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Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Eternal Spirit, our guardian and guide, deepen our trust in Your will and Your purposes. Lord, use our lawmakers as diligent partners in doing Your will on Earth. May they not lose heart or become discouraged because of the daunting problems they must solve, but each day may they resolve to faithfully labor to please You. Help them to be good stewards of the gifts You have given by striving for peace and justice, sacrificing for the needy, and transcending differences for the sake of the common good.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB 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, July 5, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. WEBB 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. Mr. President, following any leader remarks, the Senate will resume consideration of the motion to proceed to S.J. Res. 20. At 5 p.m. today the Senate will vote on the motion to invoke cloture on the motion to proceed to the Libya resolution. This vote will be longer than usual to accommodate Senators returning after the holiday which occurred yesterday, but that doesn't mean it will be open forever. I will be happy to be a little lenient, but we will do the best we can.

DEBT CEILING

Mr. REID. In one of his poems, T.S. Eliot wrote, ''Hurry up please. It's time.'' He could have been writing about us in the U.S. Senate.

Yesterday, this great Nation celebrated its 235th birthday. In those 235 years, we have accomplished many admirable things, and we have done it together. We have landed on the Moon, invented new ways to save lives, and fought for democracy and freedom all around the world. Now we stand poised to make a different kind of history.

For the first time, the United States of America stands at the brink of defaulting on our financial obligations. The Chief Economist for the U.S. Chamber of Commerce said allowing America to default on the debt ''would be tantamount to writing a bad check.''

Unless we take action, tarnishing this great Nation's sterling reputation will be the least of our concerns. We also risk the very fate of this country's economy and the world's economy along with it. The last time this country was plunged into a major recession, just 3 short years ago, we took the world with us.

When Wall Street greed caused the financial collapse of our financial system, Americans across the country lost their jobs, their homes, and their savings, and so did people across the globe. This country is only beginning to recover and the world with us. But the crisis we now face is one of even greater proportion without exception. The most respected business economists and business minds of our time have said if America defaults on its debt, it will have dire consequences here and around the world. ''Catastrophe,'' they called it.

That same U.S. Chamber of Commerce economist said a failure to avert this crisis ''is not a possibility.'' He could not even conceive the Republicans in Congress could shirk their duty. Defaulting on our debt would risk millions of American jobs, halt tax refunds, Social Security checks, Medicare payments, and even paychecks for our troops. The depression it would cause at home would ripple around the globe. Some have suggested instead of getting Social Security checks, Social Security recipients would get an IOU from the Federal Government.

This default crisis is not a new problem. It has been around for months. But we no longer have months or even weeks to avert this catastrophe. We have days. Yet my Republican colleagues have walked away from the negotiating table when we were nearing a solution—and so close to disaster. Why? To protect oil companies, to protect the owners of yachts and corporate jets, to protect corporations that ship jobs overseas, to protect millionaires and billionaires from paying their fair share.

Twenty percent of all the income earned in this Nation is earned by less

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

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than 1 percent of its citizens. It is this top approximately 1 percent the Republicans are determined to protect. Republicans walked away from the negotiations to protect them. Meanwhile, the rich are getting richer and the poor are getting poorer, and all that the middle-class Democrats have worked to make stronger is disappearing. Middle-class families are struggling to make ends meet.

That is why I brought to the floor legislation demanding millionaires and billionaires contribute their fair share to this crucial deficit reduction struggle. When Republicans talk about shared sacrifice, they mean the sacrifice should be shared by those who can least afford it. Democrats believe that sacrifice should be shared by the richest 1 percent as well. The others have all sacrificed too much already.

As we debate in the Senate this week, negotiations with the Vice President and the President should continue. The invitation to Republicans to help prevent a catastrophic default remains out there. To become part of the solution rather than part of the problem, all Republicans have to do is accept our invitation. The time is here for my Republican colleagues to put politics aside. Simply put, we are out of time. But Democrats cannot negotiate with ourselves. When one side comes to the table and the other refuses, it is impossible to negotiate. So this week we will debate the solution to this crisis with the Republicans, like it or not.

Democrats will be clear about what is at stake: the fate of our country and the global economy. We will be clear about our priority: to avert a catastrophic default and protect our fragile economic recovery. We will be clear about the middle ground we have already found: We must cut the deficit in order to get our fiscal house in order.

Democrats are willing to compromise, but compromise does not mean allowing our Republican colleagues to put the wants of a few millionaires and billionaires ahead of the needs of the Nation and the world.

I repeat the words of T.S. Eliot: ''Hurry up please. It's time.''

RECOGNITION OF THE MINORITY LEADER

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

ORDER OF PROCEDURE

Mr. McCONNELL. When we subsequently go on the motion to proceed, I ask unanimous consent that the speakers on the Republican side be limited to 10 minutes each.

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

DEBT CEILING

Mr. McCONNELL. Mr. President, Washington is engaged in a debate right now over the kind of country we want to be. The specific issue is this: At some point over the next several weeks, the Federal Government will no longer be able to borrow the money it needs to cover the cost of promises it has already made. So the President wants Congress to raise the statutory debt limit set by Congress. He wants us to raise the limit on the national credit card.

Now, what Republicans have said is that the only way we will do it is if Democrats agree to change their ways so we don't end up with the kind of situation that we are witnessing over in Greece. Make no mistake, that is exactly where we are headed if we don't do something significant and do it now. Democrats so far have refused. Instead, they are making what can only be described as a bizarre request under the circumstances.

In the middle of what we all agree is a debt crisis, they would like to spend even more. They want a second stimulus, more deficit spending. In the middle of the jobs crisis, they want to raise taxes that we know would kill even more jobs when even the President has said raising taxes would leave job creators with less ability to hire. These are their solutions. This is what the President came off the campaign trail to defend last Thursday, and this is what Republicans oppose.

Our view is that the way to solve a debt crisis is to go on a diet, not a shopping spree. Our view is the way to create jobs is to make it easier for businesses to hire, not harder. Frankly, we don't think the voters sent a wave of Republicans to Washington last November because they wanted us to raise taxes. They sent us here to restore some sanity. But the President and his Democratic allies in Congress don't seem to get it just yet.

Right now they are calling for a tax on aircraft manufacturers because they think it is good politics. It is their cheap attempt to try to make anybody who opposes it look bad. What they forgot is many of them voted to repeal a similar tax during the Clinton administration because of the devastating effect it had on jobs. They made the same arguments then, that we need to raise taxes on luxury goods to get more money, and it backfired. The shipbuilding industry alone lost tens of thousands of jobs.

Our Democratic colleagues surely must remember this, but apparently they would rather have fun trying to caricature their political opponents than working out a bipartisan solution that would actually enable us to balance the books.

Here is the point: Washington needs to find a way to spend less. Taxing more is their easy way out. They will start with aircraft manufacturers. Then when that is enough, and it never is, it is some other industry. Then another, and before we know it we are going after absolutely everybody. Why? Because it is easier to find a bill than it is to make tough choices. But most Americans know what it is like to make tough choices, and they want to know if they have to do it, why can't Washington.

That is why I invited the President over here last Thursday to talk with Republicans. My hope, as I made clear, is that he would listen to Republicans and hear firsthand why we think raising taxes in a weak economy is a bad idea and what the realities are over here.

My goal, as I said on Thursday, was to get together and talk about what is actually possible. The Obama administration said it wasn't a conversation worth having. Republicans in Congress believe finding a way to reduce the deficit and put Medicare on a more secure footing is a conversation worth having.

So today I would like to reextend the offer. I think the best way to solve this impasse is for the President to hear what needs to be done and how we can do it; hear what can actually pass in Congress. He needs to understand the principles at stake from our point of view.

It is not about rich and poor. It is not about an election. It is about Washington taking the hit for a change. It is about having Washington make some tough choices for a change.

Americans want to see accountability here in Washington. They have seen Democrats spending trillions of dollars we don't have, and they have seen the economic situation get worse in many respects than it was several years ago. The facts speak for themselves.

Since the President took the oath of office, nearly 2 million more people are unemployed. That is a 17-percent increase in the unemployment rate under President Obama. Gas prices have nearly doubled—up 86 percent since January of 2009. In the past 2 years, the Federal debt has increased 35 percent. Debt per person has increased by over $11,000. Health insurance premiums for working families have shot up 19 percent. All this while home values across the country have declined by 12 percent. They have clearly made the economy worse.

Americans get this. They think Washington, DC, should find a way to pay its bills or scale back its commitments, as everybody in the country is doing. Americans have made enough sacrifices the past few years. It is time for Washington to learn to make some sacrifice of its own.

Hopefully, the President will agree that reducing the debt is indeed a conversation worth having. I think we can do it. But I think he needs to understand what the legislative realities are and why and we are committed to a result that will restore the people's confidence not only in our economy but in our government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I understand the clerk is about to report a motion to proceed.

RESERVATION OF LEADER TIME

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

AUTHORIZING THE LIMITED USE OF THE U.S. ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 20, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the joint resolution (S.J. Res. 20) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya.

Mr. REID. Mr. President, I withdraw my motion to proceed to Calendar No. 88, S.J. Res. 20.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 93, S. 1323.

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

The legislative clerk read as follows:

Motion to proceed to the bill (S. 1323) to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk in that regard.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Harry Reid, Richard J. Durbin, Charles E. Schumer, Frank R. Lautenberg, Al Franken, John D. Rockefeller IV, Jack Reed, Sheldon Whitehouse, Sherrod Brown, Bernard Sanders, John F. Kerry, Jeff Merkley, Debbie Stabenow, Daniel K. Akaka, Daniel K. Inouye, Patrick J. Leahy, Benjamin L. Cardin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. REID. I now withdraw my motion to proceed to Calendar No. 93, S. 1323.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

AUTHORIZING THE LIMITED USE OF THE U.S. ARMED FORCES IN SUPPORT OF THE NATO MISSION IN LIBYA—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, I move to proceed to Calendar No. 88, S.J. Res. 20.

The ACTING PRESIDENT pro tempore. The motion is before the Senate.

Mr. REID. Mr. President, I ask unanimous consent that the time until 5 p.m. be equally divided between the two leaders or their designees and that any time spent in a quorum call be equally divided. There is already an order in effect that Republicans will be limited to 10 minutes each.

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

The Senator from Oregon.

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

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

INTERNATIONAL TRADE

Mr. WYDEN. Mr. President, international trade is one of the best ways to create more good-paying jobs for our people—as long as our workers and our companies are treated fairly in the tough global markets in which they compete.

That is not the case today. Chinese trade cheats, after being found guilty of dumping their goods in America, now launder these goods by illegally shipping them through Korea and other countries. This illegality is undercutting our workers, undercutting our companies, and is driving hard-working Americans out of jobs. All this is taking place under the sleepy eyes of America's so-called trade enforcement agencies.

Because this trade rip-off is growing and the Senate will soon take up trade agreements that could fix this problem, I wish to take just a few minutes this afternoon to make clear how this scam actually works. The reason I have this information is because as chairman of the Senate Finance Subcommittee on International Trade, my staff set up a dummy company that intervened directly with suppliers in China in order to learn firsthand how the Chinese firms brazenly shirk America's trade laws.

First, after a thorough and substantial investigation, what happens is that the U.S. Department of Commerce imposes antidumping duties on certain Chinese merchandise that was shown to be dumped, which is to say the merchandise is being sold at below-market prices. The next thing that happens is the Chinese supplier of the merchandise is tagged with the antidumping duties. Rather than stop selling and dumping goods into the United States, the Chinese essentially shore up their American buyers by soothingly conveying that these duties are not going to impact their prices. The suppliers sometimes characterize complying with U.S. trade law as merely a political issue.

After that, the Chinese goods are shipped into Korea, for example, where the goods are repacked into boxes that say ''Made in Korea.'' The documentation then follows the merchandise that is also going to be altered or forged to suggest that the merchandise indeed originates in Korea rather than China. From there, the merchandise enters our country, often at the Port of Long Beach in California, and U.S. Customs officials declare the goods to not be subject to antidumping duties because, purportedly, if one looks at all the labeling, they don't originate in China.

This transshipment is laundering, plain and simple, and it is a rip-off of the American worker.

My concern is once the U.S.-Korea Free Trade Agreement goes into force, Korea would become a supermagnet for this kind of merchandise laundering. Why would any Chinese supplier launder merchandise through Singapore, for example, when doing so through Korea would bless their merchandise with the duty-free status that the U.S.-Korea Free Trade Agreement provides? The answer is obvious. They wouldn't.

That is why the Congress needs, through legislation, to send clear instruction to the Bureau of Customs and Border Protection—and these are our cops. They are the commercial cops at America's ports. They need to be instructed about how to identify and combat the invasion of America's trade laws. In my view, this is absolutely critical to ensuring the U.S.-Korea Free Trade Agreement is not a tool that further empowers unscrupulous Chinese exporters.

For almost a century, our trade laws, the antidumping and the countervailing duties, have been enforced by Democratic and Republican administrations. They represent the frontline defense that protects our American workers. They are the laws that protect our businesses and our families from unfair and unscrupulous trade practices employed by foreign competition. But what we are seeing around the country is that these antidumping and countervailing duties are being evaded, and the problem is growing. What we have seen is, it takes years for the government to look into and conclude investigations on merchandise laundering. During this period of foot-dragging, our companies get hammered by foreign trade cheats, and when the cheats get caught, the enforcement agencies have almost never taken the steps necessary to ensure that the duties that are owed are actually collected.

The discrepancy between how much the U.S. Government is owed by these foreign trade cheats and how much is actually collected is embarrassing. We are collecting something on the order of 20 percent of what is owed to our government, and that is only from the companies that actually got caught

and were prosecuted. The fact is, there are many more that are missed every year.

So I hope colleagues, as we go to the trade debate, understand that the point of trade agreements is, it is possible to export more of our goods and services around the world. What we want in trade agreements is to grow things here. We want to make things here. We want to add value to them here, and we want to ship them somewhere. So we want to export our goods and services, not export our jobs. But, unfortunately, again and again, as a result of our competitors evading the trade laws, we have a broken enforcement process.

That is why three Democrats and three Republicans in the Senate have joined me in introducing a piece of legislation that puts the teeth back in our trade laws. Senators SNOWE and BLUNT and MCCASKILL and BROWN of Ohio and PORTMAN and SCHUMER and I all joined—three Democrats and three Republicans—to introduce S. 1133.

