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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Almighty God, who made light to shine in darkness, shine on Capitol Hill. Restore our lawmakers to the light of Your glory as we have seen revealed in Your sacred word. May they permit Your sacred Scriptures to provide a lamp for their feet and a light for their path. Refusing to lean upon human wisdom alone, help them to seek Your guidance and to follow where You lead. Like a shepherd, guide them and our Nation through the darkness and dangers of these challenging times.

We glorify You, gracious God. We praise You for all Your blessings. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 13, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND 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 any leader remarks, the Senate will be in morning business until 3 p.m. today. During that period of time, Senators will be allowed to speak for up to 10 minutes each. The Republicans will control the time from 11:30 a.m. until 12:30 p.m., and the majority will control the time from 1 p.m. to 2 p.m.

We are working on an agreement to complete action on the small business bill. It has been a difficult thing to do. We have a number of amendments that are pending. Some Senators will not allow an agreement on those amendments unless they get their amendments. There are a lot of amendments, and we are trying to work our way through them. The three amendments at the top of the list are one offered by Senator CORNYN, one by Senator HUTCHISON, and one by Senator SANDERS.

We have not been able to work through this legislative morass. We have spent more than enough time on this bill. I am going to continue working on that with time here not being so heavily used. Certainly yesterday was a case in point. Everyone is looking forward to the final conclusion of this fiscal year 2011 budget. We are going to have a vote this week to complete that. Everyone, I guess, is anxious to get that done. We need to get the small business jobs bill done.

Additionally, the text of the long-term CR has been filed in the House and is available for review. We expect to receive it from the House sometime tomorrow—of course, from my perspective, the earlier, the better. So I ask Senators to come and talk about this resolution. If they have any problems, things they like or dislike, they can come and talk about this bill. This would be the time to do that because we will be cramped for time when the bill gets here. Senators, of course, will be notified when votes are arranged.

MEASURE PLACED ON THE CALENDAR—H.J. RES. 37

Mr. REID. H.J. Res. 37 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 37) disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

Mr. REID. I object to any further proceedings with respect to this joint resolution at this time.

The ACTING PRESIDENT pro tempore. The joint resolution will be placed on the calendar.

Mr. REID. Would the Chair announce morning business?

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, the Senate will be in a period of morning

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

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business for debate only, with Senators permitted to speak for up to 10 minutes each, with Republicans controlling the time from 11:30 to 12:30 for the purpose of a colloquy and the Democrats controlling the time from 1 p.m. to 2 p.m.

Mr. REID. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

NEED FOR SERIOUS FISCAL ACTION

Mr. MCCONNELL. Madam President, all across the country this morning, Americans are struggling—and they are not getting much in the way of help or hope from Washington. Those who are unemployed or eager to hire are frustrated by the mountain of burdensome new rules and regulations Democrats have imposed on them in the past 2 years and by the uncertainty that comes with every proposal to create another one. They are shocked that a White House which does not even try to balance its checkbook would repeatedly propose to raise taxes. And more and more, they are worried about the consequences of our debt and the President's reluctance to do anything about it.

But even more upsetting to many Americans is the repeated attempts of the White House to seem as if it is doing something about these things when it is not. That is just what the President has sought to do in talking about the need to reform entitlements and lower the debt, but refusing to lift a finger to do either. And that is just what I fear he will do again this afternoon in outlining his vision for tackling these problems without so much as presenting a single new idea or anything approaching a workable plan to get us there.

The truth is, the President is only entering this debate at all because he can no longer ignore the growing bipartisan calls for action. If he were serious, he would be talking about a detailed roadmap for action, not just grabbing headlines by announcing another speech.

Of course, we can hope that the President presents more than just his vision for the future this afternoon. But those who have hoped for that from this President have been disappointed many times before. What we are likely to get instead is a broad-brush notion of what the President wants to see—a vision that includes calls for strengthening entitlement programs that few people would disagree with but which will never come about absent Presidential leadership; a partisan call for tax hikes on struggling job creators, and, I fear, a call for tax hikes on energy producers when gas prices are already creating heavy burdens for so many.

No doubt we will also get a fair share of finger-pointing and an attempt to cast Republicans in the worst possible light for actually laying out a serious plan to address the crises we face while others merely talk about their vision. But we can still hope that the President leaves the scapegoating aside for a change and finally admits the obvious: that we can only solve these fiscal crises if we do so together.

So either the President agrees today that Republicans have a point when it comes to the seriousness of our fiscal problems and admits that the old approach of pretending they do not exist will not work anymore or those problems will become harder and harder to solve. Either he pretends that old programs, unlike everything else in life, do not need to adapt to survive or he joins us in acknowledging those programs will no longer be there for the people who are counting on them if we do not take serious action now.

We need to keep our promises to seniors and to a rising generation of Americans—and we will—but we can no longer afford to make promises to younger workers that we all know we cannot afford to keep.

Look: if big government created jobs and opportunity, then we would be in the middle of a boom right now. That experiment has failed. And that is why the national conversation has shifted from how much Democrats want to expand the scope of government to how much both parties should rein it in.

The fiscal crisis we face will not be solved by ''freezing'' unsustainable government spending or by raising taxes on the very small businesses we are counting on to create jobs. And the programs we cherish as Americans will not be preserved for the next generation through speeches alone. Americans do not want to hear the President's vision today—he has had 2 years to lay that out. They want to hear his plan.

Americans do not want to hear the President criticize or distort the serious efforts of those in our party who want to solve our problems head on. They want to hear a detailed counterproposal of his own. And they do not want to hear that the price of gas at the pump is going to get even higher, or that their opportunities to find or create jobs will shrink. Now is not a time for mere speeches or political attacks. It is a time for action.

That is what Americans want from this President. That is what they are failing to get. I hope that changes today.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. I ask unanimous consent that the order for the quorum call be rescinded.

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

VOLUNTARISM

Mr. COONS. Madam President, I rise to mark National Volunteer Week and Delaware Volunteer Week. All week long throughout the Nation and across the great State of Delaware, Americans and Delawareans will be engaged in volunteer service. Volunteer opportunities include helping the homeless, tending to the environment, mentoring children in schools, and working to keep communities safer and stronger and free from fires and accidents and injuries, among many others.

Here in the Senate one can't talk about community service or national service or voluntarism without thanking and recognizing our colleague Senator BARBARA MIKULSKI from Delaware's neighboring State of Maryland. Senator MIKULSKI has been the leader on voluntarism for many years, most of them alongside the late Senator Ted Kennedy. I am proud to be working with her to fight to save our national service programs.

When Delaware's tireless Governor Jack Markell was sworn into office in 2009, he decided to forgo the traditional Governor's inaugural ball and he, along with his wonderful wife, our first lady Carla Markell, instead organized a week of service projects across the State. Today that week of service continues and has become a tremendous opportunity for nonprofit organizations and community service organizations across the State to connect with Delawareans excited about teaching our children the value of voluntarism, connecting with neighbors and helping improve and strengthen our communities.

I have long believed that those who engage in voluntarism and service to others in fact get more out of it than they put in.

Voluntarism, as you know, Madam President, is a fundamental part of what it means to be American. It is a great—some would say the greatest—part of America and its cultural traditions. However, voluntarism need not be confined to my State or this week. It is something from which every American can benefit at every stage in their life.

In my view, one of the most effective voluntarism efforts in modern history is one with which I was first engaged when I was a resident briefly of the State of the Acting President pro tempore when I was working for the national ''I Have a Dream'' Foundation in New York City now many years ago.

The national AmeriCorps program—a partnership between the Federal Government and local nonprofit communities—was launched with bipartisan support, initially an idea proposed by President Bush and then enacted by President Clinton. The AmeriCorps program is now one which has had a tremendous and far-reaching impact over the last 17 years. It enables 75,000 Americans to serve annually via AmeriCorps with a very wide range of programs—programs where the funding is raised and its focus is directed by State, by State commissions of volunteers, community leaders, who help identify the best and most appropriate, most effective partners for this federally funded program that is also matched one to one with dollars from the local community. So far more than 60 million hours of community service annually has been provided by AmeriCorps members.

In Delaware, voluntarism has a long tradition and a great history, and the volunteer fire service is one of the strongest parts of that long and proud history of our State. There are more than 88 volunteer fire companies in our State. They provide the vast majority of fire suppression services for our communities.

They faced a real problem when I became county executive: a steady loss in membership. As working-class families were under more and more pressure, with both parents working, they were under more stress, more demands, and it became more difficult for people to dedicate the time and energy needed to be trained and to serve as volunteer firefighters, and, in particular, to deliver ambulance service—one of the most important aspects of our volunteer fire service.

So in partnership with our New Castle County Volunteer Firefighters Association, and with the YMCA, and with AmeriCorps, I worked tirelessly to launch a new AmeriCorps program called the Emergency Services Corps.

The Emergency Services Corps helps recruit volunteer firefighters and conducts CPR and first aid training and provides fire awareness training for schoolchildren all across our county. So far they have recruited more than 220 volunteer firefighters and logged more than 108,000 hours of service to our community in the 5 years since it was created as a partnership between all these different entities.

I just thought I would draw attention to that one example today of the hundreds of AmeriCorps programs across our country that I think are a shining example of how the young people of this country—people at all ages across this country—bring their gifts, their talents, and their spirit to volunteering.

In every generation of Americans, heeding the call to service has been the answer to our greatest challenges, and with so many out of work, suffering from hunger or facing homelessness right here in our own country, I think it is critical we all pitch in to help. It is an affirmation of our bond of citizenship and our compassion for our fellow citizens.

So I would like to encourage everyone in my State to visit the Volunteer Delaware Web site to find service opportunities this week. I am putting a link to it on my Web site at www.coons.senate.gov. For those who happen to be outside Delaware, I hope they will visit www.nationalservice.gov and participate in this National Volunteer Week.

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

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

Mr. NELSON of Florida. Madam President, may I be recognized to speak in morning business.

The ACTING PRESIDENT pro tempore. The Senate is in morning business.

MEDICARE

Mr. NELSON of Florida. Madam President, the Paul Ryan/tea party budget of the House of Representatives privatizes Medicare. Let me repeat that. Medicare, the program of medical care for senior citizens that our seniors have come to depend on—the Paul Ryan/tea party budget of the House of Representatives privatizes Medicare.

This is not an empty threat. It is not this Senator's or any other Senator's political interpretation. The budget of the House Republican Budget Committee chairman would end Medicare as we know it. It ends Medicare. It hands seniors' health care over to insurance companies. It would break a sacred contract between workers who paid into the system thinking it would be there for them when they retired. But under this new scheme, senior citizens will not have a Medicare Program anymore. They would have to pick an insurance plan, and a voucher would be given directly to the insurance company.

Under the proposal—I am not making this up—a voucher, paid for by the Federal Government, would be given not to the senior citizen to go shopping, it would be given to the insurance company that they chose. Medicare for senior citizens would be turned over to insurance companies. If this sounds incredible, it is, because under that plan insurers would decide what doctors seniors get to see and what health benefits get covered.

Now, why do I say that? That is an HMO. An HMO is a health maintenance organization. That is an insurance company. They have a panel of doctors, they have a panel of hospitals, and they determine what is in the coverage that a senior citizen gets.

Contrast that to Medicare now, that Medicare fee-for-service. The senior citizen makes the choice of their doctor, of what are the things they look for in their total medical care, paid for because they are senior citizens and are eligible for Medicare, of which they have been paying in all of their lives through a Medicare tax.

So now this proposal is to privatize Medicare, take it out of being a government fee-for-service plan, and, instead, insert it into a privatized insurance company.

Do senior citizens want to change their Medicare and turn it over to insurance companies? I do not think so. If insurance plans raise their costs, which we know they do, seniors then would have to pick up the bill. Seniors would have to pay more out of their pocket for this voucher program.

According to the Congressional Budget Office, out-of-pocket costs—this is according to CBO, the nonpartisan actuarial accounting organization—according to CBO, out-of-pocket costs would more than double for seniors.

This voucher program proposed by the chairman of the Budget Committee in the House, Congressman RYAN, is not like Medicare Advantage. Medicare Advantage has been a great program for senior citizens, and in our State of Florida we have more signed up for Medicare Advantage than any other State because of what it does. It provides benefits at low cost to senior citizens because the Federal Government directly negotiates with the insurance companies' plans. That is different from what Congressman RYAN and the tea party are proposing. So insurance companies, under Medicare Advantage, have to provide guaranteed health benefits at a low price that is negotiated. As a result of the new health care reform law, Medicare Advantage premiums have actually gone down. These are the premiums that are paid by senior citizens.

So do not let folks confuse you between what is proposed by the Budget chairman in the House and the existing Medicare Advantage Program. The Ryan/tea party budget leaves these decisions up to the insurance plan. In other words, insurance companies will be in charge of seniors' health care. I do not think that is what our senior citizens intend to have happen.

The tea party wants to end Medicare. That is the bottom line. Yet the House budget does little—interestingly, little—if anything to actually reduce the Federal deficit, which is what they say their budget is for, to reduce the Federal deficit.

Well, look at it. The House Budget chairman claims his budget includes $5.8 trillion in spending cuts, but when we look at it closer we learn this claim was an accounting gimmick. We have seen these gimmicks over and over in budgeting in the Federal Government.

For example, first, we learned that his staff had made a $200 billion mathematical calculating error in calculating interest savings. Then, second, we learned that $1.3 trillion of the savings is artificially derived from a misleading assumption that the wars in Iraq and Afghanistan would continue indefinitely. Third, and most importantly, of his savings, $4.2 trillion of the savings come from the spending cuts that fly out the back door in the form of tax cuts for millionaires.

At the end of the day, those $5.8 trillion in spending cuts in their budget translates into less than $200 billion in real deficit reduction over those years, or less than 1 percent of the total debt held by the public.

So the Congressman Ryan/tea party budget does little to address the deficit while making every single senior citizen in this country get their health care from an insurance company.

So that is why Senator BAUCUS, our chairman of the Finance Committee, and I have introduced a resolution. This Senate resolution calls on the Senate to oppose this radical voucher program. Medicare has been providing affordable health care for seniors and disabled Floridians and Americans for decades and decades. It is a very popular program with our seniors. Medicare should not be dismantled. It should not be turned over in a voucher program to insurance companies that will eliminate choices. It should not be turned over to insurance companies that will increase costs, and, certainly, seniors' health care should not be turned over to insurance companies.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

BUDGET PRIORITIES

Mr. GRASSLEY. Madam President, we are all kind of on pins and needles about what the President is going to say today in his speech on the budget at George Washington University. I hope he comes forward with a strong program to get the budget deficit down because Presidential leadership will help us get the job done. Congress can do it on its own, but it will be a lot easier if we know we are working with the President instead of against the President.

I hope the President's remarks reflect the fact that elections have consequences and the consequence of the last election was a very strong message to Washington that we ought to get spending down and government ought to be smaller. In anticipation of what he says, I wish to make some remarks, and my anticipation is based upon things that have already been said from the White House by staff about the direction the President's speech is taking.

If we learned anything during the last 2 years, it is that America can't tax and spend its way back to prosperity. The voters understood that and sent a powerful message to Washington last November: Stop piling debt on the next generation. Stop the overspending that mortgages our children's future and jeopardizes job creation.

Thanks to the gravitational pull of the Republican majority in the House of Representatives responding to the results of the last election, the compass is starting to point in the right direction. Despite the two-against-one lineup of the debate, meaning the President and the Democratic Senate on one side and the House under the control of the Republicans on the other side—that two-to-one lineup—we have a continuing resolution at the start of what must be a long-haul, committed effort.

The continuing resolution we will pass this week is just the beginning because the hard work has only just begun. That is reflected in the leadership demonstrated by the House of Representatives' Budget Committee chairman PAUL RYAN. He did what the President failed to do in his budget proposal—get serious. Today, I hope we have evidence that the President is getting serious. But up until now, the President ducked, even ignoring his own deficit reduction commission report fresh off the printer. He hasn't said yes or no whether he supports the recommendations of the Bowles-Simpson commission.

In sharp contrast, House Chairman RYAN stepped up and put ideas on the table for fiscal responsibility. Today, in response to this effort, to show the voters we got it in the last election and that it is time to reduce spending in Washington, the President is giving his speech on reducing the debt. After reluctantly coming to the table for very modest reductions in spending that are going to be in this continuing resolution we will hopefully pass this week, the President has quickly moved past any focus on getting spending under control and seems to be going back to that same old saw that we have to have tax increases to reduce the deficit. But history proves tax increases do not bring an additional dollar to the bottom line. Tax increases are a license to spend even more than the $1 that might come in from a tax increase, and we also know increasing taxes is not going to reduce the deficit. Only growing the economy is going to reduce the deficit. Tax increases can have a detrimental impact on growing the economy because government consumes well; it doesn't create well. Only workers and investors and people who invent and people who create, create wealth.

There has always been a tug of war in Washington between tax-cutters and big spenders. There are those of us who believe taxpayers have a right to keep more of their own money and decide how best to save and spend and invest those dollars. Others in Congress and in Washington believe Washington knows best and work relentlessly to divert more private resources into the public coffers. Recycling even more tax dollars through Washington, especially during an economic downturn which we are in now, and eight-tenths percent unemployment proves it. Doing more of that doesn't make sense if we want recovery.

Consider the work of two U.S. Presidents from opposite sides of the political spectrum. Study the history of John Kennedy on one end and Ronald Reagan on the other. They understood that raising taxes bore negative consequences for job creation and economic growth. My colleagues may remember that during World War II and afterwards, we had 93 percent marginal tax rates. Who decreased that? Not some Republican President but a Democrat President. He reduced it because it was not raising revenue and it was hindering the economy. We had a situation when corporate and personal income tax rates climbed during the Great Depression, we have proof unemployment kept climbing as well. In fact, if there are two things we want to remember from Hoover that we should never make these mistakes again, they are that he raised taxes tremendously high and he signed the Smoot-Hawley tariff bill, leading us into the Great Depression. As America struggles to shake off the biggest economic downturn in decades, we can't afford to repeat the same mistakes. We should learn from history.

In an economy where consumer spending accounts for nearly 70 percent of the Nation's gross domestic product and small businesses account for 70 percent of the new jobs, it would be foolish to divert even more of America's taxpayer money into the Federal Treasury. With a smaller tax liability, small business owners can expand their operations, upgrade their equipment, and hire more workers in their hometown communities. But tax policies designed to increase revenues for more government spending will not help these hometown business leaders create new jobs that can attract and retain talent and vitality in those small towns. What is more, raising Federal tax rates would stunt the positive ripple effect that occurs in the local economy and in the local tax base when small businesses are able to grow and expand their sales output and profits.

Raising taxes sets the stage for paralyzing setbacks for small business. So we should not forget that many small business owners are subject to the highest marginal tax rates and Federal estate taxes. I have worked for a long time for tax policies that give small business owners the freedom and opportunity to hire, expand, and grow their businesses without having profit-burning taxes and overly burdensome regulations get in the way of getting ahead and living the American dream and creating those jobs. Marginal tax rate increases are especially harmful to small businesses because small businesses are typically organized as flow-through entities. Since small businesses create 70 percent of the new jobs

and unemployment, at 8.8 percent, remains historically high, it doesn't make sense to raise taxes on small businesses.

Supporters of the tax increases for those earning $250,000 a year would like to camouflage the tax hit on small businesses, but their attempts to mislead cannot withstand an honest examination. The marginal tax rate hikes would directly target flow-through businesses that employ 20 million American workers. It is a waste of resources for Washington to recycle tax dollars through the public sector when small businesses can do more good and get more bang for their own buck and taxpayers, in general, deserve more bang for their buck.

I have a chart that shows my colleagues an analysis by the Congressional Budget Office, the official nonpartisan scorekeeper for Congress. In its January 2011 ''Budget and Economic Outlook'' report, CBO reports that taxes have averaged 18 percent of the gross national product from 1971 to the year 2010. So this is the historical average. What is very significant about an average going back to 1971—is it seems to me a level of taxation the people of this country have not revolted against. It is a level of taxation that has not been harmful to the U.S. economy, as we have seen great growth during this period of time.

So here is where we are. Beyond the very negative impact of tax increases, there is no evidence that tax increases lead to deficit reduction. In fact, if history is any guide, Washington will simply spend the money.

I often quote a Professor Vedder of Ohio University who has studied tax increases and spending for more than two decades. This is the very same study I was referring to as I started my remarks today. ''Over the entire post World War II era through 2009, each dollar of new tax revenue was associated with $1.17 in new spending.''

So it is akin to a dog chasing its tail. It is never going to catch it. If we raise $1 and it doesn't go to the bottom line, and Professor Vedder says it doesn't go to the bottom line, it is a license to spend $1.17. How do we ever get ahead? Then we have people who want to increase taxes because another dollar coming in is going to lead to $1.17 of spending. It would be one thing for me to vote for a tax increase if it went to the bottom line. It is another thing to vote for a tax increase that just allows more spending and raises the deficit instead of getting the deficit down. People in my State of Iowa don't tell me they are undertaxed. They know all too well the problem is that Washington overspends.

Before this chart is taken down, just so my colleagues can understand, there is no reason to raise taxes above this historical average to bring in more revenue because we can see the projection by CBO. The existing tax rates are going to bring in more revenue without increasing tax rates just because of the economy growing.

With the existing tax rates, revenues coming in will return to the level we had after the 2001 tax bill—that bill reduced taxes by providing the biggest tax decrease in the history of this country. We brought in additional revenue with reduced rates—more revenue than would come in by raising marginal tax rates. That ought to be calculated. You should not do anything that is going to destroy this situation.

Some are proposing eliminating the cap on wages for social security taxes. This would result in a huge tax increase of 6.2 percent on income over $106,800. Both employees and employers pay these taxes. Those in favor of this will argue that it is needed to protect benefits for social security beneficiaries. We have been down that road before. We raised the tax rate in the 1980s. This was supposedly also to protect benefits, but look where we are now. There is no guarantee that raising taxes in that way will guarantee benefits.

Referring to this chart again, to be specific on this growth out here, CBO projects that taxes will average 19.9 percent of gross national product from 2010 to 2021, rising to 20.8 percent of GDP by 2021. If we increase taxes, I think it will put that economic growth in jeopardy.

I ask unanimous consent to have printed in the RECORD an article from Investors Business Daily.

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

[From Investors.com, Apr. 11, 2011]

TAX THE RICH? GOOD LUCK WITH THAT

(By Walter Williams)

I've often said that I wish there were some humane way to get rid of the rich. If you asked why, I'd answer that getting rid of the rich would save us from distraction by leftist hustlers promoting the politics of envy.

Not having the rich to fret over might enable us to better focus our energies on what's in the best interest of the 99.99% of the rest of us. Let's look at some facts about the rich laid out by Bill Whittle citing statistics on his RealClearPolitics video ''Eat the Rich.''

This year, Congress will spend $3.7 trillion dollars. That turns out to be about $10 billion per day. Can we prey upon the rich to cough up the money?

According to IRS statistics, roughly 2% of U.S. households have an income of $250,000 and above. By the way, $250,000 per year hardly qualifies one as being rich. It's not even yacht and Learjet money.

All told, households earning $250,000 and above account for 25%, or $1.97 trillion, of the nearly $8 trillion of total household income. If Congress imposed a 100% tax, taking all earnings above $250,000 per year, it would yield the princely sum of $1.4 trillion. That would keep the government running for 141 days, but there's a problem because there are 224 more days left in the year.

How about corporate profits to fill the gap? Fortune 500 companies earn nearly $400 billion in profits. Since leftists think profits are little less than theft and greed, Congress might confiscate these ill-gotten gains so that they can be returned to their rightful owners.

Taking corporate profits would keep the government running for another 40 days, but that along with confiscating all income above $250,000 would only get us to the end of June. Congress must search elsewhere.

According to the Forbes 400, America has 400 billionaires with a combined net worth of $1.3 trillion. Congress could confiscate their stocks and bonds, and force them to sell their businesses, yachts, airplanes, mansions and jewelry. The problem is that after fleecing the rich of their income and net worth, and the Fortune 500 corporations of their profits, it would only get us to mid-August.

The fact of the matter is there are not enough rich people to come anywhere close to satisfying Congress' voracious spending appetite. They're going to have to go after the non-rich.

But let's stick with the rich and ask a few questions. Politicians, news media people and leftists in general entertain what economists call a zero-elasticity view of the world. That's just fancy economic jargon for a view that government can impose a tax and people will behave after the tax just as they behaved before the tax, and the only change is more government revenue.

One example of that vision, at the state and local levels of government, is the disappointing results of confiscatory tobacco taxes. Confiscatory tobacco taxes have often led to less state and local revenue because those taxes encourage smuggling.

Similarly, when government taxes profits, corporations report fewer profits and greater costs. When individuals face higher income taxes, they report less income, buy tax shelters and hide their money. It's not just rich people who try to avoid taxes, but all of us—liberals, conservatives and libertarians.

What's the evidence? Federal tax collections have been between 15% and 20% of GDP every year since 1960. However, between 1960 and today, the top marginal tax rate has varied between 91% and 35%.

That means whether taxes are high or low, people make adjustments in their economic behavior so as to keep the government tax take at 15% to 20% of GDP. Differences in tax rates have a far greater impact on economic growth than federal revenues.

So far as Congress' ability to prey on the rich, we must keep in mind that rich people didn't become rich by being stupid.

Mr. GRASSLEY. According to this article, even if the government confiscated all of the income of people earning $250,000 a year, the money would fund the Federal Government today for a mere 140 days. CBO statistics tell us that the top 5 percent of households earn 29 percent of the income and pay 43 percent of the income tax collected by the Federal Government. This chart here shows that these 5 percent of households have seen their taxes go up or hold steady while the other 95 percent of households have seen their taxes go down.

We are in a situation where people are talking about increasing taxes on higher income people because, supposedly, they can afford it—and probably they can afford it. But I get sick and tired of the demagoguery that goes on in Washington of taxing higher income people. This group of people is already paying 43 percent of all of the income tax coming in to the Federal Government, while 47 percent of the people in this country don't pay any income tax whatsoever. How high do taxes have to go, generally, to satisfy the appetite of the people in this Congress to spend money? And particularly, how high do marginal tax rates

have to go to satisfy those clamoring for higher taxes that the wealthiest in this country are paying enough money?

In addition to the CBO statistics on households, IRS statistics show that 1 percent of the wealthiest people make 27 percent of the income and pay 40 percent of the income taxes. If it be 41 or 42 percent, maybe we can look at it. But I never get the sense from anybody who is proposing these higher marginal tax rates on upper income people that they are ever going to be satisfied that those people are paying enough taxes. So I will get back to what I said. You could confiscate all the income earned by people that make over $250,000 a year but you are only going to run the government for 140 days. What do you do for the rest of the year if you only want the wealthy to pay all the taxes?

We ought to have some principles of taxation that we are abiding by. I abide by the principle that 18 percent of the GDP of this country is good enough for the government to spend. That leaves 82 percent in the pockets of the taxpayers for them to decide how to spend. Because if 535 of us decide how to divide up the resources of this country, it doesn't do as much economic good. If the money is left in the pockets of the 137 million taxpayers to decide whether to spend or to save it, and how to save it, or what to spend it on, it responds to the dynamics of our economy. They would be participating in the American free enterprise system in a way that the 535 Members of Congress don't know enough how to do. If we relied upon the 535 of us to decide how to spend more resources of this country, we would not have the economic growth we have. We would be Europeanizing our economy, and we know that is bad.

This principle of 18 percent of gross domestic product is good and it has been consistent throughout recent history. This chart here shows that it is not a straight line, but it is pretty even over a 50-year average. I think it averages out at about 18.2 percent. You have the marginal tax rates going back to 93 percent during World War II and staying there until, as I said, Senator Kennedy becomes President and he decides the marginal tax rate is too high for the good of the economy and he reduces it. I am told because of the Vietnam war, it went up. It stayed even at 70 percent until President Reagan. Then it goes down to a 50 percent marginal tax rate. Then it stays there a while. In 1986, it goes down to 28 percent. Then we have the promise of no new taxes when President Bush reneged on that promise, and it went back up to almost 40 percent. Then they went up again here and stayed here, and then we had the tax decrease of 2001.

Do you know what this shows? Everybody has an idea that if you raise the marginal tax rates, you will bring in more revenue. But the taxpayers, workers, and investors of this country are smarter than we are. We have had a 93-percent marginal tax rate—then 70 percent, 50 percent, 28 percent, and now a 35-percent marginal tax rate. But, regardless of the rate, you get the same amount of revenue, because taxpayers have decided they are going to give us bums in Washington just so much of their money to spend, and it works out to be about 18 percent of gross domestic product.

So we have a President who will probably give a speech today and say we are going to raise taxes on higher income people because, like him, they ought to pay more money. What do you get out of it? You can mess with these marginal tax rates all you want to, but you will bring in about the same amount of revenue. Why? In part because people have decided that, if we are going to tax them to death, they are going to take more leisure and they are going to invest in nonproductive investments. Bottom line—increasing taxes doesn't bring more revenue into the federal Treasury.

You have to keep marginal tax rates low so you can expand this economy. As we have seen, when taxes go down, unemployment goes down; when taxes go up, the incentive to employ is gone. So here we are.

The national debt poses serious risk to the long-term economic health of the United States. It puts a heavy burden on taxpayers who will have less take-home pay to save, spend and invest if they have to send more money to Washington.

Washington needs to champion policies that grow the economy and create jobs, and in turn, increases revenue to the federal Treasury, enabling deficit and debt reduction, not defend ways that grow the government.

The President and 535 Members of Congress collectively represent many different constituencies across the ideological, political, geographic and demographic spectrum. Although representing many, we can work as one to make America an even better place for posterity. If we continue to live beyond our means and get in the way of job-creating economic opportunity, we will push future generations over a fiscal cliff of no return. That is why Washington must clamp down on new spending and shrink the national debt.

I hope we have a President who is willing to look at history and learn from history in his speech today.

I yield the floor and 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. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BARRASSO. I ask unanimous consent that I be allowed to speak until 11:30 in morning business.

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

THE DEBT

Mr. BARRASSO. Madam President, last week America's government was brought to the brink of a shutdown, and the shutdown was avoided literally at the eleventh hour just last Friday. The same day, the President called Speaker BOEHNER to try to advance the talks. According to Politico, the President told Speaker BOEHNER, ''We are the two most consequential leaders in the U.S. Government.'' The President was right, so why was only one of those two leaders actively trying to lead on the issue of the day? Speaker BOEHNER was trying for weeks to put together a deal that could serve the American people, but right up until the end, the President was missing in action. Even Senator MANCHIN, a member of the President's own party, said the President had ''failed to lead this debate.''

Now the President is finally saying he wants to talk about what steps our country needs to take to get our fiscal house in order. I really do hope the President is serious, but I have my doubts. This is a line we have heard from the President before. Back in February 2009, the President called experts to the White House for what he called a fiscal responsibility summit. In his opening remarks, the President said this:

> Contrary to the prevailing wisdom in Washington these past few years, we cannot simply spend as we please and defer the consequences to the next budget, the next administration, or the next generation.

That was February 2009. For the last 2 years of this administration, all the President did was add trillions of dollars to that debt.

Late last year, the President's debt commission released their report on America's fiscal situation, and the findings were sobering. According to the report, they said the problem is real, the solution will be painful, there is no easy way out, everything must be on the table, and he said Washington must lead. The President ignored the report.

America is done waiting for him to take this issue seriously. Last week, the House Budget Committee chairman PAUL RYAN put forward the first concrete plan to address our debt crisis. Now the President has suddenly decided that crisis needs to be addressed. The President has a national address scheduled for today, and maybe that will be the moment of truth. I hope it will not be another one of the President's recycled speeches; empty words cannot fill America's pockets.

Last November, the American people told us they wanted the truth. They wanted to know their representatives could make tough decisions. That is what we heard on election day. They wanted to make sure there would be a future for their families and for their children. I think the American people deserve results. The President has paid them back with excuses, with delays, and with business as usual.

Republicans have been the leaders on trying to reduce the spending. The

President's party has only criticized, complained or, in the final moments, tried to take credit. They refuse to lead and have refused to act.

Now the President's party wants us to raise the debt ceiling in what they call a clean bill. That is a fancy way of saying they want us to borrow more money with no strings attached. The President opposed doing the same thing back in 2006 when he was a Senator. This is what he said then. The President, on the floor of the Senate, said:

> The fact that we are on the floor today debating raising the nation's debt limit is a sign of leadership failure. It is a sign the Government cannot pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies.

I would just say that if President Obama thought raising the debt ceiling at a $9 trillion level was a sign of leadership failure, why then is President Obama asking us to raise it beyond the $14 trillion now?

Facts are stubborn things. The numbers do not lie. Every day, this government borrows over $4 billion. We did it yesterday, and we will do it today and tomorrow. Over 40 cents of every dollar Washington spends is borrowed money, much of it from China. Every American child born today and tomorrow and the next day owes over $45,000. Next year, Washington will spend 68 cents of every tax dollar on Social Security, on Medicare, on Medicaid, or interest on the debt. If we as a nation continue on the President's path, Washington will spend all of what it takes in on these items alone. Everything else, from defense to education, will be paid for on a budget of borrowed money. Where is the money going to come from? A lot of it from other countries, countries that do not always have America's best interests at heart.

John F. Kennedy once said, ''Ask not what your country can do for you, ask what you can do for your country.'' In a few years, that could change to, ask not what your country can do for you, ask what your country must do for China. Consider this: When John F. Kennedy was President, America only owed 4 percent of its debt to foreign countries. Today, we owe half of our debt to foreign countries.

Debt is not just a disaster for our future; the amount of debt we owe right now, today, is so high that it is hurting our employment at home. Experts tell us our debt is costing us 1 million jobs, and the evidence is clear that our debt is disastrous in the present as well as for the future. A debt such as this makes it harder for American families to buy cars and homes, to pay tuition for their kids to go to college, and then it makes it harder to create jobs for those kids who will be graduating this year and next year until we get the spending under control.

The President's party simply offers more of the same old failed policies that produced the problems in the first place. Some in the President's party have suggested raising taxes to make up for the debt. I expect the President to do that this very day in his speech.

The President's speech today comes just a few months after he submitted his budget. After seeing that budget, it is hard to take the President seriously. Don't take my word for it; one writer in the Washington Post said it already:

> President Obama's budget was irresponsible, failing to take on entitlements and relying on rosy assumptions.

The international magazine The Economist called the budget ''dishonest.''

America needs a President who shows real leadership and a concrete plan. That is what the American people are expecting.

I will not vote to raise the debt ceiling unless some very specific steps are taken. It is time we passed a balanced budget amendment to the Constitution. Many States have to balance their budgets, families have to balance their budgets, live within their means. Washington needs to do the same.

It is also time for us to place actual legal limits on what we do spend. A statutory limit on total government spending will force Washington to make the hard decisions each year to get us back on track. A hard cap on government spending will start us on the path toward fiscal balance and sustained growth. Ronald Reagan used to talk about starving the beast. That is what we need. Since President Obama took office, the beast has only grown fatter.

The President's party likes to accuse their opponents of being antigovernment, so why didn't the President's party bother to pass a budget or fund the government last year when they should have? And why are they driving our government further into debt, hurting America's standing and our credit on the world stage?

The President's party likes to pretend they are standing up for the little guy. They should have listened to Ronald Reagan when he said: ''You can't be for big government and big spending and big taxes and still be for the little guy.'' The President and his party are for big government, big spending, and big taxes, and they are not for the little guy.

The fact is, the President and his party are not that interested in solutions. Instead of solutions, the President's party has hidden behind nasty words, words like ''extreme'' and ''Draconian.'' Many American families are living within the same budget they had in 2008, and Republicans believe the government should do the same. Is spending no more than you did in 2008 extreme or is it extreme to support trillions more in wasteful Washington spending? Is tightening our belts like families do Draconian or is it Draconian to spend money we don't have and force our children to pay it back?

Some members of the President's party have gone even further. One leader of the President's party said that Republicans wanted to starve 6 million seniors. That is a pretty disturbing claim. The problem is, the Washington Post said that she made it up. This same person called the Ryan plan a ''path to poverty''—a ''path to poverty,'' she said—''for America's seniors and children.'' The Ryan plan doesn't affect anyone over the age of 55. It saves Medicare for those who have not gotten there yet, and it stops the spending that puts every American on the path to permanent poverty. Meanwhile, the President says he doesn't want to point fingers. Yet so far his White House has responded to the Ryan plan by doing nothing but point fingers. They went back to their same old bag of tricks, and they tried to scare our seniors and their families.

The President also accused Congress of playing games. Yet his first budget was nothing but a giant game of kick the can, and his address today looks more likely to be just another campaign speech rather than a legitimate plan for the future.

The time has come to lead, not sit on the sidelines. The time has come for the President to act, not just to talk. As a doctor and a Senator, I believe our economy is in need of critical care. Our budget is hemorrhaging. There is not a quick or easy fix. A bandaid will not help this patient. Treatment cannot be delayed. The time to act is now.

I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, as ranking member of the Budget Committee, I am concerned about where we are as a nation, as we struggle to get our house in order. The chairman and cochairman of the Debt Commission, Erskine Bowles, Senator Alan Simpson, have told us we are facing the most predictable financial crisis in our Nation's history. When asked when we could have a financial crisis, we are talking about another recession, a double dip, or maybe worse, maybe a worldwide cataclysm from excessive debt—hopefully not—but that is what they told us we are facing, the most predictable crisis in history.

