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

mom, an immigrant to this country, and my dad, from a farm family, never borrowed money, scared to death of debt, because they saw the Great Depression and they saw it destroy people. Franklin Roosevelt came in as President in those days. He came in in March of 1933. He said, we are going to change this. We are going to get America back on its feet. You have nothing to fear but fear itself. We are going to put people back to work. We are going to give them government jobs if we cannot find them jobs in the private sector. We are going to tell our farmers, you are going to survive because we are going to basically stand behind you through the tough years. Whether it is a drought or a flood, we are going to be around to help you get through to the next year. We are going to make sure that banks do not fail. We are going to inject government into this economy and get America back on its feet.

At that time the unemployment rate in America was 25 percent. When the New Deal got started, they brought it down 13 percent, cut it in half because of government investment in this economy. People went back to work. They left the long lines waiting for soup and bread and started earning some money. They built highways. They built bridges. They built stadiums. They built parts of America we still use today. It was an investment by the government in our economy to bring us out of the worst depression we had ever faced.

Then, after a few years what happened? Republican critics came forward and said, wait a minute. This is deficit spending. We are spending money we do not have. We have got to stop. And they prevailed, just as Senator MCCONNELL wants to prevail today. Hit the brakes. Stop spending. You know what happened? They prevailed with that argument. You know what happened with the unemployment rate? It went from 13 percent back to 19 percent, and the sick economy continued for years until the war came along, World War II, and we had a massive investment in our Nation to protect our Nation, to give our troops what they needed, and we put people back to work.

Now we are about to repeat history. The Republicans come to us now and say, we have got to stop putting money back into the economy. It creates deficit. Yes, it does. But if you do not get the 14 million unemployed Americans back to work, the deficit will get worse. They will not be paying taxes, they will be drawing on government services.

We want them back to work. And it means making sure we make investments in America that count—helping small businesses; tax credits and tax deductions for small businesses; credit for small businesses; government actively moving forward to give small businesses a chance to keep their employees and hire more.

That is what we believe in on the Democratic side of the aisle. The Republicans say: Oh, deficit spending. Stop. We cannot do that. Then what happens? The business fails. The jobs are lost. The people draw unemployment and, in desperation, wait for something to happen.

You know what the Republicans are up to now? Last week we asked them: Would you please extend unemployment benefits for these millions of Americans who are out of work. In my State the unemployment rate is 10.8 percent. It has been around that for several months now. Boone County, 16.6 percent; Pulaski County, way down south, 12 percent; western edge of our State, Hancock County, 11.8 percent; and in Clark County, in the southeastern end of our State, 13.7 percent. There are 717,000 people in Illinois officially unemployed.

The Republicans say: Cut off their unemployment benefits. That is what they voted for last Thursday. And 80,000 of those 717,000 unemployed will lose their unemployment benefits.

What happens to the unemployment check? It is the most quickly spent government check ever sent out. Desperate people out of work take that check and turn it into groceries and clothes and shoes and gas in the car and utility bills and rent and mortgage payments as quickly as they receive it. It is money right back into the economy. They want to cut it off because we have a deficit.

I understand this deficit. I am on the Deficit Commission, and I understand taking it seriously. But let's take seriously putting America back to work. This Republican approach of cutting the unemployment compensation for people who lost their jobs through no fault of their own is a strategy that failed in the 1930s and is going to fail us now.

We have to believe in America and a better day when people are back to work and this economy is moving forward. We will deal with this deficit with a strong economy, with Americans working, not by quaking and quivering and saying we cannot put money back into the hands of those who are out of work. That is one of the fundamentals in this government. It is the way we take this great free market system of ours, when it falls on hard times, and move it forward again.

All of the speeches we will hear from the other side of the aisle about deficits are going to overlook the obvious. Were it not for the failed economic policies of the Bush administration, we would not be where we are today. Were it not for the doubling of the national debt under the last Republican President, we would not be where we are today.

It seems that those on the other side of the aisle have, I guess, an extreme sensitivity to deficits when there is a Democratic President, and are oblivious to them when there is a Republican President. The American people know what the facts say. They know the history. I hope they do not embrace the Republican approach which will drive us further into unemployment and recession.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

KAGAN NOMINATION

Mr. CARDIN. Madam President, this Monday the Senate Judiciary Committee will begin the confirmation hearings for Elena Kagan to be an Associate Justice of the Supreme Court. These confirmation hearings will provide an opportunity to the public to see firsthand how important Supreme Court decisions are in their ordinary lives. There are many examples we could give, from schools to consumer issues to personal lives, privacy, religious protections, helping the environment, the workplace.

In recent years, by a sharply divided Court, they have reversed precedent and congressional intent and ruled on the side of big business over individual rights. This is judicial activism, not judicial restraint. I hope all my colleagues will agree that the next Supreme Court Justice should be on the side of individual Americans, following legal precedent and congressional intent.

I wish to give an example—I know my colleagues will give others—about workplace fairness in Ledbetter v. Goodyear Tire. Let me provide a little background. Lilly Ledbetter worked for 19 years at Goodyear Tire. During that period, she was paid $15,000 a year less than her male counterparts doing the same work. This type of discrimination is prohibited by congressional statute under the Civil Rights Act of 1964. Within that legislation, title VII was specifically enacted to protect American workers from undue discrimination, including gender discrimination. When Mrs. Ledbetter found out she was being discriminated against, she did the right thing: she brought a claim against her employer.

The only reason Mrs. Ledbetter knew she was being paid less than her male counterparts was because a colleague finally told her. This is not unusual. In fact, in most employment discrimination cases, employees are unaware of discrimination until an unexpected event occurs or undisclosed information finally comes to light.

Mrs. Ledbetter went to court, stated her claim, and won. After multiple appeals, the case reached the Supreme Court. The Supreme Court, by a 5-to-4 decision, denied her claim. The Court said Mrs. Ledbetter had to file her case within 180 days after the beginning of the discrimination, and since she did not do that, her claim was barred by the statute of limitations. This defies logic. How can a person bring a claim when they don't know they are being discriminated against? It makes no sense.