This legislation requires Customs to quickly and transparently investigate duty evasion. It requires the Customs agency to use existing law to ensure that it can collect the correct duties on merchandise. The legislation requires Customs to appropriately share this information with other Federal agencies because we have seen, again and again, that often one of the agencies doesn't talk to the other. Finally, it requires the appropriate agencies to make sure that in the future, they are going to report to the Congress promptly on what is being done to fully address the problem.

Let me wrap up—I see colleagues on the floor—by simply saying that I believe trade agreements create more jobs for our people, but the fact is trade agreements without enforcement can cost our people jobs. So this time, as the Congress goes forward with considering trade legislation, it is important to show the American people that as our trade agenda moves forward and moves forward aggressively in the days ahead, instead of major trade competitors laundering merchandise, as we have seen in our committee's investigation, to avoid the trade laws, our trade laws would finally be fully enforced.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, I understand I have 10 minutes to speak on the resolution before us.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. CORKER. Mr. President, if the Chair would let me know, if I speak for 8 minutes or longer, when I have 2 minutes left, I would appreciate it.

Mr. WICKER. Mr. President, I wonder if my colleague from Mississippi will yield at this time.

Mr. CORKER. Yes, sir. It is my understanding the Senator from Mississippi wishes to speak for 2 minutes.

Mr. WICKER. Yes, I appreciate that.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

THE FEDERAL DEBT

Mr. WICKER. Mr. President, this weekend, a local newspaper in Mississippi ran a lead editorial that wondered aloud whether the cancellation of the Senate's Independence Day recess signaled a ''serious effort on the part of Senate leaders'' and the White House to make headway in addressing the Federal debt. Regrettably, the answer to that question is obviously no. For that reason, I wish to announce at this point that I will be voting no this afternoon on the motion to invoke cloture on the motion to proceed to a debate on Libya.

Clearly, Libya is an important issue. I am a member of the Armed Services Committee. I have the greatest of respect for both my chairman and the ranking member. But I will remind colleagues what the Chairman of the Joint Chiefs of Staff said recently: The most important national security issue facing the United States of America is the national debt and we should not move to a vote on Libya and to a discussion on Libya—which, frankly, is almost academic at this point—until we debate the crucial issue facing the Senate; that is, the issue of the national debt.

If we had a serious effort to talk about the national debt, in this week of recess that has been canceled, we would be convening the Budget Committee today and asking them to report a budget on the floor for the first time in almost 800 days so we could have a debate on the floor about the budget.

The ACTING PRESIDENT pro tempore. The Senator has used 2 minutes.

Mr. WICKER. Mr. President, I ask unanimous consent to have another minute.

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

Mr. WICKER. If the Senate majority were serious about their efforts to reduce the Federal debt, the administration would not be continuing its efforts to spend our way to prosperity. We would be bringing to the floor a budget to cut spending, to make a serious effort against these huge Federal deficits we are seeing. We would not be engaging in the politics of fear. We would not be engaging in the politics of class warfare. We would be getting to business this week. I hope that is what we will do.

The only way I know to get that debate is to vote ''no'' on the motion for cloture this afternoon. I think a number of my colleagues will be doing so. If some 41 of us can muster a ''no'' vote on the motion to invoke cloture, then we can have the debate on Libya at another time and we can get today and this week to the one and only reason we are back in town; that is, this debt that consumes us, that threatens our national security, our national well-being and we are called upon to debate by our colleagues and our constituents.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. WICKER. I thank my friend from Tennessee for yielding.

Mr. CORKER. Mr. President, I thank the Senator from Mississippi for his comments.

As I mentioned, I rise to speak about S.J. Res. 20. I think there has been some misinformation about what we are doing this afternoon. I know the Acting President pro tempore and I were in a Foreign Relations Committee meeting last week and offered several amendments that were not passed. But many people have said what we are going to be debating, possibly this evening—I hope we do not—is something the President has asked for. The Acting President pro tempore, I know, knows differently.

The President did not ask for what it is we are going to be debating this evening. The President earlier asked for a resolution of support but not an authorization for this third war we are undertaking right now in Libya. That is not what the President asked for.

As a matter of fact, the President, in a very cutely worded letter to Congress, tried to state that we were not involved in hostilities in Libya, and he did so in order to circumvent a law that has been on the books now for many years called the War Powers Act. So the President is not seeking what the Senate is getting ready to debate on the floor at all. As a matter of fact, the President is trying to circumvent the War Powers Act. So there is no question, in my opinion, the President should be made to seek authorization.

But then that brings us to the issue at hand. There is no way anything we do on the Senate floor—other than possibly pulling our troops out of Libya, which is not what the resolution is about—is going to affect anything we are doing in Libya one iota. Let me say that one more time. If the resolution we are debating, possibly this evening, were to actually be debated and passed, it would not affect one iota of what we are doing in Libya. The fact is the House has already turned down the same resolution. So, basically, we are burning a week's time on something that is totally irrelevant to what is happening in Libya and certainly irrelevant as it relates to what is before us as a country.

As the Senator from Mississippi mentioned, the biggest issue facing our country today is this issue of the debt ceiling and our debt, the fact that we have $14.2 or $14.3 trillion in indebtedness, and we are moving beyond that, the fact that we have $1.5 trillion in deficits this year, the fact that we are spending $3.7 trillion and only have $2.2 trillion, the fact that we are borrowing 40 cents of every dollar we spend every day we are here, and that 47 percent of that is coming from people overseas. That is the most important issue before us. That is the reason we are back

here this week during the July recess. I am glad we are here. But we need to focus on the issue at hand.

To speak to how dysfunctional the Senate is, we are here over the debt ceiling, we are here over the fact that we have huge deficits, and we do not have an agreement to deal with that. But instead of focusing on the issue at hand, which is what most people back in Tennessee or Virginia or some other place would do if they had a problem, we are going to focus on something possibly that is irrelevant and has nothing whatsoever to do with the issue at hand, just to make the American people think we are doing something.

I also will vote against cloture this evening, and I am here on the floor to urge my colleagues on both sides of the aisle—I have gotten calls since I landed this morning from Tennessee, from Democratic Senators who want to figure out a way to resolve this issue, from people who understand that our country is heading for a train wreck as it relates to our debt ceiling because there have not been serious negotiations that have taken place.

So the Senator from Mississippi is right. Believe it or not, in a body that spends $3.7 trillion a year, we have not had a budget in 797 days. I cannot believe that as a citizen. I certainly cannot believe that as a Senator. I do not think most citizens in our country realize we are spending, right now, $3.7 trillion of their money this year and we do not even have a budget that is passed. One has not come out of committee, a committee that, by the way—not to be pejorative here—has a majority of people on the other side of the aisle who could easily, if they wanted to, pass a budget out to the Senate floor to be debated.

I know sometimes things are difficult to get done around here. But certainly it is difficult to address the No. 1 issue we have before us in our country: these huge deficits which are creating this issue of the debt ceiling that ''has to be raised.'' The fact is, again, we are possibly, this evening, getting ready to move to an issue that is totally irrelevant—very important and certainly something that has been mishandled tremendously—but certainly something that, whatever action we take this week in the Senate, is going to be unaffected. It is not going to have any effect on it whatsoever other than Senators feeling good about the fact that they did something that actually ends up bearing no fruit.

I urge people on both sides of the aisle to vote against cloture to take up this issue—that we are in a third war, a war the President does not want to call a war by saying we are not involved in hostilities. Obviously we are. We have Predators doing what Predators do. We have aircraft bombing military installations. If North Korea were in our country bombing military installations and using Predators to do what Predators do, I think we would say that is hostilities. No doubt we are involved in hostilities, and that issue should not be left aside and undealt with. But, again, today, the big issue—the issue of the day—is our debt ceiling. The issue is our debt. The issue is we do not have a balanced budget. The issue is we do not have a fiscal straitjacket to cause us to act responsibly. I urge my colleagues on both sides of the aisle to vote ''no'' this evening for cloture. Let's not take up an issue we will have no effect on, that has nothing to do with the debt ceiling, and let's move to those kinds of issues that will.

I know there is not a budget, unfortunately, to debate at present. It is my understanding the chairman of the Budget Committee is going to unveil some plans. That would be wonderful. There are some budget process issues that are at least relevant to the topic at hand. So I urge people to vote ''no'' this evening.

Mr. President, I thank you for the courtesy of time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. LUGAR. Mr. President, I understand our leader, Senator MCCONNELL, is asking we speak for no more than 10 minutes, but I ask unanimous consent that I be allowed to speak for 25 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. LUGAR. I thank the Acting President pro tempore.

Mr. President, our debate today takes place in the context of deep economic uncertainty at home, coupled with extraordinary dangers overseas. Our country is suffering from high unemployment, with 9.1 percent of Americans out of work—many for years. Our national debt stands well above $14 trillion, and our credit rating is in doubt. Gas prices are still near $4 a gallon in many locations. The number of Americans requiring food stamp assistance has reached 45 million. Some businesses are returning to profitability but long-term economic growth is threatened by numerous forces, including the skyrocketing national debt, declining home values, high energy costs, and increased competition for export markets.

Overseas, almost 100,000 American military personnel are fighting a difficult war in Afghanistan. More than 1,600 of our troops have been killed in Afghanistan, with roughly 12,000 wounded. Meanwhile, we still have 46,000 troops in Iraq, a deployment that has cost almost 4,500 American lives, with more than 32,000 wounded. Our troops have experienced multiple deployments over the last 8 years that have strained our Armed Forces. Tensions on the Korean Peninsula are extremely high, with no resolution to the problem of North Korea's nuclear program. We continue to pursue international support for steps that could prevent Iran's nuclear program from producing a nuclear weapon. We remain concerned about stability in Pakistan and the security of that country's nuclear arsenal. We are attempting to counter terrorist threats emanating from Pakistan, East Africa, Yemen, and many other locations.

Into this confluence of economic and national security commitments, the President has involved our Nation in a civil war in Libya. We find ourselves in a situation where Congress is debating vast cuts in domestic programs to make essential progress on the deficit, even as President Obama has initiated an expensive, open-ended military commitment in a country that his Defense Secretary said is not a vital interest.

Any Member who has been here to witness the last 10 years should understand that war is an inherently precarious enterprise that is conducive to accidents, unintended consequences, and miscalculations. The last 10 years have also illuminated clearly that initiating wars and killing the enemy is far easier than achieving political stability and reconstructing a country when the fighting is over.

This is why going to war should be based on U.S. vital interests. It is also why Congress has an essential role to play in scrutinizing executive branch rationalizations of wars and their ongoing management. This holds true no matter who is President or which war is being fought.

The President stated he intervened in Libya in conjunction with the international community to save lives that would have been lost had Qadhafi's forces been left unchecked. But saving lives alone cannot be our standard for using military force. There is no end to the global humanitarian emergencies in which U.S. military and economic power might be devoted. Saying that American military power in Libya is morally justified is not the same as saying it is wise. There are many other questions that must be answered in a disciplined examination of whether to go to war.

The administration placed much weight on expressions of approval by the United Nations and the Arab League. It is better to have international support than not when considering war. But neither of those institutions is determinative to an assessment of U.S. vital interests.

Even after Qadhafi leaves power, we will be at risk of substantial costs. Already NATO has called for a U.N. peacekeeping force to be deployed on the ground in Libya to help secure a transitional government. As the largest contributor to the United Nations, the U.S. probably will bear a significant share of that cost, even if no American troops participate. What follows Qadhafi's regime will be a true nation-building exercise. Despite massive natural resources, Libya was a poor and largely undeveloped country before the first NATO bomb fell. We have been assured that the Libyans will have the financial resources to pay for this reconstruction effort, but we have heard

this assurance before. We have had ample experience during the last decade with the difficulties of reconstructing nations in which we have intervened.

In justifying our intervention in Libya's civil war, the President has claimed that failure to do so would have emboldened other dictators to resort to violence in the face of popular protests. At a minimum, the unfolding tragedy in Syria is evidence that our intervention in Libya has done little, if anything, to deter such repression.

In fact, I think it is more likely that dictators such as Bashar al-Assad have learned the opposite lesson from the Libyan example. That lesson is do not let an opposition force gain control of territory or the West might intervene to protect it from the sky. Is this the thinking behind the Syrian government's brutal military takeover of the cities along its border with Turkey? At the same time, our Libyan involvement has made it more difficult to obtain Security Council action of any sort, even rhetorical, against the Syrian regime.

American intervention in Libya did not come as a result of a disciplined assessment of our vital interests or an authorization debate in Congress. In the broader strategic context that I have described, a civil war in Libya is not a priority that required American military and economic investments. It is an expensive diversion that leaves the United States and our European allies with fewer assets to respond to other contingencies.

President Obama's assertion that he does not need a congressional authorization to wage war in Libya represents a serious setback to the constitutional limits on Presidential war powers. Historians will point out that this is not the first time that a President has gone to war unilaterally. But saying that Presidents have exceeded their constitutional authority before is little comfort. Moreover, the Libya case is the one most likely to be cited the next time President Obama or a future President chooses to take the country to war without congressional approval.

Declarations of war are not anachronistic exercises. They force the President to submit his case for war to Congress and the American public. They allow for a robust debate to examine that case, and they help gauge if there is sufficient political support to commit American blood and treasure. And they define the role and strategy of the United States. Neither U.N. Security Council resolutions nor administration briefings are a substitute for a declaration of war or other deliberate authorizations of military operations.

Actions leading up to the wars in Iraq and Afghanistan at least acknowledged that congressional authorization was vital to initiating and conducting war. Despite deep flaws in the process of authorizing those wars, there was recogition that both required a deliberate affirmative vote by Congress.

During this debate there will be appeals to set aside discussion of war powers issues in favor of expressing support for the military mission underway. We will be asked to send a message to Colonel Qadhafi, notwithstanding our displeasure with President Obama's unilateralism.

I understand that one can be for the Libya mission while simultaneously being critical of the President's failure to involve Congress in his decisionaking. But I also believe that it would be difficult to render a judgment on the Libya operation without reference to the process failures that have preceded this debate, for two reasons. First, in the long run, the significance of the war powers precedent created by President Obama's unilateral intervention in Libya and his subsequent rationalization for not needing congressional authority may be far more significant than the short term geopolitical consequences of what happens in Libya. Second, we are debating an authorization that the President has taken no affirmative action to seek, that he asserts is not necessary under the Constitution or the War Powers Act, and that presumably will have little impact on his actions.