We have gone 714 days in this Congress without passing a budget as we are required to do. The Budget Act requires Congress to pass a budget by April 15, and we have not achieved that. That is particularly problematic at a time of national crisis.

I see my colleague Senator CORKER from Tennessee here, who has worked very hard with some constructive bipartisan efforts to do something about the debt trajectory we are on. But I

guess I want to first ask him, as a highly successful mayor of Chattanooga, received great plaudits around the country and within the State for his leadership, he had to deal with real numbers, real expenditures, and real budgets. As a very successful businessman, he has had the same challenge. So I guess I would ask him for his perspective, having been in the Senate now several years, what he thinks if we as a corporation, a mayor, or a nation, facing the most severe debt crisis perhaps in its history, that we have not had a budget and do not have a plan. I guess my first question, Senator CORKER is, how, from a businessman, a former mayor who had to run a city and balance your budget, what is your perspective?

Mr. CORKER. I was on the floor last week as we talked about the continuing resolution. I said that the most frustrating thing to me coming to this body—I have been here now 4 years—is we never know where we are going.

It is an amazing thing to have 535 people serving in Congress, and there is no roadmap whatsoever as to what we are going to do. I think it is pretty evident, by the time we have this debt ceiling vote—that I think most people perceive to be the real line of demarcation—I think it is evident we are not going to have a budget passed again even for that.

So I have been working with the Senator and the other Senators on the floor and people on the other side of the aisle. I think one thing I can say is that, on this issue and candidly on every issue, I have no desire to message. I want to solve this problem as you do. I know you have been a leader on this fiscal issue, as have Senators ISAKSON and BARRASSO and others.

I want us to solve this problem. I think if you have not even had a hearing yet on the budget, it is likely that we will not have a budget this year, which is pretty amazing. So what I am trying to do is put in place something called the CAP Act. I have worked with a number of Senators on that, where what we will do is take where we are spending, our national spending relative to our economy, and we will take it down to the 40-year average of 20.6 percent in the post-entitlement period.

If we do that, we can save our country 7.6 versus existing policy over the next decade, which goes a long way toward solving the problem. It totally reverses the amount of indebtedness we are accumulating as a country. So I am working—since I do not think we are going to have a budget, which is pretty amazing—working on another route so we actually know where we are going.

Generally to the American people, they have to watch us and think, what in the world is going on in this dysfunctional body. We have got $3.7 trillion being spent, $2.2 trillion coming in. There is no plan whatsoever to deal with that. We are going to have to create other vehicles to deal with that. So I am generally working with people on both sides of the aisle to come to that end.

I thank the Senator for his efforts on the budget, but I will say to you and say to the American people, as I have said many times, I have never been in a place that is more dysfunctional. No matter what the American people think about the way we handle their money, I promise you it is even worse. And I do hope—I am glad the President, by the way, is going to address this issue at 1:35 today. I know that PAUL RYAN has put forth a budget which is a roadmap, and I appreciate so much his effort.

But as a country, I think we all know we have to deal with this issue in a serious way. Spending is at all-time highs. We have not been here since 1945, on Federal spending relative to our economy. I know others want to speak and have other appointments and I will stop. I thank the Senator for his leadership. This is the No. 1 issue for Americans. It threatens our national security. It threatens our economic security. And between now and the time we vote on the debt ceiling increase, it is my hope we will solve this problem and move into a different direction.

Thank you.

Mr. SESSIONS. I thank the Senator for his work. I think the legislative statutory cap on spending is something I have worked with Senator MCCASKILL on, you have worked with her on, and has potential to help us deal with the crisis we are in.

I will agree with the Senator, and I truly feel the American people have a right to be angry with Congress, because Congress has run up the largest deficits in history. We are on a trajectory that every witness we have had before the Budget Committee, and some fabulous witnesses outside of the government, all say it is an unsustainable path that places our Nation at risk. We have no real plan to deal with it. We should never have been in such a deep hole. So I think people have a right to be upset with us.

Senator ISAKSON, I know, is one of Georgia's most successful and effective businessmen. He has been involved in running the Education Department in the State of Georgia. I guess I would ask the Senator as a businessman, and as an American citizen, how do you feel about where we are? Do you think we are in a serious crisis that requires us to alter our business-as-usual approach, do we have to take tough decisions, or is it something we sort of hold off and maybe things will get better in the future?

Mr. ISAKSON. I thank the Senator from Alabama for the question. I will tell you this, I was in the real estate business for 33 years. Leverage is essential in real estate. You have to borrow money and put in equity as well to make a real estate transaction work. You cannot just do it for all cash. But too much leverage will destroy you. America has just been through a period where many American homeowners were destroyed by too much leverage. They borrowed more than they could afford to pay in order to borrow for a house.

The United States of America is at the point where we have too much leverage. We have too much debt. Our deficit continues to escalate, adding to that debt. I tried to think—when I thought about what I would say this morning, I did not know you would ask the questions you asked. But it is appropriate that you did.

I was trying to think of an example we could put forward of a leader in the private sector who addressed a tremendous problem America faced and solved it. You know who that leader was? Lee Iacocca. I do not know how many of you will remember it, but in the 1970s Chrysler was busted. The cars did not work, people did not buy them, they were going broke, they had too much debt. They hired a guy named Lee Iacocca, brought him up from the ranks and said: Lee, we need to fix this company or we are going broke. Lee Iacocca as a leader put everything on the table: benefits, how they made their cars, discipline, rules, everything. He brought everybody to the table, the labor unions, the workers, the advisers, the economists, and the board of directors.

He said: Look, we do not even care who takes credit, we need to fix the Chrysler Motor Corporation. In a short period of time, Chrysler went from the worst rated consumer satisfaction to the best. They raised the guarantee on their product. They reduced their debt by efficiencies, and they became the most productive automaker of their time in the 1970s.

America has the ability to return to our productive times but only through leadership. I am looking forward to the President's remarks today. I hope he will be a Lee Iacocca. I hope he will not take things off the table. I hope he will not play politics with where we go. All of us have to decide to put everything on the table and make sure we prioritize America's future and get our debt and deficit under control.

I just had the Georgia Hospital Association leave my office. I will tell you the last thing I told them. They were talking about, please make sure we do not cut this, that, and the other. I said: You know, medicine is 17 percent of gross domestic product, but it is about 80 percent of our challenge in terms of Medicare and Medicaid with the future years of the debt and the deficit. We are going to have to put everything on the table. We are going to have to make sure we rein in our expenses while not destroying 17 percent of the private sector.

Quite frankly, I fear the health care bill that passed in December of 2009, and was signed last year in March, is a bill that is overly prescriptive, overly regulatory, and disincentivizes competition in terms of health care.

I hope the President will be open to suggestions in terms of bringing about

competition, making our citizens consumers, making sure we are price competitive in the delivery of the best health care in the world, not a government that tries to manage everything and be so prescriptive.

Yes, we have a problem, but we are a great country where Republicans and Democrats need to sit down at their kitchen table like the American people and make decisions that are in the best interest of their future.

I commend Senator CORKER on the CAP Act. It is the right way to go. I also want to bring up the biennial budget. I know the Senator from Alabama is the ranking member of the Budget Committee, and I have talked to Chairman CONRAD about this. We have an example that works, and that is to change the way we do our business.

In the last 3 years we have had 4 hours of debate on spending $10 trillion. That is not the way to run a railroad. We need to change our process from an annual appropriation to a biennial appropriation where we appropriate money in odd-numbered years and we spend in even-numbered years, which are election years, looking for savings and waste and reprioritizing the way we spend money.

I know this must be true for the Budget Committee, and I know myself, if I am given the time and the task of finding savings or overexpenditures, if I am given the charge of doing so, I can do it. But if I am told to come in January, raise my right hand, and then by October pass as much spending as I can, I will spend too much money. It is human nature.

The American people ask of us only to do what they have to do. They don't have the luxury of too much leverage. If they borrow too much, they go bankrupt. We need to empower the American people by the Congress doing what the American people have to do.

The biennial budget, the CAP Act, and then Senator HATCH, with a number of Senators in this body, have introduced the balanced budget amendment—those are three components that change the paradigm, the process, and I guarantee will change the result.

Mr. SESSIONS. I couldn't agree more. I have been a long supporter of the biennial 2-year budget. I do believe it can work. It has a large amount of bipartisan support in the Congress. It can help us. I see Senators BLUNT and BARRASSO. I believe Senator BLUNT was here first. He has been involved in the leadership of the House of Representatives for many years. He is already showing himself to be a very wise and valuable contributor to our debate.

First, I would like to ask him, does he think the American people have a right to be unhappy with their leadership when they wake up and find that we have had $1 trillion deficits for 3 years in a row and will virtually average a $1 trillion deficit for the next 10 years and there is no plan in the Senate except the President's budget that he submitted to us, that has the deficits increasing in years 7, 8, 9, 10 to $1.2 trillion in the tenth year? Is this an unsustainable path? Don't the American people have a right to be upset with us and demand that we stop business as usual?

Mr. BLUNT. I thank the Senator. Of course, they have every right to be mad. They have every right to be as frustrated as we are that the work in which the Senator from Alabama is so involved as the leading Republican on the Budget Committee hasn't been able to produce a result. We are unlikely to have a budget again this year.

I was just asked by a reporter walking over here—and, yes, I was in the House for some time before I came to the Senate—for somebody like you who has been in Washington, wasn't the tea party a big challenge?

I said: No, the tea party was not a big challenge. They were a great opportunity for us to have someone out there talking about getting this spending under control. And I listed the struggle we were involved in before Senator BARRASSO got to the Senate, where we actually took on entitlement spending in 2005. As I recall that effort, I got lots of calls on entitlement spending reforms, where we cut entitlement spending the only time in a decade by $40 billion. I got lots of calls, and not one of them was supportive of cutting spending. As far as I know, every phone I had rang everywhere I had a phone for 100 days, as far as I know, all the time. No matter how early we came in or how late we were leaving, those phones were all ringing. Every call was: Don't cut my program.

As Senator ISAKSON said, as he was talking to the friends we are seeing today from hospitals around the country, the ones from Georgia, we have to look at everything. We have to look at ways to produce better results. The government is the last place left in America—and this relates to government at almost every level and almost every government at every level—where we measure how much we care about something based on how much we spend on it instead of the results we get.

Everybody else, 20 years ago, made the decision if they were going to be competitive they had to produce a better product, a better result, and spend less money producing that better result. Only the government still thinks the other way—and we do this without a plan, apparently. The Senator can correct me if I am wrong because the Senator is a student of the budget in ways that are not exceeded by anybody in the Senate, but we are still trying to finish last year's work. I think it is the only time in the history of the Budget Act where neither House of the Congress passed a budget. There have been times when both of them passed them and couldn't agree. There have probably been times when somebody didn't pass one but never a time when nobody passed a budget. Nobody passed a single one of the 12 appropriations bills it takes to run the government. How irresponsible can we be?

Now we have this situation where we are spending so much more money than we are taking in, and the numbers are so big it is hard to be as afraid of them as we should because who knows how much money $3.8 trillion is. It is not just Senators and House Members; I don't think the Secretary of the Treasury really knows how much money that is. But we are spending way more than we are taking in.

Have we ever had a time before when neither House of the Congress passed a budget?

Mr. SESSIONS. I am not aware of it. We are now 715 days without a budget. This is particularly problematic since we are facing such an acknowledged debt crisis. The Secretary of the Treasury Geithner came before the Budget Committee. I asked him a number of questions. I asked him about the Rogoff and Reinhart study that says when our debt reaches over 90 percent of our economy, 90 percent of GDP, it causes the economy to slow down, be dragged down by that debt 1 percent of GDP. So if it was going to increase it 3 percent, it would increase it 2; and this amounts to, another study says, 1 million jobs. One percent of GDP growth is 1 million new jobs added. So it is very serious.

I asked him was that true. By the way, I think my colleagues are aware that we are past 95 percent of GDP today. We are over the 90 percent mark, and by September 30, we are projected to be 100 percent. So we are well above the number. The true number is not the public debt but the gross debt, and the gross debt would be 100 percent by the end of September.

Mr. Geithner said, yes, he agrees with the study that shows it pulls down the growth, and added: It is in many ways more serious than that because it could lead to a debt crisis, the kind of thing Erskine Bowles, the President's choice to head the debt commission, has warned could happen. We have a responsibility to lead the Nation that avoids us undertaking a crisis that we can see coming. We have a clear and present danger to the American Republic, this debt.

Mr. Bowles, a businessman, President Clinton's Chief of Staff, the choice to head the debt commission by President Obama, told us we are facing the most predictable debt crisis in our history, and it could happen within 2 years. I think this is really serious.

We have to change business. I think the momentum from the American people in this past election was basically a statement saying, we don't know what the problem is; it is all convoluted. But I believe as the Senator indicated at the beginning, the American people have a right to say: Get it together and fix this problem.

Mr. BLUNT. If the Senator will yield for another moment, while we have a hard time dealing with these big numbers—and I think they approach now

$3.8 trillion in spending and $2.2 trillion in money coming in—we are adding $4 billion a day. We are borrowing $4 billion a day. So in the time we had a continuing resolution for 10 days to try to decide how we cut spending, we borrowed more money in that 10 days than we saved.

Then people said: That is Draconian. It is terrible. We can't spend this much money and continue to do it.

If your family was bringing in $22,000 a year and spending $38,000 a year, and you had already borrowed way more money than any bank should lend you, as you just suggested, you would know that was a problem you couldn't sustain very long. If your business was bringing in $2.2 million a year and spending $3.8 million a year, you would know you are not going to be in business very long. Those are the kinds of real-world situations we have multiplied by thousands of times, but it has to be solved. The blueprint to solve that is the budget. We don't have one.

The Senator's responsibility for the country is to be in that budget fight. I know the Senator is there. I know he is frustrated we don't have a blueprint, but we need a blueprint. Then we need to spend lots of time on this floor and in committees figuring out how we produce a better result and spend less money and what the Federal Government is doing that just simply isn't well done, and shouldn't be done, and constitutionally there is no authorization to do and stop doing that.

I am pleased to be in this fight with the Senator from Alabama and with the Senator from Wyoming.

Mr. SESSIONS. It is a very serious crisis. The President submitted a budget to the Congress 2 months ago. I am hoping and expect that if he makes big changes in his plan for the future, we will see that in real numbers and not just a vague vision. A vision gets too close to being a dream. It gets too close to being of vapors. We are in a real situation with real money.

I have been a very aggressive critic of the President's budget. I believe it is the most irresponsible budget ever presented to Congress. We are facing a systemic, deep, long-term crisis. Everybody knows it. His budget raised taxes $1.7 trillion. His spending was even more. In the net projection over 10 years, he would increase the debt of America $3 trillion more than the current trend we are on. Instead of taking us off the trend, it accelerates the trend. It was a stunning development.

For example, at a time when inflation is 2 percent or so—according to the experts, at least, low inflation—he is proposing in his budget that the State Department have a 10.5-percent increase, an 11-percent increase for education, a 9.5-percent increase for the Energy Department, and a 60-percent increase in the Transportation Department to fund high-speed rail with no money to back that up. It is stunning to me that we could have those kinds of increases proposed in a formal written document—four volumes—that the President is required to submit that I have on my desk back in the office. And he makes no projections in that document to change any of the unsustainable problems we have with Medicare, Social Security, Medicaid—zero reform.

I understand he may talk about that this afternoon. I hope he will. But I believe he should go further—if he is going to propose changes—in that we need a new budget. We need to see what the numbers are. That is what Congressman RYAN and the House Republican Budget Committee have done. They have produced a real budget that can be analyzed and scored, as we call it, by the Congressional Budget Office.

If he is going to make changes in his plans for the future, I truly believe the President should talk more than about vision and dreams for the future but give us real numbers.

Senator BARRASSO, an orthopedic surgeon, has served in the legislature in Wyoming and has been a tremendous advocate on many issues, none more important than the health care debate we had.

I say to Senator BARRASSO, as someone who has not been too long in Washington and has already been elected to the leadership in the Republican Party—well deserved as a result of your proven acts—how do you feel we are handling the American people's money? What thoughts does the Senator have?

(Mr. FRANKEN assumed the chair.)

Mr. BARRASSO. Well, it is my impression that in so many ways Washington gets it wrong. The Senator is correct. I appreciate his leadership.

I did have the opportunity to serve in our State legislature in Wyoming for 5 years. The constitution in Wyoming says you have to balance your budget every year.

Mr. SESSIONS. Well, did you do that?

Mr. BARRASSO. We balanced our budget every year, just like the families in Alabama or Wyoming have to balance their budget every year and have to live within their means. That is what we do. You take a look at the revenue, and then you do not spend any more than that. You live within your means. That is what families do. It is what the State does. That is why I was so proud to stand with the Senator as one of the cosponsors of the balanced budget amendment to the U.S. Constitution. I think this country has to balance its budget and do it every year.

The President's spokesman yesterday—kind of the word of the day at the White House seemed to be ''vision.'' He kept saying the President is going to give his ''vision.'' The day before, the word was ''balance.'' In his press conference, he kept saying the word ''balance.'' I would like to hear a vision that we have to balance the budget of the United States. That is what I want to hear from the President today when he gives his speech at 1:30 this afternoon. I do not want to hear some recycled speech about, well, raise taxes, but that is what I am anticipating from the President.

I have talked to people in Wyoming after church on Sunday morning, and they have seen you, I say to the Senator, on Sunday morning talk shows—I think last week with Bob Schieffer; ''Meet the Press'' the week before that.

They say: Do you know that Senator?

I say: Yes, I do.

They say: Well, he makes us proud because he talks about the kinds of values we have—living within our means, balancing our budgets, not leaving our children or our grandchildren with mountains of debt.

They agree with the Senator when he makes his statement about—I think the Senator quoted someone from the budget commission about this is a predictable crisis that is coming.

Mike Mullen, the Chairman of the Joint Chiefs, said the greatest threat to our Nation's security is the debt. And look how much we owe to foreign countries, significant amounts to China. You cannot continue to be a great nation with a debt like that to foreign countries, often moneys owed to people who are not our friends, who do not necessarily have our own best interest at heart.

So it is incumbent upon us as a nation to get this spending under control. That is what I see as the main issue. Hearing Senator ISAKSON on the floor and Senator BLUNT and others talking about this, it is why all 47 Republican Senators together unanimously endorsed the idea and cosponsored a balanced budget amendment to the Constitution, because we know that is the responsible thing to do.

Mr. SESSIONS. I agree with the Senator, that is common sense.

Alabama Governor Dr. Bentley, a fine physician, announced that we are going to have to cut through the rest of the year in the discretionary spending 15 percent because we have a constitutional amendment that says the budget has to be balanced. Of course, we do not have that in Washington. But what would the Senator say if someone—the American people—asked you: Well, Senator, I hear the President is proposing an 11-percent increase in education, a 10-percent increase in the Energy Department, a 10-percent increase in the State Department, $60 billion for the Transportation Department, at a time when we are going broke and spending money the likes of which we ought never to have spent before? How would the people in Wyoming react to that?

Mr. BARRASSO. Well, they would want to know if whoever would say such a thing was actually still connected to the reality of the real world and trying to live within our means. You cannot do that. You cannot do that for very long at all.

When you look at the President's budget, when you look at the spending that has come out of this administration and you look at the debt our country has accumulated since the time

George Washington became President, what you see is that from the time George Washington became President until the time George W. Bush left the White House, this President, through his spending and his budgets, has doubled the national debt in 5 years and tripling it in 10. That is what this budget he had submitted to the Congress just not that long ago—a couple months ago—has done.

Now we are going to hear a new—I am not sure what we are going to hear today. Are we going to hear him standing behind the budget? The President put together a debt commission to take a look at this. I am still not sure where he stands on his own commission—the President's own commission—what his position is on that, because they have taken some strong positions, where he is in relationship to the reality we are facing today with this predictable crisis coming. So it will be interesting to hear what the President says this afternoon and what his new vision might be.

Mr. SESSIONS. I think that is right. We are talking about, is this a huge reversal from what we got just 2 months ago because it did not address Medicare, Medicaid, Social Security that now we hear he might be addressing.

The Senator mentioned the debt commission. They spent most of the last year studying and hearing experts, becoming exceedingly concerned about the future. Mr. Erskine Bowles, who was chosen by President Obama to head that commission, when he first saw the President's budget, said: It is nowhere near what is necessary to avoid a fiscal nightmare.

This is really serious. The budget the President submitted here was rejected by his own Chairman, saying: It is nowhere near what is necessary to avoid a fiscal nightmare. Since then, he has followed up to say: This is the most predictable crisis the Nation has ever faced. He said: Not just for our grandchildren, it could impact us now.

So I ask the Senator: Don't you think, if the President is going to make a speech and announce a change in his policy, he should—as the House budget people have done—submit a budget to the Congress that can be analyzed by the Congressional Budget Office, scored, and we can actually use it as part of the discussion about how to bring debt under control?

Mr. BARRASSO. My impression is that he should have a responsibility to do that and do it for Congress.

Last week, there was going to be a major speech—last week or the week before—on energy at a local university. He went and made a speech on energy, and the headline was that it was the same old speech on the same old issues, and very little new was there. So the concern today is, we are not hearing anything in front of Congress. It is a speech at a local university. I am hoping to hear what a real vision is. What is the roadmap and the specifics?

The other Chairman of the debt commission—you mentioned Erskine Bowles—the other was Senator Al Simpson from Wyoming. He was quoted today to say: We need specifics. If the President just talks in generalities, that is not going to go very far.

I think specifics is what the Senator just outlined. As the ranking member of the Budget Committee, you would actually like to see numbers on a piece of paper that can be scored, and we can go look through it and say: Will this work? Will this not work? How do the numbers add up? Let's get into the specific details because that is what we are looking at. When you have a nation that is spending $3.8 trillion or $3.7 trillion and only bringing in $2.2 trillion, the problem is we are spending too much.

Mr. SESSIONS. Absolutely. I just have to say, let's be frank about it. We had one budget submitted to both Houses of Congress from the President just 2 months ago, and it was very irresponsible and has gotten no support that I can see anywhere. But the House is on track, it looks like, to pass a budget this week that will be forward-looking and substantive and alter the debt trajectory we are on, put us on a path to prosperity, because the biggest and really, to me, only real threat to our economic vitality and our ability to bounce back from this recession is the debt we are carrying.

But I have to acknowledge the Senator's former colleague, Senator Simpson, and Erskine Bowles said this about PAUL RYAN's proposed budget in the House: that it is ''a serious, honest, straightforward approach to addressing our nation's enormous fiscal challenges''—our ''enormous fiscal challenges.''

All right. They go on to say this, and I think it is relevant, as the Senator suggested, to the President's speech this afternoon. They go on to say: Going forward, anyone who issues an alternative plan to Chairman RYAN's should be held to the same standard when offering their own solutions. We simply cannot back away from these issues.

I know that is a firm, strong statement. I know it is probably different from what we are going to hear from the President, which is ''speech'' and ''vision'' and ''hopes.'' But doesn't the Senator think we do have a right? Aren't they correct—this bipartisan commission, appointed by the President—aren't these leaders correct to say: We expect you, Mr. President, to fulfill your statutory duty to submit a real budget, and if you have changed it from the one you submitted earlier, submit us a new budget.

Mr. BARRASSO. I think that would be the only responsible thing to do because right now the Congress is dealing with the budget that was submitted a couple months ago. That is the confines in which we are working. So it will be interesting to hear what the President says a little further down the line from now.

I see Senator COATS from Indiana is joining us on the floor. He knows that in Indiana, families who are trying to live within their means and make ends meet and paying more for gasoline now due to the President's energy policies—about $700 more per family a year for gasoline. If they are trying to deal with bills and the mortgage and kids, it makes it that much harder. So families get it. Families know what happens when there is a squeeze, and they cut back on their spending for other things. That is what this country needs to do right now. That is what we need to do as a nation.

I am so glad Senator COATS has returned to the Senate because he had been here previously and has now returned to join us to give us some of his sage advice and recommendations, and it is really wonderful to work with him.

I say to the Senator from Alabama, I know you welcome him as well. But with that, let me say thank you so much for your leadership. As I told the Senator, the people of Wyoming after church say: Do you know that guy who was on television this morning? He sure did express the values we all have.

Mr. SESSIONS. I think the American people get it. I think the American people understand that the driving issue of our time is the debt that threatens every good and hopeful wish we have for the future of our country.

Senator COATS, who is one of our finest Members of the Senate—he left us, served as Ambassador to Germany, spent a number of years in Europe, and then came back and has been reelected.

Let me ask him, fundamentally, this question. Pete Domenici—you served with Pete—served with a Democratic wise lady, Alice Rivlin, on another debt commission. He testified before the Budget Committee recently: I have never feared more for my country. That was a deep, personal statement from Pete Domenici, who chaired the Budget Committee in the Senate previously. I ask the Senator, what are you hearing from your constituents, and what is your belief at this time in history about the dangers we face?

Mr. COATS. Well, it is interesting that the Senator asks that question because I just left my office and a meeting with Pete Domenici literally 15 minute ago.

Mr. SESSIONS. Really?

Mr. COATS. Because he came in to express that same urgency and burden. As former chairman of the Budget Committee here for so many years, he certainly understands the current fiscal situation. His views echo the voices and views of people across this country—from economists, whether they are liberal or conservative, whether they are from Harvard or Indiana University, the whole spectrum—saying this is an emergency, this is an urgent fiscal crisis we face. The time to address this crisis is now, not later. This has to rise above political considerations for 2012 because our country is on the precipice, and unless action is taken now, it may very well be too late.

We have had a number of these sessions as a caucus, and we have even had some meetings with our colleagues from the other party, where experts have come before us—again, not carrying any kind of ideological bent on this thing but basically saying: Look at the numbers. Do the math. By the way, it is not calculus, it is third grade math. When we spend $3.7 trillion and our revenues are only $2.2 trillion, we have a huge $1.5 trillion deficit, and this has happened year after year after year. Cumulatively, we are well over $4 trillion in debt over just the last 3 years, and this is going to skyrocket from here. So it is not as if we are at the peak. With the aging population and the increase in mandatory spending coming down faster than we can deal with it, we are in a dire situation.

Here is the reason I came back to the Senate. People ask all the time: Why in the world, after a lot of years of service in the House of Representatives and in the Senate, as an ambassador overseas—you are of retirement age—why don't you enjoy the fruits of your labors? Why would you want to throw yourself back into the arena, particularly at such a critical time when the decisions you are going to have to make are not going to always be popular and when the requirements of what we are going to have to engage in to do what we need to do are going to be very demanding? The answer is, for the sole reason that I also have this great fear within me that we are seeing a country that has been the most prosperous free country in the history of civilization about to unwind. We have spent ourselves into a situation where we are literally at the crisis point.

So I came back for one primary reason. As much as I enjoy seeing my former colleagues and being in the business of being a Senator and representing the people of Indiana, I came for one reason only; that is, I have such a concern about the future of this country. I have three children and eight grandchildren now, another one just born recently. But it is not just my grandchildren, it is America's grandchildren and America's children whom we are loading debt onto that they are not going to be able to dig out of. It is going to deny them the opportunities we have had in our generation—to save money so we can go to college and get a good education, so we can get married and have a family and afford to buy a home, so we can enjoy the opportunities that freedom and prosperity have brought to us as a nation.

It not only affects us domestically, but it affects our role on the international scene. Already, NATO is saying we can't do this alone in Libya. We need America. I am not getting into the issue of whether we should be engaged in Libya. That is not the point. The point is that be it a tsunami or a nuclear accident or a flood or a disaster anyplace in the world, who is the first to show up and the only one with the capacity to deal with it? The United States—the U.S. Navy, the U.S. Marines, U.S. troops not carrying guns but carrying water, carrying food, bringing aid, first aid ships. Whom does the world turn to in times of distress and disaster? It is America. America has been a generous nation because we have had the capacity to be a generous nation. All of that is at risk. So whether it is domestic or whether it is international, we are at risk.

We know we cannot solve this problem unless we can work together. We don't control two of the three thirds of government. We control the House of Representatives, and we have seen what PAUL RYAN and others have done there, including JOHN BOEHNER, to get us started on this process of what we need to do. But we have not done that yet in the Senate. We are trying to work with our colleague so we can. But in the end, if the President of the United States does not engage in this effort, we will not succeed. We can talk all we want. We can present all the plans we want, but until the President gets engaged, we are not going to succeed because he is the one who ultimately has to sign this bill. He is the one who ultimately has to sign off on it.

Currently, and for the last 3 months, he has been totally AWOL, off doing other things, at a time while the house is burning down. I am hopeful that, in just 1 hour and 10 minutes or so, the President will come forward not with nice phrases, not with generalities, not with fluff that we heard in the State of the Union Address—some nice sounding things but no backup—but with specifics: Here is what his plan is. I hope what I hear from him is: I, the President of the United States, Barack Obama, want to sit down and get in the arena with Republicans and Democrats in the House and in the Senate and work together to avoid this potential crisis; and I agree this is not something we can do in 2013. This is not something we can play politics with. This is not something we can defer. We must do it now.

I believe the American people—I can speak for Hoosiers in Indiana; I can't speak for other States, but I believe the people in Indiana, and I think this is true across America—understand this better than a lot of the politicians do. They understand this because they are part of families that have to meet budgets. They are businesses that have to put the payroll to pay their employees. They cannot allow themselves to get so drastically in debt that they are not going to be able to recover. So they are asking us to take leadership, to step up and do it, make decisions not for one's personal political future but for the future of America. The President needs to join us in that effort.

I am hoping and praying that in 1 hour and 10 minutes, as the President finally presents to the country, he will do two things. No. 1 is to say: I am ready to engage and engage fully because this is the No. 1 issue facing the future of America. All is on the line. No. 2, here are my specifics in terms of what I will support or what I will work with. I hope he will say, as we have said: This isn't set in concrete. Let's work together to see what works and what will address the crisis we are facing.

So I thank the Senator for his leadership as head of the Republican caucus on the budget side. He has been out front. The Senator from Alabama has been out front from day one. I thank my colleague, Senator ISAKSON, whom I think will engage here next, as well as Senator BARRASSO, who said some nice words about me. But I think we are here for one reason and one reason only; that is, America is in trouble and we need to step up and do what we can, everything we can, to get us back on a path to fiscal health. It will not happen overnight, but if we can certify that we have a plan in place and that we are going to stick with it, we can save this situation and turn it around.

So I thank the Senator for his time and for allowing me to get in my 2 cents' worth. I am here to make the tough decisions and for no other reason.

Mr. SESSIONS. Mr. President, I thank the Senator from Indiana. I guess I have been critical of the President. Many people say it is political. I feel as though any President should look the American people in the eye at this point in history. I called on him before the State of the Union Address, over 2 months ago now, that he should tell the American people we are in this financial crisis, and that—the reason we are talking about reducing spending is because we have no choice. We can't spend $3.7 trillion and take in $2.2 trillion. We cannot sustain the debt course we are on, as every witness, Republican and Democratic, has told us. But I do believe it is a responsibility for the President of the United States, who can see this clear and present danger to our future, to at least join in and say we have to do something about it. He didn't do that at the State of the Union. He hasn't done it since. So maybe today that will be a big change, if we get that.

I do believe the Senator from Indiana is exactly right. He has the responsibility under the Budget Act to send us a responsible budget that changes what we are doing and puts us on the right track. If he wants to do it all by even more tax increases than he submitted already, which was $1.7 trillion in his budget proposal, so be it. Put it out there. Let's talk about it. But don't deny we are in a crisis.

Senator ISAKSON understands finance better than anybody in this Senate. He lived through and provided leadership during the huge financial crisis. It looks as though we have moved debt from the private sector to the sovereign government sector, and that is why we are being warned we could have a similar type crisis, which is what I

understand Secretary Geithner to have meant and Erskine Bowles and Alan Simpson to have meant.

I thank the Senator from Georgia for his leadership. I know he wants nothing more than what is best for America. I would be glad to have the Senator share his thoughts at this time.

Mr. ISAKSON. Mr. President, I appreciate the compliment. It is probably overstated, but it is an honor and a privilege to serve with Senator SESSIONS as well as with Senator COATS.

I wish to reflect on something we shared this morning. Senator COATS and myself and others were with Senator AKAKA for breakfast this morning. He talked about 1941, living on Hawaii, the youngest of eight children. The Japanese attacked Pearl Harbor and America went to war in the Pacific and in Europe. Sixteen million Americans of that generation went to the Pacific and Europe, fought and died. Some came back to this country and, because of the GI bill, 8 million of them went to universities and got bachelor's degrees and started the small businesses and the industries that took the U.S. economy to dynamic growth and opportunity for every generation that has succeeded them, up until now.

Senator SESSIONS and I and Senator COATS and Senator AKAKA, who is a great American, a Democratic Senator from Hawaii who is retiring next year, we are all part of a generation that will, at some time, leave a legacy to our children and our grandchildren. The Senator from Alabama has children and grandchildren, I have them, and Senator COATS does as well. I don't want to be the first generation since World War II to leave my children and my grandchildren worse off than every generation before left their children and grandchildren.

This economic war we have on spending and debt is every bit as damaging as a war with bullets and bombs. Because with too much leverage, with an inability to pay our debt, we have what happened to us once before in the last 65 years, and that was the early 1980s when we had the misery index: double-digit unemployment, double-digit interest rates, double-digit inflation. I remember the days when I ran my business when the prime rate was 21 percent. I remember when unemployment was 14 percent and inflation was 12 percent. It was called the misery index. What happened is, America started borrowing too much, spending too much, and business contracted.

We need to make sure we don't let that happen again because the greatest economic threats to the security of America are runaway interest rates, runaway inflation, and runaway unemployment. We don't want to be the cause of that. We want to be the platform that allows free enterprise and American business to come back, the American economy to come back, reduce our deficit over time, and reduce our debt over time. We don't have to pay it all off, but we have to stop the increase. We have to begin to get back in order so we are not an overleveraged Nation.

I pledge this, as Senator COATS did, and I know the Senator from Alabama did as well: I will not leave my grandchildren and my children worse off than I was left by my parents and my grandparents. We have the greatest Nation on the face of this Earth. Democrats and Republicans, the President, Congressmen, and Senators need to sit down at the American kitchen table and do what we have asked of the American people: get our spending in order and look to a brighter, more prosperous future for those who will succeed us.

I thank my colleague for the time.

Mr. SESSIONS. Mr. President, let me ask the Senator one more question. Let's take the Ryan budget. I think it is far more realistic. It is the one that is, as was referred to by Erskine Bowles and Alan Simpson, a serious, honest, straightforward approach to addressing our Nation's enormous fiscal challenges. It is long term. It deals with Medicare, Social Security, discretionary spending.

I am optimistic about the future. If we were to put ourselves on that course and send the word to the American people, the American business community, the world financial community that we have gotten our house in order, is that the kind of budget that could unleash growth that we haven't seen in years now?

Mr. ISAKSON. Well, it is, because it will instill a degree of confidence that we have finally been willing to deal with our long-term problem of debt and deficit, with our entitlements but also with our spending.

But I want to refer back to a statement the Senator made in his previous remarks before he recognized me, when he was challenging the President to bring forward a budget in this speech he will make in an hour or so. He should bring it and put it on the table, along with putting PAUL RYAN's recommendations on the table, putting the deficit commission's recommendations on the table, and putting the group of six who are working on another document on the table—let's don't rule anybody out—and sit down and one by one go through them and find out what is the best answer and the solution for America.

It is time to stop the political job of picking and choosing for political purposes. We need to pick and choose for the American people. If we put everybody's ideas on the table, and they are genuine about their interests to solve the problem, we can do it, and we can begin this afternoon.

Mr. SESSIONS. I think the most important thing—and I don't want to be too negative—is to tell the American people the truth that every expert we have asked has said you could have a crisis sooner than you think. We should avoid that.

Congress and the President should acknowledge it and say that we understand it and we are going to take steps to avoid it. But I have a sense that the United States is still a productive nation. The Senator from Georgia is attuned to the business community in Atlanta. They are still willing to work hard and invest and take risks to be more productive and create jobs. But this confidence the Senator mentioned—if we restore that confidence, is the Senator optimistic we can bounce back?

Mr. ISAKSON. Absolutely. With all due respect, I think the last couple years the government has tried to eliminate risk with overregulation of almost everything. If you eliminate risk, nobody gets out of bed in the morning and figures they are protected. We need to mitigate this and allow people to take a risk in order to get a reward. We can give them a platform of confidence and predictability so they will deploy capital, invest money, and employ people. The interesting point is, the byproduct of that is you have higher revenues. When you have a productive America on a progressive tax system, you get higher revenues. If people are more satisfied, they are more happy and more productive. There is less productivity when there is overregulation and underconfidence. We need to restore the confidence and have fair but equitable regulations and we need to empower the American investor to invest their capital and we will improve employment, improve revenue, and improve the future of the United States.

Mr. SESSIONS. I thank the Senator.

Mr. President, our country requires us to stand and be counted. ''Nothing comes from nothing,'' as Julie Andrews sang in that wonderful song. Things have to be paid for. When you borrow money, you pay interest on it. Interest under the budget the President has sent to us last year was $200 billion—$207 billion, I think. In the 10th year, that budget, as scored by the CBO, is imposing on the American economy a $940 billion, 1-year interest payment. I know the Senator is familiar with Georgia. Alabama's general fund is less than $2 billion. Our education budget is less than $8 billion. We are talking about imposing on the American people an annual interest payment of $940 billion. The Federal highway fund is $40 billion, and Federal aid to education is $70 billion. This is going to crowd out everything.

