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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

O God, who covers the heavens with clouds and prepares the rain for the Earth, You take pleasure in those who have reverence for Your Name. Bring peace to our Nation and world as you fill us with Your spirit. Empower our lawmakers to break through stalemates with constructive action. Give them such wisdom that their challenges will be met with cooperation and competence. Lord, help them to comprehend the global repercussions of some poor decisions and the irreversibility of some tragic consequences. Energize them with Your power and guide them with truth and light. Quicken their ears to hear, their eyes to see, their hearts to believe, and their wills to obey You before it is too late.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 29, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

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

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

The 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will recess until 11 a.m. today to allow for a Democratic caucus. At 10 a.m. we will have that caucus. At 11 a.m. the Senate will be in morning business until 12 noon. At noon I will be recognized. That is the order now before the Senate; is that right?

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

DEBT CEILING

Mr. REID. Mr. President, although the House of Representatives has not yet voted on Speaker BOEHNER's plan, that plan is flawed. That is why they have struggled for days to pass this inadequate legislation without a single Democrat even being involved in the process. They have plowed forward looking only to Republicans.

But as the battle to pass the continuing resolution went forward to keep our government open for business just a few months ago, the Republican leadership realized they were unable to get the necessary votes for the CR and they reached out to Democrats. Speaker BOEHNER had to look to Democrats; he did not have enough votes. Obviously he should have looked to the Democrats again.

That is the way we need to move forward on something that is bipartisan. That is how it is supposed to work, Democrats and Republicans working together for our country. The bandaid approach to the world crisis—and it is an embarrassment—to Congress, frankly to the country and to the world—is a sad commentary.

United Senate Democrats, all 53 of us, have informed the Speaker that his legislation was doomed in the Senate because we would not vote for a short-term extension of the debt ceiling. It would put our great Nation on a path to another default extravaganza as we have experienced in the last few weeks.

Frankly, that new extravaganza would start in a matter of weeks again. Virtually every expert—economist, rating agency, market analyst—has said the kind of short-term plan the Speaker has proposed is no answer to the crisis. Republicans created the crisis, and what they want to do is no answer to it.

If we are really trying to avert the kind of financial calamity default would bring, the Republicans' plan is not a solution. I had a very sobering conversation a half hour ago with Secretary Geithner. Right now, businesses cannot borrow—big businesses, what they use to survive, moving money for bonds and other things; that is how the world economy works—they cannot

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

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borrow more money than overnight because no one knows what the interest rate will be tomorrow. So the Republican plan is not a solution. As the experts say, all too soon we would be back in the midst of partisan wrangling with our economy once again held prisoner by extremists in the Republican party lead by the tea party.

Our economy cannot bear this kind of uncertainty any longer. Congress and the White House are on lockdown, and the business of the country is not being conducted. I say no, not again, will we fight another battle such as the one in which we are now engaged. We cannot do that. That is why a short-term extension is not what we need. It is not what this Congress will do.

But default is not an option either. We cannot wait for the House any longer. It is time for Republicans to stop the political games and embrace compromise. No matter how long Republicans delay, the deadline will not move. We have hours—I repeat hours—to act. That is why by the end of today I must take action on the Senate's compromise legislation.

The legislation in point would cut $2.5 trillion from our deficit over the next decade and avert default on our national debt. It would protect Social Security and Medicare without raising a penny of revenue. The question is: Will today's Republicans break away from the shrill voice of the tea party and return to the Republican Party of Ronald Reagan?

This is likely our last chance to save this Nation from a default. I have invited Senator MCCONNELL to sit down with me and to negotiate in good faith, knowing that the clock is running down. I hope he will accept my offer. I cannot do this alone. There are only 53 of us, and under the rules that Republicans put in place—it used to be used sparingly but is used all of the time now—we will need to get 60 votes; a majority is not good enough.

I know the Senate compromise bill the Democrats have offered is not perfect in the eyes of the Republicans. It is not certainly perfect in the eyes of the Democrats. But together we must make it work for all of us, because it is the only option. The settlement on the table will never give either party everything it wants, but it already meets the Republicans' demands. JOHN MCCAIN, the Republican senior Senator from Arizona, President Obama's opponent in the Presidential election, has asked his party to compromise. He did it here on the Senate floor.

He said, it ''is not fair for the American people to hold out and say we won't agree to raising the debt limit.'' He called the radical Republican approach ''unfair'' and ''bizarro.'' It is time we listen to the markets, he said. It is time we listen to the American people and sit down and seriously negotiate.

Former Senator Fred Thompson, whom I served with here in this body, a Republican, asked Members of his own party to come to their senses. ''I respectfully suggest that you rake in your chips and stuff them in your pockets.'' That was his quote. He believes they have already won—all discretionary spending, no revenue.

I hope my friend, Senator MCCONNELL, will come to me by the end of the day and indicate what constructive ideas he has to move the process along. My door is open. I will listen to any ideas to get this done in a way that prevents a default and a dangerous downgrade to our country's credit rating.

Time is short. That is an understatement. Too much is at stake to waste even one more minute. The last train is leaving the station. This is our last chance to avert a default. The vote on this compromise will determine whether we enter the frightening world of default. A vote for the Senate compromise will be a vote on the financial obligations of this great Nation to pay the bills.

I would ask my friends, my Republican friends, break away from this thing going on in the House of Representatives. They were going to vote at 4:30 yesterday, 6:30, 7:30, 8:30, 9:30—10:30 they finally quit. Rumors flying around. Rumors flying around. The Wall Street Journal said they put too much money in for Pell grants. They were going to take that out. Rumors flying around they need a balanced budget amendment added. Rumors that the Speaker was seen in my office—which he did not come. All these rumors made no sense.

The scariest thing is, late last night, Leader CANTOR said from the House: You have three choices: Boehner, cut, cap and balance, or default. That is the second ranking Member in the Republican leadership who said that.

We need to honor the financial obligations we have with the country. So a vote against the compromise I have talked about—now listen to what my compromise is: No revenue. The Congressional Budget Office has scored it more than $2.4 trillion, which will take us to probably—not probably, it will take us to March of 2013. We can do the country's business. There is a joint committee that will be set up to see if we can do some good work on a more long-term approach and to get back to work doing our country's business.

I repeat: CBO and OMB have scored our bill for more than $2.4 trillion—not billion, trillion dollars. That is dollar for dollar, as the Speaker said he wants to reduce the debt. So a vote against this compromise will be a vote to default on the full faith and credit of the United States.

I repeat to everyone within the sound of my voice: We have the framework of a bill. We are going to change it. I have some ideas that we need to change. I want to discuss them with the Republican leader. If anyone has any other ideas, come to me. But the time has come to make a decision. The time factors are very clear. Why am I filing tonight on my bill? Why? There is no more time. I have to do it tonight. Would I like to wait until tomorrow to see if there is some good will that comes from the Republican side? Of course I would. But I would suggest to my friends on the other side of the aisle, this is a pretty good deal. They, in effect, as Fred Thompson said, have gotten everything they want and should put those chips in their pockets and walk away and declare victory.

There will be no time left to vote on another bill or consider another option in the Senate. This is our last, best chance to preserve the character and credit of our great Nation.

Mr. SCHUMER. Will my colleague, the majority leader, yield for a question?

Mr. REID. I am happy to.

Mr. SCHUMER. I thank our leader.

Mr. President, the leader outlined it well. The House, for all its machinations, delays, and struggles, is pursuing a path to nowhere because their bill will not pass, will not become law. Fifty-three of the fifty-three Democrats have signed a letter saying they will not vote for it, and the President has said he will veto it—all for a simple reason: because if we do this short term, we don't calm the markets and, at the same time, we start all over in a few weeks going through this again.

As the leader said—and it is true—the bill he will put on the floor is our only chance, and the reason it is our last chance is very simple: After tonight, anything put on the floor—is this true, Mr. Leader, that after tonight, if we were to put anything on the floor, given the rules of the Senate, nothing could be voted on before default would occur?

Mr. REID. I say to my friend from New York, under the rules we have in the Senate, if I move tonight, we cannot have the final vote until Tuesday morning. The country defaults at 12 o'clock on Tuesday on its debt.

Mr. SCHUMER. Will the leader continue to yield?

Mr. REID. Sure.

Mr. SCHUMER. That means this bill the leader will put on the floor tonight is the last train out of the station, and it also means, given the rules of the Senate, that only with bipartisan cooperation can we do it.

So we are hoping and praying that our colleagues from the other side of the aisle, led by their leader—and 15 signed a letter talking about a bipartisan compromise as part of the Gang of 6, or Gang of 8—that that group could come forward and make suggestions, not simply say the Boehner bill because that will not pass, but make suggestions on modifications to the Reid plan. That is our only hope of avoiding default, and we must act now. Is that a correct depiction of the status on the floor and of where we are headed?

Mr. REID. That is absolutely true.

Mr. SCHUMER. Mr. President, I will ask one more question. If we are unable

to come to a compromise on the leader's bill, there is virtually no time, no matter what the House does, for the Senate to do anything before default is over. That means our Republican colleagues have the ball in their hands in terms of default; is that correct?

Mr. REID. Mr. President, I have been told personally by some Republicans in the Senate they will do everything they can to stop legislation from proceeding. That is not a majority; it is a handful of people on the Republican side of the aisle.

That is why I said in my remarks that I hope the Republican Party will turn back to the party of Ronald Reagan. He raised the debt ceiling 19 times during the time he was President. He was a man who compromised. That was who he was. He hated communism. Who was the man who brought down the Iron Curtain? Ronald Reagan. He was willing to compromise even with somebody he spoke of in the worst terms. He knew how to compromise, and even though he was elected as the most anti-Communist President in the history of the country, the day he was elected he sent his embassy personnel to the Soviet Union so they could work with them. That led to the great decision by our countries to bring down the Iron Curtain.

Mr. SCHUMER. I see that the minority leader is here, and I thank the majority leader for yielding.

Mr. DURBIN. Mr. President, if the minority leader doesn't mind, I would like to ask the majority leader a question.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. During the period of time we were waiting yesterday for a decision by the House of Representatives, which they still didn't come to—during that period of time, we had an opportunity to have many personal conversations among Senators—Democrats and Republicans—and I would say that unanimously, to a person, Democratic and Republican Senators agreed that a default would be an economic disaster for the United States of America.

The majority leader has been briefed this morning by the Treasury Secretary about some of the prospects of default. We have heard only one that I know of—a Republican Senator—come to the floor and say that a default on our debt could be managed very easily.

I want to ask, since I have heard from business leaders in Illinois of closings that were literally canceled this week for multimillion-dollar investments in the city of Chicago in the State of Illinois because of what is happening in the House of Representatives, can the majority leader please tell us, as much as he can at this moment, what the prospects are if we do reach the point of default on this national debt?

Mr. REID. Mr. President, I am familiar with the situation in Illinois where a $146 million construction project was turned down at the last minute because they were so afraid of the credit.

Mr. DURBIN. I have one further question. In terms of the impact on our Nation, as the Secretary of the Treasury has told the leader, can he give us, for the record, an idea of what we face if the Republicans in the House continue to delay and hold to a strategy that has no hope of passage?

Mr. REID. Secretary Geithner said it has already started. The international community is extremely worried they could only get overnight loans. It is extremely precarious for our country.

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

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

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

DEBT CEILING

Mr. MCCONNELL. Mr. President, it is not surprising that I have a little different take on what has been happening in the last few days than my colleague, the majority leader.

Let me explain what has been going on in Congress this week. The American people have been waiting on us to do something to prevent default. They want us to end this crisis right now. Over in the House of Representatives, we have the Speaker of the House doing his job. Speaker BOEHNER has been doing the hard work of governing, working day and night to put together a bill that can actually pass the House of Representatives and end this crisis now. He should be commended for his efforts.

What about over here in the Senate? The contrast could not be starker. Rather than working in the last few days toward a solution to the crisis the way the Republican majority in the House has, the Democratic majority in the Senate has been wasting precious time rounding up ''no'' votes to keep this crisis alive. Rather than being responsible and doing their duty and coming up with a bill that can actually pass, they have been busy signing up people for the ''not good enough'' caucus and ginning up opposition to everything else.

Lawmakers should be working a solution to the crisis, not a blocking strategy. Our Democratic friends in the Senate have offered no solutions to this crisis that could pass either Chamber—not one. Instead, all day long yesterday we got chest-thumping comments about how they are going to kill any piece of legislation that comes over from the House, that it is dead on arrival.

Democrats are out bragging about how they are going to prolong the crisis instead of doing the hard work of trying to solve it. That includes the President.

Look, if the President hadn't decided to blow up the bipartisan solution that Members of Congress worked so hard to produce last weekend, we would be voting to end this crisis today.

Instead, Democrats in Congress are still talking about blocking a solution to the crisis, and the President is rolling out new mileage standards today. Let me repeat that. Here we are a few days from when the Secretary of the Treasury says we will be in a default situation, and the President of the United States is rolling out new mileage standards today.

How about this: How about a plan from Democrats in Washington that can pass both Chambers, prevent the crisis, and protect Americans from a worsening economy?

I suggest to my friends on the other side this morning that they start taking their responsibilities as a majority party a little more seriously because at this point, the only people who are disregarding the consequences of default are Senate Democrats—not the Republicans in the House but Senate Democrats.

Republicans have been doing the hard work of governing this week. It is about time our Democratic friends join us.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I appreciate my friend's statement. I didn't hear it all, but I certainly heard the context of the statement. We are willing to work with him and his staff, as we have, to try to come up with a solution. I want the record to reflect very clearly, as I said in my remarks this morning, for my friends who didn't have the opportunity to hear it, we cannot have in this country a 6-month extension because a 6-month extension is no extension. A 6-month extension of what we are dealing with would put us back, in a matter of weeks, in the same fiscal extravaganza trying to move forward with the work of the country.

The country is locked down. Congress is inoperable. The White House is unable to do very much because they are focused on this huge problem. I want the record to be spread with the fact that I will work as closely as I can on any suggestions they have, as I have indicated. But, please, everyone, don't come to me with a 6-month extension.

The proposal I am moving forward with—and Fred Thompson said take your chips, my Republican friends, and put them in your pocket and walk away—gives the Republicans everything they have asked for: no revenues, $2.4 trillion in cuts. That is a pretty

good deal. That is not a 6-month deal; it is a solution that takes us until 2013, in the month of March.