Even if one believes that the President somehow had the legal authority to initiate and continue U.S. military operations in Libya, it does not mean that going to war without Congress was either wise or helpful to the operation. There was no good reason why President Obama should have failed to seek congressional authorization to go to war in Libya. A few excuses have been offered ranging from an impending congressional recess to the authority provided by U.N. Security Council Resolution 1973. But these excuses do not justify the President's lack of constitutional discipline. Twelve days before the United States launched hostilities I called for the President to seek a declaration of war before taking military action. The Arab League resolution, which is cited as a key event in calculations on the war, was passed a full week before we started launching cruise missiles. There was time to seek congressional approval, and Congress would have debated a war resolution if the President had presented one.

That debate would not have been easy. But Presidents should not be able to avoid constitutional responsibilities merely because engaging the people's representatives is inconvenient or uncertain. If the outcome of a congressional vote on war is in doubt, it is all the more reason why a President should seek a debate. If he does not, he is taking the extraordinary position that his plans for war are too important to be upset by a disapproving vote in Congress.

The Founders believed that Presidents alone should not be trusted with war making authority, and they constructed checks against executive unilateralism. James Madison, in a 1797 letter to Thomas Jefferson, stated, ''The Constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care, vested the question of war in the legislature.''

Clearly, there are circumstances under which a President might be justified in employing military force without congressional authorization. But as Senator JIM WEBB has pointed out systematically, none of the reasons apply to the Libyan case.

Our country was not attacked or threatened with an attack. We weren't obligated under a treaty to defend the Libyan people. We were not rescuing Americans or launching a one-time punitive retaliation. Nor did the operation require surprise that would have made a public debate impractical.

In this case, President Obama made a deliberate decision not to seek a congressional authorization of his action, either before it commenced or during the last 3 months. This was a fundamental failure of leadership that placed expedience above constitutional responsibility.

Moreover, the highly dubious arguments offered by the Obama administration for not needing congressional approval break new ground in justifying a unilateral Presidential decision to use force. The accrual of even more war making authority in the hands of the Executive is not in our country's best interest, especially at a time when our Nation is deeply in debt and our military is heavily committed overseas.

At the outset of the conflict, the President asserted that U.S. military operations in Libya would be ''limited in their nature, duration, and scope.'' Three months later, these assurances ring hollow. American and coalition military activities have expanded to an all but declared campaign to drive Qadhafi from power. The administration is unable to specify any applicable limits to the duration of the operations. And the scope has grown from efforts to protect Libyan civilians under imminent threat to obliterating Libya's military arsenal, command and control structure, and leadership apparatus.

Most recently, the administration has sought to avoid its obligations under the War Powers resolution by making the incredible assertion that U.S. military operations in Libya do not constitute hostilities, a view that has been rejected by many supporters of the war.

Let us be clear that we are deliberately trying to overthrow the government of Libya with military force. We were instrumental in putting the alliance together, we were the major force behind the U.N. resolution authorizing the war, we set the table for the NATO operation through an intensive bombing campaign to open the war, our planes and drones continue to bomb Libya, and most missions flown by allied pilots are dependent on the

intelligence and refueling capabilities that we are providing. The means that we are using to overthrow the Libyan government are limited in the sense that we could be applying more military force to the task, but the goal of the operation is not limited. We are using military force to achieve regime change. Defining these actions as something less than hostilities requires extraordinary legal contortions.

Administration analysis focuses on the question of whether U.S. casualties are likely to occur, thereby minimizing other considerations relevant to the use of force. Such an interpretation would deny Congress a say in other questions that are obviously implicated in decisions to go to war, including the war's impact on U.S. strategic interests, on our relations with other countries, and on our ability to meet competing national security priorities.

The administration also implies that because allied nations are flying most of the missions over Libya, the U.S. operations are not significant enough to require congressional authorization. This characterization underplays the centrality of the U.S. contribution to the NATO operations in Libya. We are contributing 70 percent of the coalition's intelligence capabilities and the majority of its refueling assets. The fact that we are leaving most of the shooting to other countries does not mean that the United States is not involved in acts of war. If the United States encountered persons performing similar activities in support of al Qaida or Taliban operations, we certainly would deem them to be participating in hostilities against us.

This state of affairs is at odds with the President's own pronouncements on war powers during his Presidential candidacy. For example, in December 2007, he responded to a Boston Globe question by saying: ''The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation.''

American combat forces are so efficient at certain types of operations and our over-the-horizon technology is so potent that the use of the military instrument to right wrongs exists as a tremendous temptation for Presidents. If we fail to come to grips with this now, I fear that we are setting the stage for Presidents to undertake other humanitarian interventions without congressional approval.

The President does not have the authority to substitute his judgment for constitutional process when there is no emergency that threatens the United States and our vital interests. The world is full of examples of local and regional violence, to which the U.S. military could be applied for some altruistic purpose. Under the Constitution, the Congress is vested with the authority to determine which, if any, of these circumstances justify the consequences of American military intervention.

The Foreign Relations Committee markup of S.J. Res. 20 significantly improved the resolution in several key respects. First, the committee adopted amendments that Senator WEBB and I introduced, establishing legally binding prohibitions on the introduction of American ground troops and contractors into Libya. The original resolution addressed this issue only through nonbinding language that the President could have ignored.

Second, the committee adopted an amendment I offered requiring specific reports on the Libya operation from the administration on strict deadlines. These deadlines were strengthened further by an amendment from Senator BOB CORKER. The original resolution lacked sufficient provisions for congressional oversight of the operations, their costs, and their potential impact on other U.S. national security objectives.

Third, I offered an amendment specifying that the War Powers resolution applies to current U.S. military operations in Libya, and that continuation of those operations requires congressional authorization. This was adopted by acclamation after Members on both sides delivered statements supporting the amendment. In doing so, the committee repudiated the administration's contention that U.S. operations in Libya do not constitute ''hostilities'' and therefore are not subject to the War Powers resolution.

Fourth, the committee adopted a sense of the Congress amendment stating that postwar reconstruction costs should be borne primarily by the Libyan people and Arab League nations.

Even with the success of these amendments, S.J. Res. 20 remains overly broad, despite its stated purpose of authorizing a limited use of force. Specifically, it contains no meaningful limits on the use of American air assets over Libya.

This resolution clearly would give the President the authority to escalate the American role in the bombing campaign. I understand that some Members of the Senate may favor that course. But Members who have concerns about a re-escalation of the U.S. combat role should understand that passage of the resolution not only gives the President that authority, it makes such a re-escalation more likely.

The defining limitation in S.J. Res. 20 is U.N. Security Council resolution 1973, which calls on nations to protect Libyan civilians. Effectively, any use of airpower consistent with this U.N. resolution is permitted under S.J. Res. 20. Using resolution 1973 as justification, the President already engaged in an intensive bombing campaign against Libyan targets at the beginning of our intervention. By definition, the administration and our allies would regard S.J. Res. 20 as permitting at least the intensity of American bombing that was undertaken in the first week of the war.

Moreover, President Obama publicly has defined the removal of Colonel Qadhafi as in the interest of protecting Libyan civilians. From the administration's point of view, almost any airstrike that degrades Libyan military capabilities or contributes in some way to the potential for the ouster of Qadhafi can be justified as contributing to the protection of civilians. This could include the use of slower fixed wing aircraft flying close air support missions and perhaps helicopters.

Passage of this resolution does not guarantee that there will be a full-scale re-escalation, but if President Obama is armed with this resolution and if the Libyan operation drags on, it is almost inevitable that the American role in Libya will expand. We know that some of our allies are running short of munitions. We also know that public opinion in some allied nations may trend against continuing this mission. Our military is the best and most capable in the world. If the President has this broad authorization from Congress in hand, allies will be far more confident that the United States will pick up the slack if they withdraw or limit their participation. In a recent press conference, the President said, ''There's no risks of additional escalation.'' But the only barrier to escalation would be the decision-making of the President himself.

I do not believe that our intervention in the Libyan civil war was prudent in the context of U.S. vital interests. I continue to be concerned that the U.S. role in Libya will escalate, that Libya reconstruction burdens could fall on our country, and that the Libyan operation siphons attention and resources away from more important national security priorities. I cannot support the broad mandate that this resolution would give to the President to expand U.S. military activities over Libya. I urge my colleagues to join me in opposing adoption of S.J. Res. 20.

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

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I would like to just briefly say that the matter of the merits of the Libya resolution the majority leader wants to move to is not something I am addressing at this point. It is a significant issue, and good Senators can disagree about that, but the reason we are here this week is because 46 Senators from the Republican side objected to the Memorial Day recess, because we have done nothing on the budget, and were clearly going to object again when it came to the Fourth of July because we have the debt ceiling issue that we are told creates an emergency by August 2.

We haven't passed a budget in 797 days. The Democratic majority has not

even brought one to the floor in that time. The country is spending itself into decline and damaging our future. We know that. It has been talked about for months. We have had no discussion in the Budget Committee, of which I am ranking member, about marking up any kind of budget this year. The Budget Act in the United States Code says we should pass the budget by April 15. So the objection I and others had to going home and recessing this week was not in order to discuss the Libya resolution; it was to get to work now to confront the financial situation we are in.

We are not going to be serving our constituents well if some sort of secret agreement comes to fruition and a bill is plopped down on the Senate floor on August 1 that has to be passed by August 2. That is not responsible. It is not acceptable. Even the President understands that. Last week, he said this:

> And so there's no point in procrastinating. There's no point in putting it off. We've got to get this done. And if by the end of this week, we have not seen substantial progress, then I think members of Congress need to understand we are going to start having to cancel things and stay here until we get it done.

He is talking about spending—debt, the debt ceiling, the limit on the amount of money the U.S. Government can borrow. That is what he said last week. And that is what we have been saying for over a month.

Regardless of how one feels about the Libya resolution, that is not what we need to be doing this week. The letter we wrote to Senator REID concerning the Memorial Day recess said this. This was a month ago.

> Until a budget plan is made public, and until that plan is scheduled for committee action, on what basis can the Senate justify returning home for a 1-week vacation and recess when our spending and debt continue to spiral dangerously out of control?

That is what we said then and it remains true now. This Congress is acting in an irresponsible manner and it is not healthy for us. I am beginning to wonder if the Senate is, in fact, beginning to lose its reason for being. Are we supposed to just sit here and wait for two, three, four, or five people to meet in secret and then tell us at the eleventh hour that we have to pass a bill? Is that legislating? Is that what Congress should do?

We certainly are in violation of the Budget Act, which says a budget should be marked up in the Budget Committee by April 1 and passed by April 15. We haven't even called one up, and we haven't passed one in 797 days.

I recall, as we make the decision on our vote today, what Chairman of the Joint Chiefs of Staff Admiral Mullen said recently, which is that the greatest threat to our national security is the debt. That is what he said. The President has not asked for a Libyan resolution. It is not something he cares about, apparently. He hasn't asked for it. He doesn't consider it important.

I will tell you one thing we have to do: We have to fulfill our responsibility as a Congress, as the people who control the purse. That is our ultimate constitutional responsibility. We are not fulfilling it and, therefore, I urge my colleagues not to move to the Libyan resolution but to send a message to our Democratic leadership that we insist on moving toward solving the financial crisis this Nation faces.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Mr. President, as of now, we are scheduled to vote on a motion to proceed to S.J.R. 20 regarding Libya. We have been called into session—having made plans to spend this week in our States meeting with constituents, as we try to do at least once a month—because there is a budget crisis in this country, because we have a debt ceiling of over $14 trillion that is getting ready to be hit and we need to focus on that and that alone during this week. We have been talking about it, we have been talking around it, but, honestly, we don't seem to be making much progress. If we are going to do anything this week, we should be talking about how we are going to address this issue.

This is what is on the minds of the people of our country today. I was home over the weekend, having just gotten back, and everyone I talked to is scared to death about this debt, about what is going to happen. People think there does need to be significant change, reform, a different way of doing business than borrowing and borrowing and borrowing. They are also concerned about hitting the debt ceiling and not lifting it. They are wondering what in the heck we are going to do.

So now we are back here in session because of that crisis, and somehow we are talking about Libya. Libya is important. It is important because there are American troops, part of a coalition that was put there by the President without consulting Congress, and now there is a resolution, which, frankly, I cannot support. I will not give the President authority to continue. I think we need a full and fair debate. But now is not the time to be doing this, when we are 4 weeks away from a potential debt crisis that could affect the people in our country right now—people who depend on our government to function—as well as our global standing.

So let's talk about what we could do. What we could do is produce a budget. It has been 797 days or so since the Senate has passed a budget resolution. So we haven't set the level of spending and the priorities for spending that are our constitutional responsibility. It is Congress's responsibility to pass a budget. We haven't passed a budget in almost 2 years—almost 2 years.

We have to do that because we are coming up on—in about 3 months—the end of a fiscal year. We should be passing appropriations bills that are based on a budget. But we don't have a budget. So I would say, let's get back to basics. When you have a big problem, you go back to the basics, where you have to start to solve a problem. And the basics are a budget. I think we all agree if we get a budget on the floor there is going to be a lot of amendments. There is going to be a lot of amendments to a budget resolution. Let's get started. Let's use this week to produce a budget resolution and let's start having the amendments about spending levels, about spending priorities. That will be a way we can start the process of determining if we can, in fact, lift the debt ceiling.

There are significant cuts in spending we can make as a country that would show the rest of the world—those holding our debt, as well as the American people who are living with this government and holding part of the debt—that we are serious; that we are going to get our financial house in order, and we are going to do it with a budget resolution that cuts spending and sets priorities as every family and every business in this country is required to do. Most States, by the way, are required to do it as well. A few don't, and we see them sort of ambling over toward the ''B'' word—bankruptcy—which is just not a possibility. That is not a possibility for this country. We need to take the reins right now to assure the world knows we are not going to handle our fiscal responsibilities by continuing to borrow when we know we don't have the revenue coming in to pay for all these programs.