That is why we are on an unsustainable path. We need the President to engage, and I hope today he will initiate his engagement, in which he tells the American people we can't continue this way. Would the Senator care to close it out?

Mr. ISAKSON. I will close by just saying amen.

Mr. SESSIONS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, there has been a lively debate on the floor

concerning our 2011 budget. Now we are starting to talk about the 2012 budget. I think it is important to point out what I hope is the obvious, which is that the budget of our Nation represents our vision for our future. It is a policy document that speaks to what our priorities will be. It provides the financial tools for us to be able to meet those objectives.

I know we are in very difficult fiscal times, but this is not the first time in the history of America. I remind my colleagues that in the 1990s we were confronted with a large budget deficit. I happened to have been in the House of Representatives during that time. We saw, through the leadership of President Clinton, that we were able to bring our budget into balance, and we did that from large deficits. We did it in a way that maintained America's priorities and maintained the priorities for our children and our future because we continued to fund those essential programs that allowed our Nation to grow.

As a result of what we did in the 1990s, we saw unprecedented growth in our economy because we did our budget the right way, speaking to America's future and to our priorities, and doing it in a fiscally responsible way. I think President Obama was correct when he stated in his State of the Union Address that America will meet the challenges of international competition, and we will do that by outeducating, outinnovating, and outbuilding our competitors.

That requires a budget that speaks to those priorities, that speaks to educating our workforce, to provide the type of climate where America can continue to lead the world in research and innovation, that we pay attention to our infrastructure, whether it is transportation, water infrastructure, energy infrastructure, so we have the capacity to be able to compete internationally and that we can create the jobs that will be critically important for America.

We need more jobs and we need good-paying jobs. That is what President Obama's vision is about, and our budget needs to underscore that vision. Yes, we need to do it in a fiscally responsible way but in a way that allows America's future to be secure. That is why I so much opposed the budget that was sent over to us from the House of Representatives, the 2011 budget, H.R. 1, before the ability to reach a compromise. I did that because when you look at what H.R. 1 would have done—particularly in light of the budget agreement we have now reached on the 2011 budget—you cannot help but notice a huge difference between our visions for America. We all agree we have to have a workforce that can compete.

Look at the stark differences between the budget agreement and the House-passed budget. In NIH research—and I take pride in this, since NIH is headquartered in Maryland—most of the funding for basic research, which is critically important for innovation—you cannot get to the applied research unless you have the basic research, and you cannot get good high-tech jobs unless you invest in basic research. Thanks to the budget agreement we reached, most of the funding will be able to be maintained for the basic research at NIH. If the House budget would have become law, it would have been $1.4 billion less. That would have been a huge hit on America's ability to be able to compete in this global marketplace. You also need to have a trained workforce. You need job training and Job Corps programs. Most of the funding has been maintained in this budget agreement for our job training and Job Corps programs; whereas, if you look at the House-passed budget, they eliminated all funds for job training and a 40-percent reduction in the Job Corps program. That was restored under the budget agreement that allows America to have the competitive workforce it needs to meet future challenges.

Perhaps the area that I think people in Maryland and Minnesota may recognize the most is what happens to Pell grants. Most students cannot make it today, unless they have help in higher education. It is too expensive to be able to afford without the help of programs such as Pell grants. You need to have education beyond high school if you are going to be competitive today. Well, the House-passed budget would have reduced Pell grants by 15 percent. I can assure you that tuition isn't going down by 15 percent this year. Tuition at colleges and universities is going up and up.

I am proud we were able to, in the budget agreement, maintain the maximum Pell grants at $5,550. We maintain funding for Race to the Top funds because we want excellence in K–12. The House-passed budget would have zeroed out the Race to the Top funds.

To me, if you talk about a budget that speaks to America's values, to give young children the chance to succeed in school, Head Start has never been a partisan program. It has been supported by Democrats and Republicans because there are proven results in Head Start. People who participate in Head Start will do better. We have those results, so it is in our economic interest.

The Republican-passed budget in the House would have knocked 218,000 children off the Head Start Program. It would have reduced 55,000 teachers and aides from Head Start Programs around our Nation. I am pleased to see that the agreement we will be voting on shortly restores all the funds for the Head Start Program, so our children can get the Head Start they need to succeed in K–12.

The budget speaks to our energy policies and transportation policies. It is interesting to look and see that the agreement reached by our negotiators restores more than $268 million in renewable energy and alternative energy sources. If we are going to be able to be competitive, we need an energy policy that makes sense. If we are going to keep jobs in America, we need an energy policy that makes sense. If we are going to be secure, we have to get ourselves off foreign oil. We need alternative energy sources.

The compromise restores a lot of the funds that were not in the House-passed budget document. I might talk about one issue that is very important to the people living in this region. We made a commitment years ago that the Federal Government would participate with the surrounding jurisdictions in the funding of the Nation's transit system, the Washington Metropolitan Area Transit System, which is critical to getting Federal workers to work and to our Nation's Capital. Our government committed $150 billion a year to modernize that system. Taxpayers of Virginia, Maryland, and the District of Columbia are contributing also to the modernization of a system that is aged and critically important. We live in the second most congested area in the Nation, as far as commutes are concerned. The House of Representatives, in the Republican-passed budget, took out that $150 million—took it out. I am proud the compromise reached restores that $150 million.

Our budget speaks to our health and our environment. The Health Resources Services Administration was severely cut in the Republican-passed budget. It would have affected care in each one of our communities. Our negotiators restored $900 million to that budget. What does that mean? It means the 11,000 community health centers, located in all our States, will be able to continue the services they are currently providing.

I took the floor before and talked about the Greater Baden Center, located just a few miles from here, and how they have expanded service this year to deal with prenatal care. In Maryland and in America, our infant mortality rate is too high. For a wealthy nation and State to have the type of infant mortality rate we have is inexcusable. It is because we have low-birth-weight babies. Some die and others survive and have complications and have a tough time in life and they are very expensive to the health care system. In our health centers, we are doing something about that. At the Greater Baden Center, they are now going to provide prenatal care so pregnant women can get the attention they need and can deliver healthier babies. Under the House-passed budget, they would not have done that.

The math is simple. We invest in the health of Americans. We understand that. That is our budget. The Republican-passed House budget would have cut off those funds. The affordable care act will be able to implement it. We are not going to be stopped by the effort made in the Republican-passed budget.

As far as the environmental protection riders we have talked about, these

are the policy riders. I know this is confusing to people listening to this debate, and they understand that the House-passed budget by the Republicans had a lot of policy issues that had absolutely nothing to do with the budget. They blocked the Environmental Protection Agency from protecting the environment. Let me say that again. They blocked the Environmental Protection Agency from protecting the environment. They couldn't enforce the Clean Air Act, the Clean Water Act. For the people of Maryland and this region, that means blocking the enforcement of the Chesapeake Bay Program—a program that enjoys broad support from the people not only of our region but the Nation.

Well, I am pleased to say the budget we will be voting on later this week eliminates those restrictions. All of them are out. Thank goodness they are because they should never have been in the budget document to start with.

I will make it clear, Mr. President. I am very disappointed by many of the provisions included in this compromise. It is a true compromise. It is not what the Democrats would have written, I can assure you of that, and it is not what the Republicans would have written. It is a true compromise, and that is what we had to go through, I understand, but I feel compelled to at least let the people of Maryland know the cost of the compromises.

For example, the General Services Administration will have $1 billion less to deal with government construction. What will that mean? Well, at White Oak, MD, we have the FDA's expansion. That will be put on hold. That will not only affect my community, but it will affect our country because we are talking about public health and food safety.

There is a rider that was attached that did survive that deals with the delisting of the great wolf under the Endangered Species Act. That is not how we should be acting. There is a remedy for dealing with the delisting. There is a process we go through. We shouldn't go down a dangerous precedent that starts congressional or political action on delisting species that are included under the Endangered Species Act.

The cuts for the community development block grant are much more than I would like to see. These are programs that are important for our urban centers. During these times, when their budgets are being hit the hardest, I think it is very unfortunate to tell them we are just going to add to their challenges. We should be helping them during these times. We shouldn't be taking resources away from them.

The Federal Transit Administration has a major cut in this budget. I find that regrettable, particularly as it relates to their new start budget. I come from a State that has major new transit projects we want to get moving—the purple line to connect our suburban areas around Washington, the red line in Baltimore, Carter City's transit way to connect the 270 corridor for high-tech jobs. All those depend upon us continuing to move forward with sensible transit projects that, quite frankly, I think are in jeopardy as a result of the compromises that were needed to be made.

Teach for America is eliminated. The Federal participation in that is eliminated. On Monday I had a chance to teach for Teach for America. I was in a high school in Baltimore with some very dedicated young people willing to give up their lives so America can compete in the future. We certainly should have continued the Federal partnership in Teach for America.

I talked about the Environmental Protection Agency, but I didn't point out that the Republican budget in the House cut that agency by 30 percent—30 percent. We restored half of those funds, but the cut is still going to be pretty severe.

So I just wanted my colleagues to know that, whereas I am very pleased that many of the decisions made in this compromise for the 2011 budget will allow us to be able to move forward as a nation for America's vision—being able to out-educate, out-innovate, and out-build our competitors—there are challenges as a result of the compromise that have to be faced. Mr. President, these discussions will continue now to the 2012 budget.

We are already seeing that happen. In the House they are already starting to act on what is known as the Ryan budget, which we think is pretty much inspired by the tea party. It is pretty extreme. It is pretty radical. It is not a credible plan, in my view. It is not a credible plan to reduce the Federal deficit.

Now, why do I say that? Well, the Ryan budget concentrates on domestic spending. It doesn't touch military spending, and it doesn't touch our revenues. Let me correct that. It does deal with our revenues, but it deals with it in the wrong way. It not only extends every tax break that is currently available, providing tax relief for millionaires, but it provides additional tax relief. It lowers the highest rates.

Now, how is that going to be paid for? Well, they are expecting they are going to take more out of middle-income families. That is bad for middle-income families, but my guess is they will not even be able to reach those targets, and we will have huge deficits as far as the eye can see. It is not a credible plan.

The deficit commission taught us if we are to have a credible plan to deal with the deficit, we have to deal with domestic spending. We have to deal with military spending. We have to deal with mandatory spending. And we have to deal with revenues. We have to deal with all of them. The Ryan budget does not.

It is going to be hard for middle-income families, it protects America's wealthiest, and it attacks our seniors—attacks our seniors. The Ryan budget would turn Medicare into a voucher program.

Now, I can tell you what that means in dollars and cents. It means our seniors, who currently have—currently have—the largest out-of-pocket costs for health care than any other age group of Americans, will see their health care costs go up dramatically—double. Some of us remember how it was for seniors to get health care before we had Medicare. We had to fight with private insurance companies. Private insurance companies are not interested in insuring people who make a lot of claims. Guess what. As you get older, you make a lot of claims.

What the Republican budget would do is tell our seniors: We are going to give you a voucher. It is a limited amount of money. Now you go find a private insurance plan out there. Whatever it costs, you are going to have to fill up the difference. We know it is going to cost a lot more than the voucher we are giving you.

That is what they are doing. They are making it more expensive for our seniors to afford health care where they are asking us to reduce their costs, not make it more expensive.

Then the Ryan budget goes further by block-granting the Medicaid Program. That means, quite frankly, Medicaid will not survive. We can talk about the hardships it will have on providing health care in our community, how it will have more and more people using the emergency rooms rather than using preventive care or seeing doctors, and that is all going to absolutely happen if we ever block-grant Medicaid.

Let me follow up on our seniors. Many of our seniors depend upon the Medicaid system, and their families depend upon it for long-term care—nursing care. That will not survive if we block-grant that to our States. So the Ryan budget not only is not credible as it relates to dealing with the deficit, it also is very punitive against our seniors.

What I find probably the most disappointing is where I started this discussion, saying our budget is our vision for our future, that it speaks to our priorities for our future. The Ryan budget leaves our children behind. If we are going to succeed, we have to take care of our children. They are our future. We have to deal with their education and with their health care. The Ryan budget puts them in severe jeopardy. It is a philosophical document that I don't think represents the values of America. I think our values are in our children and in our future and in our ability to meet those economic challenges.

I think there is a better way. President Obama is calling for a comprehensive progrowth economic strategy that will invest in winning the future. I would hope all of us could embrace that. Don't we want a comprehensive progrowth economic strategy that invests in winning in the future, that invests in our children, that invests in education and in innovation?

As President Obama says, he wants to meet our values for the dignity of our retirees. Think about that for one moment. How we treat our retirees speaks to what we are as a nation—the dignity of our retirees. Think about a retiree trying to find an insurance company that will take care of their insurance needs because we dumped the Medicare system. We can't let that happen. We can't let that happen.

There is a better way. Sixty-four of us in the Senate have said there is a better way. We have said: Look, it is time for us to be serious about a credible plan for our deficit, and we are prepared—64 of us: 32 Democrats, 32 Republicans—to not only cut our domestic spending, but we will look at bringing down mandatory spending, and we will look at military, and we will look at revenues. There is a better way to do this. I think we can represent the best of America's future in our budget by providing education, innovation, job growth, health and environment policies that make sense, and we can do it with fiscal responsibility. That is our mission.

So I know a lot of my colleagues come down to say we have to take care of the deficit—do the deficit—and I agree with that. But, remember, our budget document is our statement about America's future. It is our policy document, and America needs to stand up for quality education, for the best health care in the world, and for encouraging innovation that will give us the jobs of the future so that America can continue to lead the world. I think America deserves nothing less, and I intend to continue to fight for that type of vision for America.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, the Democratic women of the Senate are on the floor today to talk about the three votes that will occur tomorrow: one, the passing of the continuing resolution, which I reluctantly support because of the many cuts in it, but also the two riders, one defunding the health care bill and the other defunding Planned Parenthood.

My gosh, how outrageous that we have to vote on these two riders. These two riders absolutely do not affect our deficit and our debt. In fact, the health care reform that we passed, by the CBO's own estimates and by independent evaluators, says we will actually reduce health care costs because of what we have done.

What are the consequences of what they are talking about? The rightwing is trying to change the conversation away from, how do we create jobs in this country, how do we authentically reduce deficit and debt, into socially provocative riders that literally wage war against women. The extreme rightwing campaigned against the health care. They said they were going to repeal and replace. All they want to do is repeal. They have no idea for replacing. Let's talk about what they want to repeal. Let's talk about the war they are waging against women.

If you repeal or defund health care, it will have a Draconian impact on American women, make no mistake about it. In the health care bill, we ended gender discrimination in health insurance. No longer could insurance companies charge women 30 to 40 percent more than men of equal age and health status for the same coverage. The other thing we ended was denying women health care on the basis of a preexisting condition. We were horrified to learn that in 8 States, women were denied health insurance access simply because they were victims of domestic violence. They were beaten up in their homes, they were beaten up by insurance companies, and now they want to beat them up on the Senate floor and beat them up in the Senate budget.

We are going to stand up. We are not going to tolerate women being pushed around and made targets of this war. No longer can women be denied coverage because they had a C-section or because they had a premature baby. We fought for preventive services. We fought for mammograms and for Pap smears. We fought not only for ourselves, we fought for men too, which included their screening.

If you defund health care, make no mistake—and every woman in America should know this—they are going to take the funding for mammograms away from you. They are going to take away the preventive health amendment that allowed you access to preventive screening at no additional copays or deductibles. Do we really want that? Oh, sure, you are going to be able to have your mammogram, but you are going to dig deep in your pocket.

We also wanted to end gender discrimination. We wanted to end the punitive practices of insurance companies toward women on the basis of preexisting conditions. We also wanted to have preventive care. One of the greatest preventive-care-giving agencies is Planned Parenthood. It is the single most important health care provider, particularly to young women, in America. If we lose Planned Parenthood, 8,000 Maryland women will lose Pap smears and 7,500 women will lose access to breast care exams. Many of them will lose access to health care generally.

Just because the Republicans live in the Dark Ages doesn't mean American women want to go back. That is why we, the Senate Democratic women, will be voting against these two riders. Women must be clear: Defeating this amendment is a way to end the war against women. There will be many fights ahead of us. We are under attack. We women are under attack, at all ages. The Paul Ryan budget particularly attacks senior women. We are going to fight this. We are suited up. We squared our shoulders. We put our lipstick on. This is not about gender, this is about an American agenda, and we will fight, and we will make our fight a victory.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I thank all of my Democratic women colleagues for coming today and speaking so passionately, as the Senator from Maryland has just done, on issues we feel so deeply about. You will be hearing from all of us because we are outraged that the price tag for a vote on the continuing resolution is to attack votes on women's health.

I yield to the Senator from California for 5 minutes.

Mrs. BOXER. Mr. President, I thank Senators MIKULSKI and MURRAY, Senators CANTWELL and SHAHEEN and STABENOW and LANDRIEU—I am going to really name every single Democratic woman. They have been unbelievable.

Since the beginning of this budget battle, our Republican friends in the House have insisted that this debate is about spending. I have to tell you, we went all the way to them—about 70-plus percent—on spending cuts. We understand we have to cut, but we are not going to cut foolishly, we are not going to cut into the heart and soul of our country. That includes women's health programs, title X, Planned Parenthood funding. For every dollar of taxpayer funds for title X, the yield is $4. That is how great the prevention is.

Yet what do they want to do? We see these two riders, these two votes we have to have before they will allow us to have a vote on keeping the government open. They pounded the table and said: We have to have two riders. What was it? Was it some big budgetary item that maybe we overlooked? Was it some move that would say that taxpayers who are not paying their taxes due, like some of the big corporate giants that hire enough lawyers that they don't pay—no, it was not about that. Was it about some scandal they uncovered that they said could save us money? No. The two votes they want are about giving the shaft to women, women and their families. The two votes are about health care which primarily impacts women—by the way, also men, but primarily impacts women.

If that is the kind of budget war they are engaged in, they have met us on the battlefield. We have decided we will remain on that battlefield, which is this Senate floor, as long as we have to. We will go to the galleries, we will go to the press as long as we have to. We will fight it in our cities, we will fight it in our counties. We will fight

it. We believe at the end of the day people will see who is fighting for them—who is fighting for them.

I am going to read a couple of letters from my State. My State is the largest State in the Union. Planned Parenthood provides care for more than 750,000 women.

Listen to this woman.

Planned Parenthood is the only health care I have ever used.

''Ever,'' she says.

I don't have health insurance. So when I get sick, I get over it as soon as possible so I can go back to work. Planned Parenthood has provided me with the only health care coverage I can afford, pelvic exams, STD testing, birth control. It isn't much, but can you imagine the millions of people who rely on Planned Parenthood suddenly living their lives without these basic services?

She answers her own question: ''It is shameful.''

It is shameful. That is a letter from Sonja Kodimer. I have other letters from women in my great State.

Three million Americans get care at Planned Parenthood. Three-quarters of them have income below 150 percent of the Federal poverty level. They rely on Planned Parenthood—many of them do—as their own only health care.

By the way, the other rider we have to vote on is to defund health care reform. My colleagues have said it. Senator MIKULSKI worked night and day with the late and great and extraordinary Ted Kennedy to get us to the point where finally we are telling the insurance companies: No, you cannot charge women thirty, forty, fifty percent more for the same coverage as a man. By the way, being a woman is not a preexisting condition. And you cannot deny a woman who had a Caesarian health care coverage.

If you are a victim of domestic violence, that is not a preexisting condition.

That is what we repaired in the bill in addition to many other things we did. They want to give the shaft to women and their families, and we are not going to stand for it.

Barbara Haya from Oakland wrote to me. She said that when she was a student with limited funds, she was denied health insurance because of a preexisting condition. Planned Parenthood was Barbara's only source of basic health care services. When she needed cancer screening, Planned Parenthood was there. She says please don't cut any funding to Planned Parenthood because without them she would not have her health care.

Let's be clear. Nationwide, 97 percent of the services Planned Parenthood provides have nothing to do with abortion. They do not use a dime. It is illegal. It has never happened for that 3 percent, that is private funding. So don't stand up and say this is about abortion. It has nothing to do with it.

As a matter of fact, if they have their way—this is a fact—and women do not get birth control, we will see more unintended pregnancies. We will see more abortions. That is just the fact.

So anyone who votes to defund Planned Parenthood, A, is denying essential health care services to women and their families, and, B, their policy will lead to more unintended pregnancies and more abortions.

So, yes, we stand here strong. Maybe some of us are five feet or under even in a couple of cases, but that belies our determination and our strength. We stand here united. And we say to the people of this country, you can count on us because we will be here as long as it takes to protect women and their families, and we will not allow women and their families to be held hostage. It is over. It is over.

I thank Senator MURRAY and Senator MIKULSKI.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I want to thank my colleague from California for her great statement, and the Senator from Maryland. And you will hear more of us.

Frankly we are here today because we are outraged. We strongly oppose the resolution on the floor that slashes health care for women and girls and middle-class families. I have to say as a woman and as a mother, I am angry that women's health care is even up for debate right now. Middle-class families in this country are struggling. When I go home to my State of Washington, I hear about people who are worried about getting a pink slip or how they are going to put food on the table, whether their job is going to be there for them, and if we are making sure our economy is working for them and their children. That is what I hear about. I do not hear about, when are you going to slash health care for women. Not once.

We have seen a smokescreen. That is why we are here. Last week under the continuing resolution that was being negotiated between the House and the Senate and the White House, one remaining open item: eliminating title X funding for women's health care. It was not about budget deficits; it was not about the debt; it was not about jobs or the economy. It was about an ideologically driven attack on women's health care.

We were able to keep that out of the continuing resolution that we will vote on tomorrow. But the pricetag the Republicans in the House gave us to get to a vote to keep government open and to move our country forward is two votes: one that defunds Planned Parenthood, and one that defunds health care. Both of those are extreme attacks on women's health care.

My colleagues have spoken eloquently about Planned Parenthood. This is not about abortion. Federal funds cannot go to abortion. We are frankly tired of having to correct the untruths that continually come out about this funding. But we are not going to give up and we are going to keep fighting and we going to keep correcting them.

Planned Parenthood is about providing Federal funds for care, such as mammograms, and cervical cancer screenings, and prenatal care, and family support and counseling. This is about preventive health care services for women, and we take it as a direct attack on every woman in this country and her ability to get the health care she needs.

The second vote is an attack to dismantle health care. Well, let's remind all of us why health care finally became an issue that we were strong enough to deal with in this country. I will tell you why. Because women finally said, we have had enough. Let's face it, women are the ones who take their kids to the doctor, they are the ones who see the bills coming in, and they are the ones who fight insurance companies on a daily basis.

They said, we have had enough. So we went through a long process here to make sure that we passed health care in a way that protected women. It was women who were denied health care coverage because of preexisting conditions time and time again. We said ''no more.'' Now they want to vote tomorrow to put that back into effect. We heard from women who were denied coverage for health care because they were a victim of domestic violence. We said ''no more.'' Now they attack that again.

There are so many reasons why this is the wrong approach. But I will let all of our colleagues know, we are going to defeat these amendments tomorrow. We are going to move on. But the Democratic women of the Senate are now vigilant, and we are here, and we are not going to allow the 2012 budget or further discussions as we go along to be a smoke screen to cover up a real agenda, which is to take away the access for health care and basic rights that women have worked long and hard and fought for in this country.

I want you to know you will be hearing more from us, but we are not going away. We are going to defeat these amendments tomorrow, and we are here to fight them until they stop being offered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. It is my great pleasure and honor to be here with my friends and colleagues who have all fought so long and hard to make sure that women's voices and experiences are represented in the decisions we make here in the Senate and in Washington on behalf of all of the families we represent.

I have to say that people in Michigan, my family, friends, everybody across Michigan, are shaking their heads right now trying to figure out what the heck is going on. All of this is a diversion from what we want to be talking about and doing something about; that is, jobs, putting people back to work, making sure people have money in their pockets to be able to

pay their bills, and that they can tackle their house that very well may be under water right now, and how they are going to pay for gas with prices going through the roof, and how they are going to be able to take care of their kids and make sure they can have the opportunities to go to college that they want for them. All of the things we all want for our families, that is what families want us to be talking about right now.

I also have to say the people in my State are finding that the dollars they earn right now are hard to come by. These dollars are precious, and we need to be holding every program accountable, we need to get results for every dollar is spent, and make decisions that if something does not work, we need to stop doing it. We need to focus on things that do.

We know the whole deficit discussion is very critical for us, and that we need to be smart about the way we do things. That is not what this debate is about at the moment, certainly not only women's health care. But we understand that we need to be serious about this. Certainly in my role as chairing the Agriculture, Nutrition and Forestry Committee, we take that very seriously, and we will be doing that in the context of our responsibilities moving forward.

But I also know, and the people of Michigan understand more than I think anybody else across the country, that we will never get out of debt with more than 15 million people out of work, which is why we want to focus on jobs. They also know that women of all ages, seniors, middle-class families, did not cause the deficit hole we are in, and they should not be responsible for the sacrifice and burdens on their backs only in order to move us out of deficit.

We certainly are not going to allow a thinly veiled threat to women in general to become part of a debate about how we balance the budget and eliminate the deficit, which is a very real issue. The fact is, in order to get the budget completed for this year, women—women's health care—was held hostage. We were able to separate that, because the women came together in the Senate and said, there is no way we are going to allow this whole debate to become some political debate about whether women should get breast cancer screenings or cervical cancer screenings or blood pressure checks. So we separated that now from the agreement for the rest of the year. I am proud to have stood with women from all over this country to say no, we are not going to let you play politics with the women of this country and our health care. But now we have in front of us two different votes. This was the price we had to pay. And we are willing to stand here and make the case for why people need to vote no. But it is also deeply concerning that we have to be in a situation to debate whether women should get breast cancer screenings and cervical cancer screenings, and whether we should have access to health care as a part of the price to be able to come together on a budget agreement. That is exactly where we are.

The majority of the funds from what is called title IX for preventive care goes to health departments. By the way, I helped be able to support, when I was a county commissioner years ago, the Ingham County Health Department, setting up their preventive care center for women, health care screenings for women.

All across Michigan, 70 percent of the funds under something called title X go to health departments. There is a small amount that goes to Planned Parenthood. That is being very politicized now, because of the other side's wish to politicize women's health care. But in 2009, those centers provided 55,000 cancer screenings. We had almost 4,000 women—3,800 women—who got back an abnormal result on a cancer screening. Because they had a chance to get that screening, they then had the opportunity to do something about it, and lives were saved. Moms are alive today to be able to care for their children, and watch them grow up because they found out they had breast cancer early. Grandmas are alive and well today to be able to play with their grandkids and their great-grandkids because they found out early they had breast cancer or cervical cancer or some other health care challenge. I think we ought to celebrate that as the best of who we are and our values in this country.

The other piece we have in front of us will be to defund health care in general. We know, first of all, that women are health care consumers. Usually in families they are making the decisions about health insurance, if you are able to have health insurance, or how to purchase it or what will be covered and certainly caring about our families. We usually are the last ones to take care of ourselves. I certainly can speak to that myself as maybe other colleagues can, that we tend to make the decisions first for our children, our families, and not take care of ourselves as we should.

But we made a very strong statement, and I think a valued statement, in health care reform, to say that we want to make sure women have access to health care and that they can afford to get it, and that they are not penalized, we are not penalized as women, and that we are not going to have to pay more.

Right now, prior to health care reform, any woman purchasing health insurance on her own was paying more, sometimes up to 50 percent more, or more, for the same health insurance as a man, or even less health insurance, because she was a woman, because she may be of childbearing years, because of whatever the reason.

Women have traditionally paid more for the same insurance. That is no longer the case. Now, for the same coverage, the same medical circumstances, women cannot be discriminated against. That is a good thing. I think that is something we should be proud of that we have been able to do, to make sure insurance companies cannot charge women more just because they are women.

We have also made clear that preventive care is an essential part of basic health care. I will always remember the debate I had as a member of the Finance Committee with a colleague on the other side of the aisle over whether maternity care is a basic part of health insurance and health care.

Of course, I think it is hard for people in Michigan to understand why we would even have to have that debate, because prenatal care, maternity care, certainly is a basic, not just for the women involved but for the baby, for the family. But we stood together and we said, we are going to make sure that maternity care is part of the definition of basic health care.

So there were a number of things that we did together, the women of this Senate, to make sure that over half the population, the women of this country, have access to quality, affordable health care for themselves so they can continue to care for their families and be a very important part of who we are in contributing to America.

We are here because tomorrow the question will be, should women's preventive health care services be allowed to continue as part of our framework in terms of health care funding, both broadly in health care reform, and narrowly under title X and family planning for the country?

We will say no to efforts to defund women's health care.

I hope going forward, as we tackle huge issues for the country around bringing down the debt and balancing the budget and growing the economy and creating jobs and looking to the future, that we will not see, once again, something as important as women's health care put on the chopping block as part of the debate. That is the message all of us have and the message we will be sending tomorrow, that women across the country need to know they are valued, that we want them to be healthy, that we want them to be able to afford health insurance, that we want them to get cancer screenings, that we value their lives. We don't believe folks should continue to play politics with their health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank Senators MURRAY and MIKULSKI for gathering with us today and all of my colleagues who are here. I am proud to join them.

Tomorrow we expect to vote on House proposals to defund Planned Parenthood and the Affordable Care Act. These resolutions have been offered not because anyone argues they create jobs or improve health care but

because House Republicans were willing to shut down the Federal Government if they did not receive a vote on Planned Parenthood and health care. That is right. Even though shutting down the government would have meant furloughing 800,000 people, including members of the military, they were willing to shut down the government.

This kind of a threat, especially in a recession, is irresponsible. Planned Parenthood is a critical provider of women's health care, especially to low-income individuals. Mr. President, 1.4 million Medicaid patients around the country—mostly women but not all—depend on Planned Parenthood as their main source of primary and preventive health care. They depend on Planned Parenthood for contraceptives, screenings for sexually transmitted diseases, and for screenings for breast and cervical cancer. In some parts of New Hampshire, Planned Parenthood is the only provider of preventative services for low-income women. It serves almost 16,000 patients annually. In a time of economic hardship, we should not be taking steps to reduce access to health care.

Let's be clear. This vote has nothing to do with abortion. By law, Planned Parenthood cannot use Federal funds for abortions. Moreover, Planned Parenthood provides family planning services that greatly reduce the occurrence of unplanned pregnancies. It is ironic that many of the most ardent opponents of abortion are the very people who want to shut down the family planning services that prevent unplanned pregnancies.

This vote is also not about deficit reduction. Despite what some Members of the Senate have claimed, 97 percent of the reproductive health services provided by Planned Parenthood in New Hampshire—and throughout most of the country—are preventive care. Over 90 percent are for preventive care. As we all know, preventive health care lowers health care costs and saves lives. Detecting cancer early through regular screenings greatly increases a patient's quality of life and chances of survival. In the long run it is vastly cheaper for patients in the health care system, and the Federal Government, for diseases to be prevented or treated early.

One of my constituents from Rochester, a mother of two, told me about her oldest daughter who works for a small restaurant. Her daughter can't afford health insurance, and it is not provided where she works. For her regular checkups and preventive care, she relies on Planned Parenthood. Because of the history of cervical cancer in her family, her daughter was regularly screened, and it was Planned Parenthood that first diagnosed her daughter with cervical cancer. Because of that early diagnosis, her daughter was able to obtain successful lifesaving treatment. There are countless stories such as this. We heard some of them this afternoon.

I also wish to address the other House proposal we have been discussing this afternoon. It is a proposal that would also hurt women's health care. That is the pending resolution to deny funding for health care reform. Already the Affordable Care Act is working for women across the country. As of last year, it is illegal for insurance companies to require women to obtain preauthorizations or referrals to access OB/GYN care. But there is a lot of work that still has to be done.

Currently, women in the individual health care market pay up to 48 percent more in premiums than men. Beginning in 2014, this kind of discrimination, because of the new health care law, will be outlawed. Issuers will be banned from issuing discriminatory gender ratings to charge women and small businesses with predominantly female workforces more for the same coverage.

In the same year, 2014, health care reform also makes it illegal for insurers to deny health care coverage on the basis of preexisting conditions, designations which have often been used to discriminate against women. Many women across the country today are denied coverage for preexisting conditions such as breast or cervical cancer, having had a C-section, or even just being pregnant. Some women have even been denied coverage for having sought out medical care for domestic or sexual violence. It is critical that we ensure low-income women have access to health care in these difficult times and that we ensure that all women have access to health care.

I urge my colleagues to vote against these two provisions tomorrow, these ideological attacks on women's health care. Let's get back to the business of creating jobs and dealing with this country's debt and deficit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Mr. President, I join my colleagues to talk about tomorrow's votes on two different amendments and to say that I am proud to join my female Senate Democratic colleagues in this effort and to speak out about this important issue.

To me the American people have sent us a clear message. They want us to focus on job creation, promoting innovation, and putting Americans back to work. But instead tomorrow we will be on the Senate floor trying to defend access to health care for women. We will vote tomorrow on whether to defund Planned Parenthood, an agency that serves hundreds of thousands of people in my State on important exams such as breast examinations and helping to prevent infections and various things.

Just a few weeks ago I talked about one of my constituents, a 22-year-old woman from Seattle who was diagnosed with an abnormal growth on her cervix at Planned Parenthood and received lifesaving treatment. She was uninsured, and without Planned Parenthood she would not have been able to get that kind of treatment. Certainly, her health would have been in major danger in the future.

I tell that story to emphasize the importance of Planned Parenthood on prevention and that they are centers of prevention for many women who have no other access to health care. We cannot jeopardize the access to that preventative health care at a time when it is so important for us to reduce long-term costs.

In fact, even in the investment area, every dollar invested in family planning and publicly funded family planning clinics saves about 4.2 in Medicaid-related costs alone. So preventive health care is good for us in saving dollars, and it is certainly good for our individual constituents who have a lack of access to health care. That is why I am so disappointed in the situation we have now, where colleagues are saying to us: You can get a budget deal, but you have to defund women's health care access to do so.

The avoidance of a government shutdown has also brought on a challenge on the backs of women in the District of Columbia because it included a provision denying DC leaders the option of using locally raised funds to provide abortion services to low-income women. For those who argue against big government, this is a contradiction because this is a real imposition on the ability of elected officials in the District of Columbia to decide what to do with their locally raised funds. I know, because I am in the Hart Building, what the mayor and others on the council had to say about this. This is an imposition on the health services of low-income women in the District of Columbia and certainly has gone almost unnoticed in the eleventh hour and sets a precedent for a dangerous slippery slope with what we are telling local governments to do.

It is time for us to focus on our budget, living within our means, and getting back to work, but certainly not to try to do all of that on the backs of women. It is not time to shut down access to women's health care.

Republicans in the House have decided to wage war and to say women should be a bargaining chip. The American people have sent us a clear message. They want us to get back to work, and they support Planned Parenthood and efforts of Planned Parenthood on preventive health care and health care delivery services.

A recent CNN poll showed that 65 percent of Americans polled support continued funding of Planned Parenthood. I know my colleagues on the other side of the aisle would like to say that these funds are used in funding organizations that may be involved in doing full reproductive choice services. But I ask them to think about that issue and that logic. Where will they stop? It is Planned Parenthood today, but are they going to stop every institution in America from receiving Federal dollars? It is illegal for Planned

Parenthood to use Federal dollars for full reproductive choices, including abortion. It is illegal. They cannot use those funds. Yet the other side would like to say that this is an issue where they would like to stop Planned Parenthood today, and then they will try to stop other organizations in the future. It is time to say no to this amendment tomorrow and to say no on trying to pull back from the full health care funding bill at a time when we need to implement the reforms to keep costs down and to increase access for those who currently don't have access to health care and return to the system with much more expensive health care needs in the future.

I am disappointed that at the eleventh hour of a budget debate that is about living within our means, about how we take the limited recovery we have had and move it forward economically, instead we are saying that we can't move forward on a budget and a recovery until we take everything that we can away from women's access to health care.

We will fight this tomorrow. I am proud to be here with my colleagues to say we will be the last line of defense for women in America who are going about their busy lives right now, taking their kids to school, trying to juggle many things at home and work. They are every day, as the budget people within their own homes, trying to figure out how to live within their means. The national budget debate has broken on this point: We can only have a budget agreement if we defund women's full access to health care. That is wrong.

We will be here tomorrow to fight this battle and speak up for women.

I wish to point out to my colleague from New York that I remember in 1993, in the year of the woman, when so many women got elected to Congress, it was the first time in the House of Representatives we had a woman on every single committee. The end result of that is we had an increase in funding for women's health research. So much of the research had been up until that point focused on men. Why? Because there wasn't anybody on the committee to speak up about how women had uniquely different health care needs and deserved to have a bigger share of funding for health care needs than were currently being funded. That is what we get when we get representation.

Women Senators will be here tomorrow to fight to say that women deserve to have access to health care through Planned Parenthood and title X. Please, for those working moms who are out there juggling, dealing with children and childcare, dealing with their jobs, dealing with pay equity at work, dealing with all of these other issues that women are struggling with—that they don't have to be a pawn in the debate on the budget, that there are people who believe, just like the majority of Americans do, that we should move forward with this kind of preventive health care for women in America.