Help me work through this. I have no pride of authorship. If somebody can figure out another way to improve that suggestion, I will work with them. I am willing to work with them. As I have said on the floor before—and I don't want anybody to consider this as a sign of weakness—I have compromised my whole life. When I practiced law, that is what I did in trying to represent people and get a result. I believed many times that I was a failure when I had to go to court. But I went to court over 100 times to try cases to juries.

I always believed that compromise was the right thing to do, even in the law. As a legislator, it is a sign of integrity and confidence when you say you will compromise. Legislation is the art of compromise.

Again, I am here indicating to the world that I have spent my whole adult life trying to compromise and build consensus.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, as long as it is in morning business, no.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

DEBT CEILING

Mr. ALEXANDER. As one Senator, I thank the majority leader and the Republican leader for their comments. We all know what we need to do. We have two objectives. At a time when we are borrowing 40 cents of every dollar we spend, we need to reduce the debt. We also need to honor our obligations, and we know why. There is nobody on the Republican side of the aisle I know of who thinks we should not honor our obligations.

We know that on August 3 there will not be enough money to pay all the bills. We don't want the most creditworthy Nation in the world to go to a place where it begins to pay its bills selectively out of a cigar box, which is why I am hopeful—and I believe all of us are hopeful—that we can find a way for the two leaders to recommend to us and the House a solution that the President will sign, which will reduce our debt and honor our obligations.

But to suggest that the majority leader's proposal—his bill—which he offers in good faith, I know that—is a compromise, that is a little hard to accept. It is a Democratic proposal. The other side has spent most of its time this week saying: We can get 53 of us to make sure that as soon as the Republican proposal passes the House, if it does, we will beat it in an hour. We will not even consider it. We will kill it. We are not going to vote on it. We will table it and put it away.

That is not the spirit of compromise. The proposal the Speaker is trying to pass may be about the only thing he can pass in the House of Representatives. That may not be what a Democratic Senate would like, but this is a Democratic Senate and that is a Republican House. We have to come up with something that both can pass and the President will sign. We all know that.

I hope the spirit of today, tomorrow, and Sunday is that we spend less time plotting about how we can defeat each other's proposals as quickly as possible and more time working together to come up with ways to reduce spending and honor our obligations.

The Democratic whip is on the Senate floor. I have probably undermined his support in some groups for complimenting him for his courage. I support the same thing he does. For example, the work of the Gang of 6 is supported by one-third of the Senate, a very good example for the rest of us in the Senate about what can be accomplished when we work together.

I hope we will recognize the Speaker is trying as hard as the majority leader to come up with something that can pass the House. The majority leader wants something that can pass the Senate, but it must pass both and be signed by the President. We must reduce our spending and we must honor our obligations, and every single Republican Senator as well as every Democrat knows that, I think.

I thank the Chair, and I yield the floor.

RESERVATION OF LEADER TIME

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

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess until 11 a.m.

Thereupon, at 10:02 a.m., the Senate recessed until 11 a.m. and reassembled when called to order by the Acting President pro tempore.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 12 noon, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

THE DEBT CEILING

Mr. DURBIN. Mr. President, this is a historic weekend in Washington, and I think those who are visiting the Capitol and following the proceedings understand the gravity of the decisions that lie before us.

On August 2, our debt ceiling expires. That has never happened in our history. One time there was a technical period of 1 or 2 days, but there has never been a long period of time when the United States of America basically defaulted on its debt. And it is a very serious matter. It is one that affects our Nation, our debt, and literally every family and business that lives within our boundaries.

Here is the reason why it is so important. In 1939, we created this law which said that a President could come to Congress periodically and ask for the authority to borrow money to pay for the things Congress has already appropriated. So, as an example, when Members of the House and Senate say to the President of the United States: We want you to continue to wage war in Afghanistan, at the cost of $10 billion a month, this President knows he will have to borrow about $4 billion a month to meet that congressional appropriation. You see, we borrow about 40 cents for every dollar we spend.

Similarly, when it comes to the payments we make to our veterans who are disabled, we have promised them: We will pay you because you served our country and you lost a limb or you were injured, and we will compensate you for that loss for the rest of your life. We understand in making that commitment we are also making a commitment to borrow the money necessary to do it.

So periodically a President will come to Congress and say: I understand our obligations which you have sent to me and I have approved, and now I ask you to extend my authority to borrow the money to meet those obligations. That has happened 89 times since 1939. Since we passed this law, Presidents of both parties have come to Congress and asked for that authority. As I mentioned, not one time did Congress say no except that one technical period in I believe 1979—89 times, 55 times by Republican Presidents and 34 times by Democratic Presidents.

When you look at the Presidents who have requested extensions of the debt ceiling I have just described, the President who holds the record for the most requests is President Ronald Reagan, who, in an 8-year period of time, asked to have the debt ceiling of the United States extended 18 times, more than twice a year. During the Ronald Reagan Presidency, the debt of the United States tripled. That is why he came to Congress so often.

The President who ranks second in terms of increasing our national debt during his 8 years is President George W. Bush. The debt of America virtually doubled during his Presidency because we waged two wars we didn't pay for; we did something we had never done in our history: cut taxes particularly for the rich in the midst of a war; and we had many programs unpaid for.

So President after President has used this statutory authority to come to Congress and ask for approval to extend the debt ceiling. President Obama has done the same. As of August 2, his authority to ask to borrow money will expire. That is a serious moment if we default on the debt. It will be the first time it has happened in our history.

What will it mean to the United States of America to default on our debt and fail to extend the debt ceiling? Well, imagine if you decided as a homeowner to stop making your mortgage payments. Within a period of time, you would receive a phone call from your creditor saying: Did you forget your check this month? And if you say: No, I am just not going to pay it, you understand the consequences—your credit status is going to be affected.

The credit status of the United States is the best in the world. We have a AAA bond rating—the highest of any nation—and because we have that high bond rating, we have the lowest interest rates that we pay to borrow money.

Well, go back to the homeowner. If you have just defaulted on your mortgage, your credit report is going to look pretty bad. The likelihood that you could turn around and borrow money the next month is in doubt, and if someone will loan you money at that point, it will be at the highest interest rate because you are a risk now; you failed to make your mortgage payment. Similarly, if the United States fails to extend the debt ceiling, our credit rating will go down from AAA, the interest rate charged the U.S. Government will increase, and what has been considered the rock-solid, best economy in the world will be jeopardized by this action.

What does it mean for the interest rate on the debt of the United States to go up? This calculation has been made by many, and I believe it is accurate. For every 1 percent increase in the interest rate the United States pays on its debt, we will add $130 billion a year to our debt—$1.3 trillion, roughly, over a 10-year period of time. So the failure to extend the debt ceiling, the default of the United States, and higher interest rates will make our debt worse. That is why what we are facing this week in Washington is so terrible, because what we are dealing with here is a politically manufactured crisis. We are dealing with a self-inflicted wound.

Because the House Republicans under Speaker BOEHNER refuse to extend the President's request for the debt ceiling when our current authority expires August 2, we could find ourselves paying higher interest rates and even deeper in debt. And it gets worse because when the interest rates paid by the U.S. Government go up, interest rates across our economy go up. What it means is that a lot of innocent people who are borrowing money to buy a car or a home or to pay for college loans or to pay off their credit card are going to pay more. It is like imposing a tax on every family and business in America at the worst possible time. We are recovering from a recession. Too many people are out of work. Businesses need to expand and borrow money. Raising interest rates stops that. This doesn't have to happen. This self-inflicted wound by the House Republicans and Speaker BOEHNER does not have to happen.

In fairness to Speaker BOEHNER, his goal is to reduce America's debt. I accept that challenge. In fact, for the last year and a half, I have engaged personally on a bipartisan basis to meet that challenge, first as a member of President Obama's deficit commission, the Bowles-Simpson fiscal commission. We sat for months and listened to testimony, and finally 11 out of 18 of us voted for the report issued. What it came up with was a 10-year plan to reduce our debt by $4 trillion—not easy. It sounds as though it would be easy when you look at all the money we spend, but when you get into the specifics, it is politically painful. But what we agreed to do was to put everything on the table. And I want to tell you, I did that with some reservation.

I am concerned about many things in our country but two things in particular. I am concerned about the most vulnerable people in America, those who are aged, poor, and sick. I want to make certain that at the end of the day, America still has a safety net, that this good and caring Nation is doing everything it can to help these people.

What programs do they rely on? Well, they rely on the earned-income tax credit under our Tax Code, the childcare tax credit, Medicaid, the health insurance that covers one-third of the children in America and many elderly people in nursing homes. So when we talk about cuts in these programs, I was very sensitive to them and determined to make sure we didn't cut any more than necessary to reach our goal.

We also put revenue on the table. We have to do that. How can we ask working families in America to pay more on their children's college student loans and be prepared to sacrifice and how can we ask the seniors in America to be willing to sacrifice when it comes to their Medicare Program and not turn to the wealthiest people in our country and ask them to join in this sacrifice? That has become the major stumbling block in this negotiation. You see, Republican Speaker BOEHNER has said: I will not accept any—underline the word ''any''—tax increases on the wealthiest people in America. I will agree, he said, to cut everything else, every other benefit for every other person, but not one penny more in taxes from the wealthiest people in America. That doesn't strike me as fair or just or reasonable, but that is where we are.

We also put spending cuts in this program, substantial spending cuts so that every single program in America would be closely inspected, reduced in spending, and move us toward a deficit-reduction goal.

Then I went a step further. I joined with five of my colleagues—three Republicans and three of us on the Democratic side—and we sat down for 6 months and worked on something called the Gang of 6 and came up with a specific plan of how to do this.

Well, Mr. President, you know we had a meeting a couple weeks ago, and we invited most of the Members of the Senate to come and listen to what we had proposed. Forty-nine Senators showed up, Democrats and Republicans, in a room not far from here and listened as we laid out what we considered a bipartisan plan to deal with the deficit. We then went back to those Senators and said: How many of you will put your name on the line to join us in a bipartisan effort to reduce the deficit? And we are now up to 36 Senators who have done that. Over one-third of the Senators have signed on to a bipartisan effort to reduce the deficit.

What a sharp contrast that is from what is going on in the House of Representatives, where right now the Speaker of the House, the Republican Speaker, is negotiating only with Republican Members to pass a plan. I don't think that is what the American people sent us here to do. I don't think they said to Democrats, come to Washington but don't speak to Republicans, or to Republicans, come to Washington but don't speak to Democrats. The bottom line is that, Democrats and Republicans notwithstanding, we are all Americans, and we all have a responsibility.

So here we are today at this impasse, and Speaker BOEHNER announced Monday night, when he had a press conference at the same time as the President's announcement to the Nation, that he had a plan—he called it a bipartisan plan—that he would pass in the House of Representatives. We expected that to happen Tuesday, and it didn't; and then Wednesday, and it didn't; and then yesterday, and he failed to pass it then, too. We waited all night until 11:00—when we finally adjourned—for the Speaker to pass what he considered to be a good plan and for us to react to it. Now we hear the Speaker may be able to get to it later in the afternoon or in the early evening hours. Mr. President, this is unacceptable.

The ACTING PRESIDENT pro tempore. The Senator has used 10 minutes.

Mr. DURBIN. I ask unanimous consent for 5 additional minutes.

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

Mr. DURBIN. Mr. President, that is unacceptable. By my calculation, we have 4 days before we default on our debt, 4 days before the American economy suffers this mortal blow, 4 days before we default on America's full faith and credit for the first time in our history, 4 days while businesses across America are withholding agreements and negotiations that create

jobs, 4 days where America people have to worry that if we default on our debt, the government will have to pick and choose those who will receive government checks in August.

The Senator from Pennsylvania came to the floor for the last 2 days and said: Oh, if we default on the debt, we can manage that. Really? If we default on the debt, we will have $172 billion to spend and $306 billion in obligations.

He said: Well, of course we have to pay interest on the other debts. We don't want to default on everything. OK.

He said: Of course we have to pay everybody under Social Security. Yes.

He said: Of course we have to pay our soldiers who are in combat. Agreed. All good ideas.

Then he said: And then we will work the others out.

Whom did he leave off the list? He left every Federal employee off the list. That would be all of the people working at the Central Intelligence Agency monitoring terrorists to stop them from attacking the United States. That would be the air traffic controllers in our airline system across America. That would be the Federal prison guards working the Federal correctional facilities. That would be all of our veterans receiving disability checks.

Easily managed? Not so fast. It wouldn't be easily managed. There would be losers in that process, and many of them are innocent people who would be lost to the frustration of this political process.

There is a way through this, but the only way through it is if Members of both parties come together and do it quickly. I don't think it is going to happen in the House. The House has decided they are going to do an all-Republican, all-day approach. That isn't going to solve the problem in the House or the problem on Capitol Hill.

This morning, the majority leader, HARRY REID, standing at this desk, turned to Senator MCCONNELL from Kentucky, the Republican leader, and said: Now it is our turn. Now we have to step up. Now we have to come up with a bipartisan approach and show leadership. Senator REID is right. Senator MCCONNELL has demonstrated in the past that he has been willing to do that and now more than ever he should. I think the 36 Senators who have stepped up, joined me and others in saying we can find a bipartisan way to deal with this must be heard. Our voices must be heard but, more importantly, the spirit of compromise must be heard. That is what the American people expect of us. They didn't send each of us here to win every battle under our own terms and not give. They sent us here to govern and to respect this great country.

I would sincerely hope we will approach the next 72 hours with the spirit of humility—humility to understand that so many innocent people across America, families and businesses, are waiting on us and counting on us. We cannot fail them. No one will care at the end of the day who has the great political headline, but we will all be judged—Democrats and Republicans, House and Senate—as to whether we met our constitutional obligation to this Nation and the people who live here.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the challenges we face are difficult. I am proud of the work the House of Representatives has done. I do not appreciate it being suggested that somehow they are unreasonable because I don't believe that is fair to say about them. They worked very hard. They complied with the congressionally mandated statutory requirement to pass a budget. They passed a 10-year budget that was honest and open. It was publicly debated in the House of Representatives. They passed it, and it would have fundamentally altered the debt trajectory of America. It would put us on a sound path. It could have gone a little farther, frankly, but it goes farther than anything else we have seen and puts us on the path to a sound economic future.