So I am going to vote against cloture today. I am going to vote against cloture, along with, I know, many people for different reasons. Some people are voting against cloture because they do not think we ought to be giving the President the authority to continue going into another country's civil war when we have such commitments in Afghanistan and Iraq, when we are overdeploying our troops, when we are spending money that we are having to borrow, when we are taking the lion's share of this responsibility for our allies. Many of us think we shouldn't be adding another country, where it is supposed to be a support function, when we all know that is what leads to something more, and then something more. I thought Senator LUGAR said it very well when he said that then you have the aftermath of the end of a civil war and the responsibilities for that. This is not the time, in my opinion, to be giving that kind of authority to the President.

But above that—above that—we are here because there is a crisis upon which I think we have a united view of

the goal, and that is to put our fiscal house in order. But we are not united in the Senate about how to do it. So let's have that debate this week. Let's have that debate that says we should be spending more or we should be spending less; that we should be taxing more or taxing less, because we have real disagreements on that.

I am in the spend less, tax less group, but there are views that are differing. Let's put it out there and start the debate. Because if we have a budget resolution, then everything can be solved from there. If we have a budget resolution that we can agree is the right amount of spending for the debt crisis we are in, then we will know the way forward to dealing with the debt crisis. That is a real possibility, and that is what we ought to be talking about.

I will not support cloture on a motion to proceed to a Libya agreement that says the President can continue the involvement. I think we need to deal with the crisis that Congress has a say in doing. Certainly Congress had a say in producing it, and we are the ones responsible to the American people for solving the problem that has been created.

I urge my colleagues not to vote for cloture on the motion to proceed to the Libya resolution and, instead, turn to the budget, put a budget resolution out, and, for the first time in almost 2 years, we can begin to talk together to solve this problem by passing a budget resolution that will lower spending and hopefully keep taxes low so our fragile economy can continue on the path toward improvement, that would have businesses feel confident to hire people, rather than putting obstacles in place, and get this unemployment rate of over 9 percent off the books. That would be the answer for this week, in my opinion.

I hope the majority leader will turn to the budget and let's solve the crisis at hand. I think that is why we are in session this week.

Mr. President, I yield the floor.

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. REID. 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. REID. Mr. President, the Senate was scheduled today at 5 p.m. to vote on the motion to invoke cloture on the motion to proceed to the bipartisan Libya resolution, which is sponsored by Senators KERRY, MCCAIN, LEVIN, KYL, DURBIN, FEINSTEIN, GRAHAM, and others. I spoke with the Republican leader just a short time ago, and we have agreed that, notwithstanding the broad support for the Libya resolution, the most important issue for us to focus on this week is the budget. So we will work to set up the vote on the sense-of-Senate resolution that I have offered on shared sacrifice and perhaps a Republican alternative as well. Meetings are in process now and will continue on the debt limit and on larger budget matters throughout the Capitol and I am confident everyone knows the White House is involved.

I ask unanimous consent that the cloture motion, with respect to the motion to proceed to Calendar No. 88, S.J. Res. 20, be vitiated.

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

Mr. REID. I withdraw my motion to proceed to Calendar No. 88, S.J. Res. 20.

The PRESIDING OFFICER. The motion is withdrawn.

SHARED SACRIFICE IN RESOLVING THE BUDGET DEFICIT—MOTION TO PROCEED—Continued

Mr. REID. I now move to proceed to Calendar No. 93, S. 1323.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A motion to proceed to Calendar No. 93, S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

Mr. REID. Mr. President, there will be a vote at 5 p.m. today on a motion to instruct the Sergeant at Arms to notify Senators of their need of attendance in the Senate at this important time in our country's history.

I would note 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.

AUDIT OF DEPARTMENT OF DEFENSE

Mr. GRASSLEY. Mr. President, I want to extend some remarks I made on the Senate floor on June 6. The report I was reporting on on June 6 evaluated audits produced by the Department of Defense Office of Inspector General in fiscal year 2010. I called that report a report card because that is exactly what it was. Each of the 113 unclassified reports published in fiscal year 2010 was reviewed and evaluated and graded in five categories. My report was produced by the Department of Defense Office of Inspector General in fiscal year 2010. After each report was graded individually, all the scores for each report in each category were added up and averaged to create a composite score for all 113 reports.

Although 15 top-quality audits were highlighted in the report, the overall score awarded to the 113 was basically D-minus. That is low, I know. Maybe the score should have been a little higher. Clearly, none reflected any of the reforms Inspector General Heddell, DOD, put in place in December of 2010, as all were published well in advance of that date.

My oversight staff read these reports as educated consumers. We expected these reports to provide leverage in the monumental day-to-day Department of Defense oversight task. We want them to provide assurance that the Defense Department is spending taxpayers' money wisely. Some reports did that but most did not.

This report, prepared by this Senator from Iowa, is sure of one thing: The audits which are the subject of my report card are not somehow exempt from oversight and public scrutiny. In other words, these audits should just not sit on the shelf and collect dust; they need, as well, to be put under the public microscope, especially when they cost almost $1 million apiece to produce. Mr. President, $1 million for an audit report is a heck of a lot of money. So that is exactly what we did in the report card—put these reports in the public spotlight, and I will keep them there until I see sustained improvement at the inspector general of the Department of Defense.

As the report states and as I explained in my speech on June 6, this grading system was subjective and imperfect. However, as subjective and inexact as it may be, I believe it provided a reasonable and rough measure of audit quality.

Following my speech, Defense Department Inspector General Heddell pounced on my report. He expressed strong opposition to the low score. He complained that it did not adequately reflect $4.2 billion in what he called ''achieved monetary benefits,'' identified in fiscal year 2010 reports.

To address IG Heddell's concerns, my staff asked the audit department to prepare an information paper that linked the $4.2 billion in savings to the audit where those savings were reported. That information was provided to me on June 20. I call it a crosswalk. It takes me to the exact page in each report where the savings were discussed. This document listed $4.4 billion in identified potential monetary benefits and collections of $4.2 billion.

After reviewing the crosswalk, I have concluded that Inspector General Heddell had a legitimate gripe about my report card. He is right. It should have included a section that addressed potential savings. So I will address those issues right now, focusing on four reports that contain almost all of the $4.2 billion in savings listed in the collections column.

In grading these reports, we did not give sufficient credit for potential savings and inefficiencies. They were a casualty of the grading system for one simple reason: If the exact dollar amounts of the alleged fraud and waste were not verified using primary source accounting records—and using primary source accounting records is very important—then they did not pop up on my oversight radar screen.

My staff is attempting to work with the audit office to develop a mutually

agreed upon set of standards for grading audits. The purpose of these discussions would be to create a grading process that would accurately capture the true quality of all reports, including policy reviews that uncover real savings and efficiency.

From the beginning, I have been very critical of the audit office for producing far too many policy reviews and far too few hardcore contract and payment audits. For the most part, the policy audits have no measurable monetary impact whatsoever. However, I have learned recently that at least a few are important for other reasons. I am told that some of these reports are a real value in the work of our Armed Services Committee here in the Senate. Contract and payment audits are also very important and I would say most important. They go right to the heart of the IG's core mission: to root out and deter fraud, waste, and theft. If done right, they, too, can produce big payoffs. Those audits earned top scores in my report card. I am not saying the audit office should do nothing but contract and payment audits. What I am saying is this: The current mix of audits creates a huge imbalance in favor of policy reviews as opposed to monetary reviews. So a better balance needs to be established by the Inspector General's Office.

That said, I have an admission to make to my colleagues. I finally found a policy audit that I like. This report is entitled ''Recapitalization and Acquisition of Light Tactical Wheel Vehicles.'' That audit report is No. 2010–039, dated January 29, 2010. It identified potential savings of $3.84 billion. That is 90 percent of the savings uncovered in all the fiscal year 2010 audits.

In my report card, I gave this audit a low grade. This audit failed to connect the dots on the money trail and verify dollar amounts using primary source contracts and payment records, plus it took 16 months to complete. When you add the 4 to 6 months of planning that often precedes an audit start date, you are probably looking at 2 years to complete the audit, and that is far too long. But this report had other important qualities that were overlooked. It uncovered gross violation of applicable procurement regulations, including the use of sole-source contracting arrangements. It also determined that the proposed vehicle might duplicate the capabilities of existing vehicles.

In the midst of this audit, for reasons that remain unclear, the project manager decided to stop the program ''and put the $3.84 billion in funding to better use in fiscal years 2010–2013.'' This language suggests that all of the money was reallocated within Army accounts for other purposes. Clearly, the audit may have helped to stop $3.84 billion in potential waste. That is excellent. But this does not constitute savings in the classical sense, as all the money was shifted to other Army projects. Waste could have happened in those other projects as well.

It reminds me, while we are here in session in what normally would be a recess and I am reporting that the inspector general found $3.84 billion in potential waste, now that they are trying to find trillions to cut down on the budget deficit, it might be a time to look at the Defense Department and stop the reprogramming of money. If it is going to be saved, it ought to be saved, and that means it will cut down on the deficit.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator has used 10 minutes.

Mr. GRASSLEY. I would like to continue, if there is no objection.

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

Mr. GRASSLEY. Using a modified grading system to reflect the good quality of this audit, it would have earned a higher score were it not for an excessively long completion time. In this particular case, however, the impact of the audit was apparently felt while the audit was still in progress, so the timeliness rule may not apply here and probably should be set aside.

There are three other audits containing savings and inefficiencies that I would like to discuss.

The next one is entitled ''Implementation of the Predator/Sky Warrior Acquisition Decision Memorandum,'' No. 2010–082, dated September 10, 2010. The purpose of this audit was to determine whether the Air Force and Army had complied with the Department of Defense directives and law to combine the Predator and Sky Warrior drone programs. The Defense Department estimated that $400 million could be saved by merging the two programs.

While the audit was in progress, the Department of Defense pulled the rug out from under the auditor. A new directive was issued stating that the two programs did not have to be combined. To counter this move, the auditors recommended administrative action against those who failed to comply with the original directive. The Department of Defense nonconcurred and tossed the auditors a bone. The Department of Defense wiggled out of harm's way by offering to do a meaningless lessons-learned exercise. In the end, the auditors caved in, agreeing that the Department of Defense plan was responsive and backed off.

Despite what appeared to be an unsuccessful outcome, the Office of Inspector General still claimed that this audit produced $60 million in savings. The audit itself indicates that the $60 million was, in fact, ''reprogrammed to meet higher priority operations.'' That means it was reallocated to other Department of Defense accounts and thus not saved.

Since this audit was all about an opportunity to save $400 million and the Department of Defense balked, maybe these so-called savings might be better characterized as lost savings. In my report card, this audit earned low scores mainly because it failed to verify actual costs of two drone contracts using primary source accounting records, and it failed to assess the validity of the Department of Defense estimated savings of $400 million. I am not convinced this audit deserves a higher score, especially since it took 22½ months to complete, and the recommendations, though initially tough, were watered down in the end.

The last one I wish to report on is entitled ''Deferred Maintenance and Carryover on the Army Abrams Tank,'' No. 2010–43, dated March 2, 2010. This report concluded that contrary to the Army's claim, depot maintenance on M–1 tanks was not deferred in fiscal year 2008. All planned overhauls were, in fact, completed, but a large sum of money was left over. The Army requested and received a formal, written waiver to carry over $346 million in unneeded and unused fiscal year 2008 M–1 maintenance funds for use in 2009 and beyond. The reason given was inadequate capacity at the Lima, OH, tank plant. Without the waiver, this money would have been canceled and lost.

The report concluded that the Army documents contained ''inaccurate, misleading'' information that may have caused a violation of the Antideficiency Act. It recommended that the waiver be rescinded and $275 million in fiscal year 2008 money be canceled and reprogrammed or reduced.

The Army appeared to agree with the recommendations to disclose the $275 million carryover to Congress but did not concur with other recommendations.

This report does not point to any real savings. This report probably deserves higher scores except for the timeliness and strength of the recommendations. It was untimely, taking 22 months to complete.

In addition, there were unresolved issues about the waiver document. Did the official who signed the waiver know that the document may have allegedly contained false and misleading information? And was he questioned about its truthfulness? If so, the report should have recommended that he be held accountable.

The last of four reports uncovered $2.2 million in purported savings, but this one appears to be more about helping the Army spend—not save—money.

It is entitled ''Controls Over Unliquidated Obligations for Department of the Army Contracts,'' number 2010–073, dated July 19, 2010.

This report deserves high scores for hitting most of the dots on the money trail, including verification of exact dollar amounts using primary source accounting records. Such nitty gritty accounting work is highly commendable.

Unfortunately, the objective of this audit appears to be questionable. The report finds that sloppy Army accounting work ''could increase the risk that funds are unavailable for other needs

because funds available for de-obligation are not identified in a timely manner.'' Now what does that really mean?

It means the money in question is no longer needed and is at risk of being ''lost'' because it is about to expire.

Having un-needed money lying around in the Pentagon is almost always a recipe for more waste. In the Pentagon, there is no such thing as un-needed money. Every dollar has a mission.

This report is all about managing money to make sure every cent is spent before it expires. Avoiding the loss of appropriations is the primary responsibility of the Army Comptroller or Chief Financial Officer—not the IG.

In this scenario, the IG's primary focus should be to ensure that ''lost'' appropriations are not used illegally—or that un-needed monies are not wasted by being shifted to another questionable project. Money that is not needed should be reported to Congress and returned to the Treasury.

Although this audit deserves high scores in several categories, its long completion time—16 months—and questionable focus lowers its overall score.

To summarize, there are two main problems with these four reports on savings and collections. The fourth one I am not going to go into now to save time, but I will include that for the RECORD. None was timely, No. 1. No. 2, reported savings are unverified and elusive.

First, these four reports took an average of 19 months to complete. Two took a total of 45 months, or almost 4 years, to finish. That does not include the 4 to 6 months it takes, I am told, to get an audit rolling. As I have said on other occasions, the power of top quality audit work is greatly weakened by stale information.

Secondly, these four reports supposedly produced $4.2 billion in collected savings. But all of that money appears to have been shifted to other Department of Defense accounts and spent. To the best of my knowledge, not one cent was saved or redeposited in the taxpayers' bank account. Only in government could all the money be spent and still claim savings.

What we are talking about here is lost savings that grew out of waste that was thankfully discovered and avoided. Waste that is avoided surely has monetary benefits.