I see my colleague from New York who has been a staunch supporter of Planned Parenthood and women's health care choices, and I thank her for that leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mrs. GILLIBRAND. Mr. President, I commend my colleague for her extraordinary remarks and her leadership in fighting for these issues.

It is a privilege to be in the Senate today to listen to the remarks of all of the Senate women colleagues who care so deeply about women in America and how they are literally being used as a pawn in a debate about the budget.

These women have drawn a line in the sand, a line in the sand that we will not let you cross. You may not balance the budget on the backs of women, period.

It is very simple. The election last November was not about a mandate for these social issues. It was about the economy. It was about, How are we going to create jobs? How do we get a body of representatives to come together, work together across party lines, to come up with solutions? That is what the election was about.

The American people voted overwhelmingly for a vote and a discussion of issues relating to jobs. How do we create jobs? How do we create the atmosphere and the landscape so our small businesses can grow?

But that is not what the House of Representatives has focused on. No. They have created an entire agenda around an assault on women. Women's safety nets, women's health care, protections for women and children, early childhood education, prenatal care, Pap smears—you name it—this is what they are beginning to focus their attention on.

Millions of Americans depend on reproductive services. Millions of women depend on prenatal care, on early cancer screenings, breast exams—all of the types of preventive health care that families rely on. In fact, in New York, there are over 200,000 New Yorkers who rely on this preventive care.

For my friends and colleagues, this is a factual statement: Current law already prevents Federal money from paying for abortions. This has been the law of the land for over 30 years.

Shutting down the government to fight a political argument is not only outrageous, it is irresponsible. The price for keeping the government open is this assault on women's rights, equality, access to health care, access to preventive care.

Women shoulder the worst of health care costs, including outrageous discriminatory practices that we worked so hard during health care reform to fix.

The National Women's Law Center tells us that under the previous health care system, a 25-year-old woman would have to pay 45 percent more to get basic health care than a male her same age. Some of the most essential services required by women for their basic health were not covered by many insurance plans, such as prenatal care, Pap smears, or mammograms or preventive screenings, including postpartum depression, domestic violence, and family planning.

The institutionalized discrimination in our health care system is wrong and it is a tax on women and their families. What we did in health care reform was to begin to address these issues to make sure the inadequacies of our current system could be addressed, safeguarding women's health, and making sure this institutional discrimination no longer exists.

Yesterday was Equal Pay Day. Women all across America earn 78 cents for every $1 their male colleagues earn for doing the exact same job. Yesterday was the day it would take a woman to work all of last year and this year to earn exactly what that male colleague earned in 1 year.

Well, who does that affect? It affects families. It affects every family in America who has a working mother who is bringing money home to pay for her children, for her family, for their well-being.

So when we should be talking about the economy and issues about how do we have equal pay in this country, the Republican House is talking about how to continue this rhetoric and assault and negative effects on women and their families and what they need to protect themselves.

The votes we are going to have tomorrow to defund Planned Parenthood, to repeal health care—American women, make no mistake about it, this is an attack on you. It is an attack on every preventive health service, every safety net, everything you care about, whether it is early childhood education, Pap smears, mammograms, or prenatal care when you are pregnant. That is what their efforts are all about, and you should just know you have women of the Senate who will stand by you. We have drawn this line in the sand, and we will not allow them to cross it. We are your voice in Washington, we are your voice in Congress, and we will protect you and the basic safety nets and equality you should expect out of the U.S. Government.

Since I am the last speaker, 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. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Mr. HATCH. Mr. President, you may not know it from the weather in Washington, but spring has finally arrived.

Even though it is cold and rainy outside, there is no mistaking the change of seasons in Washington. Every spring, the congressional office buildings are busy with people who want to visit their representatives.

I look forward to many of these visits. I look forward to seeing families who have traveled all the way from Utah to see for themselves and to show their children the Capitol, the White House, the Declaration of Independence, and the monuments to many of our Nation's greatest heroes.

But we truly know it is spring in Washington because the Halls of Congress are filled with people here for one purpose; that is, to ask for more money. When budget season hits, interest groups descend on the Capitol with one-track minds. Like the swallows to Capistrano, they return to the same spot each year to ask for more dough. The message is always the same: Their issue or their program is always critical, always essential.

Liberals like to beat up on businesses and demand their shared sacrifice. Translation: You better pony up. But the interest groups that thrive on taxpayer dollars always seem to be exempt from this required sacrifice. Somehow I don't think this is what the Founders had in mind when they guaranteed individuals the right to petition the government. Petitioning the government for more cash is somehow less inspiring than petitioning the government for redress of grievances.

I appreciate the sentiments of a new Member of the House of Representatives who hung a banner in his office that read: If you are here to ask for money, you are in the wrong place.

The fact is, Washington has an enormous spending problem. Washington is addicted to spending. The first step toward recovery is acknowledging that you have a problem. I suppose we can take some solace in the fact that few persons in a position of responsibility now deny that our deficits and debt are a problem.

Facts have gotten in the way. This morning, the Financial Times had an above-the-fold headline that read: ''U.S. Lacks Credibility On Debt, IMF Says.'' No kidding.

Our total debt is now over $14 trillion, with no end in sight. The administration is now asking the Finance Committee and Congress to raise the debt ceiling by $2.2 trillion just to get this country through next year. The President's first two budgets were a tragedy. But when the United States was staring down the barrel of a third straight $1 trillion-plus deficit, his fiscal year 2012 budget morphed into parody.

Recognizing the shellacking his party took over the issue of big spending, the White House had to talk a big game about deficit reduction, but their numbers never added up. This is how the Washington Post described the impact of the President's budget: After next year, the deficit will begin to fall ''settling around $600 billion a year through 2018, when it would once again begin to climb as the growing number of retirees tapped into Social Security and Medicare.''

Americans quickly saw this budget for what it was—business as usual, spending as usual.

Today, the President tried a do-over. He was going to give a big speech. That seems to be his go-to move. This time, he was going to convince Americans that he is very serious about deficit reduction. Unfortunately, he bricked this shot as well.

We are approaching a debt crisis, but the President seems willing to run the clock until the next election. This is a very dangerous game.

I think we need to be clear about how precarious our Nation's fiscal situation is. The fact is, we could be closer to a debt crisis than even the most pessimistic accounts. Because of this administration's dramatic ramp-up in Federal spending, Americans are deep in Federal debt.

Currently, Federal debt held by the public equals a modern record of about 69 percent of the Nation's economy—known as the gross domestic product. The Congressional Budget Office reports that current tax-and-spending law takes that figure to 76 percent of GDP over the next 10 years.

To put that number in perspective, consider the following statistic: At the end of fiscal year 2008, as the George W. Bush administration was winding down, the debt held by the public reached about 41 percent. That is less than 2½ years ago, in contrast with 69 percent of the debt. As bad as the 76-percent figure is, it gets worse under the President's fiscal policies.

President Obama's third budget was released on Valentines Day this year. If Americans were expecting some love and concern from our President, they sure didn't get it. The administration's figures claimed that the President's budget would raise debt held by the public to 87 percent of GDP. That is the administration's figures.

I have a chart that shows the growth in the debt—the national debt as a percentage of GDP. The current policy happens to be the red, the Obama 2012 budget is the blue. As you can see, by 2021, the national debt will be 76 percent of our GDP.

On Friday, March 18, 2011, CBO released its estimates of the President's budget. These estimates showed that debt held by the public would grow to 87 percent of GDP in 10 years, just like it says on the far right of the chart. That alarming figure is there on the chart.

Let me put this another way. According to the Congressional Budget Office, if we continue current tax policy, don't raise rates, fix the AMT, provide estate tax relief, and provide for a fix to the physician payment system or the SGR as it is known—policies supported by a clear majority of Americans—by 2021, the debt held by the public will reach 97 percent of GDP.

For those watching C–SPAN, whose jaws just hit the floor, I hate to tell you, but the news might even be worse. As bad as these numbers are—and they are very bad—they could be dramatically understating the fiscal consequences of our current deficit spending policy. This is because we face a hidden potential for even greater levels of additional Federal debt. We may be in the middle of a debt bubble. The stated current level of debt may grow astronomically without any policy changes. Let me say that again. If we do nothing to our current policy and continue to spend, the debt we currently hold may prove disastrous.

Here is what I mean by a bubble. I will use an example we are all too familiar with. An economic bubble can be described as significant trade volume in different products or assets with inflated values. Interest rates affect everything in our economy, from the monthly payments we make on a new car or home to the amount we are able to save at a local bank. Interest rates during both the dot-com bubble and the housing bubble were driven by policies at the Federal Reserve. During 2001, the Federal Reserve lowered the Federal funds rate from 6.25 percent to 1.75 percent. The Fed further reduced the rate in 2002 and 2003—there is the Federal funds rate—to around 1 percent.

These low rates had a substantial effect on the growth of mortgage lending between 2001 and 2004. The share of new mortgages with adjustable rates, which was around 20 percent in 2001, was more than 40 percent by 2004—adjustable rate mortgages.

Currently, just like at the beginning of the last decade, interest rates are very low. Ten-year Treasury rates are currently around 3.5 percent. During the past 2 years, this administration has spent recklessly, raising the total debt from $10.6 trillion to over $14.2 trillion. We are currently spending 40 cents of every $1 on interest, paying China and others who hold our debt. But what will happen when interest rates rise? Under projections from the CBO, 10-year Treasury note rates are expected to rise from current levels to 5.3 percent in 2016.

What happens if interest rates rise to levels seen during the 1980s or the 1990s? During the 1980s, rates on 3-month Treasury bills and 10-year notes rose to over 8 percent and 10 percent, respectively. During the 1990s, rates on 3-month and 10-year notes rose to 5 percent and 6.6 percent, respectively.

Exactly like the housing bubble, as a nation, we are falling into a national debt bubble. We continue to spend on our national credit card while interest rates are low. Just as many purchased homes with adjustable rate mortgages, eventually the adjustment kicked in, the low-rate bubble popped, and many Americans found themselves facing higher mortgage payments that were unaffordable.

We are exposing ourselves to more debt than we should. The cost of that

decision is severely understated. That cost, as laid out by CBO, could be astronomical. Under President Obama's 2012 current budget, the CBO projects deficits for each of the next 10 years, resulting in an estimated $10 trillion being added to the public debt, a 100-percent increase.

Under the scenario where interest rates rise to the historical average of the 1990s, the public debt is projected to grow an additional $8 trillion or a 77-percent increase. Under the scenario where interest rates rise to the historical average of the 1980s, the public debt would grow to $12.1 trillion, doubling in size.

It is right here on this chart. You can see it. This is a chart showing the public debt over the next 10 years, from 2011 to 2021. You can see the green on the far right of each column is the 1980s interest rate, the blue in the middle of each column is the 1990s interest rate, and the red happens to be the current baseline estimates, which almost everybody who looks at it seriously would say are too low.

If the interest rates return to the levels of the 1990s without any policy changes, the debt, as you can see, grows significantly, according to this chart. If we return to the 1980s interest rates, we will hit a 116-percent increase. If interest rates return to the 1980 levels, boy, are we in trouble.

Those who argue against spending restraints now are akin to the bubble inflators of the housing industry, encouraging more and more spending and consumption, never considering what will happen when the rates adjust.

This is why it is urgent, I would say imperative, that we cut spending now. Not after the next Presidential election. Not next year. Not next month. Immediately.

We cannot afford either the short or the long term effects of this dangerous spending addiction. American taxpayers understand what Washington has to do. It is time to cut the national credit card and stop this reckless spending.

Unfortunately, my colleagues on the other side of the aisle, and their liberal progressive base, keep urging for more taxes. I don't get this. I don't think Americans have been sitting at home thinking: You know what this debate over government spending has been missing? A proposal for a giant tax increase.

But to borrow from Bruce Dickinson, Democrats have a fever. And the only prescription is more taxation.

When it comes to dealing with our budget deficits and our exploding debt, Democrats have a one-track mind. They claim that they are serious about spending. The White House is touting reforms to Medicare and Medicaid to get spending under control. But ObamaCare is not Medicare reform. And real Medicare reform will entail repealing ObamaCare.

The health care bill took a half a trillion dollars out of Medicare to finance $2.6 trillion in new government spending. And instead of taking responsibility to ensure the long-term viability of Medicare, the President did what he seems to do best. He punted decisionmaking to a board of unelected bureaucrats.

ObamaCare is not Medicaid reform either. States are already facing a crushing collective deficit of $175 billion. But instead of helping the States to lift this burden, the President's health care bill larded on a $118 billion Medicaid expansion on the States. That is about $300 billion.

The White House has circulated a factsheet on the President's attempt at deficit reduction. It claims $340 billion in savings over 10 years—''an amount sufficient to fully pay to reform the Medicare Sustainable Growth Rate, SGR, physician payment formula while still reducing the deficit.'' However, the President's budget estimated the cost of a 10-year doc fix at $380 billion. Assuming Congress utilizes the President's proposed savings to fund a doc fix, the net deficit increase from the White House's health proposals will be at least $40 billion.

With due respect, when the Medicare hospital insurance trust fund, which our seniors depend on, is scheduled to be insolvent in 9 short years, that is totally inadequate.

So what are we really looking at in this vaunted deficit reduction plan? Yesterday, in anticipation of the President's remarks on deficit reduction, his spokesperson gave it away when he said, ''[t]he president believes there has to be a balanced approach.''

Translation: You better check your wallet.

The Wall Street Journal said that tax increases are on the table.

But Americans know that for Democrats tax increases are never off the table. Most Americans understand that they are the centerpiece of Democratic policy.

America was waiting for the President to propose something new today. Instead, he dusted off his proposal to end the 2001 and 2003 tax cuts for households and businesses earning over $250,000 a year.

Citizens wanted something innovative—maybe a little hope and change for a change.

But instead they got the fiscal policy of Walter Mondale and Michael Dukakis.

Under the President's proposed failsafe for deficit reduction, taxpayers who use their own dollars to deduct mortgage interest, make contributions to charities, save for education, or save in a pension plan, will be treated the same as spending for Nevada's Cowboy Poetry Festival.

To me they are not the same. But to the President they are. David Plouffe, the President's senior adviser and former campaign manager, had this to say about the President's proposal:

> People like him . . . who've been very fortunate in life, have the ability to pay a little bit more.

Well, that's big of him. We hear this quite a bit from rich Democrats: Please tax us more, they say.

Well, as the ranking member on the Senate Finance Committee, I feel obligated to inform Mr. Plouffe that the President, and all of those rich liberal Democrats who are eager to pay higher taxes, can do just that. They can write a check to the IRS and make an extra payment on their tax returns to pay down the Federal debt. The option is right there at the bottom of their tax return.

America awaits these checks. This might be a good talking point. I am sure it has polled well. But I have yet to hear the economic or fiscal rationale for raising taxes on small business creators and American families. It is certainly not deficit reduction.

Raising taxes might be politically necessary for Democrats. But it will do little to reduce the deficits and debt that are at their root spending problems.

An article from the Tax Policy Center shows just how delusional it is to try and balance the budget through tax increases. In an article titled, ''Desperately Seeking Revenue,'' the authors laid out what types of tax increases would be necessary, absent spending changes, to reduce Federal deficits to 2 percent of GDP for the 2015 to 2019 period.

This is a remarkable article. Its authors concluded that tax increases consistent with the President's campaign pledge not to raise taxes on individuals making less than $200,000 or families making less than $250,000 would require the top two rates to go from 33 percent to 85.7 percent and 35 percent to 90.9 percent.

This article makes clear, yet again, that we have a spending problem, not a revenue problem. We are not going to make meaningful deficit reduction—we are not going to get the debt under control—by taxing the so-called rich. Taxing citizens and businesses more is not going to fix what is essentially a spending problem.

Consider this chart. The top red line is the CBO baseline, the middle blue line is the President's budget plans. The bottom orange line is to extend the 2001 and 2003 tax cuts and index the AMT, the Alternative Minimum Tax.

You can see here that under the President's budget plans, under the CBO baseline, and under the Republican position, individual income tax revenues as a percentage of GDP are going up. Tax revenues are already going up, and they are not getting us where we need to be as a nation. Yet in his remarks today, the President's landmark proposal is little more than tax increases. I suppose we shouldn't be surprised.

When the Drudge report announced yesterday that the President was going to recommend tax increases, it did not even merit a flashing red light. Drudge just pushed it to the side, because it is really no longer news to anyone that Democrats want to raise taxes.

The real news would have been if the President stood up to his political base and made meaningful recommendations for entitlement reform.

The people of Utah, and taxpayers around the country, would have stood up and listened if the President backed a serious rollback of domestic non-defense discretionary spending, which has exploded on his watch.

Instead, they got the economic philosophy of President Carter. Maybe that statement isn't fair to President Carter. I don't know. It seems like it has all the elements of fairness.

Ultimately, this spending crisis cannot be ignored, and both voters and markets will respond to the leaders who take this issue on in a serious way.

One of the problems with our colleagues on the other side and their wonderful desire to increase taxes on everybody is that those tax increases would not go toward paying down the deficit. They would go for more spending. That has been the case for all my 34 years in the Senate. Every time we have raised taxes, over the long run it has not gone toward bringing down the deficit. It has gone for more spending.

We Members of Congress have all kinds of ways of spending money, and our Father in Heaven knows we get a lot more credit for spending in this country up through the years than we do for conserving. On the other hand, I don't think there is much credit coming today. I think most everybody in America, including all those Democratic millionaires who supported the President last time—maybe not all of them but a good percentage of them—are saying: Enough is enough.

I am hoping the President will give a speech someday that will make a difference on spending because that is clearly the problem. It is not tax revenues, it is spending. I think we have had enough of that. I think the American people, whether they be Democrats or Republicans, have had enough of that. Even though we wish we could do more, we wish we could help more people, we wish we could provide a new car for everybody in America, I am sure, but that is not reality. It is time to face up to reality and get this government spending under control.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the period of morning business for debate only be extended until 6 p.m. this evening, with Senators during that period of time being allowed to speak for up to 10 minutes each, and at 6 p.m. I be recognized.

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

SMALL BUSINESS

Mr. REID. Mr. President, we are continuing to work on an agreement to move ahead on small business. We have three main amendments—I should not say ''main,'' but I think they are the ones on which we are focused. One is an amendment by Senator CORNYN, one by Senator HUTCHISON, and one by Senator SANDERS. There are others who now have come into the fray, and it is making it very difficult to get votes on these three amendments, but that is where we are.

It is unfortunate. I think each of these amendments were offered in good faith. We should be able to have a vote on them even though they have virtually nothing to do with the small business bill, but I am going to continue to work to see if I can get universal agreement to get these amendments disposed of either by passing or bringing them up and moving toward completion of this bill. We should have been able to do something in the last 2 days, but that is where we are.

Overhanging all this is the continuing resolution which we need to work on tomorrow. If people have any feelings about that, I wish they would come to the Senate floor to discuss it.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Mr. VITTER. Mr. President, I watched with great interest President Obama's speech about our spending and debt crisis. That is what I would call it. He did not use as stark terms, unfortunately, but it is a spending and debt crisis.

First of all, I am at least a little encouraged that he is finally beginning to enter the debate about this crisis. It is headed to a crisis. It is the greatest domestic threat we face as a nation. At least this speech acknowledges it is a huge threat and that his own budget submitted a few months ago was a pass on all of those big issues and he needed a redo.

This is a great threat to all of our futures and prosperity. Let me try to put it in a little bit of perspective.

Borrowing right now is at least 40 cents out of every $1 we spend. So for every $1 the Federal Government spends, 40 cents of that—over 40 cents—is borrowed money. We are spending $3.7 trillion a year, but we are only taking in $2.2 trillion. Because of that, we have recently been racking up over $4 billion of new debt every day. So every day: new debt of $4 billion a day. And a whole lot of that we owe to the Chinese, more than $1 trillion. That eventually has very serious consequences in terms of our prosperity, our future, the sort of country and vision and future we can leave for our kids.

As interest rates go up—which they inevitably will if we stay on this path—that downright costs jobs. When interest rates go up 1 percent, Federal debt goes up $140 billion because the debt is so much. When those interest rates eventually go up, it makes it harder for all of us and our families to buy cars and homes, to pay tuition, to create jobs if we are a small business.

ADM Mike Mullen, the Chairman of the Joint Chiefs of Staff, has said:

> Our national debt is our biggest national security threat.

The highest ranking person in uniform in charge of our national security says our biggest security threat is not Iran or North Korea or anyone else; it is actually this domestic debt issue. Debt at current levels—which is 94 percent of GDP—economists say that is already costing us about a million jobs because our debt level is so great.

Again, at least the President, in his speech today—which is essentially a do-over of his budget from a few months ago—at least the President is beginning to acknowledge that fundamental threat, and that is good. But we need more than a speech, we need more than a vision. We need a real action plan, a detailed plan from the President, and we did not get that today.

So my first reaction to the speech was that it was just that: It was a speech. It was a nice sounding speech. It had a lot of nice themes. But it was a speech. If the President, who is so quick to criticize Congressman PAUL RYAN's budget—if he wants to enter the debate, he needs to enter it on a par with that level of detail, that level of specifics that Congressman RYAN and House Republicans gave. So the President needs to submit a new budget, a new detailed proposal, not just give a speech. Then we need to engage in a real debate and come up with a plan, an action plan, to tackle this spending and debt issue. And we need to do that before we vote on any debt limit increase.

Speaking for myself, I am not going to consider increasing the debt limit, which the President wants all of us to do, unless and until there is tied to it a real plan to deal with this spending and debt crisis. So this speech today, perhaps, was a start. But my general reaction is, we need more than a speech. We need specifics. We need a new budget submission. Then we need to engage in a bipartisan discussion and negotiation. But we shouldn't wait until May, as the President suggested. That should start immediately—tomorrow—because we need to hammer out meaningful details before any proposal comes to the floor for votes to increase the debt limit.

In terms of the general themes the President struck, I have to say I was

disappointed because, to my ears, it was the same-old same-old.

The first theme was increasing taxes. He has been at that theme over and over again, and that was absolutely the first theme he hit in his speech—increasing taxes. The problem is, if we look at the level of taxation we have, it is not extraordinarily low, it is not somehow way below normal historical averages. What is way above normal historical averages is spending. So if we just look at the data compared to history, we have a runaway spending problem; we don't have a taxation problem.

The second big theme the President hit was cutting defense spending. Again, coming from a liberal, this is just the same-old same-old—a traditional, predictable theme to cut defense. I don't think that is really a new approach or a new discussion from the President.

The third big theme was to cut tax expenditures. A lot of folks, at least in Louisiana, won't know what the heck that means, so let me translate. Cutting tax expenditures means increasing taxes. It means doing away with certain deductions and certain credits. It means your tax bill goes up. I am all for Tax Code simplification. I think we need an enormously simplified Tax Code. I do think we need to get rid of a lot of deductions and credits, but that should be used to lower the overall rate, particularly rates such as the corporate tax rate, which, in the United States, is the highest of any industrialized country in the world.

In terms of the theme of real cutting, that theme was very short on specifics but very long on general statements, including that entitlement spending—things such as Medicare—would not be covered in reform in any way.

So when we look at these broad themes—and that is all there was, broad themes, not specifics—it was, quite frankly, sorely disappointing. But perhaps at least it is a start. As I said at the beginning of my remarks, I hope it is a meaningful start, but to be a meaningful start and to produce fruit, we need to go from a very broad, very general speech to a detailed submission.

The President needs to resubmit his entire budget. This is a do-over, so he needs to resubmit a detailed budget which matches Congressman RYAN's proposal in the level of detail, in the level of specifics the Budget Committee chairman in the House has provided. Then we need to immediately get to a bipartisan discussion and negotiation. We shouldn't wait until May. That should start immediately for one simple reason: I don't think there is any chance of passing any increase to the debt limit without having attached to it major reform, major structural reform that ensures we are on a new path of lowering spending and lowering debt. Of course, I can only control one vote, but speaking for myself, I will say that I won't even consider those proposals to increase the debt limit unless and until there is a proposal that passes the Congress to actually decrease the debt.

Ultimately, the problem isn't the debt limit; the problem is the debt. When an individual has a spending problem or a credit card problem, the solution isn't getting a higher limit on his credit card; the solution is to deal with the spending and the debt problem, which is the underlying, core problem. The same here.

So we need to do that as we move forward in this debt-limit discussion. I hope we will all do that. I hope we will come together in a meaningful, bipartisan way to do that—to actually attack the problem, which is spending, which leads to the second problem, which is debt, and actually propose and pass real structural reform before we even have any vote on increasing the debt limit. I urge all of my colleagues to work constructively in that regard. I hope the President's speech is a start toward that, but, of course, time will tell, and actions versus words are what ultimately matter.

Thank you, Mr. President. I yield the floor.

Mr. BAUCUS. Mr. President, today more than 47 million Americans rely on Medicare for their health care. For more than 45 years, seniors have had access to the affordable, dependable health care Medicare provides.

We all recognize the cost of health care. We know it is growing and growing too rapidly. The landmark health reform law we passed recently took bold steps to rein in costs, and I am eager to work with my colleagues from both sides of the aisle to further reduce health care costs, increase efficiency, and root out the fraud and waste.

Last week, the chairman of the House Budget Committee, Congressman PAUL RYAN, proposed a plan that would end Medicare as we know it. Rather than providing affordable health care paid for by Medicare, as is the case today, under the Ryan plan, seniors would receive a voucher to purchase private health insurance—again, not health care benefits provided for under Medicare but, rather, receive a voucher to purchase private health insurance from private health insurance companies.

Unfortunately, this voucher would fall far short of covering health care costs for seniors. According to the independent Congressional Budget Office, under the Ryan plan, ''Most elderly people would pay more''—I might add, much more—''for their health care than they would pay under the current Medicare system.'' How much more? CBO says that under the Ryan plan, the average 65-year-old would have to pay $12,000 a year to receive the same level of benefits Medicare offers today—$12,000 a year. That is more than double what a senior would have to pay under today's Medicare. So the Ryan plan would double the payments seniors have to make and the benefits would be reduced.

Under the Ryan plan, there would be no guaranteed benefits, which are provided under Medicare today. As a result, private insurance companies would dictate what care a senior received, ending the current doctor-patient relationship.

Our deficit, of course, is serious. It is very serious. It must be addressed. While we need to look for more ways to reduce our deficit, we need to do so in a balanced and fair way. For starters, we shouldn't balance the budget on the backs of seniors. We will not allow Medicare to be dismantled—not on our watch. Yesterday, Senator BILL NELSON and I introduced a sense-of-the-Senate resolution stating that ''Medicare should not be dismantled and turned into a voucher or premium-support program.''

Deficit reduction should not simply shift costs to seniors, and that is exactly what the vouchers in the Ryan budget would do. A voucher system does nothing to lower health care costs. It does not guarantee the benefits Medicare offers today. It does not provide access to affordable health care. Seniors deserve much better.

I listened closely to my colleague from Louisiana a few moments ago. Frankly, I am somewhat heartened. I heard from him that he wants to move forward and that he would, he said indirectly, vote to increase the debt limit if there is a credible plan to reduce deficits and our national debt. I think that is a proposal with which the vast majority of Members of this body agree. Of course, the proof is in the pudding. It is, what is that credible plan, what is that mechanism, what is that assurance that we are going to reduce the budget deficits prior to a vote to increase the debt limit?

It is very important that a vote to increase the debt limit occur without brinksmanship. We had far too much brinksmanship in the lead-up to the continuing resolution. It was just a matter of $2 billion or $3 billion in the last eleventh hour.

The vote to increase the debt limit is a far more important vote. The stakes are much, much higher. The dollar amount is much greater. The financial markets will be watching very closely. And we, as Members of Congress, working with the President, must find a way to get the debt limit increased but with assurance that we are going to get deficits down and the debt down in a credible way, in a proper period of time so we don't have to push up to that final moment, the final minute before the vote on the debt limit occurs.

As I listened to my colleague from Louisiana, I sensed that he wants to find some way—and I think we all do; that is our challenge; that is our charge over the next couple of months—find that mechanism, find that process that is credible, that makes sense, and that both sides can buy into, not knowing exactly what the final result will be but knowing we are starting down a road to get the budget

deficit under control in a balanced and fair way.

I do not mean to sound critical, but I don't think the Ryan budget proposal is balanced. I don't think it is fair. But I do think the vast majority of the Members of the Senate do want to find a fair and balanced solution, and it is up to us to find that before a vote on the debt limit occurs.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Madam President, this afternoon, after a few days of great anticipation, the President laid out his version for long-term deficit reduction and dealing with our long-term debt. Now that we have heard from him, I am afraid we are left with more questions than answers.

Let me be clear. I welcome the President to the debate. I think it is a positive sign. There is no more pressing issue for us to address than our dire fiscal situation and our economic challenges; both are intertwined. We are not going to be able to move the economy until we deal with our impending debt crisis, and we cannot deal with fiscal problems without growing the economy.

There has been a lot of good discussion about the unique dangers we face if we don't address our massive deficits and our debt which has now accumulated to over $14 trillion. That amount, by the way, is equal to the entire size of the U.S. economy, making this the first time since World War II that we have had a debt of that level. It is also a lot different now than it was then.

During World War II our debt was driven primarily by defense spending which would be quickly curtailed. We weren't looking at the incredible unfunded obligations, such as Medicare, Medicaid, and Social Security that we have today. That is an unfunded obligation of over $100 trillion. So we are in uncharted territory, unprecedented times. It is harming our economy today and, of course, it will devastate it in the future if we don't take action.

Economists tell us that with a debt of 90 percent of GDP we will typically lose 1 point of economic growth. Again, this year our gross debt is 100 percent of our GDP. By the way, a 1-percent reduction in our GDP in America means about 1 million jobs. So, already, with a gross debt of 100 percent of GDP, we have foregone jobs that we need in Ohio and around the country.

This high indebtedness also comes with significant interest payments. Of course, even with interest rates being near zero today, the magnitude of the U.S. debt still requires a debt service this year of over $200 billion. By the way, under the President's budget that number increases to almost $1 trillion 10 years from now based on the CBO analysis. That is $1 trillion a year just in interest payments on the debt.

What concerns me is that interest rates could well go up given this climate. A 1-percent increase in interest involves another $130 billion of interest payments. Think about that. Just a 1-percent increase in interest rates means another $130 billion in interest payments. Obviously, inflation would be causing additional damage to an already precarious budget situation, and that is another great risk that we face.

Our current deficits are also increasingly financed by foreign holders of U.S. debt. At present, nearly half of U.S. publicly held debt is held by foreign investors. As U.S. deficits are increasingly foreign-financed, of course, our interest payments are leaving the country. It is estimated that in 2010 interest payments to foreign entities and foreign individuals amounted to over $140 billion. That is based on the new data from the Department of Commerce. It is not just about these high debt payments, it is the fact that a lot of it is going overseas.

Our persistent deficits and pending debt crisis also introduces a lot of uncertainty into our economy. Some immediate evidence of this effect appears on the balance sheets of America's businesses, which shows $1.9 trillion in liquid holdings. That means money is sitting on the sidelines rather than being invested in jobs, plants, and equipment. Resolving the uncertainty surrounding future deficits will induce greater investment as companies can plan more effectively.

We are already seeing these concerns manifest themselves in our economy today. Capital markets are responding as investors, such as PIMCO, the largest holder of U.S. Treasuries, is out altogether, telling us they no longer trust U.S. debt. What will happen if we don't address these challenges is even more daunting.

According to the CBO, assuming the continuation of many current policies, debt held by the public as a share of our GDP is projected to reach an implausibly high 947 percent of GDP by 2084. Of course, that won't happen. The United States will face a debt crisis long before that, but that demonstrates the unsustainability of the current fiscal situation. No economic model could tell us what the economy would look like in the future because by then these models will essentially fall apart.

Over time the accumulation of debt increases the cost of debt service, consuming a greater share of revenues, limiting budgetary resources for other priorities or for meeting unforeseen emergencies, such as a natural disaster or a war.

As time progresses a fiscal crisis resulting from high indebtedness could occur rapidly as investors lose confidence in U.S. Treasuries. Absent immediate policy changes, the United States would have to pay higher yields on its own debt to roll over existing debt and avoid default. We are going to have to pay higher interest rates to attract investors to our country. In addition to the cost of an increase in interest expense, higher interest rates, of course, would be devastating for American families. Think about it. As interest rates go up, because Treasury rates go up, this means home mortgages go up. This means college loan payments go up. This means interest rates on car loans go up and on credit card activity and other loans. The economy is tough enough. We don't need higher interest rates, but that is upon us unless we act now.

The magnitude of the debt crisis would escalate as higher interest costs require additional borrowing at high rates to continue to make interest payments, which would ultimately grind the economy to a halt as investors lose confidence in the ability of the United States to repay. The global impact of a U.S. debt crisis would be far reaching and truly unprecedented. We just went through a tough recession. We don't need to relive that.

All things being equal, debt financing of current consumption necessarily imposes future obligations on subsequent generations either in the form of higher taxes or reduced consumption of government services. To avoid a debt crisis, any policy changes must begin sooner rather than later to minimize those effects that are, unfortunately, likely to happen even if we act.

Given the threats and the crisis described, there is no doubt that America needs real leadership to address this fiscal threat. While we can debate some of the specifics in Congressman RYAN's budget, there is no doubt that the House Republican plan demonstrates necessary leadership on the severe fiscal challenges our country faces. This is in contrast to the plan President Obama sent to the Congress just 2 months ago. It not only rejects the serious recommendations from his own fiscal commission, but, unfortunately, as Erskine Bowles, the Democratic cochair of the President's Commission said: ''It goes nowhere near where they will have to go to resolve our fiscal nightmare.''

Unfortunately, the President's speech today provides no specifics as how to resolve that fiscal nightmare.

More spending, more borrowing, and more taxes are not a prescription for spending constraint and economic growth. Since President Obama took office, we have seen trillions in new spending and record deficits. The February budget I talked about just locks that new spending in place, doing nothing to pull back from this dangerous spiral of debt.

Let us be clear, this is not just a budget issue, it is an economic issue, and it is definitely a jobs issue. Not only will debt and deficit have a long-

term impact on our children and grandchildren who will have to foot the bill for today's spending, but we are beginning to see this immediate impact on economic stability and job growth as the cost of our debt begins to crowd out private sector investment. We have to move quickly to substantially reduce the debt and deficit to strengthen our fiscal house and, in doing so, foster job creation in States such as mine—Ohio—and around the country.

The Commission's plan that the President rejected in December cuts deficits by about $4.1 trillion compared to the baseline of current policy over a 10-year period. It brings our deficits to 1.2 percent of our economy by 2020. Compare that to today, where we are at almost 10 percent of our economy. So it sets a standard—over $4 trillion in reductions in the deficit and an annual deficit that is 1.2 percent, which incidentally is where our budget deficit was about 4 years ago. Congressman RYAN's budget got there by bringing deficits down by about $4.2 trillion by 2021, as compared to a comparable baseline, to the Commission's report—so $4.1 trillion, $4.2 trillion—and the deficit is about 1.5 percent of GDP.

The President's own budget, again submitted here to Congress about 2 months ago, is very different. His budget merely gets one-quarter of the way there—$1.1 trillion—and that assumes all the administration's claimed savings occur and it assumes, frankly, there is a higher rate of economic growth than the Congressional Budget Office thinks there will be, which actually wipes out the deficit savings the President claims.

So we have very different visions, don't we? We have the fiscal commission on the one hand and the Ryan budget in the $4 trillion range and then a plan by the President that does not get us moving forward in terms of deficit reduction—in effect, doubles the debt in the next 10 years.

Evidently, after seeing Republicans move forward last week and now this week in the House and after seeing how, on a bipartisan basis and around the country, people reacted to his budget, President Obama has realized he needs to move forward with a new proposal. In a sense, he is asking for a mulligan, and I think that is good. I think it is good he has acknowledged this problem is deeper and more serious than his budget proposal indicated, and we need to move forward together.

Unfortunately, again, the President did not offer specifics today, unlike the Ryan budget, which takes some bold and courageous and tough steps but does offer specifics. The President chose instead to squander his opportunity to offer a real way forward on tackling our structural fiscal problems. He did talk about $4 trillion in deficit reduction—and I appreciate that—but again did not offer a way to get there. The national commission he formed, and which reported in December, told the President there was a way to get there, and I hope the President will relook at his own Commission and other proposals, such as the Ryan proposal.

As the President made clear, we have been debating just 12 percent of the budget. He is right about that. There is some defense spending that is involved, but for the most part it is a very small part of the budget. So what does his proposal do to address these additional challenges? I didn't hear anything today about serious proposals to address the entitlement programs, which are incredibly important programs but on an unsustainable footing.

On Medicare, the President proposed delegating future unspecified savings to a government board—unelected and unaccountable. On Medicaid, the President seems to be delegating responsibility to the National Governors Association. On Social Security, the President told us today it doesn't contribute to our deficit, despite the fact the program is in cash deficit this year by $45 billion—$45 billion less in payroll taxes than the payments going out.

The President proposed $4 trillion in deficit reduction. Yet he has shrunk, at this point, from the responsibility of telling us how he would achieve it, except that he would leave the challenge largely to others, while pursuing tax increases that I fear would harm the little recovery we see coming out of this deep recession.

