

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

The nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, is confirmed.

The question is, Will the Senate advise and consent to the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California?

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 58 Ex.]

YEAS—96

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Grassley	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Hatch	Nelson (FL)
Bingaman	Hoeven	Paul
Blumenthal	Hutchison	Portman
Blunt	Inhofe	Pryor
Boozman	Inouye	Reed
Boxer	Isakson	Reid
Brown (MA)	Johanns	Risch
Brown (OH)	Johnson (SD)	Roberts
Cantwell	Johnson (WI)	Rockefeller
Cardin	Kerry	Rubio
Carper	Kirk	Sanders
Casey	Klobuchar	Schumer
Chambliss	Kohl	Sessions
Coats	Kyl	Shaheen
Coburn	Landrieu	Shelby
Cochran	Lautenberg	Snowe
Collins	Leahy	Stabenow
Conrad	Lee	Tester
Coons	Levin	Thune
Corker	Lieberman	Toomey
Cornyn	Lugar	Udall (CO)
Crapo	Manchin	Udall (NM)
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Ensign	McConnell	Whitehouse
Enzi	Menendez	Wyden

NOT VOTING—4

Burr	Vitter
Graham	Wicker

The nomination was confirmed.

The PRESIDING OFFICER. 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that at 2:15 today the Senate proceed to morning business, for debate only, until 5 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

At 2:15, the Senator from Wisconsin, Mr. JOHNSON, will be recognized for up to 20 minutes for the purpose of his maiden speech. Further, at 5 p.m., I ask unanimous consent that I be recognized.

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

Mr. REID. Mr. President, I have spoken to my counterpart, Senator MCCONNELL, this morning. We hope to get an agreement on a way to move forward on the small business bill. There are a few issues outstanding and we would like to get that done. We are going to do our utmost to get an agreement and complete that bill.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:32 p.m., recessed and reassembled at 2:15 p.m., when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Wisconsin.

PRESERVING AMERICA'S FREEDOM

Mr. JOHNSON of Wisconsin. Mr. President, it is my honor to represent the good people of Wisconsin in the Senate. It is an awesome responsibility—a responsibility I take very seriously.

Today it is my distinct privilege to address this historic body for the first time. It is a moment in time when our Nation is in peril. Not only do we continue to face the very real threat of international terrorism, but we also face a threat of our own making, one that challenges the very foundation of this Republic.

Our Nation was founded on the basis of God-given rights and individual liberty. The genius of our Founding Fathers' vision was rooted in their recognition that more often than not government was something to fear. Government necessarily limited individual freedom and, therefore, government itself must be limited—its potential for growth highly constrained.

During America's first century, this vision was largely upheld. The last century, however, has been an entirely different story. In 1902, the Federal Government spent 2 percent of the Nation's gross domestic product; State and local governments spent 5 percent. Government was close to the governed. The size, scope, and cost of the Federal Government was constrained by the Constitution's enumerated powers. The individual was preeminent, and government's role was modest and pedestrian.

This body played a key role in limiting Federal Government expansion. Debate in the Senate was unlimited. The cloture vote did not exist. As George Washington had said, the Senate was the saucer that cooled the tea.

All that changed in the 20th century's second decade. The Senate adopted the cloture vote and America adopted the 16th amendment. The Federal Government now had the power to tax income, and the Senate had made it easier for government to grow. And guess what. Government grew.

It did grow in reaction to real problems. Trusts had been formed that concentrated power and created monopolies that threatened free markets. Capital did exert too much power over labor. Balance was needed. As our Nation's prosperity grew, the elimination of poverty and retirement insecurity became a public responsibility. Private charity was simply deemed not up to the task. So government acted and government grew.

From 2 percent in 1902 to today, where the Federal Government spends 25 percent of our Nation's economy, and combined all levels of government in the United States now consume 39 percent. By comparison, the size of government in Norway is 40 percent; in Greece it is 47 percent; and in France, 53 percent. In the end, I don't believe Americans want to be like France or Greece. We haven't reached that tipping point yet, but we are extremely close.

There is a reason America holds 5 percent of the world's population and yet accounts for 24 percent of the world's GDP. It is because of freedom, the free market system and the American people. America became a land of unlimited opportunity because we were a nation of self-reliant people. Hard work was valued, personal responsibility expected, and success was celebrated, not demonized. I grew up in that America.

I am very sad to say what I have witnessed during my lifetime is a slow but steady drift and, I would argue, over the last 2 years a lurch toward a culture of entitlement and dependency. This is not an America I recognize. It is not an America that will work.

Even worse, we have granted entitlements and encouraged dependency with little thought as to how we would pay for it. We have racked up enormous debt, and now the bill is coming due. Time is running out.

Last week, the government almost shut down because we were arguing over a few billion dollars, but our debt and deficits are measured in the trillions. Our problem is a thousand times larger than the current debate. Most of us recognize this is simply unsustainable. Most of us know what programs need to be reformed. Most of us want to fix the problem. So let's start addressing these issues now before it is too late.

These are enormous problems and it is easy to become pessimistic, but