In closing, I wish to share a simple observation with my colleagues. For some reason, auditors in the Office of Inspector General show a great reluctance to use the word ''waste''—w-a-s-t-e—in their reports. That word rarely, if ever, appears in their audits. At the same time, auditors seem overly eager to tout savings and efficiency. Why would that be? Could it be that their superiors in the Pentagon take a dim view of the word ''waste''?

Savings may be nothing more than the flip side of waste. Auditors detect and verify potential waste and then convert it to potential savings by proposing remedies to eliminate the waste. Maybe the auditors need to start calling it what it is—call it waste—and then talk about savings.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent to speak as in morning business for such time as I shall consume.

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

PILOTS' BILL OF RIGHTS

Mr. INHOFE. Madam President, first of all, we came back. We weren't anticipating coming back from this recess that we were going to be on. I can't help but think a lot of that was a result of the statements President Obama made, criticizing the Senate for leaving at a time when the debt was so bad when, in fact, I think that is a bum rap. We have a serious problem I think we need to address and that is spending. All of these things President Obama is doing right now to make everyone think we are trying to address it—appointing committees and groups to get together; having the Vice President head up this group and the other group; and Republicans and Democrats meeting—all the President has to do is quit spending.

I have been here for a few years and I remember during the Clinton administration in 1995, I came down to this podium on the floor complaining that President Clinton had come out with a new budget and that budget was $1.5 trillion. I said, this is unbelievable. It is not sustainable. We can't do it. That was $1.5 trillion to run this country for a period of 1 year. Now this President has come up with three budgets. Each one of the budgets is a multitrillion-dollar deficit budget. The last one was $1.65 trillion. This is more than the total amount of money it took to run the entire country. It is all in the President's budget. It comes out initially $800 billion for stimulus that didn't stimulate. This was something that—I don't know why—either nobody cares or the American people aren't listening. It is very simple. We have a problem because the President spends money as no one else has in history. Here he has right now actually raised the debt—from every President, George Washington to George W. Bush—yet he comes out and says, What are we going to do about spending? The answer is to quit spending.

I hope the American people remember this. This is not the reason, frankly, why I am down here today. In spite of what we have been led to believe in various publications, other things are going on.

There is one piece of legislation I will be introducing tomorrow. I have been working on it for about 6 months, and I have talked to people. We have caucuses in the Senate about every kind of concern. We have an Army caucus, and we have an Air Force caucus. We have caucuses on caucuses. One of the caucuses we have is a general aviation caucus. I am particularly sensitive to this in that I have been flying airplanes for over 50 years, and it is one where we are dealing with single issue people.

Anyway, tomorrow, Wednesday, I am going to introduce legislation that is going to be very important to people who are the single issue people who fly airplanes. I know a lot of us don't even care. I have heard people say they are all fat cats. I defy anyone to go up to Osh Kosh once a year, the last weekend of every July, and see the hundreds of thousands of people there who are not wealthy people, they are single issue people. Many of them have made experimental airplanes in their garages. This is something we have enjoyed for many years, and it is something I have enjoyed. I think because of my involvement, I have probably received more complaints and more requests from people out there in the real world—pilots—over things that have happened when the Federal Aviation Administration has cause to try to either revoke their license or give them the fear of revocation.

Over the years, there have been several instances where I have passed legislation to fix the system by which the FAA proceeds in these enforcement actions. I can remember back in the year 2000. Probably yet today the greatest single pilot, most gifted pilot in America is a guy named Bob Hoover. Bob Hoover is up in years now. He is actually older than I am. As am I, he is still flying airplanes. They did what is called an emergency revocation on Bob Hoover. I never did find out what allegedly he did wrong. But it was actually in the field where this great pilot would take a twin engine Shrike up to 10,000 feet, come down and roll right up where the crowd is. He does all of that with a glass of water up there on his dash. He is one of these unbelievable human beings.

Anyway, he came to me and said, What am I going to do? They have taken away my livelihood. All of these airline pilots who make a living flying airplanes could have a revocation. I passed a law. It took 2 years to do it—and it shouldn't have—so if something happens with a pilot and he gets his license revoked, there is a process he can go through that offers appeals and makes it a fair process. So I have been dealing with this for a long period of time. I have to say this: With any bureaucracy that has the power to take action against an individual, it is our job in Congress to ensure there are appropriate safeguards in place to prevent agency overreach. This bill provides that. The bill does simply four things. Those out there who are pilots will understand exactly what I am talking about. First, it requires in an FAA enforcement action against a pilot, in a case where there is enforcement action, the FAA has to grant to the pilot all the relevant evidence, such as the air traffic communications

tapes, flight data, investigative reports, flight service station communications, and other relevant air traffic data 30 days before any action can proceed, an enforcement action against the pilot. That is a matter of fairness. If a person is going to be accused of something, he has to know what he is being accused of. This is currently not done. It often leads to a pilot being grossly uninformed of his alleged violation and recourse.

The same section of the bill requires the FAA to advise a pilot who is the subject of an investigation relating to approval, denial, suspension, modification, or revocation of an airman certificate of the nature of the investigation, that an oral or written response to a letter of investigation is not required, that no action can be taken by the FAA against a pilot for declining to respond, that any response can be used as evidence against the pilot, and that the FAA's investigative report is available.

That sounds like a lot of talk. All we are saying is the pilot is entitled to have all the information other people have. I will give a good example. One of the things we know—and I have heard this all of my 55 years of flying—is that when you talk to a controller—he can be a controller at a control tower or anything else—that they have to keep that recording and the pilot can have access to the recording. I have always thought this was true until something happened to me and I found out that isn't true. So this means that until we change it, that is not going to happen.

Secondly, it clarifies ''statutory deference''—that is a legal term—as it relates to the National Transportation Safety Board on actions by the FAA. This is what happens. The FAA would do something, and this could theoretically be appealed to the NTSB. The problem with that is, the NTSB—the National Transportation Safety Board—has routinely rubberstamped anything that comes from the FAA. It is called statutory deference. So that decision has been able to take place in the appeals process.

To give an example, in fiscal year 2010, there were 362 aviation certificate appeals filed with the NTSB's Office of Administrative Law Judges. The Board's judges held 61 hearings on these appeals and reversed the FAA order only 5 times. Also during this time period there were 40 petitions seeking review of FAA emergency determinations. Of these, 6 were procedurally defective and were dismissed and on that basis, and 10 were voluntarily withdrawn. The remaining 24 petitions were considered on their merits with only 1—1—being granted out of 23 being denied. So we know this is a serious problem.

What this does is not only clean up statutory deference, but it does a second thing. It allows an airman at his own discretion to be able to appeal to the Federal District Court.

The third thing the bill does is require that the FAA undertake a notice to airmen. This is kind of complicated. But a notice to airmen is called a NOTAM. A NOTAM is something they are supposed to involve the people in—the pilots flying—so if they are going to go to a certain airport, they will have all the information as to what is wrong with that airport—a system might be down; a number of things can take place. But, nonetheless, it simplifies that system. Any pilot knows what a NOTAM is, but for those who don't, they are notices provided by the FAA to give information to pilots about air space, runways, flight conditions, and all that. The procedure hasn't worked, because they have actually said there are NOTAMs and they didn't even file the NOTAMs and there is no way for the pilot to be able to tell if there is a NOTAM out there, even though he is required to determine that there is. The current system says it is the pilot's responsibility to be aware of a NOTAM even if the FAA has not posted it.

Fourth and finally, the FAA's medical notification process has long been known for a multitude of problems. Of all the requests for assistance the Aircraft Owners and Pilots Association receives each year—28 percent of all of the legal assistance—28 percent are related to the FAA's medical certification process. The bill requires a review of the FAA's medical certification process and forms, to provide greater clarity in the questions and reduce the instances of misinterpretation that have, in the past, led to allegations of intentional falsification against pilots. Nonprofit general aviation groups, aviation medical examiners, and other qualified medical experts will make up an advisory panel to advise the Administrator, again giving the right people a voice in the overall determination. So this is just an advisory board. The same way with revamping the NOTAM process. These are advisory boards that are to work with the FAA in coming up with a system.

There are two provisions in the bill that will require an FAA review of current practices and two other provisions that make the system specifically fairer for pilots.

After years of intervening to help fellow pilots, I was never fully appreciative of the feeling of desperation until it happened to me. This happened last October. I was flying a group of nonpilots in my twin engine—one of my planes, a twin engine, it holds six people—we were flying into Cameron County Airport. A lot of people don't realize how big Texas is. It is way down on the tip of Texas. It is about the same distance south as Key Biscayne, FL, or some place down there, but it is way down there. I used to be a builder and developer there. I have landed there over 200 times. I was flying a group down there. The Corpus Approach handed me off to Valley Approach who took me all the way down to runway 13. I will actually read what they said. Approach control said: You are cleared for visual approach to runway 13. Then I responded, and he said: Yes, 115 echo alpha roger, before you go there is traffic that appears to be in the pattern landing there at 900 feet. That is fine.

So this is what they do. That is wonderful.

I started landing, and you get to a point in a twin-engine plane full of people where you have slowed down enough where you cannot make a go-around. I was almost touching down when I saw they were working on the runway. It was too late to go around.

The three problems I had and have heard about countless times from pilots, which we correct with this legislation: When I tried to get the voice recording, it took me 4 months, and I am a Senator. I thought: What about these people out there and the frustration they are going through? We will correct that. I was required to respond to allegations within 10 days or they would proceed in an enforcement action against me. By the time I received the 10-day notice, there were only 4 days left to respond to the accusations, enforcement actions, and I did not even know the reason for the enforcement actions. And, No. 3, we found out the NOTAMs were never posted by the FAA until 11 days after this took place. In other words, I did nothing wrong. But at any time I could have suffered a revocation of my license.

I think it is important to mention that most of the people who work at the FAA—be it the controllers, inspectors, investigators—are helpful.

This year is my 32nd consecutive year to attend the Osh Kosh fly-in. The first thing I always do is go up there and talk to all the controllers. They are up there as volunteers, and I thank them for what they are doing.

Less than 2 weeks ago, I was flying from Oklahoma to Wyoming. I called on an instrument flight. I had to get an IFR clearance at 5 o'clock in the morning. The guy was so courteous, I asked him his name. It is Bill Liebeno. He could not have been more helpful to me. Talk about giving me all the NOTAMS, he said: The localizer is out, the DME is out, Runway 14–32 is closed, taxiway B is closed, the approach lights are out. He could not have been more factual.

I have a lot more to talk about. I know there are others who want to speak before this very significant vote that is coming up at 5 o'clock, which I think is a live quorum call. I would only say this: I am going to introduce this bill on Wednesday. If there is anyone here—we already have Senators BEGICH and JOHANNS, who are the co-chairs of the Senate Aviation Caucus. Of course, this is bipartisan. They are on as cosponsors. We have several others as cosponsors.

I would say to any staff—I know no Members are listening—who happen to be listening right now, if your Member wants to at least be sensitive to the needs of general aviation, this may be

his or her only chance this year. I suggest those individuals who care about the problems I outlined become cosponsors of this legislation before I introduce it tomorrow afternoon.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Madam President, I ask unanimous consent to speak for 10 minutes as in morning business.

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

Mr. PAUL. Madam President, I, as well as many Americans, am concerned about the future of our country. I am concerned we may not be able to continue to pay our bills. I am concerned one day in the near future we could look like Greece. I do not want to see America rioting in the streets because we cannot pay our bills. That day is coming. It is coming in the near future if we do not wake up to the problem.

I am not alone. Members of the President's own administration have said that the No. 1 threat to our national security is our national debt. It is out of control. August 2 is fast approaching. August 2 is when the debt ceiling is reached.

What is the debt ceiling? It is like reaching your credit card limit. If you have a $5,000 a month credit card limit, and you have reached it, do you call the company and say: Give me more credit or do you try to live within your means? Do you try to only spend what money you have? We as a country have been spending money we do not have. But it has now gotten out of control. We owe China $1.1 trillion. We owe Japan nearly $1 trillion. A spending addiction is our problem. It is out of control.

We are spending $10 billion a day. Of that $10 billion a day, we are borrowing $4 billion. We are spending $100,000 every second. Of that $100,000 a second, we are borrowing $45,000 a second.

We are paying for our debt at historically low interest rates, about 2.5 percent. But many of us have lived through a time when interest rates were much higher. The historic average is over 5 percent. If interest rates go back to the historic average, we will be swamped in debt. Interest will become, over the next 10 years, $5 trillion.

This is what looms. Our future is not a good one unless we get things under control. So last week a group of us said no more. We do not want to discuss anything else until we start discussing solutions for the debt, solutions for the looming debt crisis. We said no more. So today we will win and draw attention back to the debt ceiling. We are not going to talk about anything until we resolve this issue. But we have to have a real discussion. It has to include Republicans and Democrats and Independents and everyone. But do you know what is going on. There is a resolution before the Senate now. The Democrats say: Raise taxes and that will fix the problem.

The problem is not revenue. The problem is spending. We used to spend about 1 in 5 dollars up here. Now we are spending 1 in 4 dollars. So 1 in 4 dollars of the economy is coming to Washington. Twenty-five percent of the GDP is spent in Washington. That is money that is not left in the marketplace, not left in the hands of those who earned it, and not left in the hands of people who can create jobs. It is being wasted up here.

We are not spending the money wisely. We spend more than we take in, so the interest to finance this profligate spending is bankrupting us. The vast majority of our problem is interest, and it will grow. It is growing exponentially. You can look at this chart I have in the Chamber and you will see that interest is going to consume us. As you can see from the chart, as the debt rises, it rises exponentially in the next few years, unless we do something about it.

Unfortunately, I do not think the Democrats are serious. They have produced a resolution that says they can raise taxes, which is a nonstarter. It is a horrible prescription for an economy in the middle of a recession, and it is not going anywhere.

We have proposed a resolution that could fix the problem. Our resolution says that government can simply not act any differently than individuals, that they should have to balance their budget. We have introduced a resolution that says we, as Republicans, will vote to raise the debt ceiling if we do three things: significant cuts in Federal spending, at least back to the percentage we were before we got into this administration; statutory caps, saying we are limited as to how much money we can spend each year; and the third thing is we want a balanced budget amendment. If we have these, we will raise the debt ceiling. But short of that, we cannot possibly vote to raise the debt ceiling unless government changes its ways.