So I look forward to working with Members on both sides of the aisle and the President to address the serious challenges we have talked about today. I wish we had seen more specifics today, but I am encouraged to see that at least the President is engaging in the game. I welcome his involvement because it is too important for us not to have involvement from both sides of the aisle. Without White House leadership, we cannot move forward.

As the President so often says, let's get focused not on the next election but on the next generation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, the Senate will have before it today or tomorrow, depending upon the flow around here, two very misguided bills. This will come about when we have our budget come up for a vote. Under an agreement to get that budget up, we are going to have a vote on two separate bills. One bill would totally repeal and defund the affordable care act—the health care reform bill we passed—and the other one would prevent funding for Planned Parenthood. So I wish to take a few minutes on the floor of the Senate to speak about how misguided these two bills are.

First, let me talk about the bill that would defund the affordable care act. This bill we will be voting on will prohibit any funds appropriated this year and any funds appropriated in any prior year from being used to carry out the affordable care act. This would remove the engine from health care reform while the train is steaming down the track.

So, again, why are we voting on this? The reason is, Republicans have tried a frontal assault on the affordable care act—a debate on the merits—and they failed. This body voted down Senator MCCONNELL's amendment to the FAA authorization bill that would have repealed health reform in its entirety. But I guess what we can't do directly, we try to do indirectly. So now the Republicans are trying to undermine health reform by other means, such as defunding it.

Well, this strategy only makes sense if you are absolutely obsessed—obsessed—with tearing down health care reform. Make no mistake about it, this bill is the equivalent of repeal. By depriving the bill of all funding, it would turn back the clock on all we have accomplished over the past year.

It would take us back to the bad old days, when insurance companies were in the driver's seat, telling us what kinds of health care we are entitled to and when we are entitled to it.

Instead of protecting all Americans against arbitrary limits on coverage, repeal would take us back to the days when insurance companies could turn off our coverage just when we are the sickest. That would hurt families such as the Grasshoffs from Texas, who testified before my committee earlier this year. They were unable to find coverage that would pay for their son's hemophilia treatment until the affordable care act banned lifetime limits.

Instead of allowing young people starting a new job or a new business or going off to school to stay on their parents' insurance until age 26, repeal would make them fend for themselves in a chaotic market that offers too little coverage for too much money. That would hurt folks such as Emily Schlichting, who suffers from a rare autoimmune disorder that would make her uninsurable in the bad old days. But because of the affordable care act, she is able to stay on her parents' policy until she is 26. Yet at a HELP Committee hearing in January—this is Emily, a wonderful young woman—she said:

> Young people are the future of this country and we are the most affected by the reform—we're the generation that is most uninsured. We need the Affordable Care Act because it is literally an investment in the future of this country.

It would also hurt folks such as Carol in Ankeny, IA, whose 19-year-old daughter was diagnosed with type 1 diabetes 9 years ago. Thanks to the affordable care act, Carol doesn't have to worry about her daughter's preexisting condition, disqualifying her for insurance coverage, and she can stay on her parents' health insurance coverage after college.

Carol also doesn't have to worry about the cost of her daughter's care running up against the lifetime cap that would be imposed by an insurance

company. Health care reform banned those limits. Carol wrote me a very nice letter to say thank you for doing the right thing.

Instead of protecting nearly half of nonelderly Americans who have preexisting conditions—such as high blood pressure, diabetes or heart disease—from denial of coverage, repeal would put insurance companies back in the driver's seat, picking and choosing whom to cover.

Instead of helping small businesses, struggling in this recession with the cost of insurance premiums, repeal of the affordable care act would take away $40 billion in tax credits that reduce premiums for small businesses.

Instead of helping all Americans prevent illness or disease by providing free preventive services such as mammograms and colonoscopies, repeal would allow insurers to charge expensive copays for these important services, thus discouraging people from getting their colonoscopies or mammogram screenings.

If we pass this bill—this bill to defund the affordable care act—Congress will turn its back on America's seniors, tossing our hard-won improvements in Medicare benefits and damaging the program's fiscal health. It would reopen the Medicare Part D doughnut hole, exposing millions of seniors to the full cost of drugs when they need the most assistance. Repealing the affordable care act would increase seniors' drug prices, on average, by more than $800 this year and $3,500 over the next 10 years.

Repeal would roll back the unprecedented investment the affordable care act makes in Medicare fraud prevention. Turning back the affordable care act would hurt seniors' access to health care in rural areas by eliminating incentive payments that are in the affordable care act paid to rural primary care providers.

Repealing—or defunding, as this bill would do—the affordable care act would roll back improvements to Medicare payment policy, coordination, and efficiency that extends the life of the Medicare trust fund by a decade. In addition, Secretary Sebelius has informed us that payments to Medicare providers would be significantly disrupted by this bill, which again will defund the affordable care act.

Finally, we come to the part of this debate even Alice in Wonderland would have a tough time understanding. The House Republicans have played the Washington stage for all it is worth over the last few weeks, making great solemn speeches to the balconies and to the audiences about the deficit and the debt. But as a condition for agreeing to fund the government for the remainder of this year, what are they demanding? They want to defund and, thus, repeal the affordable care act—one of the best and biggest deficit-reducing measures in decades.

The Affordable Care Act reduces the deficit by $210 billion in the next 10 years, more than $1 trillion in the next 10 years. Again, here is a chart that shows that. In the next 10 years, according to the Congressional Budget Office, the Affordable Care Act will reduce the deficit by $210 billion. Therefore, if you repeal it you would increase the deficit by $210 billion.

Here is where the real savings come. In the next decade the Congressional Budget Office says the Affordable Care Act will reduce the deficit by $1 trillion. So if you defund it, as this bill would do, you will increase the deficit by $1 trillion. That is what the Republicans want, they want to absolutely increase the deficit. They must, because they want to do away with the Affordable Care Act.

Let me get this straight. The Republicans are proposing to reduce the deficit by—increasing the deficits? As I said, somehow I have a feeling when I hear that, we are not in Kansas any longer. This is ''Alice in Wonderland'' kind of thinking.

We have to stop the silly game. This debate is not about deficit reduction, it is about tearing down health reform, no matter what. No matter if it does increase the deficit, get rid of it, get rid of health reform. It is about giving control back to wealthy, powerful health insurance companies that can raise your rates, deny you benefits, and make increasingly more profit.

Nothing makes the nature of the agenda of my friends on the Republican side more clear than the 2012 proposed budget released by the Republican House Budget Committee chairman last week. The Republican budget plan is very simple: a massive transfer of wealth from low-and middle-income Americans to the wealthiest in our country. Two-thirds of the budget savings in the Republican budget proposal come from drastically cutting programs that serve those with modest means, while permanently extending President Bush's tax cuts for the rich.

How is this massive wealth shift paid for? They would repeal the majority of the Affordable Care Act, taking coverage away from more than 32 million Americans who would be covered under current law. Starting in 2022, the Republican budget proposal eliminates Medicare as we know it, turning over the program to private health insurance companies. Instead of enrolling seniors in Medicare, the Republicans' plan would give them a voucher to go out and buy private insurance coverage on the open market. Since the voucher would not keep up with rising medical costs, seniors would fall farther and farther behind.

The Congressional Budget Office has said this would more than double out-of-pocket costs for seniors entering the program in 2022; it would triple the costs by 2030. Where would that money go? To the private health insurance industry. That sounds kind of familiar, doesn't it?

The Republicans' obsession with repealing the new health reform law is not based on budgetary considerations. It is based strictly on ideology. In 1965, President Johnson and this Congress passed Medicare, ensuring seniors access to decent health care. Republicans fought it bitterly then and 45 years later they are still trying to undo it. Here they go again. The choice before us is to go forward or to be dragged backward. Let us come together as a united American people, create a reformed health care system that works not just for the healthy and the wealthy but for all Americans.

There is a second bill we will be voting on in conjunction with the budget. The Republicans insisted on this in order to have a vote on the budget. It is equally as misguided and as dangerous, I think, as the other bill. This second bill would prohibit a law-abiding and extraordinarily successful organization from participating in fair competition for Federal funding. This entity would, of course, be Planned Parenthood.

Again, let's be clear what this bill is not about. It is not about the need to prevent Federal funds from being used to pay for abortions. Longstanding rules under the title X program already strictly prohibit the use of taxpayer dollars to fund abortions. What is more, every appropriations bill for the last two decades has stated that no funds can be used for any abortion.

This bill is not about abortion. It is about banning a specific organization from even competing for Federal funds, simply because some people don't agree with that organization. This would create a very disturbing and dangerous precedent. When Congress creates a program, it typically specifies rules or criteria for participation in that program. Anyone who or any organization that agrees to play by these rules and criteria is eligible to compete. Planned Parenthood is playing by the rules. That is one reason it is one of the most widely respected health care providers in the United States.

Of 5.2 million women served every year by the title X program, 1 out of 3, 31 percent, receive care at Planned Parenthood health centers. If someone can show me a specific clinic that is not following the rules, by all means take away their funding. But that is not what this bill does. This bill says Planned Parenthood as an entity would be banned from even competing to provide services under title X, despite the fact that they conform to all of the rules of the program.

It doesn't only ban Planned Parenthood from offering family planning services. That is one aspect of what Planned Parenthood does. But this bill would turn away nearly 1 million women a year who receive cervical cancer screenings through Planned Parenthood clinical services, as well as 830,000 women every year who get breast exams at Planned Parenthood clinical services. They would turn away countless hundreds of thousands

of women and men who receive physical exams and immunizations at Planned Parenthood clinical services.

My office has been deluged by e-mails and phone calls from Iowans and other Americans who oppose this misguided effort to ban Planned Parenthood from receiving funding under title X. I stand with them in support of the important services these clinics provide to women and men throughout the country.

A constituent of mine writes:

Dear Senator Harkin,

I want to let you know that cutting funds to Planned Parenthood will jeopardize the lives of many of the women and some of the men who go there for basic reproductive health screenings. I say this with confidence, as Planned Parenthood was the only clinic I could afford 10 years ago, to obtain yearly Pap smears. It was Planned Parenthood that found my cervical cancer and referred me to a specialist for treatment. Due to the existence and actions of Planned Parenthood, I am alive today as a healthy and contributing member of society. I work with undergraduate and graduate students, and several of them have mentioned that Planned Parenthood was their only option for affordable screenings. . . . Please ensure that government funding will be allocated to Planned Parenthood. Please do not have young or socioeconomically strapped women potentially lose their life over a cancer that is remedied when caught in its early stages.

That was the end of her letter. We need to listen to voices such as this. We need to listen to the women of America who rely on Planned Parenthood.

Finally, I believe this bill goes to the heart of whether we can reach common ground on something on which we should all agree, the need to find ways to reduce the need for abortions in America. Let me say at the outset I strongly believe that we must preserve the right of every woman to her own reproductive choices that exist under the Supreme Court's decision in Roe v. Wade. But to reduce the number of abortions we must prevent unwanted pregnancies, just as we must also support women who want to carry their pregnancies to term. That is precisely what title X funding accomplishes. Family planning services at title X health centers, including Planned Parenthood, prevent an estimated 973,000 unintended pregnancies a year and this in turn obviates what a woman might turn to in desperation, for hundreds of thousands of abortions every year.

Unfortunately, during the debate on Planned Parenthood in recent days we have heard many wild and inaccurate claims about the work of this dedicated organization. On that score, I have always agreed with my former colleague, the late Senator Pat Moynihan, who said, ''People are entitled to their own opinions but they are not entitled to their own facts.'' Last week our distinguished colleague, the junior Senator from Arizona, stood here on the floor of the Senate and stated that abortion ''is well over 90 percent of what Planned Parenthood does.'' He stated it right here on the Senate floor, the junior Senator from Arizona.

Of course that is grossly inaccurate. Planned Parenthood spends the overwhelming majority of its resources keeping women healthy and preventing the need for abortion in the first place. The fact—the fact—is that just 3 percent of Planned Parenthood services are related to abortion.

When news organizations asked the office of the Senator from Arizona for evidence of his claim, a spokesperson bizarrely stated: ''His remark was not intended to be a factual statement.'' What was it intended to be? The floor of the Senate is not the place for destructive and false assertions, especially when used to argue that an organization should be redlined and singled out for discrimination.

For the record, Planned Parenthood is one of the most respected women's health organizations in the United States. It courageously defends the right of women in America to make informed, independent decisions about their health and family planning. By providing women with counsel and contraception, Planned Parenthood prevents countless unwanted pregnancies and thereby reduces the number of abortions in this country. Lest there be any misunderstanding, I intend this as a factual statement.

Let me conclude by making clear that the one certain impact of this bill, if it were passed, would be to increase the number of abortions in America. This bill would dramatically erode the effectiveness of title X in preventing unintended pregnancies, preventing sexually transmitted infections, detecting cancers early, keeping people healthy through quality preventive care. It would have this impact because this misguided bill would ban an extraordinarily successful organization, Planned Parenthood, from providing these services.

On this bill we have to say no to unintended pregnancies and unnecessary abortions; say no to this misguided and counterproductive bill.

We will have this vote on the budget but then we have these two side votes, one that would defund the Affordable Care Act and send us back to the bad old days of health insurance companies deciding who gets what when at insanely big profits to them; second, it would ban Planned Parenthood from even applying to be a provider of health resources and services to 5.2 million women every year in this country.

I hope that Congress, the Senate, will rise above these misguided bills, will rise above unfactual assertions made on the floor of the Senate no matter how they were intended, and that we will make sure Planned Parenthood can continue to provide the vital services it does in this country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. McCAIN. 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. McCAIN. Madam President, after much drama and anticipation late last Friday night, literally minutes before the government was scheduled to shut down, as we all know, a deal was struck to pass a weeklong continuing resolution and keep the government operating. That was the seventh continuing resolution we have passed since the start of the fiscal year last October.

Now we are appearing to consider the eighth and final continuing resolution to fund the government for the remaining 5 months of the fiscal year. Amazing. Eight continuing resolutions were necessary to fund the government for 1 year because my friends on the other side of the aisle neglected to bring a single one of the annual appropriations bills to the floor for consideration last year.

As my colleagues know, in addition to continued funding for all government operations, the measure we will consider tomorrow includes appropriations for the Department of Defense for the remainder of the fiscal year. Unfortunately, on top of the typical run-of-the-mill Washington budget gimmickry, this agreement also contains a gross misallocation of imperative defense resources.

The Defense Department funding portion of this bill proposes $513 billion for the routine operations of the Department of Defense and approximately $17 billion in military construction, for a total of $530 billion. This amount is $19 billion less than the President's fiscal year 2011 budget request for the Defense Department and its related military construction projects and $10 billion less than the $540 billion the Secretary of Defense had testified was the minimum amount the Department needed to execute its national defense mission.

In addition, this bill also funds an additional $157.8 billion for overseas contingency operations, or war funding, to support our troops in combat, consistent with the President's budget request.

I might add that the amounts Secretary Gates described as essential in January did not foresee that the United States would expend more than $650 million enforcing the no-fly zone in Libya, an amount that will most likely increase over the remaining months of the fiscal year.

While this may seem like a defense funding level that we can live with in a tough fiscal climate bill, the bill is not what it appears to be on the surface.

As the Secretary of Defense pointed out last week, funding to support the warfighter is degraded in this bill because billions in the war-funding accounts—my staff has estimated close to $8 billion—have been allocated by the Appropriations Committee for new spending not requested by the administration or transferred to pay items

that were originally requested in the base budget for nonwar-related expenses. For instance, the bill shifts $3.2 billion in nonwar funding to the war-funding account to artificially lower defense spending for day-to-day operations but by doing so reduces funds for the warfighter. Here is an example. The appropriators have added $495 million for nine additional F–18s and funds them as part of the war-funding budget even though we have not lost any F–18s in the current conflicts.

Additionally, the appropriators added $4.8 billion in unrequested funding to the war-funding part of the Defense bill for programs and activities that the President and Secretary Gates did not seek. For example, $192 million was added for additional missile defense interceptors. There was no administration request for these funds. And missile defense expenses are in no way related to the wars in Iraq and Afghanistan.

So this bill uses gimmicks and shell games to artificially lower the defense base budget rather than playing by the rules and actually demonstrating our commitment to fiscal responsibility. By doing so, it takes away billions of dollars that were originally requested for ongoing combat operations in Iraq and Afghanistan to support our troops where it is most needed.

Within the $19 billion lower top line of the base defense budget, this bill continues business as usual with cuts exceeding $5 billion to the amounts the President and Secretary Gates requested for critical defense programs in order to pay for over $3.7 billion in unjustified and unexplained increases to other accounts.

In addition to these shifts away from the Department of Defense priorities, this bill also adds over $1.4 billion for projects that were not requested by the Department and are not considered core activities of the Department of Defense.

Let me give you examples of those misallocated resources. It includes $473 million in non-Department of Defense medical research not requested in the President's budget; $227 million in other medical research related to Department of Defense fields but not requested by the Pentagon; $550 million for local roads and schools not requested by the administration. It adds an additional $3.7 billion in program increases not justified by an unfunded request by the service chiefs or by the administration; adds unrequested funds for the Red Cross, $24 million; Special Olympics, $1.2 million; youth mentoring programs, $20 million. These are good programs, but they have no place in the Department of Defense. They should be in other areas. It cuts about $1 billion in military construction requested in the President's budget, including $258 million for projects in Bahrain, the headquarters of the Navy's Fifth Fleet. It adds a reporting provision designed to be the first step in forcing the National Guard to buy firefighting aircraft rather than lease commercially available aircraft. It authorizes a multiyear procurement of Navy MH–60 helicopters.

I want to be clear here. I know that cancer research is a popular cause on a bipartisan basis and that it has value in the larger scheme of things. I am not against funding for medical research to fight the scourge of cancer and other diseases. I support funding for these programs that are requested by the administration for the Department of Health and Human Services. But this sort of general medical research funding has no place in a defense bill. Placing it there, which the appropriators have done year after year, undercuts the fiscal responsibility and prioritization process we expect our Federal agencies to undertake when allocating scarce resources.

So the Department of Defense is not only getting a significantly lower amount in its 2011 budget—$19 billion below what it asked for to support its routine operations and carry out its day-to-day national security mission and $10 billion below what Secretary Gates said in January was essential for the Department's ability to continue to function, but it is also being directed to spend about $8 billion in funding for items that do not directly support the men and women in the military.

Let me point out one more disturbing aspect of the DOD portion of this bill. I understand from an exchange between my staff and the staff of the Senate Appropriations Committee that the committee is appropriating only ''top-line dollar amounts'' in this bill and not providing the customary tables, which is the description for each account, which outline the specifics of what is being funded. Instead, I have learned that the committee plans to communicate directly with the Office of the Secretary of Defense on funding levels in specific items.

I do not have a problem with the Appropriations Committee providing a top-line dollar amount to the Pentagon and allowing the Secretary of Defense to fund our national security priorities as he sees fit. I am deeply concerned about the lack of transparency associated with this plan. I hope it is not a way to get around the earmark moratorium currently in place in both Houses. If a Member of Congress is dictating, through the Appropriations Committee, the use of scarce defense funds, it is an earmark, even if it was done over the phone. I urge the Department of Defense to not view such communications as law or a mandate.

As I noted earlier, in addition to the misallocation of defense resources, this so-called deal uses typical Washington smoke-and-mirror tactics to achieve savings. According to expert analysis and numerous press reports, the agreement reached by negotiators last week used some of the same budget tricks and gimmickry that have helped us to accumulate our current deficit of $1.4 trillion and a debt of over $14.3 trillion.

Yesterday, in an article by Andrew Taylor of the Associated Press, it was reported that details of last week's hard-won agreement to avoid a government shutdown and cut Federal spending by $38 billion were released Tuesday morning. They reveal that the budget cuts, while historic, were significantly eased by pruning money left over from previous years using accounting sleight of hand and going after programs President Obama had targeted anyway. The article also noted that details of the agreement ''reveal a lot of one-time savings and cuts that officially score as cuts to pay for spending elsewhere, but often have little or no impact on the deficit.''

Additionally, an editorial appeared in today's Wall Street Journal titled ''Spending Cut Hokum: GOP leaders hyped their budget savings.'' In part, the editorial states:

> After separating out the accounting gimmicks and one-year savings, the actual cuts look to be closer to $20 billion than to the $38 billion that both sides advertized. But the continuing resolution also saves money on paper through phantom cuts. The whopper is declaring $6.2 billion in savings by not spending money left from the 2010 Census. Congress also cuts $4.9 billion from the Justice Department's Crime Victims Fund, but much of that money was tucked away in a reserve fund that would not have been spent this year in any event.
>
> The budgeteers claim $630 million in cuts from what are called ''orphan earmarks,'' or construction that never started, and $2 billion more for transportation projects, some of which were likely to be canceled. The Associated Press reports that $350 million in savings comes from a 2009 program to pay diary farmers to compensate for low milk prices. Milk prices are higher this year, so some of that money also would never have been spent.
>
> An estimated $17 billion comes from one-time savings in mandatory programs. The cuts are real, but the funding gets restored by law the next year, which means Republicans will have to refight the same battles. States lose some $3.5 billion in bonus money to enroll more kids in the Children's Health Insurance Program, but many states failed to qualify for that extra funding. These cuts don't reduce the spending baseline, so there are no compound savings over time.
>
> None of this is enough to defeat the budget at this point, but it is infuriating given the GOP leadership's flogging of that $38 billion top-line figure.

Is that the best we can offer the American people right now? In these tough economic times, with record debt and deficits and 8.8 percent unemployment, we give them smoke and mirrors, budget gimmickry, and accounting sleight of hand. Our government is bloated and precious taxpayer dollars are squandered in nearly every agency. You can't pick up a newspaper or go online without seeing reports of waste and duplication throughout Federal bureaucracies. I am pleased some real cuts have been made, but we need to do much more. This deal does little to address the very serious fiscal issues we face as a nation.

I hope as we address the next crisis, which will be, obviously, as we reach the debt limit, that we will have more

serious plans. I also believe it is vitally important, before we raise the debt limit, that we can put this Nation on a path to a balanced budget. We cannot afford to continue to borrow 40 cents out of every dollar we spend in Washington. We cannot afford, as the commercial that many of us have seen on television, to have the Chinese own America's money, and the United States be in such debt that China has an increasing and unhealthy influence on the United States.

I intend to vote for this agreement. I believe we could have done a lot better, but it is a step in the right direction. It is the first time we have made serious efforts to reduce spending in quite a number of years around here. I hope it will serve as something that the American people can support and spur us on to greater efforts in the coming weeks and months.

I notice the presence of the majority leader, and I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I say to my good friend from Arizona, we came to the House of Representatives together, came to the Senate together. When we came here, we both had the same service except the State of Arizona had more people than the State of Nevada, so he is one step ahead of me in seniority. I appreciate my friend's statement.

Mr. MCCAIN. That is in the eye of the beholder. I thank the Senator.

Mr. REID. I appreciate my friend's statement. He and I are both going to vote for this piece of legislation for different reasons, but as I have said publicly and privately, there have been very few people in the history of our country who have served our country so valiantly in battle and in the government than JOHN MCCAIN. Even though we have disagreed on a number of issues over the years, my admiration for him will always be there.

(Mr. WHITEHOUSE assumed the chair.)

RENO AIRPORT INCIDENT

Mr. REID. Mr. President, as the country learned today, certainly we learned in Nevada, there was a terrifying close call at the Reno airport last night. It is a miracle that everyone is OK today, and we are grateful they are.

This is what happened. Only one air traffic controller was in the tower during last night's overnight shift. Medical aircraft carrying a critically ill passenger couldn't land because the controller fell asleep on the job. We now know that the pilot circled several times. We now know that he tried to call the tower not once, not twice, but seven times. The controller slept through every one of the calls. He slept through the circling of the aircraft.

More than 15 minutes later, with the passenger critically ill in the airplane, minutes during which no one could reach the air traffic controller while this critically ill passenger suffered in that aircraft, the pilot landed without any guidance from the airport.

The Reno airport is situated right below the great Sierra Nevada Mountains. It is an extremely difficult place to land. Those of us who have been landing there for all these years know how terribly rough it is many times coming out of there with the winds coming off the Sierras. To think this pilot was forced to land without any control on the land is very scary.

This should not happen in Nevada. It should not happen anywhere in the country. It shouldn't happen in any airplane, and it certainly shouldn't happen to an air ambulance.

Just a short time ago, I spoke with Secretary of Transportation Ray LaHood. I am very happy he is acting, and acting quickly, to make sure this never happens again in Reno or anywhere else. We know we had an experience a few weeks ago right here in Washington, DC, the same type of situation.

Why did it happen? Reno was one of 27 airports across the country that sometimes had only one air traffic controller on the overnight shift. Because of Secretary LaHood's quick action, there will now be zero—effective immediately, every airport will have at least two air traffic controllers in the tower at any given time.

As I indicated, I have flown into and out of that airport many times. In October I was there for a celebration. We were opening a new control tower. It was very badly needed. From the old one, you couldn't see parts of the runway. When Reno's old control tower was built, Dwight Eisenhower was President and the Dodgers were in Brooklyn. In the half century since, the area's population has more than tripled. So it was fitting, we said at the time, that the airport open a control tower three times as tall as the old one.

Last night's near tragedy reminds us that state-of-the-art structures and the best technology work only as well as the people operating them. If these people fall asleep on the job, literally, they risk the lives of millions of Americans flying into and out of airports every day.

Secretary LaHood and Randy Babbitt, FAA Administrator, are doing their jobs. I appreciate their responsiveness and share their outrage that this ever happened, but Congress also has a key role to play. We have to do our jobs.

The Senate passed a bill in February to modernize America's air travel. With that legislation we created or saved 280,000 jobs. It would improve aviation safety and protect travelers, and that is an understatement. It would even help reduce delays, improve access to rural communities, and it would do all this while creating jobs.

The Republican House also passed a companion bill a few days ago, but the House bill is almost the opposite of ours. It is dangerous. It doesn't protect passengers, it imperils passengers. The Republican bill would cut the modern navigation systems at our Nation's airports. It is hard to comprehend—an FAA bill, to which we have had to give short-term extensions—I don't know exactly the number of times but like 14 different times—now we are going to try to pass a bill that doesn't modernize our navigation systems at our airports. That would be wrong.

The FAA said the House bill would force it to furlough safety-related employees—not just any employees but those whose primary job is keeping air travel safe. That doesn't make any sense. It would also keep airports from making the infrastructure improvements they need and would completely end the program that ensures rural communities—in small towns such as Ely, NV—have air service.

The Senate-passed bill and the House-passed bill are now in conference to work out the differences. Clearly, there are a lot of differences. The conferees have some choices to make, and they are important, but they need to make them quickly so that both Houses can pass this bill and send it to the President, and do it quickly.

This bill passed on a huge bipartisan vote. Again, we are grateful everyone in Reno is OK, but the next time we may not be so fortunate. Let's make our airports and our travel as safe as possible as soon as possible so the next time we don't have to rely on luck. That is what it was.

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

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

THE BUDGET

Mr. GRASSLEY. Mr. President, I suppose I and a lot of my colleagues had an opportunity to hear the President's speech this afternoon. It is very nice that the President is being engaged for the first time in the budget debate and the long-term fiscal problems of this country, and the deficit problems of this country. It is good he is following on with some of the recommendations of his own deficit reduction commission. We have to remember a little less than a year ago he appointed a deficit reduction commission. They reported on December 5. It seems as though they had broad bipartisan support because the four Senators on the commission—two Democrats and two Republicans with probably very different political philosophies of the four—have endorsed it. Then, all of a sudden, since December 5 until today, there has been a lot of quiet on the part of the President of the United States about whether he

likes what his deficit commission suggested.

I don't know the details of where he is coming from, whether he agrees with every detail that is in the deficit reduction commission recommendations, but at least he is getting on board along the lines of what 64 Senators—32 Republicans and 32 Democrats—said in a letter about a month ago to the President: We are ready to start tackling some of these big problems, but we need leadership. Maybe this speech today is an answer to that leadership. Or, if I want to be cynical about it, I could say maybe the President gave his speech today because of the very positive comments that Congressman and Chairman PAUL RYAN got for his budget ideas that he released last week.

But the President also took advantage to renew the class warfare—the demagoguery of taxing the wealthy. It doesn't contribute much to the debate. In fact, I think it makes it very difficult to bring people together. Or, if I want to be cynical, I could say this is maybe the President's first speech about his reelection. But either way, I think there is analysis that we have to look at very carefully and see if it does the economic good that is intended in the speech, even though it is welcome that the President is being engaged at this time.

So I would give some reaction to some of the things the President said, but I want this as background: From World War II through 2009, every dollar of new Federal tax revenue coming into this Treasury resulted in $1.17 of new spending. Think of that: Every new dollar coming in wasn't a dollar that reduced the deficit, it was a dollar that resulted in $1.17 of additional spending. That is like a dog that chases its tail and never catches it. So we are sending a new dollar to Washington to do something about the budget deficit and nothing happens as a result of that, except more deficit.

The President made the point that tax reductions in 2001 and 2003 added tremendously to the deficit he inherited or the part of the deficit that now exists. But, in fact, the tax reductions of 2001 and 2003 resulted in more revenue to the Federal Treasury. The expanding economy, spurred by the Tax Relief Acts of 2001 and 2003, helped to reduce the annual budget deficit from $412 billion in 2004 to $160 billion in 2007, not because we taxed more but because we taxed less and we had more economic activity as a result. That brings me around to the principle of deficit reduction. Obviously, when I say a dollar of additional taxes doesn't go to the bottom line, that doesn't do anything about the deficit. But on the expenditure side, reducing that and the economic growth that comes from it is what reduces the deficit—more economic activity.

Even the most sincere arguments that raising taxes would reduce the deficit and the debt do not have history to back them up. Outside of Washington, it is obvious to people the problem is not that people are undertaxed but Washington overspends. The voters said this so loudly and clearly in the last election, and elections are supposed to have consequences. I think the budget agreement of midnight Friday night is evidence of words from the grassroots of America getting through to Washington, DC. I think most people at the grassroots are cynical whatever happened, and I suppose we have to do a lot more to prove to them there might be a different day in Washington. But it was pretty loud and clear the results of the last election and the message sent to Washington.

Government spending increased by 22 percent during the last 2 years, a nonsustainable level of increased expenditures. If we follow the budget proposed this year by President Obama, we would add another $13 trillion to our national debt over the next decade. This debt gets in the way of economic activity that creates jobs, and it is a terrible burden to leave to future generations. We talk dollars and cents when we talk about the deficit and the debt, but it is a moral issue of whether those of us of our generation ought to live high on the hog and leave the bill to young people such as these pages here who have to pay for it. It is a moral issue as much as it is an economic issue.

This trillions of dollars of debt gets in the way of economic activity that creates jobs, and it is a terrible burden on future generations. Washington needs to get behind policies that clamp down on spending and, as a result, we will grow the economy. Increased economic activity increases revenue to the Federal Treasury, enabling deficit and debt reduction. We know that to be a fact, because from 1997 to the year 2000, we actually, because of the growth of the economy, paid down $568 billion on the national debt during that period of time. The answer is not ways to grow government. We need to grow the economy, but we don't grow the economy by growing government.

Getting back to the issue of the President making a big deal in his speech about the 2001 tax cuts being a major cause of the budget deficit, and probably the implication of the unfairness of it because there weren't higher taxes on higher income people, I would suggest that the President is wrong in both regards.

In 2001, the tax cut included an across-the-board income tax reduction and reduced the tax rates on the lowest income people from 15 percent to 10 percent. It resulted in removing millions of low-income people from the Federal income tax rolls entirely. It increased the child tax credit from $500 to $1,000. The legislation included marriage penalty relief and the first-ever tax deduction for tuition.

Two years later, after 9/11, the 2003 dividends and capital gains tax rate cuts spurred economic growth and created jobs.

The result was more revenue to the Federal Treasury, not less. The expanding economy helped reduce the annual budget deficit—and I am repeating these numbers because they are significant—from $412 billion in 2004 to $160 billion in 2007.

I know it is counterintuitive to a lot of people to hear a Member of the Senate say if you reduce marginal tax rates, you are going to bring revenue into the Federal Treasury, because the obvious common sense tells people that if you increase taxes, you are going to bring in more revenue. As I said earlier in a speech today, it doesn't work out that way because some people in this country can decide I have paid enough taxes, I am not going to pay any more. So they disincentivize to be productive, probably do leisure or invest in nonproductive activity. When you lower marginal tax rates, it encourages those people to be productive and, at the same time, creating jobs, growing the economy, and bringing more money into the Federal Treasury.

When you look at the sources of the deficit, contrary to the President's claim, tax relief has been a small part. Unprecedented spending contributed much more to the deficit than the tax relief did and particularly in the last 2 years—a 22-percent increase in expenditures on top of the $814 billion stimulus.

Here is something that probably is counterintuitive as well and probably something the President misses from his analysis of the 2001 and 2003 tax relief bills, which he blames the big budget deficit on. Those reductions actually ended up with taxes being more progressive. The effective Federal tax rate on the top 1 percent of households is more than seven times the rate paid by the bottom 20 percent of households. That is up from less than five times as much in the year 1979.

If tax relief enacted since 2001 is allowed to expire in a little more than a year and a half—because last December we only extended the existing tax policy until December 31, 2012—if that happens at that time, a family of four with two kids who earns $50,000 today would see a $2,155 increase in their tax bill. More than 6 million low-income people who currently have no Federal income tax liability would be subject to the individual income tax, and that would be at a rate of 15 percent instead of the current 10 percent.

Washington needs to learn that leaving more money in the pockets of the taxpayers unleashes a positive chain reaction in our economy. On the other hand, government spending doesn't create wealth because government is not an institution that can create wealth. Government is an institution that can only provide an environment for people outside the government to create wealth. In fact, what the government does is it consumes wealth and, as a result, doesn't generate a stronger economy.

Instead of growing the government, Washington needs to focus on helping

create private sector jobs. The President's new plan will reduce the deficit by $4 trillion over 12 years. He does that by reducing spending by $2 trillion but raising taxes by $1 trillion, and, thus, lowering interest payments by $1 trillion. The President has again failed to realize that we don't have a revenue problem, we have a spending problem.

At least a couple times since I have been in the Senate, I have heard this argument: Let's increase taxes $1, and we will reduce expenditures $2 or $3 or $4—sometimes it is $2, sometimes $3, and sometimes $4 behind those ideas. That sounds very good, doesn't it? But here is why it doesn't work and why bringing in $1 in new taxes actually leads to spending of $1.17. I often quote Professor Dave Vedder of Ohio University, who has studied tax increases and spending for a long period of time. In fact, you increase taxes until you decide to do something else with the taxes. But appropriations are reviewed annually and, for some reason or other, after that first year, appropriations tend to creep up and up and up. Consequently, the well-intentioned raising of taxes $1 and reducing expenditures by $3 or $4—as well intended as it is, it gradually is eroded on the expenditure side—that half of that proposition—so you end up not reducing expenditures as you have originally indicated.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. NELSON of Florida. Mr. President, may I address the Senate?

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

Mr. NELSON of Florida. Mr. President, we have come through a crisis. It is not over yet because we don't have a law that has been passed by both Houses averting the shutdown of the government, and once it has passed both Houses—which we anticipate tomorrow—then it will be signed into law by the President, and we will avert the shutdown.

Had there been a shutdown or, in the alternative, had a law proposed in the House of Representatives, H.R. 1, been law, what we would have seen is a number of the hunger programs we have being savaged. There would have been a huge savaging of the feeding programs around the world—USAID, an arm of the State Department, which saves untold thousands, if not millions, of lives, particularly of children. They have a program right now in Africa, for example, of just providing mosquito netting, which cuts malaria by 30 percent. But also, USAID uses a lot of American agriculture to help feed hungry populations. Those programs would have been cut significantly had H.R. 1, the House of Representatives' appropriations bill, been the final decision.

Fortunately, it wasn't and, fortunately, for the hunger programs, both abroad and at home, the least among us will not have to suffer those cutbacks to the budget for the duration of this fiscal year—for the next 6 months.

Even so, there were some significant cuts in what has been agreed to in the funding for hunger programs here in America. There was a $500 million cut in the Women, Infants, and Children Program, otherwise known as WIC, the Federal health and nutrition program for women, infants, and children. We will have to deal with this, as we are now putting together the mathematics in building the next budget for 2012.

I decided to come over and talk because I wish to talk about one of my closest personal friends, former Congressman and former Ambassador, Tony Hall of Ohio, who started a fast 16 days ago. That fast he is going to continue, only having water. He is going all the way through Easter, which is another week and a half away. The duration of that fast will be somewhere around a month.

You can imagine what happens to your body when you don't take in any nourishment other than water for 30 days. That is what Tony Hall is doing. It is very interesting that people are joining him. Some 35,000 people nationwide have joined Tony in a fast. It may not be a complete fast such as he is doing, with only water, and it may be just that they are doing a fast 1 day a week. It is interesting that 30 Members of the House of Representatives have joined their former colleague, Congressman Tony Hall, in this fast, and that includes—as just announced—14 U.S. women lawmakers who plan to protest the deep cuts in the programs that help the poor and battle hunger in the United States and overseas.

In conclusion, you can tell a great nation by how it takes care of the least of those among us. It is certainly a part of our Judeo-Christian heritage, throughout the Hebrew Scriptures and the New Testament, that, over and over, the most referenced part of the Scriptures is the obligation of a society to take care of the least privileged among us.