What happened in the Senate? I am ranking Republican on the Senate Budget Committee. We are required to mark up a budget in the Senate by law. It doesn't say you go to jail if you don't follow the law. It doesn't have any penalty, I will acknowledge. It is a law, but we don't have to follow it, except we certainly have an obligation to do so. Certainly we would want, I think, to have a budget in the Senate. We have not had one now for over 800 days, over 2 years. We were within a week—less than that—of commencing hearings to mark up a budget that would be moved by the Democratic majority. When they do so, it is not even subject to a filibuster. It can be passed with 50 votes, and there are 53 Democrats in the Senate. The majority party always has that obligation to move a budget. Senator REID, the Democratic leadership, decided they wouldn't do it. He said it would be foolish to have a budget so we haven't passed a budget.

The House has said it would reduce spending by up to $5 trillion or $6 trillion. Because of the Senate's objection and the President's objection, they have agreed to raise the debt limit by $1 trillion, and they have agreed to cut spending in America by $1 trillion. They have tried to reach an agreement so we wouldn't have a shutdown. Then, all of a sudden, my Democratic colleagues now come forward and say they don't want to accept that. They want the Reid amendment.

The Reid amendment has the same actual savings. We have looked at the numbers and we have seen how they have done it. There is about a $1 trillion savings in the Reid bill with a reduction in spending of about $1 trillion. He claims it is $2.7 trillion. That is almost three times what it actually achieves. Therefore, they want to continue to raise the debt limit by almost $3 trillion, the largest amount it has ever been raised. Why? Because the President said so. This is what the President said a week ago:

> The only bottom line that I have is that we extend this debt ceiling through the next election, into 2013.

The President thinks this is about him. It is all about him. This is about America and what is good for this country. It is not about the President. It is not about politics. If it were about politics, I wouldn't vote for the Boehner amendment and neither would a lot of those patriotic Members of the House because it is not enough. It does not do what we need to do. We need to do $4 trillion, $5 trillion, $6 trillion over 10 years. The debt is going to increase over the next 10 years from $9 trillion to $13 trillion, and $1 trillion is not enough. It can only be seen as a step in the right direction. So forgive me if I am a little frustrated about that.

I want to talk about something that is problematic and needs to be known. It is not being focused on, and this is Senator REID's amendment and his solution to the deficit problem. He wants to raise the debt ceiling so we can keep borrowing money and spending more than we take in. We are borrowing 40 cents of every dollar we spend. The President this morning said he liked the Reid amendment and is what he wishes to see. He doesn't like the House version. I think there are some things we all ought to think about and know that are in the Reid amendment.

As I have said, we have gone 821 days without a budget. The law requires us to have a budget. A lack of a congressional budget contributes to our fiscal nightmare. Since we last passed a budget, we have spent $7 trillion. The reason we don't have a budget is because it is carefully and deliberately orchestrated that we not have one by the leadership of this Senate. They have planned for just the eventuality that is occurring. I have warned for weeks and months on the floor of the Senate that we would be at the eleventh hour with people scurrying around in secret, plotting deals to try to figure out how to deal with the crisis this Nation faces. That is exactly what is happening.

Today it was announced that the second quarter economic growth was 1.3 percent. That is anemic and well below what we were hoping to see and thought we might. We have had expert testimony that the debt we have pulls down economic growth. Had the Senate adopted a budget in a timely manner this year, as the House did, we would not be at this last-minute crisis. It was deliberately orchestrated because it gives maximum leverage to the President and the press. The question becomes not what is in the deal, but do you have a deal? Just do anything. We

are going to be in a crisis if you don't pass something. We want a deal. The House has come up with a very reasonable compromise. It looks as though some people want to have this fuss and put us through the crisis even when they get basically what they have asked for.

The Reid amendment to increase the debt limit deems two consecutive budget resolutions for fiscal years 2012 and 2013. In other words, it basically takes over the budget process and sets the basic spending numbers. Does the President think the Senate should go 2 more years without crafting or passing a budget? We have already gone 2 years. The Reid amendment sets spending allocations for most Senate committees at the Congressional Budget Office's rising baseline. These are bureaucratic members. They work hard, but they are not elected. They are not constitutionally accountable. It says we are going to deem the amount we spend by what CBO has projected our growth in spending to be, and CBO projects growth in spending. They don't set that as right for America, but they project that is what will occur under the current circumstances. This deems those higher growing numbers as what should be.

Without hearings or debates on these allocations, this provision would provide a further excuse for avoiding a budget and increase the likelihood that the Congressional Budget Act will be violated for the third straight year. This is an abrogation of the responsibilities of the Senate and of the Budget Committee of the Senate. We are not elected to the Senate and chosen to sit on the Budget Committee to see most of the budget levels automatically raised based on a set of spending growth projections by the CBO. They are not empowered to do that. They don't claim to, actually. I should not demean them. They do what their duty is. It is this kind of process that has placed the country in a financial crisis.

We keep locking in spending levels that are going up. When we reduce the growth in spending a little bit, you know what we say we are doing? We are cutting spending, and it is spending more. That is the way the budget is. When they say we are going to save $1 trillion through the House plan——

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

Mr. SESSIONS. I would ask for 2 additional minutes to wrap up.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. The provision that takes over that and sets us on an automatic growth course is not the right one. Both the Reid amendment and the House bill say we save about $1 trillion over the next 10 years. I would note that the difference between the two is how long or how much is achieved by that. Senator REID wants almost 2 years and the House Members would do it based on a dollar-per-dollar manner. That $1 trillion in the Reid amendment does not reduce spending. It only reduces the growth in spending, and that is one of the reasons Congress is able to hide the amount of money we are spending every year. That is one reason debt is so high.

The Budget Committee should be allowed to fulfill its duties. The Budget Committee should be allowed to mark up in fiscal year 2012. It will begin October 1 of this year. We need a budget now. We are past due. Once a budget is adopted by the committee, it should be taken to the full Senate and allowed to be amended as the law provides. I am disappointed that the President doesn't seem to agree with that. He seems to have bought into the idea that the regular processes of the Senate should not be followed. He agrees with Senator REID, apparently, that if they can keep it all bottled up to an end and we come up on a crisis, they can all maneuver in secret and cut a deal. They feel that is the way we serve the American people.

I feel strongly that we are undermining the great power and responsibility of the Senate as that place where the great issues are discussed publicly and openly and where we are accountable and cast votes. Let me say again, the reason the majority leader did not want a budget to come up is because when you bring a budget up, you have to vote, people have alternatives, they offer amendments, and the Members go on record. He is protecting his Members from having to do the primary responsibility of Senators who are before the world to cast their vote and to be accountable to the people who sent them there.

It is not good for this body. This body should be engaged in a historic debate about the threat the debt poses to our future, and we have been unengaged. The discussions are being taken in secret without the American people being able to hold their representatives accountable. I object.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I try to listen very carefully to folks at home. I would not quarrel with my friend from Alabama in saying that it is very clear to me—and it has been clear to me for a long time—that Missourians are very worried about spending in the Federal Government. In fact, my friend from Alabama and I started work on this before, if one can say—we were trying to cut spending before cutting spending was cool. He and I were working this floor for votes to try to do something about spending long before last November's election.

Mr. SESSIONS. Mr. President, will the Senator yield?

Mrs. MCCASKILL. Yes.

Mr. SESSIONS. I thank the Senator for recalling that event. I know the Senator continued working across the aisle on another proposal that has the potential to be more effective than even the one we worked on together last year. So I thank the Senator for being willing to work in a way that could be effective to do better.

Mrs. MCCASKILL. Mr. President, I thank my friend from Alabama. There is nothing wrong with walking across the aisle and finding common ground. Frankly, it is what I thought would be common when I came to the Senate. It is kind of what I learned in the history books; that it would be common.

I have been watching what is developing, knowing my folks at home want us to cut spending. I certainly have been part of wanting to cut spending. I have watched this debt ceiling approach. It is like watching a movie and watching a car driving along, and you are in a camera above it and you see what is ahead, and you see this cliff and you see this car driving toward this cliff, and you are thinking, as you start tensing—Oh, surely, you are not going to go over the cliff.

Well, they have an opportunity to avoid going over the cliff. They are not going to go over the cliff. We are not going to see these people die. They are not going to drive over that cliff. They are not going to knowingly drive over a cliff. I have been thinking for the last several weeks: There is no way people who are elected—because they love their country—are going to let the car go over the cliff. I have to tell my colleagues, I am worried.

What do we have to do to keep from going over the cliff? Make no mistake about it. It is a cliff. It is a historic moment for our country. Never before in the history of our country have the world markets been worried about whether the United States of America will pay its bills. Never has that happened before in our history. So what does it take?

Well, it is not complicated what it takes. It takes one basic ingredient: compromise. To keep from going over the cliff, all we have to do is compromise.

I will tell my colleagues, reading my mail and listening to phone calls that have come in on the answering machine—and I am going to take phone calls myself over the weekend—what Missourians are now saying: Please don't go over the cliff. Please compromise. I am confident that is what most Missourians want.

Compromises have already occurred—big compromises. Most of us on this side of the aisle believe the way we get at our long-term debt structure is a responsible approach that includes some revenues. I advocate cleaning out the goodies in the Tax Code so we can lower tax rates. I don't understand how we can vote to gut the Medicare Program and at the same time vote to continue writing checks to Big Oil. I cannot conceive how a Member votes that way. I cannot imagine I would vote to keep writing a taxpayer check to the most wealthy and profitable corporations in the history of the world at the same time I was voting to put Medicare

on a voucher program. That would be saying to seniors, if they are 83 and they have three chronic illnesses, and they run out of Medicare coverage, they are on their own. I can't imagine doing that.

But we compromised. We compromised and said: OK, we will set revenues aside, for now. You will not vote for revenues, Republican Party. Members of the House in the Republican Party, you will not vote for revenues.

So we took revenues off the table. By the way, some people in my party were not happy with that. I got those phone calls: Why did you capitulate? Why did you give in? We gave in because we care about our country, and we don't want to go over the cliff. That is why we gave in. So we gave in on revenues.

The Republicans wanted us to cut spending by more than we raised the debt ceiling. It is a political thing we need to do, not required by the economics, but we have done that. So now we put revenues aside—compromise. We have said we are going to cut spending by more than the rise in the debt ceiling.

Now the only thing we have not compromised on, the only thing—which I think is, really, when we think about it—I didn't think, frankly, this may have been as big of a deal until I stand here today—is to do this again in 6 months, to leave this loaded gun on the table. We are going to leave this loaded gun on the table for our economy?

People can talk to small businesses right now and learn they are scared about what is going to happen next week. Will they be able to borrow money? Will people be able to afford to borrow money to buy cars? Will they be able to afford to borrow money to buy homes?

We talk about the economy going in a tailspin, and we want to keep that loaded gun on the table for another 6 months? There is no way we can provide the certainty in this kind of economic climate if we leave the loaded gun on the table.

So the only thing we have not agreed to that is in the Boehner plan—well, it depends on which plan it is. They keep changing it to try to get enough votes. I don't know what it is today. But the only thing we are not going to budge on is saying to this country and our business community and our job creators: We are going to kill job creation for sure for the next 6 months by telling you we want to repeat this ridiculous exercise in 6 months. We are not going to do that.

The irony is, the people who want us to do that are the people who have been preaching certainty: We have to have certainty. By the way, let's do this again in 6 months. We have to have certainty. It is important we do this again in 6 months.

I know the leader is working on trying to get a compromise today, and I am confident that before the day is over there will be some kind of compromise that will be before this body that we will have a chance to vote on.

I will tell my colleagues this: People will never hear me brag about refusing to compromise. Some of my colleagues from Missouri who serve in the House of Representatives are willing right now to brag about refusing to compromise. They are willing to say it is a good thing to go off the cliff. I will never brag about refusing to compromise because I don't think that is what we do here. When we look back in history, America's brightest moments usually happened around the table of compromise. The most difficult questions this country has wrestled with through the years, we have forged a way forward through compromise, and that is what we needed to. That is what we need tomorrow. That is what we need as we approach the edge of the cliff.

So my last message I will leave with my colleagues across the aisle is this: We have shown our willingness to compromise. Please show us yours. Please show us yours and allow us to vote. Allow us to vote on the compromise. If my colleagues don't want to vote for the compromise, then don't vote for it. But allow us a chance to vote for it. Is that too much to ask, just to allow us an opportunity to move to a vote, to avoid this country having a permanently diminished status in the world? I don't think that is too much to ask.

So let us vote, and if my colleagues can't compromise on the substance of the compromises that will be put forward, at least allow our voices to be heard by allowing a vote.

Mr. President, I yield the floor, and I ask unanimous consent that the quorum call be equally divided.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 3:30 this afternoon, with Senators permitted to speak for up to 10 minutes each; further, that at 3:30 p.m. the majority leader be recognized.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

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

FREE TRADE AGREEMENTS WITH SOUTH KOREA, COLOMBIA, AND PANAMA

Mr. THUNE. Mr. President, I want to remind my colleagues that this work period was supposed to be our opportunity to finally enact, after years of delay, the Free Trade Agreements with our allies South Korea, Colombia, and Panama.

These agreements were signed over 4 years ago, and this administration has had more than 2½ years to submit them to Congress for consideration, but they have failed to do so. Unfortunately, we are going to have to continue to wait at least until September before we get a vote.

Why does it matter that we pass these agreements? It matters for two reasons: first, because expanding trade opportunities creates American jobs; second, because we live in a competitive global economy and other nations are not standing still while we delay.

Economists overwhelmingly agree that expanding trade opportunities creates jobs. The Obama White House, for example, estimates that enactment of these three trade agreements will boost exports by at least $12 billion, supporting over 70,000 American jobs.

The fact that lowering barriers to U.S. exports will create jobs for American workers is common sense. Consider that our market is already largely open to foreign imports, including those from Korea, Colombia, and Panama. Without trade agreements to ensure similar treatment for our exporters, American businesses will continue to face high tariff and nontariff barriers abroad.

Consider one example: the market for agricultural products in Korea, which is the world's thirteenth largest economy. Korea's tariffs on imported agricultural goods average 54 percent, compared to an average 9-percent tariff on these imports into the United States. Mr. President, 54 percent added on for us to get our agricultural products into Korea; only 9 percent for them to get those same products into the United States, that is a 45-percent differential.