Government is not spending your money wisely. People cannot account for—even the Pentagon cannot balance its books. They refuse to be audited because they say they are too big to be audited. We have to do something about a government that is out of control. But we want a serious dialog with the other side. Instead what we are getting is frivolousness.

What I would say to the Democrats today is: You want to vote on raising taxes? You think that is an answer? They have a resolution. I do not want to filibuster their resolution. I will vote on it tonight. If you want a vote on raising taxes—if the Democratic Party wants to be the party of raising taxes, I am happy to be in the party that says that is not the answer.

I call for a vote immediately, today. If Democrats want to raise taxes, let's do it. I am happy to vote on that today because it is not the answer. If the other side wants to have a full-throated debate on this issue, let's do it. Let's debate over the next 2 days, and then we have a solution. Let us vote on raising the debt ceiling. We will do it in the next 2 days. We do not have to wait. Raise the debt ceiling, contingent upon a balanced budget amendment. The American people demand it, and I think we should ask for nothing less.

I yield back.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to engage in a colloquy with my colleague from South Carolina after I make a few remarks.

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

LIBYA

Mr. MCCAIN. Madam President, it is pretty obvious that the Senate feels that its priorities—and I think they are well placed, particularly in light of the fact that the Fourth of July recess was canceled because of the issue of the debt limit and the deficit and our lack of action and need for action on the issue—I understand that and have suggested and agreed that this resolution on Libya be delayed. However, I would point out that the Senate does need to have a debate about United States policy and military action in Libya.

Whether my colleagues are supportive of what we are doing in Libya or not I think is an issue that needs to be debated on the floor of the Senate. I believe the Senate does play a constitutional role and maybe even a more unique one than the other body. So I think it is time we did have a debate, discussion of this issue, and an opinion rendered in keeping with the War Powers Act.

Unfortunately, the administration has made it far more difficult than it otherwise might have been if we had carried out our responsibilities and the President carried out his responsibilities some months ago. The fact is this conflict would have been over if we had taken a leadership role and declared a no-fly zone when the rebel forces were on their way to Benghazi.

The fact is, if the United States had used the full weight of its air assets in this conflict, Qadhafi would be gone now. And I would tell my colleagues, have no doubt, Qadhafi will go. He will go. The question is when. And what role did the United States of America play in supporting these people who are fighting for freedom? What role did the United States of America play in trying to free up Qadhafi's ill-gotten gains and have them given to the Transitional National Council? What role did the United States play in leading from behind in Libya?

The United States of America leads, not NATO. We lead NATO. And when someone says NATO is leading on this conflict, I would remind my colleagues, of the 28 members of NATO, only 8 members are actually in the fight, and one of our major allies, Germany, has taken a hike.

So if we had used the AC–130 gunships, the A–10 Warthog close air support capability, Qadhafi would be

gone now. But the fact is, he will go, and it is up to us, in my view, to express our support of people who are seeking the same rights and freedoms that are guaranteed to us.

I would remind my colleagues who said we never should have been involved in any way, it is a fact that Qadhafi and his forces were at the gates of Benghazi, a city of 700,000 people, and Qadhafi has said he would go house to house and kill—and kill—whoever they thought had resisted them.

We say we should never have allowed Srebrenica, where 8,000 people were massacred. We say we should never have allowed Rwanda to happen. We say we should never have allowed the Holocaust to happen. The United States did the right thing by stopping Qadhafi's forces at the gates of Benghazi and preventing the massacre of I do not know how many thousands of innocent civilians.

There is no doubt what Qadhafi has promised if he is able to remain in power—a man who has the blood of Americans on his hands because of the bombing of Pan Am 103, because of terrorist acts he supported in Africa—he will do so again and has pledged to do so.

When my colleagues ask what American national security interests are at stake, look at the man's past actions and look at what he has promised to do if he is able to stay in power; and that is, to pose a direct threat to the United States of America's vital national security interests.

We are involved in Libya. My colleague from South Carolina will testify we are providing refueling. We are providing intelligence. We are providing all kinds of assistance. We are including using Predators, which are killing the bad guys. So to somehow allege that the United States is not engaged in hostilities which would trigger the War Powers Act is simply sophistry. The Senate has been silent on this issue for too long, in my view.

But I also want to caution my colleagues about preventing United States action as well as authorizing.

The last time the Congress of the United States of America engaged in cutting off funding was at the end of the Vietnam war. Whether historians or people happen to acknowledge it, a lot of bad things happened after we cut off funding in Vietnam. Amongst them was millions of Vietnamese put in reeducation camps and thousands slaughtered. So I would caution my colleagues about actions of Congress which prohibit certain actions on the part of the administration. But most of all, America should lead.

We should use our air assets, not our ground assets, to get rid of this brutal dictator and his regime. Every day that goes by innocent civilians in Libya are wounded and killed.

So I would ask my colleague from South Carolina if he has a few words, but also to address the issue of how much U.S. involvement actually is there, which would then—by most objective observers—trigger the Congress's requirement to act in keeping with the War Powers Act and our constitutional obligations.

Mr. GRAHAM. Well, I thank the Senator. I will give my thoughts as briefly as I can. My first thought is that we live in incredibly dangerous times—exciting and dangerous. What is the Arab spring about? What are people asking for in Libya? They are asking to replace Qadhafi and form a new government where they will have a say. I do not think that is too much to ask.

All I can say is that America's freedom is best secured when she, America, is assisting others to obtain theirs. And the one thing history tells us, free people settle their differences without resorting to the evils of war. So to those in this body and throughout the country—I know we are broke. We are here today to supposedly talk about the budget. Well, we are not doing anything but talking. We are $14.3 trillion in debt. There are all kinds of ideas between Republicans and Democrats about how to get the country's fiscal house in order. It is July 5. We are here looking at each other doing nothing. But there is another part of the world, as the Senate and the House basically talk about America being in debt, where people are dying, as I speak, trying to change their government for the better.

What should we do? I will tell you what we should do. We should help where we can. Senator MCCAIN has experienced war unlike very few people in this body. He knows when we go to war bad things happen to good people. The idea that he or myself or anybody else relishes trying to go to war or being in war is offensive, quite frankly. He knows better than I, and I have a pretty good understanding of what happens when we go to war.

But here is what happens when we do not go to war sometimes: Bad people are able to do incredible things that we wind up having to confront later, and it costs everybody more to have waited.

So what are we doing in Libya? We are following rather than leading. Now, to Senator MCCAIN's question. NATO's bombing activities are being done without American air power. We spend more money than all NATO nations combined on defense. I know a lot of Americans do not like that. I do not like it either, but it is the way it is. We are the arsenal of democracy.

When America does not fly, wars go on longer, more people get raped, more people get killed. Let me tell you, if Qadhafi survives this is the end of NATO.

If you do not want America to go alone in this dangerous world, count me in. But who are we going to partner with? If the U.N. is seen by the American people as an unreliable group to deal with dictators—and it is—what if NATO is no longer an organization that people throughout the world respect on the side of good, and the evil side of the ledger does not care if NATO gets involved because they do not have the will to do anything about it?

So we should be involved with our NATO partners. Our NATO partners depend on Libya more than we do. They came to Afghanistan not because they were attacked but because we were attacked. They are our friends. They are our allies. They have been with us trying to make sure Afghanistan never goes back into the darkness, a place that attacked us or them again.

So when they need us, I will tell President Obama: Now is not the time to sit on the sidelines. I know we are a war-weary Nation, but there is no upside to Qadhafi staying in power. That is a national security nightmare for this country.

Here is a recent headline: Qadhafi threatens to attack Europe over airstrikes. Colonel Qadhafi has threatened to carry out attacks against homes, offices, families in Europe unless NATO stops its campaign of air strikes against his regime in Libya. He actually means it. Hitler meant it. He means it.

So we should be talking about the debt; we are not. We should be taking a stand against Qadhafi in an effective way. As Senator MCCAIN said, we are leading from behind. I just cannot tell you how upset I am with policies coming from this administration that are sending the signal to our allies that we are not as reliable as we should be, and to our enemies that we do not have the same amount of will to protect our freedom as they do to take it away from us.

Mr. MCCAIN. I would ask my friend, is it not true that we are providing tanker support, logistics support, Predator strikes, intelligence, and all kinds of assets to those eight nations that are involved in the fight? When we are using Predators and killing people, that pretty well fits the definition of ''hostilities.'' Yet, for reasons which are still not clear to me, the administration fails to acknowledge that.

Could I also say one thing that is very concerning as well is this recognition of the Transitional National Council. I know my colleague—because we were just in Turkey—noticed that another country, Turkey, one of the most important nations in the Middle East, just recognized the Transitional National Council, froze the assets that Qadhafi has. Yet this administration refuses to do so. There is some $30 billion, I am told, of Qadhafi assets that we could freeze and make available to the Transitional National Council. It may require some legislative action, but it requires administration leadership. They could then pay people, could provide arms and weapons to their own people, as well as subsidies for the government.

Again, an example of leading from behind—the French, the Italians, the Turks, and other nations have all now recognized the Transitional National

Council. Yet the United States has failed to do so.

Mr. GRAHAM. If I could try to answer the hostility question. When we are using Predator drones to bring down military targets, that, to me, is an acceptable situation in Libya. I do not want ground troops in Libya. The people in Libya do not want a ground invasion by NATO forces. They want our help. And what do we have to offer better than anybody in the world? Intelligence gathering. These platforms that are gathering information about targets are unique to America.

The target packages that are being put together are being done mostly by Americans, and we are turning these target packages over to NATO countries. Some of the aircraft that are flying—and God bless our allies for taking this risk—are 30 years old. No one has the ability like the American Air Force and naval forces to carry on aerial campaigns.

But some people in this body have a right to have their say like we do. We should be debating this, but the administration's position that a Predator drone attack is not a hostile act is dangerous because in Yemen, the administration, with my full support, is taking the fight to Yemen today. They are using Predator drone attacks against al-Qaida groups in Yemen. We just had special forces involved in killing al-Qaida operatives in Somalia. We have to be on the offensive. We need to be hitting these people over there before they can reorganize and hit us here.

So I support the administration's ability and constitutional right to take the fight to the enemy. But for them to tell the body these are not hostile acts is the ultimate confusion. It is confusing to the enemy; it is confusing to our allies; it is confusing to the American people. I reject this definition being offered by this administration that using Predator drones to attack targets is not a hostile act.

I believe the War Powers Act is unconstitutional. There are two things we can do in this body as a Member of Congress: We can declare war and we can cut off funding when we do not like things the way they are going. We very seldom declare war in this Nation from a congressional point of view for a reason. But we have constantly engaged forces that wish to attack us and our allies without declarations of war. If you do not like what we are doing in Libya, cut off funding. Do not try to micromanage the war through congressional fiat.

So $30 billion is available to the Libyan people. It is money frozen, stolen by Qadhafi. The Turkish Government, the French, the British in some sense have recognized this Transitional National Council. If we would do that, they would have access to the $30 billion.

Senator MCCAIN met with the leadership of this council. I have too. They would gladly pay us back for any assistance we could provide if they could get their hands on the money. Does the Senator agree with that?

Mr. MCCAIN. I have been assured personally by the leadership of the Transitional National Council—by the way, one who has a doctorate from the University of Pittsburgh, and their Finance Minister was an economics professor at the University of Washington. So let's dispel any illusions about we do not know who they are. They are good and decent people who have risen up against an oppressive and repressive dictator and murderer. They want to reimburse the United States for our expenses, the way the Kuwaitis and the Saudis did after Operation Desert Storm.

But the point is that, again, anybody who believes that it is not in America's national security interest to see Qadhafi gone has paid no attention to his words and his actions. History will record how the United States stood on people who were struggling both peacefully and where it necessitated the use of force of arms, is where the United States of America was.

Mr. GRAHAM. If I may, we have our good colleague, a Naval intelligence officer, Senator KIRK from Illinois, and we will certainly yield to him now. But one last thought.

America needs to do two things quickly: We need to get our fiscal house in order. We need to balance our budget and decide among ourselves how important is this national security. To me, it is the No. 1 thing we should do in Congress. If we do not get that right, there is nothing else that is going to matter. There will never be economic prosperity in America if the world is in the hands of evil people who will make it very difficult to travel and trade and do business.

The other thing we need to do, after we balance our budget, is to have a clear vision of who we are and what we believe. I believe we are destined to lead the free world. I do not consider it a burden. I consider it the birthright of all Americans, not only to maintain our freedom but to help others secure theirs.

A word of warning: The day that America rejects that leadership role is a day we will eventually lose our freedom and more damage will be done to this country if we disengage than if we do engage.

So with that, I would like to recognize Senator KIRK from Illinois.

Mr. KIRK. I would like to agree with the Senator on the Libya resolution. But I understand from the majority leader that we are not going to take up the Libya resolution now. I would just urge them—before we descend into any potential partisan warfare on any other issue, there is a bill that is ready for the Senate's consideration right now that was overwhelmingly, unanimously approved by Democrats and Republicans on the Appropriations Committee, and it is ready for Senate consideration this week.

My hope is that we will now, or maybe tomorrow, take up the Military Construction and VA appropriations bill, which Senator JOHNSON and I have coauthored, and which Senator INOUYE and the Senator COCHRAN have approved. It is $1.2 billion in discretionary spending below the President's request. It is $620 million below the enacted level. It is even $2.6 million in budget authority below the House mark. This is ready to go.

So absent debate on some other resolution which has little to no future in the House of Representatives, my hope is that we will follow the House that has already approved the VA-MILCON appropriations bill, and we will take up overwhelmingly bipartisan legislation that benefits our men and women in uniform and those veterans, and that we will not waste this week on legislation that has little to no future. Instead, we will achieve something this week by having taken up the MILCON-VA bill, which was so overwhelmingly approved by the Senate Appropriations Committee just last week.

I yield the floor.

Mr. REID. Mr. President, I appreciate my friend's advice. We are working to make sure the week is spent relating to the No. 1 issue facing the country today; that is, how to make sure we get a handle on deficit spending.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 3]

Casey	Kirk	Schumer
Cornyn	McCain	Stabenow
Graham	Nelson (NE)	Tester
Isakson	Paul	Webb
Johanns	Reid	

The PRESIDING OFFICER. A quorum is not present.

Mr. REID. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion of the majority leader. The yeas and nays were ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators desiring to vote or change their vote?

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

Mr. MCCONNELL. the following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. KYL), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Utah (Mr. LEE).