Back in the old days, some 2,000 years ago—and even before—they had a social security system in that agricultural economy of the time called gleaning. Those who owned the wheat fields would go in and reap the wheat, but it was the standard practice of the day that they would leave enough wheat on the stalks so the poor could come in and glean the fields in order that they would have sustenance. That was their social security system of the day. Our systems of aiding the poor are much more sophisticated and include the programs of USAID, and here at home a lot through the Department of Agriculture. But as we have to cut the budget, we must constantly remind ourselves, as Ambassador Tony Hall is reminding us right now with his fast for a month, that it is an obligation of all of us to take care of the least among us.

I will close by quoting that passage from Matthew 25: When you did it for the least of these, my brothers and sisters, you were doing it for me.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The majority leader is recognized.

Mr. REID. Before my friend leaves the floor, I had the good fortune to serve in the House, as my friend did, with Tony Hall, a very dedicated, thoughtful man. I wasn't aware of his doing this fast. That is a real fast. It shows how strongly he feels and has felt for many years about this. So it is nice my friend from Florida brought this to the attention of the American people.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the period of morning business for debate only be extended until 7 p.m. tonight, with Senators permitted to speak for up to 10 minutes each, and that at 7 p.m. I be recognized.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, April 14, following any leader remarks, the Senate proceed to a period of morning business for debate only with Senators permitted to speak for up to 10 minutes each until the Senate receives the papers from the House with respect to the following items:

H.R. 1473, the Department of Defense and Full-Year Continuing Appropriations Act for fiscal year 2011; H. Con. Res. 35, a correcting resolution relative to a prohibition of Federal funds for health care reform; and H. Con. Res. 36, a correcting resolution relative to a prohibition of Federal funds for Planned Parenthood; that when the Senate receives the papers from the House, the Senate proceed to votes on the two concurrent resolutions and passage of the bill in the following order: H. Con. Res. 35, H. Con. Res. 36, and H.R. 1473; that there be 2 minutes of debate equally divided prior to each vote; that there be no amendment in order to the bill or the concurrent resolutions prior to the votes; that the motions to reconsider be considered made and laid upon the table; that the correcting resolutions and the bill be subject to a 60-vote threshold; that the only points of order and motions in order be budget points of order and the applicable motions to waive; further,

that the Secretary of the Senate immediately notify the House of Representatives of the results of the Senate's action on the House measures.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

I withhold that. My friend from Rhode Island is here. I apologize.

The PRESIDING OFFICER. The Senator from Rhode Island.

CONTINUING RESOLUTION

Mr. WHITEHOUSE. Mr. President, later this week, we will consider a spending measure to fund the United States Government through the remaining 6 months of this fiscal year. While the majority leader is on the Senate floor, I want to thank him, as well as Appropriations Chairman INOUYE and Senator PATTY MURRAY, for their hard work in negotiating an end to the budget stalemate and preventing the threatened government shutdown.

The battle over that spending measure brightly illuminated the contrast between the priorities of the two parties. The priorities of the House Republicans, I believe, are completely upside-down. In the debate over the spending bill, they fought to cut programs that helped the middle class and for extreme tea party policy riders that had nothing to do with the budget. These included a prohibition on funding for women's health and eliminating the Environmental Protection Agency's ability to protect us against carbon and other pollution.

At the same time, the House Republicans refused to even consider raising revenue by closing tax loopholes, for instance—not one. They refused to entertain ending even one corporate tax giveaway or one special treatment for wealthy taxpayers.

If that debate didn't make the contrast between the two parties crystal clear, the House Republican budget for 2012—the so-called Ryan budget—sure did. In his budget, Congressman RYAN proposes privatizing Medicare and requiring seniors to pay the majority of their health expenses with their own money. They would get a voucher, which actually would go to the insurance company, and the difference would be up to them. In the same document in which Congressman RYAN would decimate Medicare, he would cut taxes for millionaires and billionaires by trillions of dollars.

Now, one major factor that contributed to our budget deficit is the economic crisis that we recently weathered. It is amazing the amnesia we can have in Washington. We are not even through the recession that has been so painful for so many families in Rhode Island, and yet we seem to have forgotten that economic crisis. Well, those of us who were here ought to remember the desperate urgency that was displayed by Treasury Secretary Hank Paulson and Federal Reserve Chairman Ben Bernanke as they, having looked into the economic abyss, came to this building—to the LBJ Room right here in the Senate—to plead with us for help to save the world economy. These are not two easy men to frighten, and they were very frightened.

We are now past the worst depths of the financial and economic crises, and as this chart shows, the economic recovery measured in jobs is proceeding, although all too tentatively and all too slowly in Rhode Island. We are still at 12 percent unemployment in the Providence metropolitan area and over 11 percent statewide. Now that we are finally creating jobs—but very few compared to the job losses of the crisis—now that we are finally at least on the good side of the equation, House Republicans have proposed yanking government support for the recovery and jeopardizing many of the jobs that are on this chart.

Their spending proposal, H.R. 1, would have cut spending so severely that former McCain Presidential campaign economic adviser Mark Zandi estimated it would cost as many as 700,000 jobs.

Just look at our job gains: For February, 222,000; for January, 68,000; for December, 167,000; and for November, 128,000. We would wipe out months and months of job gains with a 700,000 job loss.

Goldman Sachs, the Wall Street investment bank, said this bill—H.R. 1—could reduce the growth in our annual gross domestic product by two full percentage points over the rest of the year. We were only expecting about three percentage points of growth, so to knock off two of them is a big hit on jobs.

So I will begin by pointing out that as we deal with the debt and deficit, we cannot forget about jobs. It is growth, ultimately, and a recovering economy that will help reduce our national debt.

As you will recall, the Republicans also resisted any efforts to close any corporate tax loopholes. Corporations, our Republican friends contend, are overtaxed, and any closing of a loophole would amount to an unacceptable tax hike. So let's look for a minute at the actual state of things. Let's look at the facts for a minute.

This is the actual state of corporate tax payments in America. In 1935, for every $1 an American individual contributed to our revenues, American corporations also contributed $1. By 1948, American individuals were contributing $2 for every $1 that corporate America contributed. By 1971, it broke through 3 to 1. In 1981, it broke through 4 to 1. And in 2009, we broke through 6 to 1, with American individual taxpayers contributing every year to our annual revenues six times as much as American corporations.

So we have gone, in a lot of people's lifetimes—you have to be pretty old, but there are plenty of people who remember 1935—from, basically, even-Steven between corporate America and individual Americans, with individual Americans carrying six times the tax burden of corporate America. So when people say how overtaxed corporate America is, it is worth looking at this history of ever-diminishing corporate contributions to our Nation's revenues.

Let's look now at one of the factors that is driving the erosion of corporate tax revenues. This is an interesting house—a building located down in the Cayman Islands. It is not particularly large, kind of nondescript. Our Budget Committee chairman, KENT CONRAD, uses this photograph quite often.

This building may not look like a beehive of economic activity, but over 18,000 corporations claim they are doing business in this building. That is correct; 18,000 corporations claim to be doing business in that little building. It gives a whole new meaning to the phrase ''small business'' when you think of trying to pack 18,000 corporations into that little structure.

Well, as Chairman CONRAD has pointed out, the only business being done in that building is funny business or monkey business with the Tax Code. Tax gimmickry. This nonsense is estimated to cost America as much as $100 billion every year. For every one of those dollars lost to the tax cheaters, honest taxpaying Americans and honest taxpaying corporations have to pay an extra dollar or more to make up the difference.

Now, let's go to another building that has a tax story to tell. This is the Helmsley Building in New York City. It is a nice-looking place. The building is big enough to have its own Zip Code. That means the IRS reports of tax information by Zip Code can tell us a lot about this building. Here is what this building tells us from actual tax filings and actual tax payments.

The well-off and very successful, indeed, admirable occupants of that building paid a lower tax rate than the average New York City janitor. The average tax rate of a New York City janitor is 24.9 percent. The average tax rate of a New York City security guard—I am sure the Helmsley Building has security guards—is 23.8 percent. But the average tax rate actually paid by the occupants, the successful, capable, but well-compensated occupants of that building, is 14.7 percent, about three-fifths of the rate that their janitors and security guards are likely paying.

So that seems as though it must be extraordinary, but, believe it or not, that is no fluke. The IRS reports the tax rate that is actually paid by the highest earning 400 Americans. They have to go back a few years to do the calculations, but here is their most recent information, and the story is the same. The highest earning 400 Americans each earned on average more than $344 million—more than $1/3 billion in 1 year—and the average tax rate those 400 high-income earners actually paid was 16.7 percent.

I applaud their success. It is the American dream writ large when somebody can make $1/3 billion in a single year. But when they only pay 16.7 percent, it makes you wonder. You might wonder, for instance, at what wage level does a regular single working person start paying 16.7 percent in total Federal taxes? If you are a single filer without deductions, you hit 16.7 percent of your salary going to the Federal Government in taxes at $18,650 in salary.

So what does that equate to for jobs? The Bureau of Labor Statistics calculates that in my home State, in the Providence labor market, a hospital orderly is paid on average $29,000 a year. That means that the 400 biggest income earners in America, each earning on average $1/3 billion, are paying the same tax rate as the hospital orderly pushing that cart down the linoleum hallways of the Rhode Island Hospital at 2 o'clock in the morning. That is the way the code actually works. There are a lot of people in between that and making what a hospital orderly makes, and they pay a lot more in taxes than 16.7 percent. But when you get to the very high end, when you get to the occupants of the Helmsley Building, when you get to the people making $1/3 billion a year, those tax rates actually paid go down to the point where they are paying the same rate as the janitor—less than the janitor—and the same rate as the hospital orderly.

I have heard my colleagues say that rates go up the higher income you pay, and nominally they do. But when you look at what is actually paid, when you look at what goes through our contorted Tax Code system, out the back end come these extraordinarily low actual tax payment rates for the most well-off and well-compensated Americans.

If you go to the corporate Tax Code, that makes little more sense. Decades of lobbyists have carved our corporate Tax Code into a Swiss cheese of tax loopholes, of tax earmarks for the rich and powerful. The result? We have a nominal corporate tax rate of 35 percent. But here is what the New York Times reported recently. General Electric, one of the Nation's largest corporations, made profits of over $14 billion last year and paid no U.S. taxes—none. Indeed, it actually received a $3.2 billion refund from the American taxpayer.

I read recently that Goldman Sachs in 2008 reportedly paid income tax, Federal tax, of 1 percent. Maybe those were 1-year anomalies, but if you look at a previous analysis by the New York Times, of 5 years of corporate tax returns, consolidated, that analysis found that Prudential Financial only paid 7.6 percent—less than our hospital orderly; Yahoo, 7 percent; Southwest Airlines, 6.3 percent; Boeing, 4.5 percent; and what looks to be our tax avoidance champion, on $11.3 billion of income, the Carnival Cruise Corporation paid less than 1.1 percent in Federal taxes averaged over those 5 years. One recent paper actually calculated Carnival Cruise Lines' effective tax rate at 0.7 percent on $11.3 billion in income. Carnival Lines doesn't just take you for a cruise, they are taking all of us for a ride. Good, honest CVS, a corporation in my home State, pays full freight. Why should they pay 30 times the tax rate of Carnival Cruise Lines? It makes no sense.

But wait, there is more. Don't forget that we make the American taxpayer subsidize big oil to the tune of at least $3 trillion a year, and big oil has made $1 trillion in profits this decade. They hardly need to raid the pockets of the American taxpayer, but on an effective tax rate basis, the petroleum-gas industry pays the lowest rate of any industry.

I think these are all noteworthy landmarks of where we are in our budget and debt and deficit discussion. But the big landmark, what I call the Mount Everest of landmarks that casts its shadow over the entire budget discussion, is health care. Representative RYAN's health care budget proposal is radical and would create terrible harm for seniors. But I do agree with Representative RYAN on his statement that says the following:

> If you want to be honest with the fiscal problem and the debt, it really is a health care problem.

He is right, and the landmark feature of this landmark problem is this: The health care cost problem is a health care system problem. Our national health care costs are exploding. The health care system is driving up the costs of Medicare. The health care system is driving up the costs of Medicaid. The health care system is driving up the costs of private insurance—of BlueCross, of United. The health care system is driving up the cost of the military's TRICARE system and the VA system. No one is exempt. It doesn't matter who your insurer is, the health care system is what is driving the costs in public and in private programs alike.

We have to address the health care system problem if we are going to get our health care costs under control. Simply going after one manner of payment, such as the Medicare system, misses the real target and will cause us to fail at our endeavor.

Instead of tackling this vital problem of the underlying growth in health care costs, the Ryan budget would end Medicare as we know it. Just look at these numbers. I was born in 1955. It was at $12 billion, the entire national health care system. By 1979, it was up to $219 billion; by 1987, $512 billion; by 1992, $849 billion; and from 1992 to 2009, it has soared to $2.5 trillion. This is a rocket every insurer is on, and you can't just throw the Medicare people off of their health care and pretend you are going to do anything about bringing down that accelerating curve. But instead of tackling the underlying growth, the Ryan budget would end Medicare as we know it. That would be a tragedy and a mistake.

Medicare, along with Social Security, is one of the most successful programs for human well-being in the history of the world. It allows tens of millions of older Americans to enjoy their golden years with minimal concern about paying for health care. Paired with Social Security, Medicare guarantees American seniors the freedom to retire without fear of privation or destitution. As with Social Security, American workers pay for this privilege through payroll taxes, and they have a right to the retirement benefits that they have been promised and that they have earned.

The House Republican budget drafted by Mr. RYAN would break our pledge with Americans who have been paying Medicare payroll taxes by ending Medicare as we know it and replacing the single-payer system with vouchers for private care that will not come close to paying the full cost of insurance. Indeed, that may be an understatement. According to the nonpartisan Congressional Budget Office, the Ryan plan would leave the average senior with over $12,500 in out-of-pocket expenditures that they would have to pay by 2022. That is nearly as much as the average Rhode Islander gets from Social Security now.

The current Medicare system is projected to cover 68 percent of a senior's health care costs in 2012, and the Ryan plan would only cover 25 percent. Three-quarters of a senior's health care responsibility would be on them, and Medicare would only pick up 25 percent. That is an unaffordable and a indefensible burden that destroys the freedom and the security Medicare provides to seniors and provides to their children as well.

Don't forget that we all enjoy the freedom of knowing our parents will be taken care of no matter how dread the disease they suffer, and we do not have to compromise our choices in life in order to hedge against the fear that our parents will suffer such an indignity, such a terrible result. It helps all Americans to have that freedom in our seniors' hands, to have that fear lifted from their and our hearts.

The Ryan plan is 180 degrees from where we should be on health care reform. It would greatly increase costs. Costs go up because of how inefficient private insurance is—for the average senior, from a projected $14,770 under current policy to $20,510, a 39-percent increase in the underlying cost—in other words, a huge giveaway to the private health insurance industry that would get these vouchers. It would ignore the potential for tremendous savings in delivery system reform and saddle seniors with enormous out-of-pocket expenses.

As I said, rising Medicare costs are not driven by Medicare. Every insurer has their costs going up like a rocket on that chart I showed. We have to get at the problem of the underlying cause.

How do we do this? We actually have a pretty good health care toolbox that has five major tools in it. One is quality improvement. Quality improvement saves the cost of errors, of missed diagnosis, of disjointed care, and so forth. For example, hospital-acquired infections alone cost about $2.5 billion every year, and they are virtually entirely avoidable. They should be and could be ''never'' events. That alone would save $2.5 billion, and quality improvement can extend far beyond just the realm of hospital-acquired infections.

Two is prevention programs. Prevention programs avoid the cost of getting sick in the first place. More than 90 percent of cervical cancer is curable if the disease is detected early through Pap smears. Three, you pay doctors for better outcomes rather than for ordering more and more tests and procedures. That will save money while improving outcomes for Americans.

Four is a robust health information infrastructure which will save billions of dollars a year and open exciting new industries once it takes life. We are approaching that tipping point now, I am glad to say.

Finally, five, the administrative costs of our health care system are grotesque. The insurance industry has developed a massive bureaucracy to delay and deny payments to doctors and hospitals. So the doctors and the hospitals have had to fight back and hire their own billing departments and their own consultants.

I visited, a little while ago, our little Cranston, RI, community health center. They told me there that half their staff is dedicated not to providing health care but to fighting to get paid. On top of dedicating 50 percent of their staff to trying to get paid, they have to spend another $200,000 a year on fancy consultants. All of that, the entire war over payments between insurers and hospitals, adds zero health care value.

We have heard that on the private insurance side, anywhere from 15 to 30 percent of the health insurance dollar gets burned up in administrative costs. We know we can do better because the cost of administering Medicare is closer to 2 percent of program expenditures.

So you add up all of this, all those five strategies, the numbers are enormous. The President's Council of Economic Advisers has stated that 5 percent of GDP can be taken out of our health care system costs without hurting the health care we receive. That is about $700 billion a year.

The New England Health Care Institute says it is $850 billion a year. The well-regarded Lewin Group has estimated the probable savings at $1 trillion a year, a figure that is echoed by former Bush Treasury Secretary O'Neill.

Those are very big numbers, but not only are they big numbers, they represent results that are a win-win. Remember the five strategies: higher quality care with less errors and infections; prevented illnesses so you do not get sick in the first place; secure, complete health records that are there when you need them electronically, so your doctors, your lab, your pharmacy, your hospital, your specialists all know what everybody else is doing; payments to doctors and hospitals based on keeping you well and getting you well, rather than on giving you more procedures and more tests; and, finally, not so much of that infuriating insurance company bureaucracy hassling both patients and doctors.

Those are not bad outcomes even without the savings. So what do we draw from this if we keep all these landmarks in mind, landmarks of where we are as we approach this budget debate? Well, our colleagues on the other side, particularly our House Republican colleagues, say they are determined to reduce our annual deficit on our national debt. That is their top priority.

But they only want to seem to address 12 percent of the budget, the nonsecurity discretionary spending, and examine no savings at all on the revenue side. If we are serious about deficit and debt reduction, why risk destroying 700,000 jobs, when job destruction only adds to the deficit and to our debt through lost economic activity and lost revenue?

If we are serious about deficit and debt reduction, why is there not one corporate tax loophole—not one—on the chopping block? Why is the entire Tax Code off limits in this discussion as it burns up 6 billion hours that Americans spend every year—6 billion hours that Americans spend every year—complying with its contorted requirements.

Why must that hospital orderly, pushing his or her cart down the linoleum hallway at midnight, pay a higher tax rate than some of the most fortunate and able Americans making hundreds of millions of dollars each in a single year? If we are serious about this, if deficits and debt are the most important thing we face, why no discussion of corporate America's ever-diminishing contribution as a share of our Nation's revenue? Should that not be something we at least consider?

If we are serious, why is there no plan for even one of the 18,000 corporations in that phony-baloney headquarters in the Cayman Islands to pay its proper taxes? If we are serious, why is there so much pure political nonsense about ObamaCare and socialized medicine, instead of a mature discussion about using and improving the tools in the health care bill to address our grave national health care system problem.

Why has Representative RYAN proposed taking a sledgehammer to Medicare, instead of making thoughtful and efficient investments to improve the way we deliver health care?

It seems to me that until one corporate tax loophole is on the table, until one subsidy to big oil is on the table, until one subsidy to big agribusiness is on the table, until we are even beginning to talk about billionaires contributing Federal revenue beyond the share of their income that hospital orderlies contribute, until we are not so casual about threatening 700,000 jobs and perhaps $20 billion in related tax revenue that job loss would cause, until then, it is still politics as usual and it is not a sincere desire to tackle our debt.

I have always found that you get a better read looking what people actually do, rather than just believing whatever they say. If you look at what Republicans made their priorities on the CR debate and in the Ryan budget, look at what they do. It is the same old Republican agenda: attacking programs that help the poor, attacking women's right to choose, attacking national voluntary service, helping polluters get around public health measures, reducing the share of revenues paid by corporations, and very high-income individuals. It is the same old song.

Most important, the problem is that if you go that road, it is not adequate to meet the serious problems at hand. We need to look throughout the budget and across all our opportunities to bring down our Nation's deficits and to bring down our Nation's debt. Everyone needs to participate, including our corporate community, including our wealthiest, most talented and most fortunate, everyone. We cannot—we simply will not—get out of the debt and deficit problem we have if we put the whole load of that on the backs of the American middle class.

I look forward in the months ahead to a serious, fair, and sensible discussion, a mature discussion of how to reduce our deficits and our debt.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I wish to speak to the war on women's health and Planned Parenthood.

To be clear, to end Federal funding for Planned Parenthood is to stop providing critical health care to millions of Americans, the majority of them who are poor and simply cannot afford services anywhere else.

This effort will strip the poor and middle classes of their right to preventive healthcare.

Through 800 nationwide locations, Planned Parenthood provides cancer screening, HIV and STD tests, contraceptives, education and empowerment.

Planned Parenthood estimates it prevents over 620,000 unintended pregnancies and 220,000 abortions each year.

Seventy-five percent of its clients are at or below the poverty line. Abortions account for just 3 percent of its overall activities.

What House Republicans seem to have forgotten is that by existing law, taxpayer funding cannot be used for abortions except in cases of rape, incest, or if the woman's life is in danger.

A ban on Federal spending for abortions has been in place since 1976. That is 35 years this ban has been in place.

Yet today House Republicans continue to try to strip Planned Parenthood of its Federal funding and continue to use this issue as a bargaining chip in a debate over the budget.

But the vote the Senate will have to take is clearly not about the budget, it is a war on women's health. This effort would essentially turn back the clock on women's health.

I said this last week, and I will say it again. This is simply an opportunity for the right wing in the House to really sock it to American women.

Let's talk about the facts.

Over 90 percent of care provided by Planned Parenthood is preventive. Planned Parenthood provides care to almost 3 million patients nationwide every year, many of whom have no other place to go.

Only 3 percent of Planned Parenthood's total services are abortion services. And that 3 percent is not made up of Federal funds.

Every year, Planned Parenthood provides affordable contraception for nearly 2.5 million patients, nearly 1 million cervical cancer screens, 830,000 breast exams, and 4 million tests and treatments for sexually transmitted infections, including half a million HIV tests.

These critical preventive services include annual exams, flu vaccines, smoking cessation, and well baby care.

Planned Parenthood helped to prevent 612,000 unintended pregnancies in 2009 alone. Every dollar invested in helping women avoid unintended pregnancies saves $4 in public funds.

And House Republicans want to eliminate Federal funding for this program?

These cuts are biased, politically motivated, and hurts women—particularly low-income women.

Seventy-five percent of Planned Parenthood's clients have incomes at or below 150 percent of the Federal poverty level.

In California alone, Planned Parenthood serves over 750,000 patients, over 680,000 of them through federal funds.

This program is necessary, effective, and oftentimes a last resort.

Let me share a story from one woman from my home State of California.

Mary couldn't afford annual visits to her regular OB/GYN office during college. So a friend suggested she visit Planned Parenthood for a free exam.

Mary said, ''After some hesitation I went. Thank god that I did. During my visit they found that I had the first signs of cervical cancer. I was 19 and terrified.

''The staff at Planned Parenthood was so supportive and understanding. One doctor in particular was amazing, I wish I could find her and thank her personally. She went out of her way to call and check up on me once a week until I had recovered completely from the procedure that got rid of the cancerous cells.''

Six years later, Mary is still healthy and still so grateful for the excellent and compassionate care she received at Planned Parenthood.

There are thousands of other stories like Mary's. I have heard from these young women who went to Planned Parenthood for STD screening and birth control, when they had no other place to go.

I have heard from women pleading with me to preserve Federal funding to Planned Parenthood; telling me that the cancer screenings they received saved their lives.

The House Republicans also want to defund the Affordable Care Act, and block critical consumer protections in the law.

This too targets women. House Republicans want to go back to the days where women could be denied insurance coverage for the ''preexisting condition'' of being pregnant.

They want to reinstate gender rating, where insurance companies charge women higher premiums simply because of gender.

House Republicans want to remove maternity care as an essential health benefit. Currently only 12 percent of health plans in the individual market offer any maternity coverage.

So you see, defunding Planned Parenthood and the Affordable Care Act is not about reducing the deficit or balancing the budget. It is about harming women.

We need to look carefully at our spending and we need to make cuts, but not at the expense of the women in our country.

It is a shame that the budget debate has turned into an ideological war.

It is a shame that funding for health care and family planning is considered ''government waste'' by some Republicans.

When in reality, it is an ideological assault on women's health. I do not support any cuts that harm women and children.

I urge my colleagues return to the issue at hand so we can seriously discuss the Federal deficit, absent an ideological agenda.

REMEMBERING SIDNEY HARMAN

Mr. LEAHY. Mr. President, it was with great sadness that I first received word of the passing of a remarkable man and friend, Sidney Harman. Sidney Harman led a life of passion and commitment, the kind of existence that most of us aspire to. His interests were vast and varied and his sense of possibility unparalleled. With business acumen equal to his mastery of the sciences and his love of the arts, Sidney embraced challenges and faced life head on.

I had the pleasure of knowing Sidney throughout his career as a businessman, entrepreneur, public servant, and philanthropist. He left his distinctive mark on every project he involved himself with and brought his progressive ideas to bear at a critical time in our nation's history. His ability to innovate never waned, creative solutions were a forte of his and he applied them with confidence. His most recent endeavor, to purchase Newsweek and merge it with the online publication the Daily Beast less than a year ago, was initially met with trepidation by print news professionals but has since led to growth for both publications, a typical outcome for a venture championed by Sidney.

Sidney's commitment to the betterment of young lives and society as a whole was evident in his philanthropic pursuits and his involvement with institutions of higher education. In recent years he taught classes in medicine, law, economics, and various other disciplines at the college level. Over the course of his life he supported educational organizations with generous donations. He understood that education is the foundation of a prosperous society and that the enlightenment of young minds is crucial to the success of a nation such as ours.

Along with his wife Jane, Sidney made a home and life here in Washington, DC, and devoted himself to the city and its legacy. A generous supporter of the National Symphony Orchestra, the Folger Shakespeare Library and the Shakespeare Theatre Company, Sidney had a significant impact on the vibrant cultural and artistic scene in the Nation's Capital.

My greatest sympathies are with Jane, his children Barbara, Daniel, and Justine, and all of Sidney's extended family. Sidney touched the lives of many and there is no doubt he will be long-remembered for his innovative mind, his good humor, his energetic outlook, and his years of service.

ADDITIONAL STATEMENTS

RECOGNIZING THE EAT'N PARK HOSPITALITY GROUP

• Mr. CASEY. Mr. President, it is with great pleasure that I extend my congratulations to the Eat'n Park Hospitality Group upon receiving the prestigious 2011 Restaurant Neighbor Award from the National Restaurant Association. Every year, the National Restaurant Association honors restaurant companies that have gone above and beyond in giving back to their communities through philanthropy and service. This year, Eat'n Park has been deservedly recognized for their charitable efforts on behalf of local children's hospitals.

Eat'n Park restaurants have been a staple in my home State of Pennsylvania for over 50 years. From their humble beginnings as a single carhop restaurant in Pittsburgh, the Eat'n Park chain has grown to include 76 restaurants throughout Pennsylvania, Ohio, and West Virginia, employing over 8,000 hardworking people, many of whom are my constituents. Over the past six decades, their delicious food and friendly service have soothed many

a weary traveler along the Pennsylvania turnpike; and today, their iconic Smiley Cookies can be found in my front office every Wednesday, a welcome offering from home for visiting Pennsylvanians.

Eat'n Park does more than provide an endless supply of delicious Smiley Cookies for my constituents, however. More importantly, they have made taking care of their community the centerpiece of their corporate culture through philanthropy and service. Since 1979, Eat'n Park has raised more than $7.5 million through their annual Caring for Kids Campaign, which benefits local children's hospitals in the tri-state area. In 2010, the 32nd Annual Caring for Kids Campaign raised $341,365 for 13 area children's hospitals. This money is used for everything from pre- and neo-natal care, toys and events for the sick children and, in some cases, even a fund for families who would otherwise be unable to afford to stay in the area during their child's treatment. These charitable efforts have allowed Eat'n Park to touch thousands of lives, and make a positive impact on children and families, throughout Pennsylvania through more than just their food.

It is hard to imagine an organization enjoying such remarkable and sustained philanthropic success without the hard work and dedication of the individuals it employs. Eat'n Park is a case in point. While it would be impossible to detail the individual contributions of the more than 8,000 members of the Eat'n Park family, today I would like to specifically recognize two important contributors to this year's Caring for Kids Campaign: Linda Mayou and Gloria Rack.

Linda Mayou has been a team member of the Monogahela Eat'n Park for 24 years, and has been Chairwoman of the Monogahela Caring for Kids Campaign for the past nineteen. Under Linda's leadership the Monogahela Eat'n Park has reigned as the top fundraising restaurant in the chain for the past 13 years, alone raising more than $400,000 for the Children's Hospital of Pittsburgh.

Gloria Rack has been part of the Eat'n Park team for an impressive 41 years and has been an important part of the Caring for Kids Campaign since its inception. Currently a server at the Library Road restaurant, she is Eat'n Park's all-time Top Car Raffle Ticket Seller, having individually sold an estimated 30,000 car raffle tickets, raising $60,000 for the Children's Hospital of Pittsburgh. Linda and Gloria's accomplishments are a testament to the hard work and dedication they have shown throughout their careers to Eat'n Park's philanthropic efforts.

Again, I congratulate Eat'n Park Hospitality Group on receiving this award. Their commitment to local communities truly serves as an exemplary model for all Pennsylvanians. I applaud their efforts and wish them another six decades of continued success in all their endeavors.●

TRIBUTE TO CAPTAIN DAVID LANG

● Mrs. SHAHEEN. Mr. President, today I wish to honor Captain David Lang for his outstanding service to the people of Hampton, NH.

For the past 30 years, Dave has worked to protect his community through his faithful service with the Hampton Fire Department. As he retires from the department, I applaud him for his longstanding service and dedication to the people of Hampton.

Captain Lang first joined the Hampton Fire Department in December 1979 as an on-call firefighter. Due to his eagerness, hard work, and reliability, Dave rose through the ranks from permanent firefighter, to EMT, to lieutenant, and for the last 4 years has served as captain.

During his tenure, Captain Lang consistently prioritized the needs of the community over his own, in particular during the Old Salt fire in 1999 and the A Street block fire in 2009. He has been credited with the successful resuscitation of a patient in cardiac arrest and the rescue of several trapped civilians. For this outstanding service, Captain Lang has been recognized by the New Hampshire Association of Chiefs of Police as Law Officer of the Year for Fire Service and has received the New Hampshire Fire Academy's prestigious Academy Award.

Dave's commitment to fire safety in Hampton did not stop with his service in the field but carried over into professional leadership roles. Throughout his career, he participated in the Professional Fire Fighters Association of New Hampshire and for the past 16 years has served as its president. I am pleased that even as Dave retires from the Hampton Fire Department, he continues to serve as President of the Professional Fire Fighters.

Dave is a native of New Hampshire and has lived in Hampton for over 30 years. I have known him personally and professionally for over 20 years and can attest to his commitment to public service, to his community, and to his family. Dave has been married to his wife Karen for 35 years and they have two beautiful daughters, Emily and Molly. His strong character and generous spirit touch upon all aspects of his work and family life, and his dedication and leadership in the community distinguishes him as an extraordinary public servant. New Hampshire is truly lucky to have him as a native son.

On a personal note, I am grateful to Dave for his support and counsel during my years in public office. I could always count on Dave's advice about issues ranging from firefighting and emergency response to collective bargaining. Whenever I needed Dave's assistance in any capacity, he was always there, willing to help.

As Captain Lang prepares for a well-deserved retirement, I wish to thank and honor him for his service to the people of Hampton.●

REMEMBERING RUTH HUMPHREYS BROWN

● Mr. UDALL of Colorado. Mr. President, today we recognize the life of Ruth Humphreys Brown, a remarkable Coloradan who dedicated herself to a life of service and good will and a woman who was deeply tied to the American West. Ruth passed away on December 30, 2010, at the age of 90.

Ruth led a life full of courage and giving, and our country is indebted to her for her service. In 1943, at the age of 22, she answered our nation's call and was among the first women accepted to fly American military aircraft in the Women Airforce Service Pilots. As a young pilot stationed in Texas, her efforts prepared our bombardiers and ground artillery units to fight and win in World War II, and Congress rightfully acknowledged her heroic contributions by awarding her a Congressional Gold Medal in 2010.

I knew Ruth to often work behind the scenes, but she never lacked in ambition. Ruth's service extended to countless projects that continue to improve the health and activity of Colorado's communities. She took part in starting the first Outward Bound Program in the country. I am personally grateful to Ruth for her efforts to start this program, having made it my career for 20 years. Coloradans and adventurers across the continent benefit from Outward Bound's strength in training leaders and building community—two ideals to which Ruth contributed tremendously. Her love for the outdoors, from whitewater rafting and picnicking to swimming and skiing, carries on through the mission of Outward Bound.

Ruth gave to improve her community and never asked for the credit. But many agree she deserved it. One of her well-known and early contributions was committing the money to clear a new run on Aspen Mountain in 1949. Skiers have since come to love Ruthie's Run, aptly named after its originator, in much the same way that so many of us admire Ruth.

She grew up in Denver, worked and played on her family's Wagon Wheel Ranch in Southern Colorado, and was fundamental in making Aspen a thriving mountain town and wonderful place to live. Ruth's touch spanned the State and never failed to reach a person or community in need.

A veteran, entrepreneur, philanthropist, and mother, Ruth was a truly accomplished and inspirational Coloradan. Today we pause to honor her legacy and her welcomed contribution to Colorado's rich heritage.●

REMEMBERING DAVE GENOVA

● Mr. UDALL of Colorado. Mr. President, last year we lost a great man and leader whom I knew well, Dave Genova. On March 28, 2010, Dave passed away at the age of 67.

From my days as an educator and guide in the Outward Bound Program, I

knew Dave to be a remarkably talented and committed individual with a gift for leadership.

Dave spent 32 years with Outward Bound, a program that uses the outdoors as a classroom to inspire service to others and to coach leadership skills, oftentimes to underprivileged youth. Having taught some 2,000 students, he had an incredible enthusiasm for bringing people together to overcome challenges in ways they never thought possible.

Throughout his tenure in the North Carolina Outward Bound, Dave played an invaluable role as an educator, but he was also an innovator. In 1999, he started the Unity Project, which is designed to break down barriers of social and economic inequality. His efforts have enabled nearly 1,000 young leaders to become agents of social change in their local schools and communities, and the program continues to educate and train future leaders today.

Dave once said of the Outward Bound School, ''Compassion is the well-spring from which we derive our relevance.'' These words should serve as a guiding compass for us all. Dave taught from a place of understanding, and he sought to ensure every one of his students came away with a greater appreciation for others and the knowledge that, in his words, ''We're all in this together.'' He used the great outdoors to build a sense of community among adventurers, but more important, he taught them how to carry on his work to build bridges between people. Neighborhoods, cities, and States have been touched by Dave's work, and we can all be grateful for his contribution.

A longtime outdoorsman myself, I appreciate and admire Dave's passion for our wild lands and the lessons they can teach us. Always a bold leader, scaling the toughest of life's mountains, Dave's extraordinary character exemplifies an ideal to which we all should strive. He is missed by many, but his memory continues to guide me and all his students.●

MESSAGES FROM THE HOUSE

At 9:57 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill and joint resolution, without amendment:

S. 307. An act to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the ''W. Craig Broadwater Federal Building and United States Courthouse''.

S.J. Res. 8. A joint resolution providing for the appointment of Stephen M. Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1308. An act to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 33. A concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that the House has agreed to H. Res. 197 resolving that the following Members are hereby elected to the Joint Committee on Printing, to serve with the chair of the Committee on House Administration: Mr. HARPER, Mr. SCHOCK, Mr. BRADY of Pennsylvania, and Mr. GONZALEZ. The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration and the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations: Mr. HARPER, Mr. BRADY of Pennsylvania, and Ms. ZOE LOFGREN of California.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

At 5:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolution:

S. 307. An act to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the ''W. Craig Broadwater Federal Building and United States Courthouse''.

S.J. Res. 8. A joint resolution providing for the appointment of Stephen M. Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

The enrolled bill and joint resolution were subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

H.J. Res. 37. Joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1322. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan; Sacramento Metropolitan Air Quality Management District'' (FRL No. 9279–1) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1323. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Substantial Inadequacy of Implementation Plan; Call for Utah State Implementation Plan Revision'' (FRL No. 9294–9) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1324. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida; Prevention of Significant Deterioration'' (FRL No. 9293–4) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1325. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana'' (FRL No. 9295–3) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1326. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Stage I Vapor Recovery Rule'' (FRL No. 9295–1) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1327. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List: Deletion of the Spiegelberg Landfill Superfund Site'' (FRL No. 9291–6) received in the Office of the President of the Senate on April 8, 2011; to the Committee on Environment and Public Works.

EC–1328. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom for the Heads-up Display (HUD) for the C–17 Globemaster III transport aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–1329. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to Saudi Arabia related to the sale of S–434, S–70i, and S–76D helicopters in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–1330. A communication from the Director, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Updating Regulations Issued Under the Fair Labor Standards Act'' (RIN1215–AB13 and RIN1235–AA00) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1331. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Irradiation in the Production, Processing, and Handling of Food; Confirmation of Effective Date'' ((21 CFR Part 179) (Docket No. FDA–1999–F–0056)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1332. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Department of Housing and Urban Development and the Department of the Treasury's drug-free workplace plans; to the Committee on Health, Education, Labor, and Pensions.