Passage of the Korea Free Trade Agreement will level this playing field. Yet this administration continues to delay sending the agreements to Congress. The Obama White House would prefer to hold these agreements hostage because of a desire to expand the Trade Adjustment Assistance Program rather than improve the competitive position of American producers.

At a time of near record unemployment and slow economic growth, this

delay is unacceptable. I want to put a fine point on that by saying that just this morning the numbers came out. The Bureau of Economic Analysis released its advance estimate of growth in the inflation-adjusted gross domestic product, GDP, for the second quarter. According to the advance estimate, annualized GDP growth in the second quarter was 1.3 percent.

They went back and revised the first quarter of 2011. They revised it downward to .4 percent, down from a reported rate of 1.9 percent. So they have adjusted downward the first quarter growth rate from 1.9 percent down to .4 percent, and we now know, according to the advance estimate at least, that second quarter GDP growth is only 1.3 percent—way under what the assumptions have been, way under what the estimates have been, and way under what it is going to take for us to get the economy turned around and growing again and get people back to work.

Couple that with the job-crushing regulations, the taxes that have come since this administration has taken office, and it is making it very difficult for our economy to recover and to grow and to get back on track. So the administration wishes to hold these agreements hostage because of their desire to expand the Trade Adjustment Assistance Program rather than get these producers back access to these markets we should have access to in some of these countries, and we cannot afford to wait any longer to do that.

The reasons are very clear. We have an economy that is sluggish, that is struggling to get back on its feet. We have three free trade agreements that have been hanging around here languishing literally now for 4 years that would open up export opportunities and, as I said, even according to the President's own estimates, add 70,000 jobs to our economy.

The position of Leader MCCONNELL and Republican Senators has been consistent from the beginning. We are happy to have a debate on the merits of expanding trade adjustment assistance and to consider this bill as a stand-alone measure. But we will not hold the trade agreements hostage to consideration of trade adjustment assistance.

I want to commend my colleagues Senators PORTMAN and BLUNT for the letter they recently spearheaded with 10 other Republican Senators committing to support the necessary procedural votes to consider trade adjustment assistance as a stand-alone measure and on its own merits.

In light of this letter, it is very clear the administration has run out of excuses for not submitting the trade agreements to Congress.

I ask unanimous consent, Mr. President, to have the Portman-Blunt letter printed in the RECORD.

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

U.S. SENATE,
Washington, DC, July 19, 2011.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: as Republican Senators, we urge you to submit the Korea, Colombia and Panama trade agreements as soon as possible, with the understanding that we will support a separate Trade Adjustment Assistance (TAA) bill that reflects the bipartisan reforms negotiated by Chairmen Baucus and Camp and the White House.

In order to move this process forward, we commit to supporting cloture on the motion to proceed to such a TAA bill and cloture on the bill itself. We believe that the trade agreements and TAA should receive separate up or down votes on their merits.

We therefore urge you to separate the pending trade agreements and TAA, and immediately submit the three trade agreements to Congress.

Sincerely,

Roy Blunt, Scott P. Brown, Rob Portman, John Boozman, John Hoeven, Susan Collins, Lisa Murkowski, Johnny Isakson, Ron Wicker, Dan Coats, Thad Cochran, Mike Johanns.

Mr. THUNE. There is a path forward in both the House and the Senate for trade adjustment assistance, and we have bipartisan majorities in both Chambers waiting to vote for the Korea, Colombia, and Panama agreements. So why are we still waiting for the White House to do the right thing and send us these agreements?

This ongoing delay is having a real impact on American businesses, and it will only get worse. On July 1, the European Union-Korea trade agreement went into effect. According to press reports, European exports to Korea rose 16 percent in the first 13 days after the Korea-EU Free Trade Agreement entered into force.

Let's be clear about what this means. Korean consumers are choosing to buy German, French, and British cars, electronics, and agricultural products rather than American-made products because these European products now have a price advantage. This was entirely preventable if we had acted on the U.S.-Korea agreement sooner.

Likewise, the Canada-Colombia agreement will go into effect on August 15. This will result in an advantage for Canadian goods, such as construction equipment, aircraft, and a range of other industrial and agricultural products. Much as with Korea, the United States businesses will find themselves at a competitive disadvantage because we have failed to act.

Again, this did not have to happen. The administration finalized its labor action plan for Colombia back in April. We have had plenty of time to consider these agreements over the past several months. Instead, we are facing a situation where United States wheat producers are likely to be completely shut out of the Colombian market once the agreement with Canada has gone into effect.

This is amazing, when you think about it, when you consider that just a few years ago American wheat producers dominated the market in Colombia with a 73-percent market share. That was as of 2008.

In 2010, for the first time in the history of United States-Colombia trade, the United States lost to Argentina its position as Colombia's No. 1 agricultural supplier.

Consider the story of three crops we grow in South Dakota: soybeans, corn, and wheat. The combined market share in Colombia for these three U.S. agricultural exports has decreased from 81 percent in 2008 to 19 percent as of 2010—a decline of 62 percentage points in a 2-year period; an 81-percent to a 19-percent market share in corn, wheat, and soybeans, for American agricultural producers. Think about that. That is a staggering collapse, which was totally avoidable, totally preventable, if we had simply acted on these trade agreements much sooner. This is the real cost of our delay while our trading partners continue to pursue new regional and bilateral trade agreements.

We are living in a global economy where America cannot afford to stand still on trade. As Senator BAUCUS noted at a recent Finance Committee hearing, in 1960, exports accounted for only 3.6 percent of our entire U.S. GDP; today, exports account for 12.5 percent of our GDP. Exports of U.S. goods and services support over 10 million American jobs.

It is long past time we get back in the game by passing the three pending trade agreements. America's manufacturers, America's farmers, and America's service providers cannot afford to wait any longer. So I call upon the administration to submit the trade agreements to Congress before the August recess. We are not going to be able to consider these agreements until September, but sending them to Congress now will send a strong signal that this administration is finally serious about getting them done. It would also be an important show of good faith to our close allies, South Korea, Colombia, and Panama. These job-creating, market-opening trade agreements should be at the top of the agenda when we get back in September.

Again, I want to reemphasize the importance of that in light of these economic numbers, the data that is coming out that points out that in the second quarter of this year our economic growth was a sluggish 1.3 percent, and that the revised estimate now for the first quarter of this year was .4 percent.

We will never get the unemployment rate down, we will never get America's economy expanding and back on its feet, we will never start dealing with these massive debt issues we have, one, if we do not cut spending—which is the other issue we are debating today—but also if we are not growing and expanding the American economy.

We can do that. There are so many things these trade agreements would do not only for agricultural exporters but for other producers of American goods, and we ought to be doing that.

It is high time we at least do some of the things we can do to get the economy growing again. I cannot emphasize enough the lost market opportunities, the lost chance at economic growth, the lost jobs that are associated with the fact that this administration has delayed now, since they have been in office—2½ years—in submitting these three free trade agreements to Congress, three free trade agreements that have broad bipartisan support from Congress, which we as Republicans have been waiting to act upon now for almost the 4 years since these agreements were negotiated in the first place.

So it is high time we change that. It is one thing that we can do to affect the economy in this country, among the other things. I would simply add as sort of a final point, the debate we are having about the debt limit is also one that needs to be dealt with if we are going to get serious about growing the economy and creating jobs.

If we look at the economy, we look at this President's economic record, and we look at the data, almost every metric we can measure, he has made this economy much worse. The President has said repeatedly—and he said it in his speech the other night—he blames the previous administration for where we are today. I do not think anybody here will dispute the fact that he inherited a difficult set of economic circumstances. But there is no question, if we look at every metric, that he has made the situation much worse.

Whether that is unemployment, which is up 18 percent—there are 2.1 million more people unemployed today than there were when he took office—whether it is the debt, which has grown by 35 percent since he took office; whether it is the number of Americans who are receiving food stamps, which has gone up by 40 percent since he took office—and I might add in my State of South Dakota, a 58-percent increase in the number of people receiving food stamps.

The cost of health care in this country is up 19 percent since this President took office. The cost of gasoline has gone up almost 100 percent—99 percent—since this President took office. The amount of the debt per person in this country has gone up by $11,000. Every American now owes $11,000 more as their share of our Federal debt since this President took office.

The economic record of this administration is abysmal. It is high time we took the steps to do something about that. It strikes me at least, as I look at the policies they have been putting in place, that they seem to want to make it more difficult and more expensive for people in this country to create jobs. We see that in regulations coming out of all of these various agencies. We see it in the massive runup in the growth, in the size of government, the new mandates that have been imposed on a lot of our small businesses as a result of the new health care bill, the new taxes that have been imposed on our small businesses as a result of the new health care legislation.

At every turn American small businesses, which create the jobs that will get this economy growing again, tell us the economic uncertainty, the job-crushing policies that are coming out of this administration have been a major inhibitor, a major impediment to them creating jobs and getting people back to work in this country.

The trade agreements are just something I would add on to that list. We have three trade agreements that have been teed up. It has been almost 4 years since they were negotiated. This administration has been in office now for 2½ years. The President continually gets up, as he did at the State of the Union, and talks about wanting to double the trade in 5 years, talks about supporting these three trade agreements. Yet it is a very simple thing. All he has to do is submit them to Congress. The trade agreements are negotiated. All he has to do is send them here. We are ready to act to put Americans back to work, to open up export opportunities to American producers, to get the economy growing again, and create jobs.

I hope in addition to dealing with the issue of runaway spending and debt, which, in my view, is the predominant issue we need to deal with—and, clearly, between now and Tuesday we have to get a solution in place that will avert the economic adversity we could be dealing with, the adverse circumstances if we do not deal with that. But that needs to be accompanied by serious reductions in spending, spending reforms. Then we have to be putting in place policies that will enable economic growth in this country, that will make it less expensive, less difficult for small businesses to create jobs, not more difficult.

Unfortunately, that is the record to date of this administration. I hope we can change that and start today by sending these trade agreements to the Congress so we can act on them and get these things approved and get American businesses exporting to these three countries.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

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

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

THE DEBT CEILING

Mr. CONRAD. Mr. President, we are now reaching a critical hour in the Congress of the United States on the question of extending the debt limit of the Nation and of fundamentally dealing with the debt of the Nation. I don't think there is any serious person in either body who does not understand that we must deal with the debt itself as we extend the debt limit. We are borrowing 40 cents of every dollar we spend. The gross debt of the United States will reach 100 percent of our GDP by the end of this year. The best economists in the country, of whatever philosophical stripe, are telling us we are on an unsustainable course that must be changed.

Mr. President, in the midst of this, we have had the House so far unable to send us a package. Now, we are told they do have the votes because they have added a balanced budget amendment to the Constitution as part of their package. The balanced budget amendment they previously proposed in the House of Representatives can never pass the Senate—at least as this body is currently constituted—and it should not pass this body. It is deeply flawed. To attach that to a measure that has to pass both Houses before Tuesday of next week, frankly, is an indication of a lack of seriousness on the part of our colleagues in the House of Representatives.

Ultimately, there has to be a bipartisan agreement. Our friends in the other party control the House of Representatives, the Senate is controlled by my party, the Democratic Party, and we have a Democrat in the White House. No serious person can fail to understand that putting an amendment to the Constitution of the United States that is deeply flawed into that package absolutely guarantees it cannot pass in this Chamber. That would take a two-thirds vote. I don't believe it would even command a simple majority here, much less a two-thirds vote.

So here we are at the eleventh hour, and people in the other body seemingly are still not serious about coping with the challenge of both extending the debt limit to avoid a default, which would be catastrophic, and dealing with the debt itself. I understand ideological rigidity. The time for that is past. The time now is to work together in some reasonable way so we advance legislation that both extends the debt limit to avoid the catastrophic consequences of a default and deals with the debt threat itself.

The New York Times on Wednesday had this story: ''On All Levels of the Economy, Concern About the Impasse.'' What they were talking about is the rating agencies saying that if we don't do both, if we don't extend the debt limit and deal effectively with the debt itself, they are going to downgrade the rating of our credit as a country. The story goes on to say:

> Economists and analysts are trying to gauge the costs to the economy and consumers if the United States loses its solid-gold credit rating—a move that appears more likely now that the stand-off in Washington over government spending has calcified. Some economists say the effects of lowering the Federal Government's credit rating

to AA from AAA can be measured in the billions of dollars in increased borrowing costs for the government and in the billions more that consumers, corporations, states, and municipalities will have to pay for their credit. It also could erode consumer and business confidence, slowing even further the economy and job creation.

It has started already. We have just learned the latest numbers on economic growth. They were a tepid 1.3 percent. This uncertainty being created by a failure to deal with our debt and with an extension of the debt limit is creating a headwind for our economy, reducing economic growth, slowing job creation, and costing us a stronger recovery.

I want to remind colleagues that every 1 percentage point increase in interest rates adds $1.3 trillion to the deficits. So kicking this can down the road and not facing up to it has enormous consequences: $1.3 trillion added debt for every 1 percent increase in interest rates. This is just the effect on the Federal Government. Trillions more would be the effect on consumers, on companies, and on other levels of government with an increase in interest rates.

The proposal by the Speaker that apparently the House is now prepared to send us has fatal flaws, and here they are:

First of all, it would repeat the default crisis in just 6 months. That would continue the uncertainty and put the economy at further risk. Our friends on the other side have repeatedly said how uncertainty is hurting this economy, and now they themselves want to create more uncertainty. It makes no sense.

The Boehner plan includes significantly less deficit reduction than does the Reid plan. The Boehner plan, as I understand it—we have not been able to calculate his newest version fully—was in the range of $1 trillion of savings. Majority Leader REID's plan is well over $2 trillion of savings.

Third, the Boehner plan provides no firewall between security and nonsecurity spending. That means even deeper cuts on the domestic side of the ledger because we all know what happens if you don't have a firewall.

Finally, it requires an irresponsible balanced budget amendment approach that has been clearly rejected here and will be rejected again. That is certain.

Standard & Poor's has warned against repeated debt ceiling debates. Here is what they said on July 26:

> We would be concerned if we thought that the debt ceiling debate would come back and be open and we'd have to go through all this again and again and again. That would be a negative, in our view.

This is the rating agency that determines what the interest rates will be on the debt of our country—not directly but indirectly because if they rate down our creditworthiness, that will increase interest rates. So they are sending a very clear signal: Don't do the Speaker BOEHNER plan that has only a 6-month extension and repeat this whole process and create more uncertainty and put the economy further at risk. To avoid a U.S. credit rating downgrade, S&P wants to see a bipartisan debt-reduction effort, not the totally partisan approach Speaker BOEHNER has for the moment chosen to pursue. I don't know what could be more clear.