The result was announced—yeas 83, nays 8, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—83

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

NAYS—8

Barrasso	Enzi	McConnell
Coburn	Graham	Vitter
Cornyn	Inhofe	

NOT VOTING—9

Alexander	Heller	Lieberman
Burr	Kyl	Murkowski
DeMint	Lee	Murray

The motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

The Senator from Pennsylvania.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

HONORING OUR ARMED FORCES

Mrs. BOXER. Mr. President, I rise today to pay tribute to 39 service members from California or based in California who have died while serving our country in Operation Enduring Freedom since December 7, 2010. This brings to 276 the number of service members either from California or based in California who have been killed while serving our country in Afghanistan. This represents 17 percent of all U.S. deaths in Afghanistan.

CPL Kenneth E. Necochea Jr., 21, of San Diego, CA, died December 12 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Corporal Necochea was assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

CPL Derek T. Simonetta, 21, of Redwood City, CA, died December 12 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Corporal Simonetta was assigned to the 2nd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

SSgt Justin E. Schmalstieg, 28, of Pittsburgh, PA, died December 15 while conducting combat operations in Helmand Province, Afghanistan. Staff Sergeant Schmalstieg was assigned to the 1st Explosive Ordnance Disposal Company, 7th Engineer Support Battalion, 1st Marine Logistics Group, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jose L. Maldonado, 21, of Mathis, TX, died December 17 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Maldonado was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Eric M. Torbert Jr., 25, of Lancaster, PA, died December 18 while conducting combat operations in Helmand Province, Afghanistan. Corporal Torbert was assigned to the 1st Combat Engineer Battalion, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

PFC Conrado D. Javier Diaz Jr., 19, of Marina, CA, died December 20 in Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his vehicle with an improvised explosive device. Private First Class Javier Diaz was assigned to the 3rd Squadron, 2nd Stryker Cavalry Regiment, Vilseck, Germany.

LCpl Kenneth A. Corzine, 23, of Bethalto, IL, died December 24 of wounds received December 5 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Corzine was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Cpl Tevan L. Nguyen, 21, of Hutto, TX, died December 28 while conducting combat operations in Helmand Province, Afghanistan. Corporal Nguyen was assigned to the 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

MAJ Evan J. Mooldyk, 47, of Ranch Murieto, CA, died January 12 in Khowst Province, Afghanistan, in a noncombat-related incident. Major Mooldyk was assigned to the 19th Sustainment Command, 377th Theater Sustainment Command, Belle Chasse, LA.

PO2 Class Dominique Cruz, 26, of Panama City, FL, was found during search and rescue operations January 19 in the Gulf of Oman after being reported missing January 18. Petty Officer 2nd Class Cruz was assigned as an operations specialist to the USS Halsey homeported in San Diego, CA.

Sgt Jason G. Amores, 29, of Lehigh Acres, FL, died January 20 while conducting combat operations in Helmand Province, Afghanistan. Sergeant Amores was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

SPC Rudolph R. Hizon, 22, of Los Angeles, CA, died February 28 in Logar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using an improvised explosive device. Specialist Hizon was assigned to the 2nd Battalion, 30th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division, Fort Polk, LA.

SGT Jason M. Weaver, 22, of Anaheim, CA, died March 3 in Kandahar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using an improvised explosive device. Sergeant Weaver was assigned to the 504th Military Police Battalion, 42nd Military Police Brigade, Joint Base Lewis-McChord, WA.

Cpl Jordan R. Stanton, 20, of Rancho Santa Margarita, CA, died March 4 while conducting combat operations in Helmand Province, Afghanistan. Corporal Stanton was assigned to the 2nd Reconnaissance Battalion, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, NC.

SSG Mark C. Wells, 31, of San Jose, CA, died March 5 in Helmand Province, Afghanistan, of wounds suffered when insurgents attacked his unit with an improvised explosive device. Staff Sergeant Wells was assigned to the 45th Sustainment Brigade, 8th Theater Sustainment Command, Schofield Barracks, HI.

SSG Eric S. Trueblood, 27, of Alameda, CA, died March 10 in Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Trueblood was assigned to the 391st Combat Sustainment Support Battalion, 16th Sustainment Brigade, Spinelli Barracks, Mannheim, Germany.

PFC Arturo E. Rodriguez, 19, of Bellflower, CA, died March 12 in Paktika Province, Afghanistan, of wounds suffered when insurgents attacked his unit using small arms fire. Private First Class Rodriguez was assigned to the 2nd Battalion, 506th Infantry Regiment, 4th Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

SPC Rudy A. Acosta, 19, of Canyon Country, CA, died March 19 in Kandahar Province, Afghanistan, of wounds suffered when he was allegedly shot with small arms fire by an individual from a military security group. Specialist Acosta was assigned to the 4th Squadron, 2nd Stryker Calvary Regiment, Vilseck, Germany.

SPC Jameson L. Lindskog, 23, of Pleasanton, CA, died March 29 of wounds suffered when enemy forces attacked his unit with small arms fire in Konar Province, Afghanistan. Specialist Lindskog was assigned to the 2nd Battalion, 327th Infantry Regiment, 1st Brigade Combat Team, 101st Airborne Division, Air Assault, Fort Campbell, KY.

LCpl Harry Lew, 21, of Santa Clara, CA, died April 3 while supporting combat operations in Helmand Province, Afghanistan. Lance Corporal Lew was assigned to the 2nd Battalion, 3rd Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force, based out of Marine Corps Base Kaneohe Bay, HI.

HN Benjamin D. Rast, 23, of Niles, MI, died April 6 while conducting a dismounted patrol northeast of Patrol Base Alcatraz, Helmand Province, Afghanistan. Hospitalman Rast was assigned to the 1st Battalion, 23rd Marine Regiment, 2nd Marine Division stationed at Naval Medical Center, Expeditionary Medical Force Detachment, San Diego, CA.

LCpl Joe M. Jackson, 22, of White Swan, WA, died April 24 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Jackson was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

CPL Preston J. Dennis, 23, of Redding, CA, died April 28 in Kandahar Province, Afghanistan, of injuries sustained when enemy forces attacked his unit with an improvised explosive device. Corporal Dennis was assigned to the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Fort Drum, NY.

SGT Ken K. Hermogino, 30, of Edwards Air Force Base, CA, died May 9 in Herat Province, Afghanistan, of injuries sustained in a noncombat-related vehicle accident. Sergeant Hermogino was assigned to the 7th Squadron, 10th Cavalry Regiment, 1st Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

LtCol Benjamin J. Palmer, 43, of Modesto, CA, died May 12 while supporting combat operations in Helmand Province, Afghanistan. Lieutenant Colonel Palmer was assigned to Marine Wing Headquarters Squadron 2, 2nd Marine Aircraft Wing, II Marine Expeditionary Force, Cherry Point, N.C.

SSG Kristofferson B. Lorenzo, 33, of Chula Vista, CA, died May 23, in Kunar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Lorenzo was assigned to the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

TSgt Kristoffer M. Solesbee, 32, of Citrus Heights, CA, died May 26 in the Shorabak district of Kandahar Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Technical Sergeant Solesbee was assigned to the 775th Civil Engineer Squadron, Hill Air Force Base, UT.

SGT Aaron J. Blasjo, 25, of Riverside, CA, died May 29, in Wardak Province, Afghanistan, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Sergeant Blasjo was assigned to the 3rd Special Forces Group, Fort Bragg, NC.

Cpl Paul W. Zanowick II, 23, of Miamisburg, OH, died June 3 while conducting combat operations in Helmand Province, Afghanistan. Corporal Zanowick was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

LCpl Nicholas S. O'Brien, 21, of Stanley, NC, died June 9 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal O'Brien was assigned to the 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jason D. Hill, 20, of Poway, CA, died June 11 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Hill was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Sean M. N. O'Connor, 22, of Douglas, WY, died June 12 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal O'Connor was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

LCpl Jared C. Verbeek, 22, of Visalia, CA, died June 21 from wounds received while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Verbeek was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA.

Cpl Gurpreet Singh, 21, of Antelope, CA, died June 22 from wounds received while conducting combat operations in Helmand Province, Afghanistan. Corporal Singh was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, CA.

SSG Nigel D. Kelly, 26, Menifee, CA, died June 25, in Kunar Province, Afghanistan of wounds suffered when enemy forces attacked his unit with small arms fire. Staff Sergeant Kelly was assigned to 3rd Brigade Special Troops Battalion, 3rd Heavy Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

SPC Kevin J. Hilaman, 28, of Albany, CA, died June 26, in Kunar Province, Afghanistan, of wounds suffered when insurgents attacked his unit using small arms fire. Specialist Hilaman was assigned to the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division, Schofield Barracks, HI.

LCpl Mark R. Goyet, 22, of Sinton, TX, died June 28 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Goyet was assigned to 3rd Battalion, 4th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA.

LCpl John F. Farias, 20, of New Braunfels, TX, died June 28 while conducting combat operations in Helmand Province, Afghanistan. Lance Corporal Farias was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

Sgt Chad D. Frokjer, 27, of Maplewood, MN, died June 30 while conducting combat operations in Helmand Province, Afghanistan. Sergeant Frokjer was assigned to 1st Battalion, 5th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, CA.

I would also like to pay tribute to the six service members from California or based in California who have died while serving our country in Iraq since December 7, 2010. This brings to 891 the number of service members either from California or based in California who have been killed while serving our country in Iraq. This represents 20 percent of all U.S. deaths in Iraq.

SPC Jose A. Torre, Jr., 21, of Garden Grove, CA, died January 15 in Baghdad, Iraq, of wounds suffered when insurgents attacked his unit with a rocket-propelled grenade. Specialist Torre was assigned to the Special Troops Battalion, 2nd Advise and Assist Brigade, 1st Infantry Division, Fort Riley, KS.

SGT Martin J. LaMar, 43, of Sacramento, CA, died January 15 in Mosul, Iraq, of wounds suffered when an Iraqi soldier from the unit with which he was training shot him with small arms fire. Sergeant LaMar was assigned to the 1st Squadron, 9th Cavalry Regiment, 4th Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

SrA Michael J. Hinkle II, 24, of Corona, CA, died March 16 due to a noncombat-related incident in Southwest Asia. Senior Airman Hinkle was assigned to the 28th Communications Squadron, Ellsworth Air Force Base, SD.

PFC Ramon Mora Jr., 19, of Ontario, CA, died May 22 in Baghdad, Iraq, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Private First Class Mora was assigned to the 1st Battalion, 63rd Armor, 2nd Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

SPC Christopher B. Fishbeck, 24, of Victorville, CA, died June 6 in Baghdad, Iraq, of wounds suffered when enemy forces attacked his unit with indirect fire. Specialist Fishbeck was assigned to the 1st Battalion, 7th Field Artillery Regiment, 2nd Heavy Brigade Combat Team, 1st Infantry Division, Fort Riley, KS.

SSG Russell J. Proctor, 25, of Oroville, CA, died June 26, in Diyala Province, Iraq, of wounds suffered when enemy forces attacked his unit with an improvised explosive device. Staff Sergeant Proctor was assigned to the 4th Squadron, 9th Cavalry Regiment, 2nd Brigade Combat Team, 1st Cavalry Division, Fort Hood, TX.

DEMOCRACY AT RISK IN HUNGARY

Mr. CARDIN. Mr. President, this week in Budapest there are two events of particular interest to Americans. First, Hungary has unveiled a statue of President Ronald Reagan in front of

the U.S. Embassy in honor of his contribution to the goal of ending communist repression and commemorating the 100th anniversary of his birth. Second, Hungary dedicated the Lantos Institute, named after Tom Lantos, our former colleague from the House of Representatives who worked tirelessly to promote democracy and human rights in the country of his birth. Former Secretary of State Condoleezza Rice and Secretary of State Clinton have represented the United States at these respective events.

These gestures shine a light on Hungary's historic transformation as well as the close bonds between our two countries. Unfortunately, other developments in Hungary have cast a dark shadow over what should otherwise be happy occasions.

Last year, Hungary held elections in which a right-of-center party, FIDESZ, won a landslide, sweeping out eight years of socialist government rejected by many voters as scandal ridden and inept. With FIDESZ winning 52 percent of the vote, Hungary has the distinction of being the only country in Central Europe since the 1989 transformations where a single party has won an outright majority—not necessarily a bad thing, especially in a region where many governments are periodically hobbled by factionalism.

Those elections were also notable because more than 850,000 Hungarians—16 percent of the vote—cast their ballots for Jobbik, an anti-Semitic, anti-Roma, irredentist party. While Jobbik is an opposition party, it has clearly and negatively influenced public policy discourse.

Under Hungary's electoral system, FIDESZ's 52 percent of the vote has translated into a two-thirds majority of the seats in parliament. The government of Prime Minister Viktor Orban has used that supermajority to push through one controversial initiative after another.

One initiative that has generated particularly sharp criticism is Hungary's new media law. The OSCE Representative on Freedom of the Media warned it could be used to silence critical media and public debate, it overly concentrates power in regulatory authorities, and it harms media freedom. In Ukraine, where democracy has put down only shallow roots, the Kyiv Post editorialized that ''Hungary's media law should not come here.''

Another area of concern stems from the government's fixation on ethnic Hungarian identity and lost empire in ways that can only be seen as unfriendly by other countries in the region. One of the government's first acts was to amend Hungary's citizenship law to facilitate the acquisition of Hungarian citizenship by ethnic Hungarians in other countries—primarily Romania, Serbia, Slovakia, and Ukraine. This expansion of citizenship was pushed through even though, in a 2001 statement submitted to the Council of Europe, the Hungarian Government firmly renounced all aspirations for dual citizenship for ethnic Hungarians.

In a further escalation of provocative posturing, a few weeks ago Speaker of the Hungarian Parliament Laszlo Kovar said that military force to change the borders with Slovakia—a NATO ally—would have been justified and, in any case, he added, the ethnic Hungarians in Slovakia are ''ours.''

If one side of the nationalism coin is an excessive fixation on Hungarian ethnic identity beyond the borders, the other side is intolerance toward minorities at home. For example, one increasingly hears the argument, including from government officials, that while the Holocaust was a 20th-century tragedy for Jews, the worst tragedy for Hungarians was the 1920 Treaty of Trianon—the treaty that established the borders for the countries emerging from the defeated Austro-Hungarian Empire.

