will be cleared later today. So I appreciate this very much. This is going to be a step forward. These are all very important. This will allow these people to get their lives in order. There is no need to talk about why we did not have it done sooner. We did not. We have got it done now, and that is a step forward for the Senate and our country.

RECOGNITION OF THE MINORITY LEADER

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

NOMINATIONS

Mr. MCCONNELL. Madam President, I would say to my good friend, the majority leader, as he knows, this is an agreement we have been prepared to make since last month. I am glad we were able to finally work our way through it and get a significant number of these nominations confirmed.

NEW TAXES

Mr. MCCONNELL. Madam President, it is now official. Top Democrats on Capitol Hill are starting to signal their intention to raise taxes on the middle class. The House majority leader in a speech today warned that in order to do anything about the debt crisis Republicans have been speaking about on the Senate floor in recent weeks, President Obama will have no choice, no choice, but to break his campaign pledge of ''no new taxes'' for millions of American families.

That is the majority leader in the House of Representatives in a speech today, saying that the President will have no choice but to break his promise of no new taxes for millions of American families.

Respectfully, I think this is a tough argument for the Democratic leadership in the House that will not even take up the Senate's version of the so-called doc fix legislation for no apparent reason other than the fact that it does not increase the debt.

It is hard to imagine anyone taking advice on fiscal discipline from a party that has spent the last 2½ weeks arguing not about how to pay for the extenders bill that is on the floor or how to use this bill to cut the debt but about how much money to add to the debt in the process of passing it.

Here is another idea Democrats should consider, one that Americans have been proposing loudly and clearly: Stop spending money you do not have. Stop spending money you do not have. The American people do not think our problem is that the government taxes too little. Our problem is that the government taxes too much and that it spends too much and borrows too much. Until Democrats demonstrate even the slightest ability to restrain the recklessness with which they spend America's hard-earned tax dollars, the job creators and the workers of this country are not about to take them seriously on how to lower the national debt.

The American people should not be asked to pay the price for Democrats' recklessness through higher taxes. America faces a debt crisis. Democrats have done nothing whatsoever to show they understand that. Breaking a campaign pledge now will not help; cutting spending will.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business until 12:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes, the Republicans controlling the next 60 minutes, and the majority controlling the next 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

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

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

DEFICIT SPENDING AND UNEMPLOYMENT

Mr. DURBIN. The minority leader, Senator MCCONNELL, is right. Deficits are important. So are facts. Let's mention a few facts on the floor of the Senate. When was the last time the U.S. Government ran a surplus? A surplus. Collected more money than it spent? Well, it happened to be in the last year of President Bill Clinton's administration. So when President George W. Bush was elected, President Clinton said: Welcome to Washington. Here is a $230 billion surplus, and if you follow the spending patterns we have laid out over the next 10 years, you will generate a $5 trillion surplus in the Treasury—$230 billion now, plan for a $5 trillion surplus. At that time the debt of America, the accumulated debt of America, from George Washington through Bill Clinton, all of the debt we had amassed, $5 trillion.

George W. Bush. Welcome to Washington. A surplus. A plan to increase the surplus. A plan to spend down the national debt. But what happened in 8 years of Republican rule, fiscally conservative Republican rule? I will tell you what happened. The national debt went from $5 trillion to $12 trillion.

How do you do that in 8 years? Well, you wage two wars that you do not pay for, and you give tax breaks to the wealthiest people in America, and you have a prescription drug plan that is not paid for as well under Republican Presidents.

The national debt from Bill Clinton, $5 trillion; to the end of President George W. Bush, $12 trillion, and a little gift that President George W. Bush left to President Barack Obama as he left office. No, he did not leave him the $230 billion that he was given as he came into the presidency. No, he handed off to President Obama a $1.3 trillion deficit. Welcome to Washington, President Obama. And when you take your hand off the Bible at the swearing in, let's mention too that the Bush economic policies have now cost us, that month, January, that month in 2009, 750,000 American jobs. Now we hear from the Republican side of the aisle these pious incantations about our budget deficit.

Well, it is a problem. But let's put the blame where it belongs. When the Republicans had their chance, they took a surplus and turned it into the biggest deficit in the history of the United States. When President Bush had his economic policies in place, we doubled the national debt. When President Bush left office, he left the economy in the worst recession we have had since the Great Depression.

Now come the Republicans and say: We need to cut spending. Well, let's go back and look at another lesson in history. This goes even further back—80 years, the worst economic situation in modern times in America, the Great Depression. I heard about it as a kid. But it was not as if my parents were giving me a history lesson, they were giving me a story about our family, how my mom and dad got married in 1928, had their first baby in 1929, and their second baby in 1931, and tried to raise a family in the Great Depression. Their lives were changed forever. Their view of the world changed forever. My