The other body is in control of our friends in the other party; this body is in control of the Democrats. At the end of the day, we have to come together. We have to work together.

Now, I have been part of two efforts to work together.

Last year, the fiscal commission—18 of us were given the responsibility to come up with a plan to get our debt under control. At the end of the day, 11 of the 18 agreed on a plan—5 Democrats, 5 Republicans, and 1 Independent—fully bipartisan. I was proud to be part of the 11 who agreed to that plan.

This year, I have been part of the Group of 6—3 Democrats, 3 Republicans—who were asked by about 30 of our colleagues to see if we could find a way to implement the findings of the commission because for the commission's findings to be implemented, they had to have a super-supermajority. They had to have 14 of the 18 agree, and even though we had 11 of 18, it wasn't enough. So about 30 Senators met at the beginning of this year, the end of last, and asked a group of us—6, 3 Democrats and 3 Republicans—to see if we could come up with a bipartisan plan. We worked all year, hundreds of hours, and we have agreed. We have laid out a plan for our colleagues. It is the only bipartisan plan before either Chamber.

Speaker BOEHNER at this late hour is still pursuing a plan only on the Republican side of the aisle and only in one Chamber. That can't possibly be a recipe for success.

David Beers, Standard & Poor's global head of sovereign ratings, said this on July 26:

> We will measure the deal on a number of parameters. One is, is it credible? And credibility, among other things, means to us that there has to be some buy-in across the political divide, across both parties, because politics can and will change going forward. And if there's ownership by both sides of the program, then that would give us more confidence. It's not just about the number. It's about the all-in intent.

Mr. President, are our colleagues listening? The solution cannot be found on just one side of the aisle in one Chamber. This is going to require bipartisan, bicameral cooperation. We are going to have to act like adults, not like kids in a schoolyard pointing fingers, spreading rumors, spreading blame. That will not lead to success.

Here is the circumstance we face. The red line is the spending line of the United States going back 60 years, and the green line is the revenue line of the United States going back 60 years. What you can see is that the revenue of the United States as a share of our national income is the lowest it has been in 60 years. Spending as a share of our national income is the highest it has been in 60 years. Revenue is the lowest, spending is the highest—that is why we have record deficits. Clearly, you have to work both sides of the equation to get a solution.

Some of our friends on the other side are saying: Don't touch revenue. Some of our friends on both sides are saying: Ah, and don't touch entitlements. Don't touch Medicare, don't touch Social Security, don't touch Medicaid.

If you can't touch revenue and you can't touch the entitlements, you can't solve the problem by definition. When you are borrowing 40 cents of every dollar and you exclude all revenue—that is half the equation—and you exclude 60 percent of Federal spending—if you eliminated all the rest of Federal spending, every dime for defense, for nondefense discretionary, if you eliminated every dime, it wouldn't solve the problem. At some point we have to get serious and real with the American people. The balanced budget amendment our colleagues in the House sent us previously, that has already been rejected here once. Now they are putting it in the package to send to us again at the eleventh hour—it is a balanced budget amendment that is as deeply flawed as any amendment I have seen in 25 years in this Chamber.

Let me review what our friends on the other side sent us in a balanced budget amendment that was rejected here just in the last few weeks:

No. 1, it would restrict the ability to respond to economic downturns—meaning we would compound the decline. That is bad economics, and it is not going to pass.

No. 2, it uses Social Security funds to calculate balance and subjects that program to the same cuts as other Federal spending even though Social Security has its own trust fund and is separately funded.

No. 3, it shifts the ultimate decisions on budgeting to unelected and unaccountable judges.

No. 4, it requires a State ratification process that could take years to complete. We don't have years to wait for a State ratification process for a constitutional amendment. We need to make these spending and revenue decisions ourselves, and do it now. It is our responsibility. Let's not wait for the States to ratify a constitutional amendment before we take the action that is necessary.

The balanced budget amendment the House previously sent us has the risk of turning a recession into a depression. Why do I say that? There is no provision in the amendment they sent us for an economic downturn as being an exemption from the balanced budget requirement. That is Hoover economics all over again. How many times do we have to learn the harsh lesson that when we are in an economic freefall, the only entity big enough to pull us out is the collective organization of

our government? That is the only place that has the muscle to prevent a recession from turning into a depression. The balanced budget amendment our colleagues sent us before would absolutely lock down the Federal Government's ability to respond. That would be a profound mistake and contradict all we have learned in economics since the Great Depression.

This is what Norman Ornstein, a scholar at the American Enterprise Institute, said about this constitutional amendment. He called it a ''really dumb idea.''

This is what he said:

> Few ideas are more seductive on the surface and more destructive in reality than a balanced budget amendment.
>
> Here is why: Nearly all our States have balanced budget requirements. That means when the economy slows, States are forced to raise taxes or slash spending at just the wrong time, providing a fiscal drag when what is needed is countercyclical policy to stimulate the economy. In fact, the fiscal drag from the states in 2009–2010, was barely countered by the Federal stimulus plan. That meant the Federal stimulus provided was nowhere near what was needed but far better than doing nothing. Now imagine that scenario with a federal drag instead.

The Washington Post ran an editorial about the House balanced budget amendment headlined, ''A Bad Idea Returns.''

> Rewriting the Constitution is the wrong way to deal with the debt.

Here is what they said in their editorial:

> Worse yet, the latest version would impose an absolute cap on spending as a share of the economy.
>
> It would prevent Federal expenditures from exceeding 18 percent of the Gross Domestic Product in any year. Most unfortunately, the amendment lacks a clause letting the government exceed that limit to strengthen a struggling economy. No matter how shaky the State of the Union, policymakers would be prevented from adopting emergency spending such as, the extension of unemployment insurance and other countercyclical expenses that have helped cushion the blow of the current economic downturn.

It doesn't stop there. This is what Senator MCCAIN said on the Republican balanced budget amendment proposal on July 27:

> What is amazing about this, some members are believing we can pass a balanced budget amendment to the Constitution in this body with its present representation, and that is foolish. That is worse than foolish. That is deceiving many of our constituents. . . . That is not fair to the American people to hold out and say we will not agree to raising the debt limit until we pass a balanced budget amendment to the Constitution. It is unfair. It is bizarro. Maybe some people who have only been in this body for 6 or 7 months or so believe that. Others know better. . . . It is time we listened to the markets. It is time we listened to our constituents. Most of all, it is time we listened to the American people and sit down and seriously negotiate something. . . .

Senator MCCAIN had it exactly right. Sending us a deeply flawed balanced budget amendment to the Constitution of the United States at the eleventh hour is not designed to achieve a result. It is designed to achieve a headline, a bumper sticker slogan that will not help us solve the problem.

Here is what a top economic adviser to former President Reagan said about the House balanced budget amendment. This is Bruce Bartlett, a former Reagan administration top economic adviser. He said:

> I have previously explained the idiocy of right wing advocates . . . of a balanced budget amendment. However, the new Republican balanced budget proposal is especially dimwitted. . . . In short this is quite possibly the stupidest constitutional amendment I think I have ever seen. It looks like it was drafted by a couple of interns on the back of a napkin. Every Senator cosponsoring this balanced budget amendment should be ashamed of themselves.

That is from a former top economic adviser to Ronald Reagan. Is anybody listening? Is anybody paying attention to how far off base things have slipped in the other body to send us at this moment, at this critical juncture, a plan that has absolutely no chance of passing in this body, and should not?

What is so deeply flawed is—in addition to the other points I have made—the balanced budget amendment the House Republicans sent us earlier set a spending cap of 18 percent of GDP. Well, let's add up what that would mean.

We can see Social Security is the red band. That is about 5 percent of GDP. If we add defense and all other nonhealth care spending, that takes us up to about 16.5 percent of GDP. Interest on the debt takes us to over 18 percent of GDP.

Do you notice what is missing? Medicare. In the Republican plan they sent to us with a spending cap of 18 percent of GDP, if we fund Social Security, if we fund defense and other nonhealth spending, and we fund interest on the debt, there is no money left. There is no money for Medicare. There is no money for Medicaid. There is no money for any health care spending. That is what the House of Representatives sent us in the last several weeks as a balanced budget amendment to the Constitution of the United States.

When some on our side called it cut, cap, and kill Medicare, they were not kidding. If we add it up, it does not add up. Not only that, the balanced budget amendment our colleagues in the House sent us in the last few weeks also said it would take a two-thirds vote to get any additional revenue even though revenue is the lowest it has been in 60 years. They would apply a two-thirds requirement to get more revenue. Really? So they would protect with a two-thirds vote requirement every tax scam, every offshore tax haven, every abusive tax shelter that is currently being used by some to avoid and evade the taxes they owe our country.

I have shown this picture on the floor of the Senate many times. This is a little building in the Cayman Islands. It is a little five-story building that claims to be home to 18,857 companies. They all say this is their business headquarters. I have said that is the most efficient building in the world. A little five-story building down there, and it is the headquarters of 18,000 companies. Anybody believe that? Anybody believe that 18,000 companies are operating out of that little building down in the Cayman Islands? They are not operating their businesses out of there. They are engaged in a giant tax scam to make all the rest of us pick up their responsibilities.

All of us who pay what we owe are getting stuck by the companies that are hiding out in this little building down in the Cayman Islands avoiding the taxes they owe our country. There are no taxes down in the Cayman Islands, so they operate out of this little building down there, five-story building, 18,000 companies. They avoid paying the taxes they owe and stick all the rest of us with the responsibility. That is not right.

The constitutional amendment our colleagues in the House of Representatives sent us would protect that behind a wall of a two-thirds vote, which means we would have an impossible time ever fixing this problem. It is hard to get a 60-percent vote much less two-thirds. They would protect every offshore tax haven, every abusive tax shelter, every unfair tax preference that is in the current code because they would require a two-thirds vote to change it. That flawed amendment is not going to pass the Senate—not now, not later this year, not next year because it, itself, would require a two-thirds vote. It is not going to happen. So I would say to our colleagues in the other Chamber that sending us a totally partisan approach with a deeply flawed constitutional amendment is not going to work. It is not going to help solve the problem.

Now is the time for us to join in a serious dialogue about solving the problem—solving the debt threat overhanging the country which will require not a $1 trillion package as is in the House offering but a $4 trillion package. The occupant of the chair well knows of what I speak. He was Governor of West Virginia. He dealt with a fiscal crisis in his State, and he guided his State through that crisis not by operating just on one side of the aisle but by working together with people on both sides to come up with solutions, not political slogans.

We are way beyond that. We are within days of a default on the debt of the United States that would have catastrophic consequences for the economy of our country.

It is time. It is time, I say to my colleagues, to come together to do something that can pass—to deal, yes, with the debt limit but also to deal with the debt itself. It will be an empty gesture if we just extend the debt limit and we don't deal with the debt itself.

Our leader, to his credit, has put something together that begins to take ideas from both sides of the aisle to try

to resolve this crisis. It would save the Nation from an immediate economic crisis. It would provide a significant downpayment on deficit reduction—more than $2 trillion—and it would put in place a special joint congressional committee, equally divided, Democrats and Republicans, to find additional savings. Also, there is no new revenue in this plan. Our friends on the other side have thus far said—at least in the House of Representatives—they can accept no new revenue, none, not a penny. So our leader has said: OK. I don't like that, but if that is your line in the sand, for right now we will accept it so we can find a solution both sides can support. So no new revenue, more than $2 trillion of spending cuts, and a special joint committee to come up with a plan to achieve even greater savings. That is a pretty good offer to the other side to say: We hear you. We want to work with you because we need a solution.

We are just days away from a true crisis, one that would be self-inflicted. I say to my colleagues, let's not go there. Let's come together. We have shown we can do it in the past. We need to do it now—not with blame, not with finger-pointing, but by saying this is a time to join together, to stand shoulder to shoulder to prevent irreparable damage being done to our country.

I say to my colleagues: Now is the time, this day, we have to find a way to come together.

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

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

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Texas.

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, I rise today to speak about the looming August 2 deadline for raising the debt ceiling and making reforms, or budget cuts at least, that would allow us to show we are not going to have business as usual in Washington but that we are going to raise the debt ceiling with the necessary reforms.

Despite the differences in this body, we are all here to share three concerns:

First, we do know at this point, because of the time it has taken us to cobble together something that could be put through both of our Houses and signed by the President, that we have fundamental differences in the principles of how we should run our government. I think it is very clear that Republicans have stood for no taxes, especially in this economic environment. We believe piling taxes on top of the cost of the Obama health care system that is in the process of being implemented would keep our businesses from hiring people and getting this 9.2-percent unemployment rate down. I think we all agree we need to bring that unemployment rate down, but we have fundamental differences about what is causing it and how we can solve it.

No. 2, we all agree, I believe, or 95 percent of us agree, that we cannot default on the debt in our country. I do believe in both Houses the vast majority believe we should not go into default. The costs of a default are not being considered nearly enough. The costs of a default, of interest rates going up, of having to give backpay, having to correct some of the many issues we will face by having some of the people who are owed money but not paid, and having to pay interest and extra interest if we are in default. We cannot allow that to happen. I think we all agree on that.

We are all troubled with the delay in resolving this issue. The delay I think has been caused for many reasons. Of course, our fundamental differences are one. But I believe that although Members of Congress and leaders in Congress have been talking for a long time, the President has never put forward a real plan.

The Senate majority leader and the House Speaker have put forward plans. I believe there is a common ground that can be found between these two proposals. But they are not the same. In fact, I think the Republican leader in the Senate has also put forward a plan, and I think we are seeing the different pieces of the plans that have been put forward now starting to come together.

I believe the Boehner plan is a good one. I believed in the cut, cap, and balance legislation, where you cut spending now to make your downpayment, you cap spending every year for the next 10 years at a level that brings down the overall deficit, and you send a balanced budget amendment to the States for ratification. I feel so certain if we could pass a balanced budget amendment from this Congress and send it to the States, it would be ratified and it would put us on the real course for fiscal responsibility, the course that would assure that Social Security is sound, that Medicare works, and that our children and grandchildren will not inherit a debilitating debt that hurts our economy. So I do believe that cut, cap, and balance legislation was the right way forward. But Congress is split. We have a majority of Democrats in the Senate and Republicans in the House. Therefore, we are not going to get everything that any one of us believes is right. Certainly we are not going to get the Boehner plan in the Senate. But it is the right approach, and we will have to take a few steps at a time and I hope we will be able to come to terms on a way forward with the principles of cutting spending, putting a cap on spending, and not raising the debt ceiling any more than the cuts that can be counted.