This comparison is offensive and disturbing. Ethnic Hungarians were never targeted for extermination or subjected to mass murder by Trianon. Moreover, this line of argument presents Hungarians and Jews as mutually exclusive. But more than 400,000 Jews were sent from Hungary to Auschwitz, and more than 10,000 Jews were shot along the banks of the Danube—were they not also Hungarian? How could this not be a tragedy for Hungary?

The government has also used its supermajority to adopt a completely new Constitution which has been reviewed by the Council of Europe's Venice Commission on Democracy through Law, a body of judicial experts.

The Venice Commission expressed particular concern with the requirement that numerous issues can now only be addressed through supermajority or so-called cardinal laws. In other words, ''The more policy issues are transferred beyond the powers of simple majority, the less significance will future elections have and the more possibilities does a two-thirds majority have of cementing its political preferences and the country's legal order.''

In short, the Commission concluded, ''the principle of democracy itself is at risk.''

This combines, by the way, with a court-packing scheme—the expansion of the size of the Constitutional Court from 11 to 15—and a reduction of the retirement age for ordinary judges from 70 to 62, which will reportedly mean 10 percent of all judges will be replaced.

To make exactly clear what he has intended with these reforms, Prime Minister Orban declared that he wants to tie the hands not only of the next government, but of the next 10 governments—that is, future Hungarian governments for the next 40 years.

It is no wonder then that in Freedom House's latest ''Nations in Transit'' survey, released this week, Hungary had declined in ratings for civil society, independent media, national democratic governance, and judicial framework and independence.

Ironically, just as attention shifts to the tantalizing possibility of democratic reform in the Middle East, the red flags in Budapest keep multiplying: Transparency International has warned that transferring the power to appoint the Ombudsman from the parliament to the president means that he or she will not be independent of the executive. NGOs have warned that a new draft religion law may result in a number of religions losing their registration. Restrictions by Hungarian authorities on pro-Tibet demonstrations during last week's visit to Budapest of the Chinese Premier were seen as an unnecessary and heavyhanded limitation of a fundamental liberty. Plans to recall soldiers and police from retirement so that they may oversee Romani work battalions have predictably caused alarm.

In 1989, Hungary stood as an inspiration for democracy and human rights advocates around the globe. Today, I am deeply troubled by the trends there. I understand that it sometimes takes new governments time to find their bearings, and I hope that we will see some adjustments in Budapest. But in the meantime, I hope that other countries looking for transformative examples will steer clear of this Hungarian model.

ADDITIONAL STATEMENTS

REMEMBERING PETER FALK

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Peter Falk, the iconic actor who entertained generations of Americans throughout an illustrious 50-year acting career. Mr. Falk passed away on June 23, 2011, at his home in Beverly Hills, CA. He was 83 years old.

Peter Falk was born in New York City on September 16, 1927. Despite the loss of his right eye from a surgery to remove a malignant tumor at the age of 3, he became a standout 3-letter athlete, a debate team member and senior class president in high school. It was in high school that he developed a love for acting when he first appeared on stage in a musical.

After graduating from high school, Mr. Falk fulfilled a 1-year commitment as a cook in the Merchant Marines. In 1953, he earned a master's in public administration from Syracuse University and landed a job with the Connecticut State Budget Bureau in Hartford.

While in Hartford, he pursued his love for acting by joining the Mark Twain Maskers, a community theatre group, and learned under the tutelage of actress Eva Le Gallienne at White Barn Theatre. At the age of 28, he quit his job and moved to New York City to become a professional actor.

Mr. Falk first gained acclaim for his portrayal of a bartender in the 1956 Off-Broadway production of ''The Iceman

Cometh.'' Over the next half century, he embarked on a career that included Broadway, television, and movies. He received two Academy Award nominations for best supporting actor for roles in ''Murder, Inc.'' and ''Pocketful of Miracles.'' In 1962, he won the first of five Emmys for a role in ''The Dick Powell Show.''

Mr. Falk became a household name in 1971 for his title role in the detective series, ''Columbo.'' His portrayal of the iconoclastic Los Angeles Police Department homicide detective made the character one of the most memorable and beloved in television history. Columbo placed 7th in TV Guide's 1999 ranking of ''TV's Fifty Greatest Characters Ever.''

Mr. Falk's legendary career and his many successes on stage, the small screen and the silver screen highlighted his talents as an actor. A consummate professional, his love for performance and acting brought joy to generations of fans across the world. He will be missed.

I send my deepest sympathies to his family, especially to his wife Shera, and daughters Catherine and Jackie.●

REMEMBERING VIRGINIA WAGNER

● Mr. COCHRAN. Mr. President, our State of Mississippi lost one of its finest citizens when Virginia Wagner of Bay St. Louis died last week.

I ask that the article entitled ''Virginia Wagner Left Legacy of Generosity'' which was posted by the Sun Herald in Gulfport, MS, be printed in the RECORD.

The article is an excellent tribute to the life and legacy of one of our State's finest citizens.

She and her family are in our thoughts and prayers.

The information follows.

VIRGINIA WAGNER LEFT LEGACY OF GENEROSITY

(By Michael Newsom)

Bay St. Louis resident Virginia Wagner—member of a prominent Hancock County family known for good deeds—died Monday. Friends said she left her own legacy of generosity.

Wagner was the daughter of Leo W. Seal Sr. and Rebecca Baxter Seal, and also the younger sister of the late Leo W. Seal Jr., a well known Coast philanthropist, businessman and community leader. Wagner, 81, died Monday morning, a few days after a fall at her home. Her husband, Fred Wagner, said his ''extraordinary'' wife spent her life helping others.

''She was from a distinguished family who valued public service and helping other people and looking for opportunities to be responsible citizens,'' he said. ''There was a heritage of that in her family. Her brother was very much that way and her mother and father were very much that way. She constantly was interested in and concerned about others. You don't see that kind of philosophy often. A great part of it was her spiritual heritage and her faith. She was a committed Christian.''

Fred and Virginia met in the early 1950s when they both lived in New Orleans. A mutual friend introduced them and 57 years after their marriage, Fred Wagner remembered his wife Monday when speaking to the Sun Herald as ''absolutely the most wonderful wife any man could ask for'' and ''a wonderful mother to our children.''

Her daughter, Lisa Yearwood, said that even into her 80s, Virginia Wagner kept a social calendar that would rival most people 60 years younger. She kept recent letters from her mother that laid out her entire week's plans that involved meetings, charity work and other engagements. The writings serve as a testament to her tirelessness.

''She was not a typical 81-year-old lady,'' Yearwood said.

Yearwood said she would remember her mother for the way she treated others—something she tries to mimic.

''She was amazingly welcoming and hospitable,'' Yearwood said. ''That was across the board. Whether that was with a waiter in a restaurant or people in Washington, it didn't matter. She was incredibly loving and welcoming and I hope I picked that up from her.''

She kept a busy schedule. In May, Wagner worked a booth at the Bay Bridge Fest selling T-shirts, despite the sweltering temperatures. She was a member of Gulf Coast Blessings, a women's Bible study group. Years ago, Wagner and others began teaching children how to swim and that evolved into a swim team that competed in events across the state. She was also an avid tennis player in the 1950s and 1960s—at a time when her husband said there weren't many others on the Coast playing the sport. She worked as a chaperone for the Miss USA pageant when it was held on the Coast for several years in the late 1970s and early 1980s.

Virginia Wagner also organized a Mardi Gras marching club known as ''The Marching Fools From Istanbul'' and she carried a silver whistle that helped her keep the group in line.

''She was a fun person and she was always in charge,'' Fred Wagner said.

Friend Carrie Rester said she will remember Virginia Wagner's generosity and ''giving heart.''

''She loved people and wanted to share that love whether it was with a birthday card, inviting people into her home, delivering a treat she made or checking in by phone or email,'' Rester said. ''She was always thinking about others, going the extra mile for her friends and family.''●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1326. A bill to implement the President's request to increase the statutory limit on the public debt.

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 Mrs. BOXER (for herself, Mr. VITTER, and Mr. BLUMENTHAL):

S. 1324. A bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 1325. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 1326. A bill to implement the President's request to increase the statutory limit on the public debt; read the first time.

By Mr. HATCH:

S. 1327. A bill to amend the Act of March 1, 1933, to transfer certain authority and resources to the Utah Dineh Corporation, and for other purposes; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 148

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 148, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 556

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 556, a bill to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the names of the Senator from Virginia (Mr. WEBB) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 968

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1058

At the request of Mr. PRYOR, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1058, a bill to amend the Public Health Service Act to ensure transparency and proper operation of pharmacy benefit managers.

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1197

At the request of Mr. COATS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1197, a bill to provide for a feasibility study before carrying out any Federal action relating to the Chicago Area Water System.

S. 1235

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1235, a bill to recognize the memorial at the Navy UDT–SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALS and their predecessors.

S. 1283

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1283, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1304

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 1304, a bill to make funds available to reimburse certain fishermen for legal fees and costs incurred in connection with improper fines and for other purposes.

S. 1312

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1312, a bill to strengthen and improve monitoring in the fisheries across the United States and for other purposes.

S. 1317

At the request of Mr. DEMINT, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1317, a bill to allow individuals to choose to opt out of the Medicare part A benefit.

S. 1323

At the request of Mr. REID, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1323, a bill to express the sense of the Senate on shared sacrifice in resolving the budget deficit.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 132

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 180

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 1325. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise today to introduce legislation entitled the Lower Mississippi River National Historic Site Study Act. This bill will direct the Secretary of the Interior to study the suitability and feasibility of designating sites in Plaquemines Parish along the Lower Mississippi River Area as units of the National Park System. This area in Southeastern Louisiana has contributed much to our Nation's history and there are many stories that have yet to be preserved for future generations. Unless Congress acts to preserve these historical assets, they will be lost forever. That is why I am again, for the third time, introducing this legislation. It is important that this legislation become law and I look forward to working with my colleagues to enact it.

In order to be designated as a unit in the National Park System, the Department of Interior must first conduct a special resources study to determine whether an area possesses nationally significant natural, cultural or recreational resources to be eligible for favorable consideration. This is exactly what my bill does. It asks the Department of Interior to take the first step in determining what I already know, that the Lower Mississippi River Area would be a suitable and feasible asset to the National Park Service.

As many from Louisiana are already aware, this area has vast historical significance and is rich with cultural history. In the 1500s, Spanish explorers traveled along the banks of the river. In 1682, Robert de LaSalle claimed all the land drained by the area. In 1699, the area became the site of the first fortification on the Lower Mississippi

river, known as Fort Mississippi. Since then, it has been home to ten different fortifications, including Fort St. Philip and Fort Jackson.

Fort St. Philip, which was originally built in 1749, played a key role during the Battle of New Orleans when American soldiers blocked the British Navy from going upriver. Fort Jackson was built at the request of General Andrew Jackson and partially constructed by famous local Civil War General, P.G.T. Beauregard. This fort was the site of the famous Civil War battle known as the ''Battle of Forts'' which is also referred to as the ''night the war was lost.'' Mr. President, as you can see, from a historical perspective, this area has many treasures that provide a glimpse into our past. These are treasures that have national significance and they should be maintained and preserved.

In addition, there are many other important and unique attributes to this area. This area is home to the longest continuous river road and levee system in the U.S. It is also home to the ancient Head of Passes site, to the Plaquemines Bend, and to two National Wildlife Refuges.

Finally, this area has a rich cultural heritage. Over the years, many different cultures have made this area home, including Creoles, Europeans, Indians, Yugoslavs, African-Americans and Vietnamese. These cultures have worked together to create the infrastructure for the transport of our Nation's energy, which is being produced by these same people off our shores in the Gulf of Mexico. They have also created a vibrant fishing industry that contributes to Louisiana's economy.

I think it is easy to see why this area would make an excellent addition to the National Park Service. However, the longer Congress takes to act, the greater the opportunity for these treasures and their rich history to erode away. Unfortunately, this area has weathered the passing of several hurricanes, including Katrina, and is now suffering from the impacts of the BP oil spill. All of these events threaten to destroy these historical assets, but this need not be the case. These assets need protection and this is the first step in securing it. That is why I am reintroducing this bill to conduct a study to determine the suitability and feasibility of including this area in the system and ultimately to begin the process of adding this area as a unit of the National Park Service. I look forward to working with my colleagues to quickly enact this bill.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, July 12, 2011, at 2:30 p.m. to conduct a hearing entitled ''The Power of Pensions: Building a Strong Middle Class and Strong Economy''.

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224–5441.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 13, 2011, at 10 a.m. to conduct a mark-up of the following: S. 958, the Children's Hospital GME Support Reauthorization Act of 2011; S. 1094, the Combating Autism Reauthorization Act; S. ____, the Workforce Investment Act Reauthorization of 2011; and, any nominations cleared for action.

For further information regarding this meeting, please contact the committee on (202) 224–5375.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that John Daley, who is detailed to the Foreign Relations Committee from the State Department, be granted privilege of the floor for the duration of the debate on S.J. Res. 20.

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

MEASURE READ THE FIRST TIME—S. 1326

Mr. CASEY. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1326) to implement the President's request to increase the statutory limit on the public debt.

Mr. CASEY. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 6, 2011

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., on Wednesday, July 6; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 93, S. 1323, to express the sense of the Senate on shared sacrifice in resolving the budget deficit, with the time until 12:30 p.m. equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each; and that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly party conferences; further, that the time from 2:15 p.m. until 6 p.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. CASEY. Mr. President, the majority leader filed cloture on the motion to proceed to S. 1323. Unless further agreement is reached, this vote will be on Thursday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. CASEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Wednesday, July 6, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

THOMAS J. CURRY, OF MASSACHUSETTS, TO BE COMPTROLLER OF THE CURRENCY FOR A TERM OF FIVE YEARS, VICE JOHN C. DUGAN, RESIGNED.

MARY JOHN MILLER, OF MARYLAND, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE JEFFREY ALAN GOLDSTEIN.

DEPARTMENT OF STATE

WENDY RUTH SHERMAN, OF MARYLAND, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS), VICE WILLIAM J. BURNS, RESIGNED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

MATTHEW G. OLSEN, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, VICE MICHAEL E. LEITER, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C, SECTION 211(A)(2):

To be commander

KATHLEEN A. DUIGNAN