EC–1333. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's annual report to Congress relative to efforts to coordinate and cooperate with other Federal agencies with responsibilities for food inspections; to the Committee on Health, Education, Labor, and Pensions.

EC–1334. A communication from the Chairman of the National Healthcare Workforce Commission, transmitting a report relative to the status of the Commission; to the Committee on Health, Education, Labor, and Pensions.

EC–1335. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1336. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Annual Report on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002: Fiscal 2010 (March 2011)''; to the Committee on Homeland Security and Governmental Affairs.

EC–1337. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1338. A communication from the Director of Civil Rights, Broadcasting Board of Governors, International Broadcasting Bureau, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1339. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1340. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Fiscal Year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1341. A communication from the Associate Special Counsel, Office of Special Counsel, transmitting, pursuant to law, the Office of Special Counsel's Fiscal Year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1342. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–1343. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Cerrillos Dam; to the Committee on Environment and Public Works.

EC–1344. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to four projects; to the Committee on Environment and Public Works.

EC–1345. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treasury Inflation-Protected Securities Issued at a Premium'' (Notice 2011–21) received in the Office of the President of the Senate on April 12, 2011; to the Committee on Finance.

EC–1346. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Extension of Relief and Procedures Under Notice 2010–30 for Spouses of U.S. Servicemembers who are Working in or Claiming Residence or Domicile in a U.S. Territory Under the Military Spouses Residency Relief Act'' (Notice 2011–16) received in the Office of the President of the Senate on April 12, 2011; to the Committee on Finance.

EC–1347. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Notice to Notice 2010–60 Providing Further Guidance and Requesting Comments on Certain Priority Issues Under Chapter 4 of Subtitle A of the Code'' (Notice 2011–34) received in the Office of the President of the Senate on April 12, 2011; to the Committee on Finance.

EC–1348. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Clarification of Controlled Group Qualification Rules'' (RIN1545–BG94) received in the Office of the President of the Senate on April 12, 2011; to the Committee on Finance.

EC–1349. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–1350. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to support the Proton launch of the SATMEX 8 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–1351. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011–0041—2011–0052); to the Committee on Foreign Relations.

EC–1352. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to an order that would cancel construction debt assessed against Indian-owned lands within the Flathead Indian Irrigation Project; to the Committee on Indian Affairs.

EC–1353. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Reorganization of Regulations on Control of Employment of Aliens'' (RIN1125–AA64) received in the Office of the President of the Senate on April 8, 2011; to the Committee on the Judiciary.

EC–1354. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during Calendar Year 2010 relative to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–9. A concurrent resolution adopted by the General Assembly of the State of Ohio requesting the National Museum of the United States Air Force at Wright-Patterson Air Force Base be selected to display one of the space shuttle orbiters at the conclusion of the space shuttle program; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 2

Whereas, the National Aeronautics and Space Administration (NASA) intends to select a limited number of museums for the display of the space shuttle orbiters that will be retired at the conclusion of the space shuttle program. The National Museum of the United States Air Force at Wright-Patterson Air Force Base near Dayton, Ohio, would be an excellent choice for the display of a space shuttle orbiter; and

Whereas, the Museum, the world's oldest and largest museum of aviation, is the depository for the Air Force's National Historical Collection and features more than 400 aerospace vehicles, including Mercury, Gemini, and Apollo space capsules. With 1.3 million visitors each year, the Museum is the most visited free tourist destination in Ohio and is one of the most visited in the country; and

Whereas, the Museum is ready to accommodate a space shuttle orbiter with one million square feet of climate-controlled exhibit space and an adjacent runway that is approved for a landing of the shuttle carrier aircraft with a shuttle. In addition, the Museum employs professional aerospace vehicle restoration staff who are experienced in working with hazardous aerospace materials such as those found on the shuttle and who will ensure the preservation of the shuttle to the highest museum standards; and

Whereas, the Museum is located near Dayton, Ohio, the birthplace of aviation and the home of the Wright Brothers, and in the National Aviation Heritage Area, an area designated by Congress that includes the Armstrong Air and Space Museum, Dayton Aviation Heritage National Historical Park, and National Aviation Hall of Fame. Finally, the Museum is easily accessible from major population centers and is within a 600-mile radius of 61% of the United States population; and

Whereas, the Department of Defense, especially the Department of the Air Force, collaborated extensively with NASA's space shuttle program, including influencing the basic shuttle design, providing many highly skilled shuttle astronauts, and saving the program in lean budget years during its development; and

Whereas, The Secretary of the Air Force has requested that the NASA Administrator transfer a space shuttle orbiter to the Air Force for placement in the Air Force's National Historical Collection through interagency transfer using existing statutes and regulations. This transfer will ensure that a taxpayer-funded space shuttle arbiter will be kept under the ownership and stewardship of the United States government and the American people; Now therefore be it

Resolved, That we, the members of the 129th General Assembly of State of Ohio, conclude that it is in the interest of the American people for a retired space shuttle orbiter to be preserved and exhibited at the National Museum of the United States Air Force at Wright-Patterson Air Force Base near Dayton, Ohio; and be it further

Resolved, That we, the members of the 129th General Assembly of the State of Ohio, urge the President of the United States and the Administrator of the National Aeronautics and Space Administration(NASA) to honor the request of the Department of the Air Force, for an interagency transfer of an operational space shuttle orbiter so that it can be displayed at the National Museum of the United States Air Force as a national tribute to the American spirit of space exploration and to the indelible partnership between NASA and the Department of the Air Force which helped make the space shuttle program possible; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the Administrator of the National Aeronautics and Space Administration, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United State Senate, the members of the Ohio Congressional delegation, and the news media of Ohio.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs. *Rafael Borras, of Maryland, to be Under Secretary for Management, Department of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 802. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself and Mr. KYL):

S. 803. A bill to implement a comprehensive border security plan to combat illegal immigration, drug and alien smuggling, and violent activity in the southwest border of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM (for himself, Mr. PAUL, and Mr. LEE):

S. 804. A bill to adjust the normal and early retirement ages for receipts of benefits under the Social Security program, increase the maximum age for delayed retirement credit, and provide for progressive price indexing of benefits; to the Committee on Finance.

By Mr. BAUCUS:

S. 805. A bill to amend the Consolidated Farm and Rural Development Act to improve the business and industry direct and guaranteed loan program of the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 806. A bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Ms. LANDRIEU, Mr. ISAKSON, and Mr. COBURN):

S. 807. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself and Mr. LEE):

S. 808. A bill to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. KIRK, and Ms. LANDRIEU):

S. 809. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Ms. COLLINS, Mr. SANDERS, and Mr. LIEBERMAN):

S. 810. A bill to prohibit the conducting of invasive research on great apes, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself, Mr. KIRK, Mr. HARKIN, and Ms. COLLINS):

S. 811. A bill to prohibit employment discrimination on the basis of sexual orientation or gender identity; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Ms. LANDRIEU, and Mr. BROWN of Ohio):

S. 812. A bill to build capacity and provide support at the leadership level for successful school turnaround efforts; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself and Mr. KYL):

S. 813. A bill to promote public awareness of cyber security; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN:

S. 814. A bill to require the public disclosure of audits conducted with respect to entities receiving funds under title X of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE (for herself, Mr. CONRAD, Mr. KIRK, Mr. PRYOR, Mrs. GILLIBRAND, Mr. COATS, Mr. RUBIO, Mrs. HUTCHISON, Mr. JOHANNS, Mr. HOEVEN, Mr. CARDIN, Mrs. SHAHEEN, Mr. REID, and Mr. ROCKEFELLER):

S. 815. A bill to guarantee that military funerals are conducted with dignity and respect; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. HUTCHISON:

S. Res. 144. A resolution supporting early detection for breast cancer; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of the United States as the world leader in medical device innovation.

S. 22

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 22, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the additional standard deduction for real property taxes for nonitemizers.

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 44, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 137

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 137, a bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates.

S. 260

At the request of Mr. NELSON of Florida, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 325

At the request of Mrs. MURRAY, the name of the Senator from New Mexico

(Mr. UDALL) was added as a cosponsor of S. 325, a bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes.

S. 344

At the request of Mr. REID, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 393

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 393, a bill to aid and support pediatric involvement in reading and education.

S. 398

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 431

At the request of Mr. PRYOR, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 484

At the request of Mr. BENNET, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 484, a bill to direct the Secretary of Education to pay to Fort Lewis College in the State of Colorado an amount equal to the tuition charges for Indian students who are not residents of the State of Colorado.

S. 506

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 668

At the request of Mr. CORNYN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 696

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 696, a bill to amend title 38, United States Code, to treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities, and for other purposes.

S. 705

At the request of Mr. CARPER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 710

At the request of Mr. THUNE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 710, a bill to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

S. 718

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 718, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 746

At the request of Mr. SHELBY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 746, a bill to repeal provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 788

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 788, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 797

At the request of Ms. MIKULSKI, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 799

At the request of Mr. KERRY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 799, a bill to establish a regulatory framework for the comprehensive protection of personal data for individuals under the aegis of the Federal Trade Commission, and for other purposes.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 7

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 27

At the request of Mr. WEBB, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 27, a resolution designating January 26, 2011, as ''National Kawasaki Disease Awareness Day''.

S. RES. 135

At the request of Mr. LUGAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 135, a resolution remembering the 1 year anniversary of

the April 10, 2010, plane crash that claimed the lives of the President of Poland Lech Kaczynski, his wife, and 94 others, while they were en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union in 1940.

S. RES. 138

At the request of Mrs. GILLIBRAND, the names of the Senator from Kansas (Mr. MORAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Florida (Mr. NELSON), the Senator from Pennsylvania (Mr. CASEY), the Senator from Florida (Mr. RUBIO), the Senator from Massachusetts (Mr. BROWN), the Senator from Illinois (Mr. KIRK), the Senator from Maryland (Ms. MIKULSKI), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER), the Senator from Utah (Mr. HATCH) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. Res. 138, a resolution calling on the United Nations to rescind the Goldstone report, and for other purposes.

AMENDMENT NO. 289

At the request of Mr. CARPER, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 289 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 802. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. INHOFE. Mr. President, I would like to bring to the Senate's attention The Lake Thunderbird Efficient Use Act of 2011.

This bill allows the Central Oklahoma Master Conservancy District to import and store non-project water into Lake Thunderbird, if the Secretary of the Interior determines there is enough capacity to do so. Allowing additional water to be stored at Lake Thunderbird would help increase municipal and industrial supplies for the cities served by the District, which include Norman, Midwest City, and Del City.

There is no cost associated with this bill. Any additional infrastructure needs will be the responsibility of the non-Federal establishment contracting with the Secretary.

This legislation does not change the capacity of Lake Thunderbird and will help increase water supplies in a growing metropolitan area. Over the last decade, the Norman area grew by 15 percent making it one of the fastest growing areas in the State. As the area continues to grow, and as Tinker Air Force Base requires a growing water supply, there will be a greater need for access to the water supplies of the Lake Thunderbird reservoir.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 806. A bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests; to the Committee on Environment and Public Works.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 806

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rural Community Flood Protection Act of 2011''.

SEC. 2. RURAL COMMUNITY FLOOD PROTECTION.

(a) IN GENERAL.—On receipt of a request from a non-Federal interest, the Secretary of the Army (referred to in this section as the ''Secretary'') shall conduct a levee system evaluation and certification of a federally authorized levee or a non-federally authorized levee for purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) REQUIREMENTS.—A levee system evaluation and certification under subsection (a) shall—

(1) at a minimum, comply with the requirements of section 65.10 of title 44, Code of Federal Regulations (as in effect on the date of enactment of this Act); and

(2) be carried out in accordance with such procedures as the Secretary, in consultation with the Director of the Federal Emergency Management Agency, may establish.

(c) COST SHARING.—

(1) NON-FEDERAL SHARE.—Subject to paragraph (2), the non-Federal share of the cost of carrying out a levee system evaluation and certification under this section shall be 35 percent.

(2) ADJUSTMENT.—The Secretary shall adjust the non-Federal share under paragraph (1) to zero if—

(A) the non-Federal interest is located in an area with a population of 10,000 or fewer individuals; or

(B) the division of the non-Federal interest with responsibility for the applicable levee is staffed by individuals operating on a volunteer basis.

By Mr. ENZI (for himself, Ms. LANDRIEU, Mr. ISAKSON, and Mr. COBURN):

S. 807. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, I rise today to introduce legislation with Senator LANDRIEU known as the Voluntary Protection Program Act. This bill will codify the Voluntary Protection Programs, or VPP, expand it to include more small businesses, and incorporate recent GAO recommendations for program improvements.

No program has been more successful in creating such a culture of safety in the workplace than VPP. Since it was created in 1982, Republican and Democrat administrations alike have fostered its growth to more than 2,500 worksites, a quarter of which are unionized, and it covers approximately one million employees. The bipartisan support for VPP continues into this Congress. Last year, the Senate Budget Committee unanimously approved an amendment to preserve VPP budget authority and I have been pleased to work with the Chair of the Senate Small Business Committee, Senator LANDRIEU, on this bill again this Congress. Our bill is also drawing bipartisan support in the House of Representatives. Congressmen TOM PETRI and GENE GREEN are introducing companion legislation today and I thank them for their strong support on this important issue.

Worksites that pass the rigorous evaluation process and become VPP sites have an average Days Away Restricted or Transferred, DART, case rate of 52 percent below the average for its industry. In recent years, smaller worksites have made significant strides in VPP, increasing from 28 percent of VPP sites in 2003 to 44 percent in 2010.

The innovative program doesn't just keep employees safer; as I have noted, it also saves both the VPP companies and the taxpayer's money. In 2007, Federal Agency VPP participants saved the government more than $59 million by avoiding injuries and private sector VPP participants saved more than $300 million. The Department of Defense has estimated that it saves between $73,000 and $8.8 million per site because of VPP. Additionally, when workplaces make the significant commitment to safety required by VPP, it allows OSHA to focus its resources where they are most needed. VPP Participant employers contribute a great deal to the VPP program expenditures. VPP participants have assigned approximately 1,200 of their own employees to act as OSHA Special Government Employees, SGEs, who conduct onsite evaluations for OSHA.

Despite the strong bipartisan support for VPP and its very positive results, the need for this legislation has become painfully clear. Last year, the administration's fiscal year 2011 Budget Request proposed eliminating the small amount it takes to administer VPP—$3.125 million—and sought to transfer the 35 FTE it takes to run the program to other functions. The failure to complete the appropriations process last year thwarted that plan, and the administration did not renew the request in their fiscal year 2012 budget proposal. I hope that Department of Labor officials will note the bipartisan support VPP has and maintain support for the program. Surely, this proven life and cost-saving program is something we can all get behind.

I would like to thank Senator LANDRIEU for working with me on this important legislation and add the following Senators as original cosponsors: Sen. LANDRIEU, Sen. ISAKSON and Sen. COBURN.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 807

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Voluntary Protection Program Act''.

SEC. 2. VOLUNTARY PROTECTION PROGRAM.

(a) COOPERATIVE AGREEMENTS.—The Secretary of Labor shall establish a program of entering into cooperative agreements with employers to encourage the establishment of comprehensive safety and health management systems that include—

(1) requirements for systematic assessment of hazards;

(2) comprehensive hazard prevention, mitigation, and control programs;

(3) active and meaningful management and employee participation in the voluntary program described in subsection (b); and

(4) employee safety and health training.

(b) VOLUNTARY PROTECTION PROGRAM.—

(1) IN GENERAL.—The Secretary of Labor shall establish and carry out a voluntary protection program (consistent with subsection (a)) to encourage excellence and recognize the achievement of excellence in both the technical and managerial protection of employees from occupational hazards.

(2) PROGRAM REQUIREMENTS.—The voluntary protection program shall include the following:

(A) APPLICATION.—Employers who volunteer under the program shall be required to submit an application to the Secretary of Labor demonstrating that the worksite with respect to which the application is made meets such requirements as the Secretary of Labor may require for participation in the program.

(B) ONSITE EVALUATIONS.—There shall be onsite evaluations by representatives of the Secretary of Labor to ensure a high level of protection of employees. The onsite visits shall not result in enforcement of citations under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(C) INFORMATION.—Employers who are approved by the Secretary of Labor for participation in the program shall assure the Secretary of Labor that information about the safety and health program shall be made readily available to the Secretary of Labor to share with employees.

(D) REEVALUATIONS.—Periodic reevaluations by the Secretary of Labor of the employers shall be required for continued participation in the program.

(3) MONITORING.—To ensure proper controls and measurement of program performance for the voluntary protection program under this section, the Secretary of Labor shall direct the Assistant Secretary of Labor for Occupational Safety and Health to take the following actions:

(A) Develop a documentation policy regarding information on follow-up actions taken by the regional offices of the Occupational Safety and Health Administration in response to fatalities and serious injuries at worksites participating in the voluntary protection program.

(B) Establish internal controls that ensure consistent compliance by the regional offices of the Occupational Safety and Health Administration with the voluntary protection program policies of the Occupational Safety and Health Administration for conducting onsite reviews and monitoring injury and illness rates, to ensure that only qualified worksites participate in the program.

(C) Establish a system for monitoring the performance of the voluntary protection program by developing specific performance goals and measures for the program.

(4) EXEMPTIONS.—A site with respect to which a voluntary protection program has been approved shall, during participation in the program, be exempt from inspections or investigations and certain paperwork requirements to be determined by the Secretary of Labor, except that this paragraph shall not apply to inspections or investigations arising from employee complaints, fatalities, catastrophes, or significant toxic releases.

(5) NO PAYMENTS REQUIRED.—The Secretary of Labor shall not require any form of payment for an employer to qualify or participate in the voluntary protection program.

(c) TRANSITION.—The Secretary of Labor shall take such steps as may be necessary for the orderly transition from the cooperative agreements and voluntary protection programs carried out by the Occupational Safety and Health Administration as of the day before the date of enactment of this Act, to the cooperative agreements and voluntary protection program authorized under this section. In making such transition, the Secretary shall ensure that—

(1) the voluntary protection program authorized under this section is based upon and consistent with the voluntary protection programs carried out on the day before the date of enactment of this Act; and

(2) each employer that, as of the day before the date of enactment of this Act, had an active cooperative agreement under the voluntary protection programs carried out by the Occupational Safety and Health Administration and was in good standing with respect to the duties and responsibilities under such agreement, shall have the option to continue participating in the voluntary protection program authorized under this section.

(d) REGULATIONS AND IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Labor shall issue final regulations for the voluntary protection program authorized under this section and shall begin implementation of the program.

SEC. 3. EXPANDED ACCESS TO VOLUNTARY PROTECTION PROGRAM FOR SMALL BUSINESSES.

The Secretary of Labor shall establish and implement, by regulation, a program to increase participation by small businesses (as the term is defined by the Administrator of the Small Business Administration) in the voluntary protection program established under section 2 through outreach and assistance initiatives and the development of program requirements that address the needs of small businesses.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act such sums as may be necessary.

By Mr. DURBIN (for himself, Mr. KIRK, and Ms. LANDRIEU):

S. 809. A bill to provide high-quality charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, today I am introducing legislation designed to improve educational opportunities for struggling students. The All Students Achieving Through Reform Act, or All-STAR Act, would provide Federal resources to the most successful charter schools to help them grow and replicate.

Across the nation, public charter schools are achieving extraordinary results in low-income communities. I have been particularly impressed by the Noble Street schools in Chicago. Since opening its first campus in 1999, Noble Street has expanded to 10 charter high schools educating over 13,000 students in some of Chicago's most difficult neighborhoods. Noble Street has achieved phenomenal results. Even though more than 75 percent of students enter the schools below grade level, Noble students have the highest ACT scores among Chicago open-enrollment schools. Every year, more than 99 percent of Noble Street's seniors graduate and more than 85 percent go on to college. I see this success in action when I visit Noble Street schools. As soon as you walk in the door, you can tell that everyone in the building is focused on academic success. The students are actively engaged in their learning. Their teachers and principals are demanding and inspiring. Noble Street would like to continue to grow and educate more students in Chicago.

Not all charter schools are excellent. Poor-performing charter schools should be closed. But we also need to replicate and expand the ones that are beating the odds, and we need to learn from their lessons. We need more excellent charters, like the Noble Street schools, in Illinois and around the country.

The bill I am introducing today would help make that possible. Currently, Federal funding for charter schools can only be used to create new schools, not expand or replicate existing schools. My bill would create new grants within the existing charter school program to fund the expansion and replication of the most successful charter schools. Schools that have achieved results with their students will be able to apply for Federal grants to expand their schools to include additional grades or to replicate the model to a new school. Successful charters across the country will be able to grow, providing better educational opportunities to thousands of students.

The bill also incentivizes the adoption of strong charter school policies by states. We know that successful charter schools thrive when they have autonomy, freedom to grow, and strong accountability based on meeting performance targets. The bill would give grant priority to states that provide that environment. The bill also requires new levels of charter school authorizer reporting and accountability to ensure that good charter schools are able to succeed while bad charter schools are improved or shut down.

This bill will improve educational opportunities for students across the nation. Charter schools represent some of the brightest spots in urban education today, and successful models have the full support of the President and Secretary Duncan. We need to help these schools grow and bring their best lessons into our regular public schools so that all students can benefit. Supporting the growth of successful charter schools should be a part of the conversation when we take up reauthorization of the Elementary and Secondary Education Act. I thank Senator KIRK, Senator LANDRIEU, and Representative POLIS in the House for joining me in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 809

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''All Students Achieving through Reform Act of 2011'' or ''All-STAR Act of 2011''.

SEC. 2. CHARTER SCHOOL EXPANSION AND REPLICATION.

(a) IN GENERAL.—Subpart 1 of part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

(1) by striking section 5211;

(2) by redesignating section 5210 as section 5211; and

(3) by inserting after section 5209 the following:

''SEC. 5210. CHARTER SCHOOL EXPANSION AND REPLICATION.

''(a) PURPOSE.—It is the purpose of this section to support State efforts to expand and replicate high-quality public charter schools to enable such schools to serve additional students, with a priority to serve those students who attend identified schools or schools with a low graduation rate.

''(b) SUPPORT FOR PROVEN CHARTER SCHOOLS AND INCREASING THE SUPPLY OF HIGH-QUALITY CHARTER SCHOOLS.—

''(1) GRANTS AUTHORIZED.—From the amounts appropriated under section 5200 for any fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to make subgrants to eligible public charter schools under subsection (e)(1) and carry out the other activities described in subsection (e), in order to allow the eligible public charter schools to serve additional students through the expansion and replication of such schools.

''(2) AMOUNT OF GRANTS.—In determining the grant amount to be awarded under this subsection to an eligible entity, the Secretary shall consider—

''(A) the number of eligible public charter schools under the jurisdiction or in the service area of the eligible entity that are operating;

''(B) the number of openings for new students that could be created in such schools with such grant;

''(C) the number of students eligible for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) who are on waiting lists for charter schools under the jurisdiction or in the service area of the eligible entity, and other information with respect to charter schools in such jurisdiction or service area that suggest the interest of parents in charter school enrollment for their children;

''(D) the number of students attending identified schools or schools with a low graduation rate in the State or area where an eligible entity intends to replicate or expand eligible public charter schools; and

''(E) the success of the eligible entity in overseeing public charter schools and the likelihood of continued or increased success because of the grant under this section.

''(3) DURATION OF GRANTS.—A grant under this section shall be for a period of not more than 3 years, except that an eligible entity receiving such grant may, at the discretion of the Secretary, continue to expend grant funds after the end of the grant period. An eligible entity that has received a grant under this section may receive subsequent grants under this section.

''(c) APPLICATION REQUIREMENTS.—

''(1) APPLICATION REQUIREMENTS.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—The application described in paragraph (1) shall include, at a minimum, the following:

''(A) RECORD OF SUCCESS.—Documentation of the record of success of the eligible entity in overseeing or operating public charter schools, including—

''(i) the performance of the students of such public charter schools on the student academic assessments described in section 1111(b)(3) of the State where such school is located (including a measurement of the students' average academic longitudinal growth at each such school, if such measurement is required by a Federal or State law applicable to the entity), disaggregated by—

''(I) economic disadvantage;

''(II) race and ethnicity;

''(III) disability status; and

''(IV) status as a student with limited English proficiency;

''(ii) the status of such schools under section 1116 in making adequate yearly progress or as identified schools;

''(iii) documentation of demonstrated success by such public charter schools in closing historic achievement gaps between groups of students; and

''(iv) in the case of such public charter schools that are secondary schools, the graduation rates and rates of student acceptance, enrollment, and persistence in institutions of higher education, where possible.

''(B) PLAN.—A plan for—

''(i) replicating and expanding eligible public charter schools operated or overseen by the eligible entity;

''(ii) identifying eligible public charter schools, or networks of eligible public charter schools, to receive subgrants under this section;

''(iii) increasing the number of openings in eligible public charter schools for students attending identified schools and schools with a low graduation rate;

''(iv) ensuring that eligible public charter schools receiving a subgrant under this section enroll students through a random lottery for admission, unless the charter school is using the subgrant to expand the school to serve additional grades, in which case such school may reserve seats in the additional grades for—

''(I) each student enrolled in the grade preceding each such additional grade;

''(II) siblings of students enrolled in the charter school, if such siblings desire to enroll in such grade; and

''(III) children of the charter school's founders, staff, or employees;

''(v)(I) in the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), the manner in which the eligible entity will work with identified schools and schools with a low graduation rate that are eligible to enroll students in a public charter school receiving a subgrant under this section and that are under the eligible entity's jurisdiction, and the local educational agencies serving such schools, to—

''(aa) engage in community outreach, provide information in a language that the parents can understand, and communicate with parents of students at identified schools and schools with a low graduation rate who are eligible to attend a public charter school receiving a subgrant under this section about the opportunity to enroll in or transfer to such school, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

''(bb) ensure that a student can transfer to an eligible public charter school if the public charter school such student was attending in the previous school year is no longer an eligible public charter school; and

''(II) in the case of an eligible entity described in subparagraph (B) or (D) of subsection (k)(4), the manner in which the eligible entity will work with the local educational agency to carry out the activities described in items (aa) and (bb) of subclause (I);

''(vi) disseminating to public schools under the jurisdiction or in the service area of the eligible entity, in a manner consistent with section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974'), the best practices, programs, or strategies learned by awarding subgrants to eligible public charter schools under this section, with particular emphasis on the best practices with respect to—

''(I) focusing on closing the achievement gap; or

''(II) successfully addressing the education needs of low-income students; and

''(vii) in the case of an eligible entity described in subsection (k)(4)(D)—

''(I) supporting the short-term and long-term success of the proposed project, by—

''(aa) developing a multi-year financial and operating model for the eligible entity; and

''(bb) including, with the plan, evidence of the demonstrated commitment of current partners, as of the time of the application, for the proposed project and of broad support from stakeholders critical to the project's long-term success;

''(II) closing public charter schools that do not meet acceptable standards of performance; and

''(III) achieving the objectives of the proposed project on time and within budget, which shall include the use of clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

''(C) CHARTER SCHOOL INFORMATION.—The number of—

''(i) eligible public charter schools that are operating in the State in which the eligible entity intends to award subgrants under this section;

''(ii) public charter schools approved to open or likely to open during the grant period in such State;

''(iii) available openings in eligible public charter schools in such State that could be created through the replication or expansion of such schools if the grant is awarded to the eligible entity;

''(iv) students on public charter school waiting lists (if such lists are available) in—

''(I) the State in which the eligible entity intends to award subgrants under this section; and

''(II) each local educational agency serving an eligible public charter school that may receive a subgrant under this section from the eligible entity; and

''(v) students, and the percentage of students, in a local educational agency who are attending eligible public charter schools that may receive a subgrant under this section from the eligible entity.

''(D) TRADITIONAL PUBLIC SCHOOL INFORMATION.—In the case of an eligible entity described in subparagraph (A) or (C) of subsection (k)(4), a list of the following schools under the jurisdiction of the eligible entity, including the name and location of each such school, the number and percentage of students under the jurisdiction of the eligible entity who are attending such school, and such demographic and socioeconomic information as the Secretary may require:

''(i) Identified schools.

''(ii) Schools with a low graduation rate.

''(E) ASSURANCE.—In the case of an eligible entity described in subsection (k)(4)(A), an assurance that the eligible entity will include in the notifications provided under section 1116(c)(6) to parents of each student enrolled in a school served by a local educational agency identified for school improvement or corrective action under paragraph (1) or (7) of section 1116(c), information (in a language that the parents can understand) about the eligible public charter schools receiving subgrants under this section.

''(3) MODIFICATIONS.—The Secretary may modify or waive any information requirement under paragraph (2)(C) for an eligible entity that demonstrates that the eligible entity cannot reasonably obtain the information.

''(d) PRIORITIES FOR AWARDING GRANTS.—

''(1) IN GENERAL.—In awarding grants under this section, the Secretary shall give priority to an eligible entity that—

''(A) serves or plans to serve a large percentage of low-income students from identified schools or public schools with a low graduation rate;

''(B) oversees or plans to oversee one or more eligible public charter schools;

''(C) provides evidence of effective monitoring of the academic success of students who attend public charter schools under the jurisdiction of the eligible entity;

''(D) has established goals, objectives, and outcomes for the proposed project that are clearly specified, measurable, and attainable;

''(E) in the case of an eligible entity that is a local educational agency under State law, has a cooperative agreement under section 1116(b)(11); and

''(F) is under the jurisdiction of, or plans to award subgrants under this section in, a State that—

''(i) ensures that all public charter schools (including such schools served by a local educational agency and such schools considered to be a local educational agency under State law) receive, in a timely manner, the Federal, State, and local funds to which such schools are entitled under applicable law;

''(ii) does not have a cap that restricts the growth of public charter schools in the State;

''(iii) provides funding (such as capital aid distributed through a formula or access to revenue generated bonds, and including funding for school facilities) on a per-pupil basis to public charter schools commensurate with the amount of funding (including funding for school facilities) provided to traditional public schools;

''(iv) provides strong evidence of support for public charter schools and has in place innovative policies that support academically successful charter school growth;

''(v) authorizes public charter schools to offer early childhood education programs, including prekindergarten, in accordance with State law;

''(vi) authorizes or allows public charter schools to serve as school food authorities;

''(vii) ensures that each public charter school in the State—

''(I) has a high degree of autonomy over the public charter school's budget and expenditures;

''(II) has a written performance contract with an authorized public chartering agency that ensures that the school has an independent governing board with a high degree of autonomy; and

''(III) in the case of an eligible public charter school receiving a subgrant under this section, amends its charter to reflect the growth activities described in subsection (e);

''(viii) has an appeals process for the denial of an application for a public charter school;

''(ix) provides that an authorized public chartering agency that is not a local educational agency, such as a State chartering board, is available for each individual or entity seeking to operate a public charter school pursuant to such State law;

''(x) allows any public charter school to be a local educational agency in accordance with State law;

''(xi) ensures that each authorized public chartering agency in the State submits annual reports to the State educational agency, and makes such reports available to the public, on the performance of the schools authorized or approved by such public chartering agency, which reports shall include—

''(I) the authorized public chartering agency's strategic plan for authorizing or approving public charter schools and any progress toward achieving the objectives of the strategic plan;

''(II) the authorized public chartering agency's policies for authorizing or approving public charter schools, including how such policies examine a school's—

''(aa) financial plan and policies, including financial controls and audit requirements;

''(bb) plan for identifying and successfully (in compliance with all applicable laws and regulations) serving students with disabilities, students who are English language learners, students who are academically behind their peers, and gifted students; and

''(cc) capacity and capability to successfully launch and subsequently operate a public charter school, including the backgrounds of the individuals applying to the agency to operate such school and any record of such individuals operating a school;

''(III) the authorized public chartering agency's policies for renewing, not renewing, and revoking a public charter school's charter, including the role of student academic achievement in such decisions;

''(IV) the authorized public chartering agency's transparent, timely, and effective process for closing down academically unsuccessful public charter schools;

''(V) the academic performance of each operating public charter school authorized or approved by the authorized public chartering agency, including the information reported by the State in the State annual report card under section 1111(h)(1)(C) for such school;

''(VI) the status of the authorized public chartering agency's charter school portfolio, by identifying all charter schools served by the public chartering agency in each of the following categories: approved (but not yet open), operating, renewed, transferred, revoked, not renewed, voluntarily closed, or never opened;

''(VII) the authorizing functions provided by the authorized public chartering agency to the public charter schools under its purview, including such agency's operating costs and expenses as detailed through annual auditing of financial statements that conform with general accepted accounting principles; and

''(VIII) the services purchased (such as accounting, transportation, and data management and analysis) from the authorized public chartering agency by the public charter schools authorized or approved by such agency, including an itemized accounting of the actual costs of such services; and

''(xii) has or will have (within 1 year after receiving a grant under this section) a State policy and process for overseeing and reviewing the effectiveness and quality of the State's authorized public chartering agencies, including—

''(I) a process for reviewing and evaluating the performance of the authorized public chartering agencies in authorizing or approving public charter schools, including a process that enables the authorized public chartering agencies to respond to any State concerns; and

''(II) any other necessary policies to ensure effective charter school authorizing in the State in accordance with the principles of quality charter school authorizing, as determined by the State in consultation with the charter school community and stakeholders.

''(2) SPECIAL RULE.—In awarding grants under this section, the Secretary may determine how the priorities described in paragraph (1) will apply to the different types of eligible entities defined in subsection (k)(4).

''(e) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use the grant funds for the following:

''(1) SUBGRANTS.—

''(A) IN GENERAL.—To award subgrants, in such amount as the eligible entity determines is appropriate, to eligible public charter schools to replicate or expand such schools.

''(B) APPLICATION.—An eligible public charter school desiring to receive a subgrant under this subsection shall submit an application to the eligible entity at such time, in such manner, and containing such information as the eligible entity may require.

''(C) USES OF FUNDS.—An eligible public charter school receiving a subgrant under this subsection shall use the subgrant funds to provide for an increase in the school's enrollment of students through the replication or expansion of the school, which may include use of funds to—

''(i) support the physical expansion of school buildings, including financing the development of new buildings and campuses to meet increased enrollment needs;

''(ii) pay costs associated with hiring additional teachers to serve additional students;

''(iii) provide transportation to additional students to and from the school, including providing transportation to students who transfer to the school under a cooperative agreement established under section 1116(b)(11);

''(iv) purchase instructional materials, implement teacher and principal professional development programs, and hire additional non-teaching staff; and

''(v) support any necessary activities associated with the school carrying out the purposes of this section.

''(D) PRIORITY.—In awarding subgrants under this subsection, an eligible entity shall give priority to an eligible public charter school—

''(i) that has significantly closed any achievement gap on the State academic assessments described in section 1111(b)(3)

among the groups of students described in section 1111(b)(2)(C)(v) by improving scores;

''(ii) that—

''(I)(aa) ranks in at least the top 25th percentile of the schools in the State, as ranked by the percentage of students in the proficient or advanced level of achievement on the State academic assessments in mathematics and reading or language arts described in section 1111(b)(3); or

''(bb) has an average student score on an examination (chosen by the Secretary) that is at least in the 60th percentile in reading and at least in the 75th percentile in mathematics; and

''(II) serves a high-need student population and is eligible to participate in a schoolwide program under section 1114, with additional priority given to schools that serve, as compared to other schools that have submitted an application under this subsection—

''(aa) a greater percentage of low-income students; and

''(bb) a greater percentage of not less than 2 groups of students described in section 1111(b)(2)(C)(v)(II); and

''(iii) that meets the criteria described in clause (i) and serves low-income students who have transferred to such school under a cooperative agreement described in section 1116(b)(11).

''(E) DURATION OF SUBGRANT.—A subgrant under this subsection shall be awarded for a period of not more than 3 years, except that an eligible public charter school receiving a subgrant under this subsection may, at the discretion of the eligible entity, continue to expend subgrant funds after the end of the subgrant period.

''(2) FACILITY FINANCING AND REVOLVING LOAN FUND.—An eligible entity may use not more than 25 percent of the amount of the grant funds received under this section to establish a reserve account described in subsection (f) to facilitate public charter school facility acquisition and development by—

''(A) conducting credit enhancement initiatives (as referred to in subpart 2) in support of the development of facilities for eligible public charter schools serving students;

''(B) establishing a revolving loan fund for use by an eligible public charter school receiving a subgrant under this subsection from the eligible entity under such terms as may be determined by the eligible entity to allow such school to expand to serve additional students;

''(C) facilitating, through direct expenditure or financing, the acquisition or development of public charter school buildings by the eligible entity or an eligible public charter school receiving a subgrant under this subsection from the eligible entity, which may be used as both permanent locations for eligible public charter schools or incubators for growing charter schools; or

''(D) establishing a partnership with 1 or more community development financial institutions (as defined in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702)) or other mission-based financial institutions to carry out the activities described in subparagraphs (A), (B), and (C).

''(3) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, AND OUTREACH.—

''(A) IN GENERAL.—An eligible entity may use not more than 7.5 percent of the grant funds awarded under this section to cover administrative tasks, dissemination activities, and outreach.