That is what concerns me about the Reid plan. Senator REID is calling for $2.7 trillion in an increase in the debt ceiling. The purpose, as the President has stated, is to get through the next election in 2012 and not deal with this again. But the next election should not be the focus. The focus should be, how do we show that our country is on the right track to get this enormous debt whittled down by whittling down the deficits and having sound budget principles.

This $2.7 trillion would be the largest debt ceiling increase in the history of America. The previous largest debt limit increase was $1.9 trillion, which President Obama signed into law in February of last year.

This debt ceiling increase in Senator REID's proposal is not paid for. It offers $1 trillion in cuts for a $2.7 trillion increase. Many of those cuts are illusory. They are not cuts that can be counted. To say we are going to label $1 trillion of cuts savings from leaving Afghanistan and Iraq is not credible. We don't know what the obstacles are going to be in Afghanistan and possibly Iraq. We also don't know what we might have to do in the Middle East going forward. Afghanistan is not settled. We have to have a certain level of stability on the ground in Afghanistan or we will have wasted the billions we have already spent and the lives of our military personnel in Afghanistan because it will go back to the way it was before, a center for terrorism that will or can come to our country. It did once already. We have been over there to try to wipe out al-Qaida and the Taliban. We have been over there losing American lives and spending American taxpayer dollars to protect our country from another 9/11. To say we are going to cut $1 trillion in the future over the next 10 years when we aren't placing the emphasis on what are the conditions on the ground is not sound policy, and it is certainly not sound national security policy. So that is illusory.

Then the other parts of the cuts that I think are very hard to decipher are cutting waste, fraud, and abuse, which we all want to do, but we don't have the guarantee of those cuts.

I think it is important for us to look at the cuts and try to make sure that if we are going to raise the debt ceiling, we raise it only the amount of the actual cuts that we can produce.

In Majority Leader REID's legislation there is a joint committee. There is also one in the Boehner bill. In the majority leader's legislation the committee has to report, but its product doesn't have to be passed and enacted before the debt ceiling is lifted. That is the real problem in Senator REID's proposal. The bill would lose its expedited status, and the joint committee would dissolve on January 13, 2012 under Senator REID's proposal and then we would still have the lifting of the debt ceiling that has already been enacted. That is not the way to go forward.

The joint committee proposed in the Boehner plan is forced to produce savings, and the forcing mechanism in this

case is the fact that the debt limit can't be increased unless the cuts are enacted. So you will keep the governor on the debt increase by assuring that there have to be cuts in spending dollar for dollar.

Third, there is no balanced budget amendment included in the Reid proposal and, in fact, there is no requirement that we even vote on a balanced budget amendment.

I know that it would be very difficult to pass a balanced budget amendment right now out of Congress, but I do believe it is the best thing we could do for the long-term security of our country. So I would hope as we come together—because we know the reality here. The Reid bill is not going to pass the House and the Boehner bill is probably not going to pass the Senate. So we have got to come together with a plan. Maybe it is a short-term plan that has a dollar-for-dollar cut along with the raising of the debt ceiling or maybe we can get more after we dispatch the two bills that are now before the Congress, and try to put something together that has the best parts of both.

I could not support the Reid plan as it is today and I do support the Boehner plan, but I also know that neither of them is going to pass the other House. So I think it is incumbent on us to now go forward and let's quickly start doing the work that could produce results, and that is to try to get the best of both of these before the August 2 deadline. I think we have got to be open to what can work that stays within the principles of no tax increases and no debt ceiling increase without the same amount of dollars at least to be cut from spending, with real cuts that can be assured. I think the American public is looking not for promises but for the assurance in the law that we will not be able to raise the debt ceiling without some cutting of spending and reforms that would equal the amount the debt ceiling has increased. We can go forward with those principles which I think both sides would agree to at this final few days we have before that debt ceiling is reached. It is time to vote on these bills and then get down to the real work of determining what is the best in both that we can pass in both Houses.

Thank you.

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

Mr. BARRASSO. I ask unanimous consent that the quorum call be rescinded.

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

Mr. BARRASSO. I ask unanimous consent that I be permitted to engage in a colloquy with my Republican colleagues for up to 30 minutes.

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

Mr. BARRASSO. Mr. President, I come to the floor today as the Nation watches the activities in the Capitol and on Capitol Hill as someone from the State of Wyoming, where we live within our means and balance our budget every year, and as a result we actually have a surplus in the State. Contrast that to what is happening in Washington with an incredible debt—$14 trillion—more than people can actually fathom.

But people understand spending more than they have or more than comes in, and families all around the country realize they can't do that. Well, in America, as a nation we have been doing that for many years—spending money we don't have, sending out more than comes in, to the point we have had to borrow and borrow and borrow and borrow. Each time we borrow too much, which continues to happen, we have to raise the debt ceiling—the amount of money that can be borrowed.

The President has now asked that we raise the debt ceiling again, but he has asked that it be raised the largest amount in the history of our country—in the history of this great land. That has an impact on people and families all around the country. They are concerned because they know they can't spend more than they bring in, they can't spend more than they have.

They think back to the days of John Kennedy saying: ''Ask not what your country can do for you, ask what you can do for your country,'' and people in Wyoming are concerned that it may switch one day to: Ask not what your country can do for you, ask what your country must do for China because last year, of every dollar we spent in this country, 41 cents of it was borrowed, half of it from overseas, and a lot of it from China.

So how do we stay a great and strong nation, the leader of the world, when we owe that kind of money to another country—a country that does not necessarily have our own best interests at heart?

That is why as this debate and discussion is going on about the debt ceiling, the debt limit, people in Wyoming tell me their biggest concern is not the debt limit, it is the debt. The debt is the threat. It is a threat to our own national security. Those aren't just my words; those are the words of the Chairman of the Joint Chiefs of Staff who said the greatest threat to our national security is our debt.

So I am so pleased to be joined on the floor of the Senate by my colleague from Nebraska, a neighbor, a next-door neighbor, a former Governor of Nebraska, who, as a Governor, lived with a system where he had to balance the budget every year, and the buck stopped with him.

So I ask my colleague from Nebraska, a former Cabinet Member who has run a major Cabinet and a department within the U.S. Government, perhaps he could share with us what was involved in having to make those tough decisions and actually being held to make those decisions.

Mr. JOHANNS. I thank the Senator from Wyoming. It is my pleasure to be on the Senate floor with him and to talk about my experience in dealing with the reality of a balanced budget amendment.

As I said a couple of weeks ago when I spoke on the floor about this issue, I heard many come to the floor who said: This is a bad idea. This is bad policy. Some have even gone so far as to describe it as almost kind of a radical approach. I have lived with a balanced budget amendment. I have to say I did not find it to be a radical approach whatsoever.

In the State of Nebraska where I was Governor for 6 years, and actually prior to that when I was mayor of the State capital, the community of Lincoln, I had to balance the budget. I had no choice whatsoever about that. In fact, in Nebraska, we had an additional provision. Decades and decades ago, when those who wrote the Nebraska Constitution started thinking about what kind of State they wanted, I think they wisely realized that at some point the politicians would try to hand off or give away the State treasury and promise everything to everybody for obvious reasons: to get elected, to get reelected.

So in the State constitution they said we can't borrow over $100,000. So we had two requirements. One was that on an annual basis the budget had to be balanced, and the spending could not exceed the revenues. The second requirement was that we couldn't issue any bonds or debt to balance that budget and, in fact, we go so far as to not have any debt whatsoever, really. We have a few lease-purchase agreements on some equipment, but that is it. We don't even have debt for our highways. We don't lay a mile of concrete for a highway if we don't have the money to pay for it.

So for those who have described this as sort of a radical approach, let me describe to them how this approach has worked in our State.

Today in our State, our unemployment rate is 4.1 percent—4.1 percent. I will go across the State very soon and do townhall meetings in large communities—from the largest, Omaha, to some of our very smallest. I can almost assure my colleagues that one of the comments I will hear in our rural communities where they are working hard to be business friendly and grow jobs and opportunities for their residents, they will say to me: One of the challenges we have, MIKE, is finding the skill of labor we need to fill the jobs we are creating.

I will also share with my colleagues that this experiment—this radical approach that some have described—has resulted in a legislative session that ended early this year, that balanced the budget, and did not borrow any money. I will also share with my colleagues that our pensions are funded. There are no stories about Nebraska pensions are underfunded; that they

have been borrowing out of the pensions so someday when somebody retires the pension will not be there for them.

I will wrap up my comments by drawing the contrast. The contrast with the government that I find here is this: For over 800 days we haven't had a budget. Under the leadership of my friends on the other side of the aisle, the Democrats, we have not had a budget for now going on 3 years. We are being asked to approve the largest debt increase in our Nation's history. That is what this debate is all about.

In addition, we are closing in on $15 trillion worth of debt. The projection is that in about 4 or 5 years from now we will owe $20 trillion of debt.

My colleague mentioned I was in the Cabinet. When I came to join the President's Cabinet as the Secretary of Agriculture and I shook the Lieutenant Governor's hand who has now been the Governor for 8 years—he is now the President of the National Governors Association—I wished him well. I did not have to say to him: I am very sorry about all the debt I have taken on, because there was none. The bills were paid, the budget was balanced, the pensions were funded, the unemployment rate was low, and he has continued that conservative legacy.

By comparison, when Barack Obama leaves the Presidency, he will tell his successor: I ran up the largest debt in our Nation's history—larger than any President in front of me. That is the legacy he will leave behind for his children and his grandchildren and ours, and that is the sobering reality of today's debate.

Mr. BARRASSO. Mr. President, I appreciate the comments of the Senator from Nebraska. I think about the fact that he had to use honest figures, honest accounting.

I see now a proposal by the majority leader that, to me, seems to be full of accounting gimmicks, tricks, things such as using money as savings that was never intended to be spent at all, saying we will save all of this money by not being at war in Iraq or Afghanistan for the next 10 years and counting $1 trillion in savings when there was never even an intention to spend that in the first place. I don't think anyone in this body or on Capitol Hill believes we will be at surge levels for the next 10 years in 2 wars, Afghanistan and Iraq.

So I ask my colleague from Nebraska—and we are also joined by our colleague from South Dakota—he couldn't have done something like that in balancing his budget in Nebraska?

Mr. JOHANNS. Mr. President, we would never have done that. Had I walked into the unicameral for my State of the State Address and done things such as are being proposed here today, I literally would have been run out. The State senators would have looked at the Governor and said: We need a new Governor. And I think they would have joined in a very bipartisan response to that kind of approach.

My colleague is absolutely right. I looked through the proposal, and I have to say, in all due respect to the majority leader, this isn't going to get the support I think he hopes for. It isn't going to happen. It is going to be voted down. It will not go to the finish line because people just can't support it.

This idea that somehow we are going to get a savings because we are not going to be funding the surge levels in Afghanistan, well, no one was going to do that. The President wasn't asking for it. That money was never requested. So to grab that out, as somebody pointed out—and I wish I could remember who—in a column today, they said that is like trying to grab a savings based upon the fact that we will not be invading Canada this year.

Well, yes, we are not going to invade Canada, but that is not budget savings, and it is not a budget savings to somehow claim we are not going to fund the Afghanistan war for the next 10 years at surge levels because that was never anticipated.

I want to solve this problem, but we have to be real with the American people about how we are solving this problem—with real savings. I know it is painful. My goodness, I have been there. I have cut budgets before. I have had to lay off people. But I think we have to just be straight with the American people and say this is what it is going to take to get there.

Mr. BARRASSO. Mr. President, my colleague from South Dakota is here, and he has been a Member of this body longer than I have. To me, this debt ceiling increase seems to be the largest in history by any standard, whether we include inflation or not. I think the previous largest one was $1.9 trillion, and that was also with this President.

So when we think about this President and what he inherited and where we are now, it seems to me—I would ask my colleague from South Dakota to respond—it just seems he is making it worse.

Mr. THUNE. Mr. President, I certainly echo what has been said by my neighbors, my colleagues from Nebraska and Wyoming. Their States, as well as mine, all have a balanced budget amendment that requires our States to live within our means. Our States do it. They do it the old-fashioned way. They do it by—in our case, in the State of South Dakota, this year—having to make some hard decisions about spending. But they balanced their budget, and they did it without raising taxes, which I think is a great model for what we ought to be doing in Washington, DC.

As the Senator from Wyoming has pointed out, this is the largest requested increase in the debt ceiling in history. At $2.4 trillion—and, of course, I think we are going to be asked at some point to vote on the Democratic leader's proposal, which, as both of my colleagues have pointed out, doesn't get us there.

If we even use the standard I think everybody realizes makes a lot of sense—and that is if we are going to increase the debt limit by $2.4 trillion, we also ought to look at how we reduce spending by $2.4 trillion. That way we are getting a dollar-for-dollar reduction in spending, and we are fundamentally addressing the real issue, which isn't the debt limit, it is the debt.

We all talk about the debt limit, and it is looming, looking us right in the eye right now. But the real issue is the fact that year over year over year we continue to spend more than we take in.

We are not living within our means. Both Senators have talked about a balanced budget amendment. I was here as a freshman Congressman in 1997, the last time that was voted on. It was voted on in the Senate. It never made it to the House because it needed a two-thirds vote, and it got 66 votes in the Senate. Had it been able to pass here and come to the House, I think we would have passed it.

I cannot help but think how much better our fiscal situation would be today had we been able to do that back in 1997, because at that time the overall Federal debt was $5 trillion. Today it is $14 trillion. So there has been a $9 trillion increase in the Federal debt in that short amount of time.

It is important we tackle this issue. It is important we do it in a way so the American people know we are serious—that this is not gimmicks, this is not smoke and mirrors and all the things that I think make people in this country so cynical about the way Washington, DC, operates.

As the Senator mentioned, the Reid proposal on the debt limit essentially counts over $1 trillion in savings that were never going to be spent in the first place. So it is a gimmick and it is not real. It is phony. We all know that.