''(B) NONPROFIT ASSISTANCE.—In carrying out the administrative tasks, dissemination activities, and outreach described in subparagraph (A), an eligible entity may contract with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)).

''(f) RESERVE ACCOUNT.—

''(1) IN GENERAL.—To assist eligible entities in the development of new public charter school buildings or facilities for eligible public charter schools, an eligible entity receiving a grant under this section may, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the amount of funds described in subsection (e)(2) in a reserve account established and maintained by the eligible entity.

''(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under this subsection shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this subsection shall be deposited in the reserve account established under this section and used in accordance with the purpose described in subsection (a).

''(4) RECOVERY OF FUNDS.—

''(A) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(i) all funds in a reserve account established by an eligible entity under this subsection if the Secretary determines, not earlier than 2 years after the date the eligible entity first received funds under this section, that the eligible entity has failed to make substantial progress carrying out the purpose described in paragraph (1); or

''(ii) all or a portion of the funds in a reserve account established by an eligible entity under this subsection if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of funds in such account to accomplish the purpose described in paragraph (1).

''(B) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided under subparagraph (A) to collect from any eligible entity any funds that are being properly used to achieve such purpose.

''(C) PROCEDURES.—Sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under subparagraph (A).

''(D) CONSTRUCTION.—This paragraph shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

''(5) REALLOCATION.—Any funds collected by the Secretary under paragraph (4) shall be awarded to eligible entities receiving grants under this section in the next fiscal year.

''(g) FINANCIAL RESPONSIBILITY.—The financial records of each eligible entity and eligible public charter school receiving a grant or subgrant, respectively, under this section shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(h) NATIONAL EVALUATION.—

''(1) NATIONAL EVALUATION.—From the amounts appropriated under section 5200, the Secretary shall conduct an independent, comprehensive, and scientifically sound evaluation, by grant or contract and using the highest quality research design available, of the impact of the activities carried out under this section on—

''(A) student achievement, including State standardized assessment scores and, if available, student academic longitudinal growth (as described in subsection (c)(2)(A)(i)) based on such assessments; and

''(B) other areas, as determined by the Secretary.

''(2) REPORT.—Not later than 4 years after the date of the enactment of the All Students Achieving through Reform Act of 2011, and biannually thereafter, the Secretary shall submit to Congress a report on the results of the evaluation described in paragraph (1).

''(i) REPORTS.—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary the following:

''(1) REPORT.—A report that contains such information as the Secretary may require concerning use of the grant funds by the eligible entity, including the academic achievement of the students attending eligible public charter schools as a result of the grant. Such report shall be submitted before the end of the 3-year period beginning on the date of enactment of the All Students Achieving through Reform Act of 2011 and every 2 years thereafter.

''(2) PERFORMANCE INFORMATION.—Such performance information as the Secretary may require for the national evaluation conducted under subsection (h)(1).

''(j) INAPPLICABILITY.—The provisions of sections 5201 through 5209 shall not apply to the program under this section.

''(k) DEFINITIONS.—In this section:

''(1) ADEQUATE YEARLY PROGRESS.—The term 'adequate yearly progress' has the meaning given such term in a State's plan in accordance with section 1111(b)(2)(C).

''(2) ADMINISTRATIVE TASKS, DISSEMINATION ACTIVITIES, AND OUTREACH.—The term 'administrative tasks, dissemination activities, and outreach' includes costs and activities associated with—

''(A) recruiting and selecting students to attend eligible public charter schools;

''(B) outreach to parents of students enrolled in identified schools or schools with low graduation rates;

''(C) providing information to such parents and school officials at such schools regarding eligible public charter schools receiving subgrants under this section;

''(D) necessary oversight of the grant program under this section; and

''(E) initiatives and activities to disseminate the best practices, programs, or strategies learned in eligible public charter schools to other public schools operating in the State where the eligible entity intends to award subgrants under this section.

''(3) CHARTER SCHOOL.—The term 'charter school' means—

''(A) a charter school, as defined in section 5211(1); or

''(B) a school that meets the requirements of such section, except for subparagraph (D) of the section, and provides prekindergarten or adult education services.

''(4) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State educational agency;

''(B) an authorized public chartering agency;

''(C) a local educational agency that has authorized or is planning to authorize a public charter school; or

''(D) an organization, including a nonprofit charter management organization, that has an organizational mission and record of success supporting the replication and expansion of high-quality charter schools and is—

''(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)); and

''(ii) exempt from tax under section 501(a) of such Code (26 U.S.C. 501(a)).

''(5) ELIGIBLE PUBLIC CHARTER SCHOOL.—The term 'eligible public charter school' means a charter school, including a public charter school that is being developed by a developer, that—

''(A) has made adequate yearly progress for 2 of the last 3 consecutive school years; and

''(B) in the case of a public charter school that is a secondary school, has, for the most recent school year for which data is available, met or exceeded the graduation rate required by the State in order to make adequate yearly progress for such year.

''(6) GRADUATION RATE.—The term 'graduation rate' has the meaning given the term in section 1111(b)(2)(C)(vi), as clarified in section 200.19(b)(1) of title 34, Code of Federal Regulations.

''(7) IDENTIFIED SCHOOL.—The term 'identified school' means a school identified for school improvement, corrective action, or restructuring under paragraph (1), (7), or (8) of section 1116(b).

''(8) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' includes any charter school that is a local educational agency, as determined by State law.

''(9) LOW-INCOME STUDENT.—The term 'low-income student' means a student eligible for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(10) SCHOOL FOOD AUTHORITY.—The term 'school food authority' has the meaning given the term in section 250.3 of title 7, Code of Federal Regulations (or any corresponding similar regulation or ruling).

''(11) SCHOOL YEAR.—The term 'school year' has the meaning given such term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

''(12) TRADITIONAL PUBLIC SCHOOL.—The term 'traditional public school' does not include any charter school, as defined in section 5211.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221 et seq.) is amended—

(1) by striking section 5231; and

(2) by inserting before subpart 1 the following:

''SEC. 5200. AUTHORIZATION OF APPROPRIATIONS FOR SUBPARTS 1 AND 2.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out subparts 1 and 2, $700,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.

''(b) ALLOCATION.—In allocating funds appropriated under this section for any fiscal year, the Secretary shall consider—

''(1) the relative need among the programs carried out under sections 5202, 5205, 5210, and subpart 2; and

''(2) the quality of the applications submitted for such programs.''.

(c) CONFORMING AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 2102(2) (20 U.S.C. 6602(2)), by striking ''5210'' and inserting ''5211'';

(2) in section 5204(e) (20 U.S.C. 7221c(e)), by striking ''5210(1)'' and inserting ''5211(1)'';

(3) in section 5211(1) (as redesignated by subsection (a)(2)) (20 U.S.C. 7221i(1)), by striking ''The term'' and inserting ''Except as otherwise provided, the term'';

(4) in section 5230(1) (20 U.S.C. 7223i(1)), by striking ''5210'' and inserting ''5211''; and

(5) in section 5247(1) (20 U.S.C. 7225f(1)), by striking ''5210'' and inserting ''5211''.

(d) TABLE OF CONTENTS.—The table of contents of the Elementary and Secondary Education Act of 1965 is amended—

(1) by inserting before the item relating to subpart 1 of part B of title V the following:

''Sec. 5200. Authorization of appropriations for subparts 1 and 2.'';

(2) by striking the items relating to sections 5210 and 5211;

(3) by inserting after the item relating to section 5209 the following:

''Sec. 5210. Charter school expansion and replication.

''Sec. 5211. Definitions.'';

and

(4) by striking the item relating to section 5231.

By Ms. CANTWELL (for herself, Ms. COLLINS, Mr. SANDERS, and Mr. LIEBERMAN):

S. 810. A bill to prohibit the conducting of invasive research on great apes, and for other purposes; to the Committee on Environment and Public Works.

Ms. CANTWELL. Mr. President, I rise today to introduce legislation to end the use of Great Apes in invasive research and urge my Senate colleagues to support the Great Ape Protection and Cost Savings Act.

The Great Ape Protection and Cost Savings Act would prohibit invasive research on all Great Apes, including gorillas, orangutans, and chimpanzees—who are the primary Great Apes used in research today. The bill would also require the immediate retirement of 500 federally-owned chimpanzees to great ape sanctuaries.

Today about 1,000 chimpanzees—half of them federally owned—languish at great taxpayer expense in eight research laboratories across the Nation.

These chimpanzees are being held or used for invasive biomedical research, research that may cause death, bodily injury, pain, distress, fear, and trauma. Invasive research practices include techniques such as injecting a chimpanzee with a drug that would be detrimental to its health, infecting a chimp with a disease, cutting a chimp or removing body parts, and isolation or social deprivation.

The vast majority of these animals—between 80 and 90 percent—aren't actually being used in research, but instead are warehoused, simply wasting away in these facilities. For example, approximately half of the government-owned chimpanzees are being held in a facility in New Mexico where no research is being conducted.

Some chimpanzees have been in labs for more than 50 years, confined in steel cages for most of their lives and enduring sometimes painful and distressing experimental procedures.

The fact that the vast majority of federally-owned chimpanzees are not being used in active research, but instead are warehoused in labs at the taxpayer expense, underlines the futility of their continued confinement.

For a single chimpanzee, lifetime care in a research facility can cost over $1 million, compared with $340,000 for superior care in a sanctuary. Ending invasive research will mean a savings of more than $25 million per year for the American people.

Chimpanzees are poor research models for human illness, and they have been of limited use in the study of human disease. Despite how similar they are to us, significant differences in their immunology and disease progression make them ineffective models for human diseases like HIV, cancer, and heart disease research.

For example, research published in the Journal of Medical Primatology in 2009, on hepatitis C indicates that use of chimpanzees has produced poor results. And the National Center for Research Resources under the National Institutes of Health has prohibited breeding of government-owned chimpanzees for research. In effect, NIH has already decided that the chimpanzee is not an essential animal model for human medical research.

Significant genetic and physiological differences between great apes and humans also make chimpanzees a poor research model for human diseases. We have spent millions of dollars over several decades on chimpanzee-based HIV and Hepatitis C research with no resulting vaccines for those diseases. Chimpanzees largely failed as a model for HIV because the virus does not cause illness in chimpanzees as it does to humans.

These are very social, highly intelligent animals—with the ability, for example, to learn American Sign Language. Their intelligence and ability to experience emotions so similar to humans underscores how chimpanzees suffer intensely under laboratory conditions.

Their psychological suffering in laboratories produces human-like symptoms of stress, depression, and post-traumatic stress disorder after decades of living in isolation in small cages.

Given their social nature and capacity for suffering and boredom due to lack of stimulation, the 500 privately-owned chimpanzees and 500 federally-owned chimpanzees being held in research laboratories would be better off in sanctuaries. And by doing so we would save more than $25 million taxpayer dollars each year. This is because the cost of caring for a chimpanzee in a sanctuary is a fraction of the cost of their housing and maintenance in a laboratory. And many in the scientific community believe this money could be allocated to more effective research.

In my home State of Washington, I am proud that we have Chimpanzee Sanctuary Northwest. Chimpanzee Sanctuary Northwest provides sustainable sanctuary for seven chimpanzees retired in 2008 from decades in research facilities.

The United States is currently behind the rest of the world in outlawing this sad practice.

Australia, Austria, Belgium, Japan, the Netherlands, New Zealand, Sweden, and the United Kingdom have all banned or severely limited experiments on great apes. And several other countries and the European Union are considering similar bans as well.

We are the only country—besides Gabon in West Africa—that is still holding or using chimpanzees for invasive research. It's past time for the United States to catch up with the rest of the world by ending this antiquated use of this endangered species.

We are lagging behind in action, but the desire to end invasive research on Great Apes has been present for more than a decade. In 1997, the National Research Council concluded that there should be a moratorium on further chimpanzee breeding. And the National Institutes of Health (NIH) has already announced an end to funding for the breeding of federally-owned chimpanzees for research, but this should be codified.

Government needs to take action to make invasive research on chimpanzees illegal.

That is why today I am introducing the bipartisan Great Ape Protection and Cost Savings Act, along with my colleagues Senators SUSAN COLLINS, BERNIE SANDERS and JOE LIEBERMAN.

The Great Ape Protection and Cost Savings Act is a commonsense policy reform to protect our closest living relatives in the animal kingdom from physical and psychological harm, and help reduce government spending and our federal deficit.

Specifically, this bill will phase out the use of chimpanzees in invasive research over a three-year period, require permanent retirement to suitable sanctuaries for the 500 federally-owned chimpanzees currently being warehoused in research laboratories, and codifies the current administrative moratorium on government-funded breeding of chimpanzees.

We have been delaying this action for too long. It is time to get this done and end this type of harmful research and end this wasteful government spending.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 144—SUPPORTING EARLY DETECTION FOR BREAST CANCER

Mrs. HUTCHISON submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 144

Whereas the 5-year relative survival rate for breast cancer has increased from 74 percent in 1979 to 90 percent in 2011;

Whereas when breast cancer is detected early and confined to the breast, the 5-year relative survival rate is 98 percent;

Whereas the National Breast and Cervical Cancer Early Detection Program (referred to in this preamble as the ''NBCCEDP'') was established by the Breast and Cervical Cancer Mortality Prevention Act of 1990 (42 U.S.C. 300k et seq.) to provide early detection services for low-income women who are uninsured or underinsured and do not qualify for Medicaid;

Whereas the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Public Law 106–354; 114 Stat. 1381) allows for breast cancer treatment assistance to be provided through Medicaid to eligible women who were screened through the NBCCEDP;

Whereas NBCCEDP and the provisions of the Breast and Cervical Cancer Prevention and Treatment Act of 2000 (Public Law 106–354; 114 Stat. 1381) have effectively reduced mortality among low-income uninsured and medically underserved women with breast cancer;

Whereas early detection of breast cancer increases survival rates for the disease, as evidenced by a 5-year relative survival rate of 98 percent for breast cancers that are discovered before the cancer spreads beyond the breast, compared to 23 percent for stage IV breast cancers;

Whereas the cost of treating stage IV breast cancers is more than 5 times more expensive than the cost of treating stage I breast cancers;

Whereas as of the date of agreement to this resolution, the economy has placed a strain on State budgets while increasing the demand for safety-net services;

Whereas significant disparities in breast cancer outcomes persist across racial and ethnic groups;

Whereas breast cancer is the most frequently diagnosed cancer and is the leading cause of cancer death among women worldwide;

Whereas in 2011, more than 200,000 women and men will be diagnosed with breast cancer and more than 40,000 will die of breast cancer in the United States;

Whereas every woman should have access to life-saving screening and treatment that is not dependent on where she lives;

Whereas investments in cancer research have improved the understanding of the different types of breast cancer and led to more effective, personalized treatments; and

Whereas organizations such as Susan G. Komen for the Cure® empower women with knowledge and awareness, ensure access to quality care, and energize science to discover and deliver cures for breast cancer: Now, therefore, be it

Resolved, That the Senate—

(1) remains committed to ensuring access to life-saving breast cancer screening, diagnostic, and treatment services, particularly for medically underserved women;

(2) supports increasing awareness and improving education about breast cancer, the importance of early detection, and the availability of screening services for women in need; and

(3) remains committed to discovering and delivering cures for breast cancer and encouraging the development of screening tools that are more accurate and less costly.

AMENDMENTS SUBMITTED AND PROPOSED

SA 294. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 294. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—REGULATORY FLEXIBILITY IMPROVEMENT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Regulatory Flexibility Improvement Act of 2011''.

SEC. __02. DEFINITIONS.

Section 601 of title 5, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) the term 'rule'—

''(A) has the meaning given that term in section 551(4);

''(B) includes any rule of general applicability governing Federal grants to State and local governments for which the agency provides an opportunity for notice and public comment; and

''(C) does not include—

''(i) a rule of particular applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances; or

''(ii) an interpretative rule involving the internal revenue laws of the United States, published in the Federal Register, that does not impose a collection of information requirement;'';

(2) in paragraph (5), by inserting after ''special districts,'' the following: ''or tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l)),'';

(3) in paragraph (6), by striking ''and'' at the end; and

(4) by striking paragraphs (7) and (8) and inserting the following:

''(7) the term 'collection of information' has the meaning given that term in section 3502(3) of title 44;

''(8) the term 'recordkeeping requirement' has the meaning given that term in section 3502(13) of title 44;

''(9) the term 'interim final rule' means a rule which will become effective without prior notice and comment, including a rule for which the agency makes a finding under section 553(b)(3)(B) of this title; and

''(10) the term '*impact*', when used to describe the effect of a rule, means—

''(A) the economic effects on small entities directly regulated by the rule; and

''(B) the reasonably foreseeable economic effects of the rule on small entities that—

''(i) purchase products or services from, sell products or services to, or otherwise conduct business with entities directly regulated by the rule;

''(ii) are directly regulated by other governmental entities as a result of the rule; or

''(iii) are not directly regulated by the agency as a result of the rule but are otherwise subject to other agency regulations as a result of the rule.''.

SEC. __03. REGULATORY AGENDA.

Section 602(a) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking '', and'' and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the list of rules required to be published under section 610(c).''.

SEC. __04. INITIAL REGULATORY FLEXIBILITY ANALYSIS.

Section 603 of title 5, United States Code, as amended by section 1100G of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2112), is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''or publishes a notice of proposed rulemaking for an interpretative rule involving the internal revenue laws of the United States'' and inserting ''publishes a notice of proposed rulemaking for an interpretative rule involving the internal revenue laws of the United States, or publishes an interim final rule''; and

(B) by striking ''The initial regulatory'' and all that follows through the period at the end;

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(3) by inserting after subsection (a) the following:

''(b)(1) An agency shall notify the Chief Counsel for Advocacy of the Small Business Administration electronically of any draft rule (including a proposed rule, an interpretive rule involving the internal revenue laws of the United States, and an interim final rule) that may have a significant economic impact on a substantial number of small entities—

''(A) on the date on which the agency submits the draft rule to the Office of Information and Regulatory Affairs of the Office of Management and Budget under Executive Order 12866, if that order requires the submission; or

''(B) if no submission to the Office of Information and Regulatory Affairs is required, at a reasonable time before publication of the draft rule by the agency.

''(2) Each notice under paragraph (1) shall include the draft rule and a draft of the initial regulatory flexibility analysis.'';

(4) in subsection (c), as so redesignated—

(A) by striking ''proposed'' each place that term appears;

(B) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(6) a description of the economic impact of the rule on small entities; and

''(7) a description of the cumulative economic impact on small entities of the rules—

''(A) promulgated by the agency during the 10-year period ending on the date of the initial regulatory flexibility analysis; and

''(B) proposed, but not promulgated, by the agency before the date of the initial regulatory flexibility analysis.'';

(5) in subsection (d), as so redesignated—

(A) by striking ''proposed'' each place that term appears;

(B) in paragraph (3), by striking ''and'' at the end;

(C) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) the establishment of less stringent requirements for all entities covered by the rule, including small entities.'';

(6) in subsection (e), as so redesignated—

(A) by striking ''proposed'' each place that term appears;

(B) in paragraph (1)(C), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(C) in paragraph (2)(B), by striking ''subsection (b)'' and inserting ''subsection (c)'';

(7) by adding at the end the following:

''(f) Except as provided in section 608, not later than the date of publication of a notice of proposed rulemaking or an interim final rule, an agency shall—

''(1) make the initial regulatory flexibility analysis required under subsection (a) available electronically to the public; and

''(2) publish the initial regulatory flexibility analysis, or a summary of the initial regulatory flexibility analysis, in the Federal Register.''.

SEC. __05. FINAL REGULATORY FLEXIBILITY ANALYSIS.

Section 604 of title 5, United States Code, is amended—

(1) by striking ''proposed'' each place that term appears;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''as described in section 603(a)'';

(B) by redesignating the second paragraph designated as paragraph (6) (relating to covered agencies), as added by section 1100G(c)(3) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203; 124 Stat. 2113), as paragraph (8);

(C) in paragraph (6) (relating to a description of steps taken to minimize significant economic impact), as added by section 1601 of the Small Business Jobs Act of 2010 (Public Law 111–240; 124 Stat. 2251), by striking ''and'' at the end;

(D) by inserting after paragraph (6) (relating to a description of steps taken to minimize significant economic impact), as added by section 1601 of the Small Business Jobs Act of 2010 (Public Law 111–240; 124 Stat. 2251), the following:

''(7) a description of the cumulative impact on small entities of the rules—

''(A) promulgated by the agency during the 10-year period ending on the date of the final regulatory flexibility analysis; and

''(B) proposed, but not promulgated, by the agency before the date of the final regulatory flexibility analysis; and'';

(3) in subsection (b)—

(A) by striking ''The agency shall make copies of'' and inserting ''Not later than the date of publication of a final rule, the agency shall make''; and

(B) by striking ''available to members of the public'' and inserting ''for the final rule available electronically to the public''; and

(4) by adding at the end the following:

''(c)(1) If an agency publishes an interim final rule, the agency shall prepare a final regulatory flexibility analysis that contains the information required to be included in a final regulatory flexibility analysis under subsection (a).

''(2) The agency shall prepare and make available to members of the public the final regulatory flexibility analysis not later than the earlier of—

''(A) 180 days after the end of the period for comment on the initial regulatory flexibility analysis prepared under section 603 of this title; and

''(B) the date of publication of a final rule following the interim final rule.

''(d) An agency may not fulfill the requirements of this section until the agency has complied with the requirements of section 603.''.

SEC. __06. AVOIDANCE OF DUPLICATIVE OR UNNECESSARY ANALYSIS.

Section 605(b) of title 5, United States Code is amended—

(1) in the first sentence, by inserting '', interim final,'' before ''or final'';

(2) in the second sentence by inserting ''interim final or'' before ''final rule''; and

(3) in the third sentence, by inserting before the period at the end the following: ''electronically, at a reasonable time before the publication of the notice, interim final rule, or final rule''.

SEC. __07. PROCEDURE FOR DELAY OF COMPLETION.

Section 608 of title 5, United States Code, is amended—

(1) in the section heading, by striking ''**WAIVER OR**'';

(2) by striking subsection (a) and inserting the following:

''(a) An agency head may delay the completion of some or all of the requirements of section 603 for a period of not more than 180 days after the date of publication in the Federal Register of a notice of proposed rulemaking or interim final rule by publishing in the Federal Register, not later than the date of publication of the notice of proposed rulemaking or interim final rule, a written finding, with reasons therefor, that the notice of proposed rulemaking, interim final rule, or final rule is being promulgated in response to an emergency that makes timely compliance with section 603 impracticable.'';

(3) in subsection (b)—

(A) by striking the first sentence; and

(B) by striking ''If the agency has not prepared a final regulatory analysis pursuant to section 604 of this title within one hundred and eighty days from the date of publication of the final rule'' and inserting the following:

''(c) If the agency has not prepared an initial regulatory flexibility analysis under section 603 or a final regulatory flexibility analysis under section 604 before the date that is 180 days after the date of publication of the interim final rule''; and

(4) by adding at the end the following:

''(d) Except as provided in subsections (b) and (c) of section 605, an agency head may not waive the requirements of section 603 or 604.''.

SEC. __08. PROCEDURES FOR GATHERING COMMENTS.

Section 609 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively;

(B) by inserting after paragraph (3) the following:

''(4) not later than 60 days before the date on which a covered agency convenes a review panel under paragraph (3), the covered agency shall submit written notification and a statement to the Chief Counsel for Advocacy of the Small Business Administration and the Office of Information and Regulatory Affairs within the Office of Management and Budget that includes—

''(A) the earliest date the review panel may convene;

''(B) the most recent draft regulatory text (if available) and economic analysis;

''(C) a description of the most significant regulatory components of the rule, with significant regulatory alternatives, accompanied by a discussion of the costs, cost-effectiveness, benefits, advantages, and disadvantages of the alternatives;

''(D) a description of the number and type of small entities affected, related State and Federal regulatory requirements, and the technical and legal bases for the rule;

''(E) a full description of the methodology that underlies the analysis in subparagraphs (B), (C), and (D), including any key assumptions; and

''(F) any other materials necessary for the individuals identified under paragraph (2) and the members of the review panel to make informed recommendations to the review panel and the covered agency;'';

(C) in paragraph (5), as so redesignated, by striking ''subsections 603(b), paragraphs (3), (4) and (5) and 603(c)'' and inserting ''paragraphs (3) through (7) of subsection (c) and subsection (d) of section 603''; and

(D) in paragraph (6), as so redesignated, by striking ''subsections 603(b), paragraphs (3), (4) and (5) and 603(c)'' and inserting ''paragraphs (3) through (7) of subsection (c) and subsection (d) of section 603''; and

(2) in subsection (e), by striking ''subsections (b)(3), (b)(4), and (b)(5)'' and inserting ''paragraphs (3), (4), (5), (6) of subsection (b)''.

SEC. __09. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' before ''Within''; and

(B) by adding at the end the following:

''(2) Each agency shall allow an interested person to petition the agency for the review of a rule of the agency then in effect, if—

''(A) the head of the agency made a certification under section 605(b) with respect to the rule;

''(B) evidence that is not in the rulemaking record exists showing that the rule has a significant economic impact on a substantial number of small entities; and

''(C) there are reasonable alternatives to the requirements under the rule that would reduce the economic impact on small entities.''; and

(2) by striking subsection (c) and inserting the following:

''(c)(1) Each agency shall publish in the regulatory flexibility agenda required under section 602 a list of the rules of the agency that have a significant economic impact on a substantial number of small entities, that the agency will review under this section during the 6-month period following the date of publication of the regulatory flexibility agenda.

''(2) The list required under paragraph (1) shall include—

''(A) for a rule that is the subject of a petition under subsection (a)(2) that the agency receives not later than 60 days before the date of publication of the list—

''(i) a statement that the agency will review the rule under this section; or

''(ii) a detailed explanation of how the petition failed to meet the requirements under subsection (a)(2), if the agency determines it will not review the rule under this section;

''(B) for each rule, a brief description of the rule, the need for the rule, and the legal basis of the rule; and

''(C) an invitation for public comment on the rules to be reviewed.

''(d) Upon review of any rule under this section, an agency shall publish notice of and accept comment on an initial regulatory review with respect to the rule that contains—

''(1) an evaluation of the factors described in subsection (b);

''(2) a statement of the objectives of and legal basis for the rule;

''(3) a description of, and, if feasible, an estimate of the number of, small entities to which the rule applies;

''(4) a description of the reporting, recordkeeping, and other compliance requirements of the rule, including the classes of small entities that are subject to the requirements and the type of professional skills necessary for preparation of any report or record required under the rule;

''(5) a description of any significant alternatives to the rule that accomplish the stated objectives of applicable statutes and minimize any significant economic impact of the rule on small entities, including, as applicable—

''(A) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to the small entities;

''(B) the clarification, consolidation, or simplification of compliance and reporting requirement under the rule for the small entities;

''(C) the use of performance standards rather than design standards;

''(D) an exemption from application of the rule, or any part thereof, for the small entities; and

''(E) any significant alternative proposed by a person that submits a petition for review under subsection (a)(2) of this section.

''(e)(1) Except as provided in paragraph (2), not later than 180 days after the end of the comment period specified by an agency under subsection (d), the agency shall publish in the Federal Register and make available to the public a final regulatory review that contains—

''(A) a statement of the need for, and objectives of, the rule;

''(B) a description of any significant issues raised by public comment in response to the initial regulatory review, and a statement of the assessment of the agency of the issues;

''(C) the response of the agency to any comment filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the initial regulatory review;

''(D) a description, and an estimate of the number, of small entities to which the rule applies, or an explanation of why no such estimate is available;

''(E) a description of the reporting, recordkeeping, and other compliance requirements of the rule, including the classes of small entities that are subject to the requirement and the type of professional skills necessary for preparation of any report or record required under the rule; and

''(F) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes, including a statement of the factual, policy, and legal reasons for not selecting any significant alternative to the rule considered by the agency that would affect the impact on small entities.

''(2) An agency is not required to publish a final regulatory review under paragraph (1) if, not later than 180 days after the end of the comment period specified by the agency under subsection (d), the agency initiates a rulemaking for the purpose of proposing the adoption of a significant alternative to the rule under review.''.

SEC. __10. JUDICIAL REVIEW.

Section 611(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''608(b)'' and inserting ''608'';

(2) in paragraph (2), by striking ''608(b)'' and inserting ''608''; and

(3) in paragraph (3)(B), by inserting after ''the issuance of'' the following: ''an initial regulatory flexibility analysis on an interim final rule pursuant to section 608(a) or''.

SEC. __11. SMALL ENTITY COMPLIANCE GUIDES.

(a) SMALL ENTITY COMPLIANCE GUIDES.—Chapter 6 of title 5, United States Code, is amended by adding at the end the following:

''§ 613. Small entity compliance guides

''(a)(1) For each rule or group of related rules for which an agency is required to prepare a final regulatory flexibility analysis under section 604, the agency shall publish 1 or more guides to assist small entities in complying with the rule and shall entitle such publications 'small entity compliance guides' (referred to in this section as a 'guide').

''(2) The publication of each guide under this subsection shall include—

''(A) the posting of the guide in an easily identified location on the website of the agency; and

''(B) distribution of the guide to known contacts representing regulated small entities, including trade associations and business organizations.

''(3) An agency shall publish each guide (including the posting and distribution of the guide as described under paragraph (2))—

''(A) on the same date as the date of publication of the final rule (or as soon as possible after that date); and

''(B) not later than the date on which the requirements of that rule become effective.

''(4)(A) Each guide shall explain the actions a small entity is required to take to comply with a rule.

''(B) The explanation under subparagraph (A)—

''(i) shall include a description of actions needed to meet the requirements of a rule, to enable a small entity to know when such requirements are met; and

''(ii) if determined appropriate by the agency, may include a description of possible procedures, such as conducting tests, that may assist a small entity in meeting such requirements, except that, compliance with any procedures described pursuant to this section does not establish compliance with the rule, or establish a presumption or inference of such compliance.

''(C) Procedures described under subparagraph (B)(ii)—

''(i) shall be suggestions to assist small entities; and

''(ii) shall not be additional requirements, or diminish requirements, relating to the rule.

''(5) An agency shall, in its sole discretion, taking into account the subject matter of the rule and the language of relevant statutes, ensure that the guide is written using sufficiently plain language likely to be understood by affected small entities. Agencies may prepare separate guides covering groups or classes of similarly affected small entities and may cooperate with trade associations and business representatives of small entities to develop and distribute such guides. An agency may prepare guides and apply this section with respect to a rule or a group of related rules.

''(6) The head of each agency shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Small Business of the House of Representatives, and any other committee of relevant jurisdiction describing the status of the agency's compliance with paragraphs (1) through (5).

''(b) Agencies shall cooperate to make available to small entities through comprehensive sources of information, the small entity compliance guides and all other available information on statutory and regulatory requirements affecting small entities.

''(c) An agency's small entity compliance guide shall not be subject to judicial review, except that in any civil or administrative action against a small entity for a violation occurring after the effective date of section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note), the content of the small entity compliance guide may be considered as evidence of the reasonableness or appropriateness of any proposed fines, penalties or damages.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended by striking section 212.

(c) SAVINGS CLAUSE.—On and after the date of enactment of this Act, an agency may use a small entity compliance guide published under section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) before the date of enactment of this Act.

SEC. __12. TECHNICAL AND CONFORMING AMENDMENTS.

The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 608 and inserting the following:

''608. Procedure for delay of completion.''; and

(2) by adding at the end the following:

''613. Small entity compliance guides.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 13, 2011.

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

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 13, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''Perspectives on Deficit Reduction.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 13, 2011, at 2 p.m., to hold a hearing entitled ''International Development Policy Priorities in the FY 2012 International Affairs Budget.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 13, 2011, at 11 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 13, 2011, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Fulfilling Our Commitment to Support Victims of Crime.''

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 13, 2011, at 3 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial and Executive Nominations.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 13, 2011, at 10 a.m.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 13, 2011, at 10 a.m., in room 418 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 13, 2011, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON PERSONNEL

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 13, 2011, at 1:30 p.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 13, 2011, at 2:30 p.m.

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

SPECIAL COMMITTEE ON AGING

Mr. CARDIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 13, 2011, from 2–4 p.m. in Dirksen 562.

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

PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that privileges of the floor be granted to Ian Koski of my staff for the duration of the day.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Adam Rohloff of my staff be granted floor privileges during this period of time.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff be allowed on the Senate floor for the duration of the debate on S. 493: Lucy Emerson and Shannon Olberding.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Megan Cheney, Nicole Miya Ogawa, and Jan Spreitzenbarth of my staff be granted the privilege of the floor for the duration of today's session.

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

REMEMBERING THE 1-YEAR ANNIVERSARY OF THE 2010 POLAND PRESIDENTIAL PLANE CRASH

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to S. Res. 135.

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

The clerk will report the title of the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 135) remembering the 1-year anniversary of the April 10, 2010, plane crash that claimed the lives of the President of Poland Lech Kaczynski, his wife, and 94 others, while they were en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union in 1940.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 135) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 135

Whereas, on April 10, 2010, the President of the Republic of Poland Lech Kaczynski, his wife Maria, and a cadre of current and former Polish statesmen, military officers, family members, and others departed Warsaw by plane to travel to the Russian region of Smolensk;

Whereas the purpose of the delegation's visit was to hold a ceremony in solemn remembrance of the more than 22,000 Polish military officers, police officers, judges, other government officials, and civilians who were executed by the Soviet secret police, the ''NKVD'', between April 3 and the end of May 1940;

Whereas more than 14,500 Polish victims of such executions have been documented at 3 sites in Katyn (in present day Belarus), in Miednoye (in present day Russia), and in Kharkiv (in present day Ukraine), while the remains of an estimated 7,000 such Polish victims have yet to be precisely located;

Whereas the plane carrying the Polish delegation on April 10, 2010, crashed in Smolensk, tragically killing all 96 persons on board;

Whereas Poland has been a leading member of the transatlantic community and the North Atlantic Treaty Organization (NATO), an Alliance vital to the interests of the United States, and Poland's membership in the Alliance has strengthened NATO;

Whereas the Polish armed forces have stood shoulder-to-shoulder and sacrificed with airmen, marines, sailors, and soldiers of the United States in Iraq, Afghanistan, the Balkans, and around the world;

Whereas Poland has been a leader in the promotion of human rights, not just in Central Europe, but elsewhere around the world; and

Whereas the deep friendship between the governments and people of Poland and the United States is grounded in our mutual respect, shared values, and common priorities on nuclear nonproliferation, counterterrorism, human rights, regional cooperation in Eastern Europe, democratization, and international development: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the terrible tragedy that took place on April 10, 2010, when an aircraft

carrying a delegation of current and former Polish officials, family members, and others crashed en route from Warsaw to Smolensk to memorialize the 1940 Katyn massacres, killing all 96 passengers;

(2) honors the memories of all Poles executed by the NKVD at Katyn, Miednoye, Khakriv, and elsewhere and those who perished in the April 10, 2010, plane crash;

(3) expresses continuing sympathy for the surviving family members of those who perished in the tragic plane crash of April 10, 2010;

(4) recognizes and respects the resilience of Poland's constitution, as demonstrated by the smooth and stable transfer of constitutional authority that occurred in the immediate aftermath of the April 10, 2010, tragedy; and

(5) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Poland to the United States.

NOMINATION OF DAVID COHEN

Mr. BAUCUS. Mr. President, shortly a UC request will be made to ask that the nomination of David Cohen to be Under Secretary for Terrorism, and Financial Crimes, U.S. Department of Treasury, be referred to the Committee on Banking, Housing and Urban Affairs after that nomination is reported by the Committee on Finance. I want to make it clear this action in no way should be taken to negate or diminish the jurisdiction of the Committee on Finance over this nomination. The Office of Terrorism and Financial Intelligence is a very important part of the Treasury Department, and the Committee on Finance has a fundamental interest to conduct oversight over that office, along with the entire department. I respect the interest my colleagues have in this important position, and in the interest of thorough oversight do not plan to object to the UC request. However, I want to stress that this UC request will only cover the specific nomination of David Cohen currently before the Committee on Finance, and does not apply to any other nomination of Mr. Cohen or of any person, including Mr. Cohen, to the Office of Under Secretary for Terrorism and Financial Crimes.

Mr. HATCH. I second my chairman.

Mr. JOHNSON of South Dakota. We thank the chairman and ranking member of the Committee on Finance, and agree that this unanimous consent agreement is designed only to apply to this nomination, and not to future nominees for this position.

Mr. SHELBY. I agree with Chairman JOHNSON.

SEQUENTIAL REFERRAL—EXECUTIVE CALENDAR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Committee on Finance reports the nomination of David Cohen to serve as Under Secretary for Terrorism and Financial Crimes, U.S. Department of the Treasury, the nomination be referred to the Committee on Banking, Housing, and Urban Affairs.

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

ORDERS FOR THURSDAY, APRIL 14, 2011

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, April 14; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with the time until 2 p.m. equally divided and controlled between the two leaders or their designees, with all other provisions under the previous order remaining in effect.

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

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am informed that we will debate the long-term CR tomorrow morning and vote as soon as we receive the papers from the House. There will be three votes which will be in relation to the two correcting resolutions regarding health care reform and Planned Parenthood and passage of the long-term CR. We hope the votes will be sometime in the afternoon.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:41 p.m., adjourned until Thursday, April 14, 2011, at 9:30 a.m.