We have to get real. We have to put forward a serious effort if, one, we are going to convince the American people we are serious about this, but, more importantly, if we are going to do something meaningful about getting this spending and debt situation under control.

I hope we will be able to defeat that when it comes to the floor and actually do something, if we can get the House bill over here, which has not only spending cuts in the near term but also a process whereby we can get some entitlement reform that deals with the big drivers of Federal spending; that is, Medicare, Medicaid, Social Security, and then also get a vote on a balanced budget amendment such as all of our States have on the books and which has enabled our States to live within their means, not spend money they do not have, and continue to, in spite of this down economy, perform above the average.

I think of all of our States, probably in terms of unemployment, in terms of economic performance—if you look at them relative to other areas around

the country—living within their means. It is a good model if you want to have a good, strong economy and create jobs for the people in your States. That is something we ought to be doing at the Federal level, and that is why it is so important we take the right approach. The bill that will come over from the House of Representatives does that. The bill that has been proposed by the Senate Democratic leader does not.

Mr. BARRASSO. It is interesting because my colleague from South Dakota mentioned this figure, this two point some trillion dollars. People in Wyoming last week said: How do they come up with that number? Like the Senator, I agree that for every $1 they want to increase the debt limit, they should say we should find $1 of real savings, honest savings, savings you can point to, as the Senator needed to do as Governor, and as we believe here.

That is what the approach they are dealing with in the House does. They have come up with a way to raise the debt ceiling, deal with avoiding a default, and they extend this for a number of months.

People say: Well, how do you get this $2.4 trillion number? The President had a White House press conference last week, on July 22, and he said—it is astonishing. The President of the United States told the country:

> The only bottom line that I have is that we have to extend this debt ceiling through the next election, into 2013.

Not extend the debt ceiling so we can avoid default, not so we can focus on jobs and the economy and the overall debt and the spending, but so that—as he said, his bottom line, the only bottom line, is that we have to extend it beyond the next election.

Then the Treasury Secretary was on one of the television shows on July 24, and he said:

> Most important, we have to lift this threat of default . . . for the next 18 months. We have to take that threat off the table through the election. . . .

This debt is the threat. This debt of nearly $15 trillion, going to over $20 trillion in the next couple years, to me is the threat. The elections can take care of themselves. I think the American people will be shocked, astonished, and disappointed to hear that is the President's only bottom line.

I do not know what the Senator's comments or thoughts are on that, but I am expecting better.

Mr. THUNE. If you think about what this debate ought to be about, it ought to be about America's economic security. It ought to be about making sure we are putting the country on a sustainable fiscal path and creating the conditions for economic growth, and I would argue there is a direct correlation between those two. If we do not get spending and debt under control, I think we are going to bankrupt the country, we are going to increase interest rates, we are going to make it more difficult and more expensive for businesses in this country to create jobs. So clearly there is a direct correlation between the issue of spending and debt and the economy. But the economy and the implications of what we do here on the economy ought to animate everything we do. We ought to be thinking about: How is this going to impact the economy? We should not be thinking about politics. That is why it was disturbing to hear the President say his prerequisite in all this is that we get through the next election. To me, that was a statement that was profoundly about politics and certainly not about America's economic security, which ought to be first and foremost in our minds.

Subsequent to that, even yesterday, you had members of the President's team suggesting this might somehow disrupt the Christmas vacation. I thought: You know, of all the things we ought to be thinking about right now, the next election, the next holiday—those probably are not going to be consequential if we do not take steps to address the issue before us today; that is, this massive increase in our Federal debt, the year-over-year deficits we continue to run, the fact that we continue to live way outside of our means. That is what I think the American people want to see us focused on. I think that is what the people of South Dakota certainly want to see us focused on as well.

Mr. JOHANNS. That is exactly what the people of Nebraska want to see us focused on.

The debate that is occurring now absolutely is one of the most important debates we have had literally in the history of this country. It was encapsulized in a statement in a column today that I read from a man I have a lot of respect for, Charles Krauthammer. He said this about this debate. He said:

> We're in the midst of a great four-year national debate on the size and reach of government, the future of the welfare state, indeed, the nature of the social contract between citizen and state. The distinctive visions of the two parties—social-democratic vs. limited-government—have underlain every debate on every issue since Barack Obama's inauguration: the stimulus, the auto bailouts, health-care reform, financial regulation, deficit spending. Everything. The debt ceiling is but the latest focus of this fundamental divide.

He could not be more right. This is a debate that must occur, as uncomfortable as it may be. Think of where we have been as a nation in the last year and a half. Literally, when the President came to office, the first thing he wanted us to do was to pass a trillion-dollar stimulus plan, if you factor in the interest that was going to be paid, on promises that it was going to fix the economy and employ people, that unemployment would not go over 8 percent.

What happened? Unemployment shot beyond that. Today we see the growth of our economy is literally pitiful. There is no way this economic growth can deal with employing more people.

Then what was the next thing? A health care bill that, quite honestly, the vast majority of Americans did not want. And by the day, story after story, analysis after analysis comes out and says all the promises made during this health care debate by the President and the Democrats will not be fulfilled. There was a story yesterday that this is not going to bring health care costs down. This increases health care costs, and it is one thing after another thing after another thing.

The American people spoke loudly and clearly in November. They said: Get the fiscal condition of the United States under control. I will say this. I do not think anybody is expecting miracles. It took us decades to get in this position. It is going to take concerted, conservative effort to get out of this position over a period of time. But it is on debates such as this where this must start. It is on debates such as this where we must force this government to be smaller, to be more efficient; otherwise, the legacy we leave behind for our children and our grandchildren is $20 trillion of debt in 4 more short years. They will have their own wars to fight. I wish they would be free of war. But they will have their own wars to fight, their own flu pandemics to deal with, their own items on their agenda—education or health care, whatever, that they want to improve—and where will they begin? They will begin with a $20 trillion debt in 4 years. That, as a nation, should be unacceptable to us. That is why we need to do everything we can at every stage to turn this around and start this Nation on the right course.

Mr. THUNE. I also had the opportunity to read the very column the Senator from Nebraska is referring to, the Krauthammer column this morning, and I was struck by many of the same things the Senator observed. I think it is important to note that we are a nation historically that has believed in a limited role for the government. That is what distinguishes us in many respects from some of our European allies. I think what this debate on the debt limit does, with the broader debates we need to be having here about spending and debt and budgets—that is, if we ever had a debate on a budget. As the Senator said, we have not had now a budget in 821 days. April 29, 2009, was the last time this Senate passed a budget. So it is hard to talk about these big issues we need to be focused on when you do not even get a budget on the floor of the Senate to have an opportunity to debate and vote upon.

In fact, when you think about the fact that we spend $3.7 trillion annually of the American people's tax money, you would think you would have some idea, some blueprint, some path of how you are going to spend that. Yet we have not had that here. So we have not had an opportunity to debate that budget.

But this does get at the heart of a very big philosophical difference. Our friends on the other side of the aisle have a view of government that is much more expansive, which is why I think they can explain passing the multitrillion dollar health care bill a year ago and the trillion dollar stimulus bill and the new CLASS Act, which is going to be another entitlement program that will end up running huge deficits into the future.

I do not think that is what the American people have as a vision for this country. I think we need to get back to a role, a size for our government that is consistent with the historical average, the historical norm. It might surprise some of my colleagues to know, if you go back to the formative stages of our Nation's history, in the year 1800, we only spent 2 percent of our GDP on our government—2 percent. This year, we are going to spend over 24 percent. Arguably, life has gotten a lot more complicated. There is a lot more going on in this country, and certainly there is a responsibility that government has. But we have gotten away from the concept that I think is the foundation of this great country; that was a belief in a limited role for the Federal Government, not this expansive, sort of Western European social democracy type approach which the Senator from Nebraska alluded to.

I certainly think the people in my State of South Dakota, and I would argue in Wyoming and Nebraska, as I said before, have a history and a tradition and a heritage of living within their means. Also, I think they have an understanding of what government should and should not do. I certainly believe the people whom I represent want us to get back to that. And it starts here. It starts now. It starts by getting spending under control, by putting Federal spending on a downward trajectory instead of this consistent incline we have seen. In the last 2 years, we have seen non-national security discretionary spending increase by over 24 percent. If you add the stimulus spending in there, it was 84 percent. That is how much spending has increased in the last 2 years of this administration.

That has to stop. I think the American people sent a loud, clear message in November of last year, and it is incumbent upon us to have listened to that message and to do everything we can to get this train turned around. I think we are going to have a big fight over that because the other side believes the way you fix this debt crisis is to increase your revenues, to raise taxes, which would be a huge mistake, particularly now in the middle of an economic downturn.

It starts by getting spending under control. It starts by keeping tax rates and regulations low on our job creators in this country, and creating conditions that are favorable to economic growth and job creation, as opposed to what we are seeing now, which is more and more regulation, higher taxes, more mandates—all the things that make it more difficult for our job creators to do what they do the best; that is, to get people in this country back to work.

Mr. BARRASSO. Mr. President, I ask unanimous consent to have printed in the RECORD the column that has been referred to, the Charles Krauthammer column from this morning's Washington Post called ''The Great Divide.''

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

[From the Washington Post, July 29, 2011]

(By Charles Krauthammer)

THE GREAT DIVIDE

We're in the midst of a great four-year national debate on the size and reach of government, the future of the welfare state, indeed, the nature of the social contract between citizen and state. The distinctive visions of the two parties—social-democratic vs. limited-government—have underlain every debate on every issue since Barack Obama's inauguration: the stimulus, the auto bailouts, health-care reform, financial regulation, deficit spending. Everything. The debt ceiling is but the latest focus of this fundamental divide.

The sausage-making may be unsightly, but the problem is not that Washington is broken, that ridiculous ubiquitous cliche. The problem is that these two visions are in competition, and the definitive popular verdict has not yet been rendered.

We're only at the midpoint Obama won a great victory in 2008 that he took as a mandate to transform America toward European-style social democracy The subsequent counterrevolution delivered to that project a staggering rebuke in November 2010. Under our incremental system, however, a rebuke delivered is not a mandate conferred. That waits definitive resolution, the rubber match of November 2012.

I have every sympathy with the conservative counterrevolutionaries. Their containment of the Obama experiment has been remarkable. But reversal—roll-back, in Cold War parlance—is simply not achievable until conservatives receive a mandate to govern from the White House.

Lincoln is reputed to have said: I hope to have God on my side, but I must have Kentucky. I don't know whether conservatives have God on their side (I keep getting sent to His voice mail), but I do know that they don't have Kentucky—they don't have the Senate, they don't have the White House. And under our constitutional system, you cannot govern from one house alone. Today's resurgent conservatism, with its fidelity to constitutionalism, should be particularly attuned to this constraint; imposed as it is by a system of deliberately separated—and mutually limiting—powers.

Given this reality, trying to force the issue—turn a blocking minority into a governing authority—is not just counter-constitutional in spirit but self-destructive in practice.

Consider the Boehner Plan for debt reduction. The Heritage Foundation's advocacy arm calls it ''regrettably insufficient.'' Of course it is. That's what happens when you control only half a branch. But the plan's achievements are significant. It is all cuts, no taxes. It establishes the precedent that debt-ceiling increases must be accompanied by equal spending cuts. And it provides half a year to both negotiate more fundamental reform (tax and entitlement) and keep the issue of debt reduction constantly in the public eye.

I am somewhat biased about the Boehner Plan because for weeks I've been arguing (in this column and elsewhere) for precisely such a solution: a two-stage debt-ceiling hike consisting of a half-year extension with dollar-for-dollar spending cuts, followed by intensive negotiations on entitlement and tax reform. It's clean. It's understandable. It's veto-proof. (Obama won't dare.) The Republican House should have passed it weeks ago.

After all, what is the alternative? The Reid Plan with its purported $2 trillion of debt reduction? More than half of that comes from not continuing surge-level spending in Iraq and Afghanistan for the next 10 years. Ten years? We're out of Iraq in 150 days. It's all a preposterous ''saving'' from an entirely fictional expenditure.

The Congressional Budget Office has found that Harry Reid's other discretionary savings were overestimated by $400 billion. Not to worry, I am told. Reid has completely plugged that gap. There will be no invasion of Canada next year (a bicentennial this-time-we're-serious 1812 do-over). Huge savings. Huge.

The Obama Plan? There is no Obama plan. And the McConnell Plan, a final resort that punts the debt issue to Election Day, would likely yield no cuts at all.

Obama faces two massive problems—jobs and debt. They're both the result of his spectacularly failed Keynesian gamble: massive spending that left us a stagnant economy with high and chronic unemployment—and a staggering debt burden. Obama is desperate to share ownership of this failure. Economic dislocation from a debt-ceiling crisis nicely serves that purpose—if the Republicans play along. The perfect out: Those crazy Tea Partyers ruined the recovery!

Why would any conservative collaborate with that ploy? November 2012 constitutes the new conservatism's one chance to restructure government and change the ideological course of the country. Why risk forfeiting that outcome by offering to share ownership of Obama's wreckage?

Mr. BARRASSO. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Time has expired.

Mr. BARRASSO. I ask unanimous consent to speak for an additional 4 minutes.

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

Mr. BARRASSO. I wanted to do that because I also want to have printed in the RECORD—and I will read just a couple of paragraphs—a letter that appeared in today's Casper Star Tribune by Eric Mitchell. It is titled ''Smarter than you think.'' He says:

I think they think I'm not so smart because I'm too young to know what they're doing, like raising the national debt. Don't they know that I owe the country about $45,000? I'm only 10 years old. I could buy a lot with $45,000. I could almost buy a home, I could buy property, I could buy a boat and get fish for family and friends.

He is from Crowheart, WY, a small community.

He said:

I would buy guns and ammunition to hunt for food for my family. I could buy books so I could learn more. Forty-five thousand dollars could buy a lot of stuff. That's more than may dad earns. But it wouldn't buy everything.

This is a 10-year-old. He said:

Government shouldn't try to buy everything. It is my job and the people's job to buy the things we need. I don't want the government to think for me. They don't know that I'm a little brother who doesn't like it when my big brothers tell me what to do, because they aren't always responsible for their own things. I don't tell my brothers what to do with their money. I'm smarter than they think I am. They should follow the rules.

Here you have a youngster in Wyoming who knows of values, who is raised in a family where they live within their means, lives in a State where we balance our budget every year, and I think the lesson Eric has for the people of Wyoming and the people of this country is one we should listen to: We should live within our means, not spend more than we have, not continue to borrow. And the threat to our Nation, our greatest threat to our national security continues to be the debt, and it is incumbent upon this institution to deal with that.

I ask unanimous consent the letter be printed in the RECORD.

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

[From the Casper Star Tribune, July 29, 2011]

SMARTER THAN YOU THINK

(By Eric Mitchell)

What does the government think of me?

Money. Like the banking commercials, I'm not a name, I'm a number.

I think they think I'm not so smart because I'm too young to know what they're doing, like raising the national debt. Don't they know that I owe the country about $45,000? I'm only 10 years old. I could buy a lot with $45,000. I could almost buy a home, I could buy property, I could buy a boat and get fish for my family and friends.

I would buy guns and ammunition to hunt for food for my family. I could buy books so I could learn more. Forty-five thousand dollars could buy a lot of stuff. That's more than my dad earns. But it wouldn't buy everything.

Government shouldn't try to buy everything.

It is my job, and the people's job, to buy the things we need. I don't want the government to think for me. They don't know I'm a little brother who doesn't like it when my big brothers tell me what to do, because they aren't always responsible for their own things. I don't tell my brothers what to do with their money.

I'm smarter than they think I am. They should follow the rules.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I have a unanimous consent request that has been cleared by the Republican leader. I ask unanimous consent that morning business be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each during that period of time; further, that at 6 p.m. I be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for whatever time I shall consume as in morning business.

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

Mr. INHOFE. Mr. President, there is a simple reason we are all talking about the debt limit increase. It is the fact that this President has spent more money than I ever believed would be possible. So far, he has spent over $10 trillion in 3 years, and next year, if he has his way, he will spend another $3.5 trillion.

I remember so well back during the Clinton administration—I think it was 1995—I was outraged. I came down to this podium. I said: Can you believe a President has a budget of $1.5 trillion? And this President has spent $10 trillion in this short period. If he had not spent all of this money, then we would not be here talking about a debt limit increase right now. I hate to sound so partisan about it, but it is truly a partisan issue.

The Democrats have supported his spending, and the Republicans have not. The Boehner plan we are going to vote on—they are going to vote in the House today, and I think we may have an opportunity to vote here later on tonight—may not be perfect. None of the stuff around here is perfect. But it is good. It has dramatically improved over the last 12 hours. It allows the debt limit increase but only after we significantly cut spending. Never before have we tied—in the history of this country—a debt limit increase to spending cuts, but it is something we have to do now that we are so far into this mess.

The first step to this plan cuts spending by over $900 billion in exchange for a $900 billion increase in the debt limit. That will last the President until around February. I think it is a fair deal. I would like to cut the spending more, but we can only do so much when we only control the House.

The second step of this plan is also good. It establishes a mechanism to quickly consider $1.8 trillion in additional spending cuts between now and the end of the year.

It also requires Congress to pass a balanced budget amendment to the Constitution and send to it the States for ratification. This is something that just happened in the last 12 hours. People were talking about, well, do we really want to do something? A balanced budget amendment is the only way it is going to be good for now and for the future.

We have been talking about this for many years. I remember so well, way back in the 1970s, I was in the State Senate in Oklahoma when Carl Curtis, a very wonderful gentleman from Nebraska—he was a Senator, had been a Senator for quite some time. He was the perennial author of the balanced budget amendment, but he never could get it through. He had an idea. He came to me in the State of Oklahoma and he said: You know, Inhofe, we have been trying to get this balanced budget amendment for a long time, and they excuse they use is, you are never going to get the required number of States to ratify it.

He said: I have come up with an idea. We will get three-fourths of the States to preratify a balanced budget amendment to the Constitution.

Well, that is kind of ingenious.

He said: Why don't you be the first State?

So I did. We passed, by resolution in my State of Oklahoma, in 1975 I believe it was, a ratification of a balanced budget amendment to the Constitution that did not exist. That is kind of neat. We actually got up to almost three-fourths of the States, and some of the other forces knocked it down. But that is how long we have been doing this.

But in the intervening years, there hasn't been 1 year where we have talked about a balanced budget amendment that it has not come up for discussion. Well, this is probably the first time it is a possibility because we have never been in the spending situation we are in right now—as I said, $10 trillion just 3 years.

So right now, we have added that in the last 12 hours. If that legislation passes, the President will get an additional debt limit increase. So we are tying it to behavioral patterns in spending and austerity. That is a smart way to do it.

This proposal would keep the debt limit and the spending debate at the forefront of the national conversation. We must have this conversation. If we do not, we will be worrying about things a lot worse than an increase in the debt limit. The President wants nothing to do with it. He just wants a blank check to increase the debt so he can continue to raise the deficit. Why do I think this? Well, if we undid all of his policies today, the policies that so rapidly increased spending and are killing our economy, then we would not need a debt limit increase.

The President's spending addiction is the only reason we are here talking about a debt limit increase. This is unilateral. This is the President—his budget. It is not a group of people, it is him. A lot of people are asking: Does anyone in Washington really care? One guy doesn't—the President of the United States. His actions are what we are talking about today. We are looking at failed policies.

Referring to the chart, first is ObamaCare. We are talking right now about trying to get something like $800 billion in these negotiations so we can increase the debt limit. In one fell swoop, ObamaCare was $1.5 trillion. This plan costs over the current decade, when fully implemented—the 10-year cost nearly doubles to $2.5 trillion. This law dramatically expands government's influence in the health care sector, and together with Medicare and Medicaid, it will result in the financial ruin of this great country.

Second, we have the failed stimulus plan. We all know it didn't meet any of

President Obama's expectations. It met all of mine because I didn't expect much. It didn't help the economy. It expanded the size of government. Even though we were opposed to it—I am among the most conservative Members, and Senator BOXER is a very proud liberal. She and I together tried to have an amendment to take some of the $800 billion and put a large amount into infrastructure.

Right now, we have to have roads and highways and bridges. We are supposed to do that here. Of course, they didn't do it. Only 3 percent of the $800 billion went for that type of infrastructure. Over $1 trillion of this amount, once you add in the costs, that is how we get up to $1 trillion, the cost of interest we have to pay for extra spending. That is a total of $2.5 trillion.

So we have the stimulus of $1 trillion and ObamaCare of $1.5 trillion. Then there is the President's relentless pursuit for regulation. Whatever the President hasn't been able to do legislatively, he is attempting to do through regulation—most of it through the EPA. Cap and trade is a good example. We have debated that since the Kyoto Treaty was up. Clearly, the votes are not there. Right now, in this Chamber, we would not get 25 votes for cap and trade. Yet everybody is talking about how it is important to have cap and trade. Now he is trying to do it through regulation. That alone would cost the American people $300 trillion to $400 trillion a year—not just one shot; that is a year.

There is the boiler MACT legislation, which is maximum attainable controlled technology. In other words, what can we do? What do we have the technology to do to stop emissions? We don't have it. But he has that, and that was billions of dollars a year.

Ozone regulations: He was going to announce this week a tightening of the ozone regulations that would put 608 of our counties in America out of attainment. I am from Oklahoma, and it would put 15 of our counties out of attainment. They cannot recruit industry in those counties, and they cannot hire people, and many will have to go out of business because of the ozone regulations. It is not, in my opinion, legal the way he is doing it because he is supposed to address it every 5 years. It was done in 2008 on new technology, which is a requirement. Today, he is trying to do it using the same 2008 technology. Again, it is extremely expensive. That casts a tremendous cloud of uncertainty over the business sector, and that is a key reason they announced today that the economy is growing at 1.3 percent a year. That is terrible, especially when we consider the recession we are in.

As a general rule, economies recover rapidly when coming off of a financial recession. It is not unusual for countries to grow at 4, 5, 6 percent for the years following a recession. But we can't even get around 2 percent. That has a huge negative effect on the economy and the government. The President's regulatory agenda is the reason our unemployment rate is above 9 percent, and it is the reason our economy is growing so slowly. Because of this, our tax receipts are way off their historic levels. If we can get the economy to grow faster at a sustained period of time, the effect on tax revenues is unbelievable. This is pretty well accepted. I always said that every 1 percent increase in the economy equals about $50 million in new revenue. That is the way to grow revenue.

Certainly, President Kennedy knew it, President Reagan knew it, and so the best way to increase revenue and get the economy moving again is, of course, to increase growth. If the economy grows at a rate that is 1 percent faster than presently forecast for the next decade, Federal tax revenues will grow by $3 trillion.

I conservatively estimate that the cost to Federal revenues of the President's regulatory agenda has been $1 trillion. So we have, through his regulatory behavior, another $1 trillion. That brings our total to $3.5 trillion.

Then in there is an increase in nonsecurity discretionary spending, which has added up to $500 billion in spending.

There is the expanded and increased spending on unemployment benefits, which is also a consequence of his regulatory policies that have killed the economic recovery, and the cost of that is another $500 billion.

Together, all these failed policies add up to a $4.5 trillion contribution to the Federal deficit.

Since Inauguration Day, the debt has increased by $3.7 trillion. It is on pace to increase by more than $5 trillion by the end of the President's first term. If we undid all of these failed policies, we would not find ourselves in the situation we are in today. We would not be debating this because it would not be necessary. It is because of the President that we are even talking about raising the debt ceiling. If we could undo the President's policies, we would not need to raise the debt ceiling at all.

Where is the President? He has been totally absent from this entire debt conversation. Today, he is meeting with terrorists from Cote d'Ivoire, and he is probably going to play golf in the afternoon—I don't know. But he is not participating. He doesn't seem to care about debating the debt ceiling. He wants to raise the deficit. If he did care, he would see the need for the Boehner plan, endorse it, and sign it into law. I guess that is too much to ask.

We are going to have a chance to do that tonight. They are going to have a vote in the House around 6 o'clock on the Boehner plan, and it will come over here, and we will have an opportunity to do that. If the Democrats support us—a handful of them—we will be able to get that passed. We will wait until tonight to see what happens.

HOUSE MEETING

Mr. INHOFE. Mr. President, there is a terrorist visiting with the President right now. I will elaborate. So many people are looking the other way and don't know what is going on in Africa. I have been on this floor nine different times talking about the atrocities that have been committed in Cote d'Ivoire.

They had a President there named Laurent Gbagbo. He and his wife are great people, friends of this country. An election took place, and I stood here and showed how it was fraudulent, and the guy who won is named Alassane Ouattara.

Right now, as we speak, at this very moment, President Obama is meeting with the rebel leader and potential war criminal Alassane Ouattara in our Nation's Oval Office. This is an unwise and grossly misguided decision on behalf of President Obama. It is, in fact, an outrage that our President would welcome with open arms a man who is responsible for the deaths of at least 3,000 people and the displacement of a half million refugees in Cote d'Ivoire.

Ouattara is an illegitimate usurper who has scandalized Cote d'Ivoire's electoral system and wrongfully ousted democratic incumbent Laurent Gbagbo.

Beginning late last year, Ouattara fraudulently won Cote d'Ivoire's Presidential election, and after Gbagbo revealed the fraud he led a rebel army that violently overthrew the Gbagbo government, with the support of the French military, which wrongly intervened in this former French colony.

This is a picture that depicts one of Ouattara's death squads murdering, maiming, raping. This is happening as we speak.

Who is in the President's office? Alassane Ouattara. As a result, Amnesty International reported on July 28 that half a million Ivorians are displaced in postelection violence and are prevented from returning home because of a ''climate of fear'' that continues to reign in this country. Amnesty International specifically singles out Ouattara's security forces and his state-sponsored militia composed of Dozos—they are called—who continue to target pro-Gbagbo ethnic groups.

Dozos, traditional hunters, are a mercenary group that both Amnesty International and the International Committee of the Red Cross blame for carrying out a massacre in April of at least 220 people in the western town of Duekoue.

Here they are in this photo. You can see the charred bodies of those murdered by Ouattara, who is in the President's office right now. There are executions going on. There is a photo of a person who was burned and beaten on the back—from the political opposition. That is what is happening today.

Amnesty International alleges that these forces under Ouattara's command are continuing to engage in ''documented crimes under international law and human rights violations and

abuses, including extrajudicial executions and other unlawful killings, rape, and other sexual violence, torture, other ill treatment and arbitrary arrest and detention, as well as the consequences of a high level of displacement, pervasive insecurity, and intentional destruction of homes and other buildings not justified by military success.''

They are talking about this. We can see that this person was being tortured. This photo is of someone from the cabinet—the Gbagbo cabinet. He tried to make a statement—Ouattara said he is trying to keep some of those people, but here he is in the middle of killing him. He died after this. Here they are executing another person they found as a Gbagbo supporter.

This is happening today as we speak. Ouattara's bloodletting seems unabated, and he doesn't seem to be interested in restraining his forces from eliminating perceived pro-Gbagbo supporters. He does not deserve an invitation to our White House or an audience with the President in the Oval Office.

Instead of participating in our Nation's debt crisis, President Obama is meeting with this killer and human rights abuser. Even today, while Ouattara is in the President's office, his death squads are roaming the streets of Abijan. It is an outrage, and maybe now we understand where some of the priorities are.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

THE DEBT CEILING

Mr. BROWN of Ohio. Mr. President, too many Ohioans are struggling—as are people all over the Nation—in this economy. They are watching Washington with disgust as some politicians are risking economic catastrophe. The House of Representatives continues to waste time as our Nation stands just 4 days away from a catastrophic default. Instead of working with us on a bipartisan basis in the Senate on a compromise measure to prevent a crisis, House Republicans are cutting closed-door deals to find votes on a bill that has no chance of becoming law. We are simply running out of time for these kinds of games.

Only a bipartisan bill coming out of the Senate, negotiated with Republican Leader MCCONNELL and Democratic Leader REID, provides hope for a way out of this impasse. As the majority leader moves forward, I ask my Republican colleagues across the aisle to proceed with its work and not delay the resolution with filibusters and procedural tricks.

In the spirit of compromise, Majority Leader REID has come forth with a plan to reduce the deficit by $2.2 trillion. It is truly a compromise because it meets the Republicans' main criteria. It incorporates some of Senator MCCONNELL's language. It contains spending cuts to roughly match the debt ceiling increase through 2012—the spending cuts in the Reid plan are ones Republicans had previously agreed to and, in many cases, advanced—and it contains no revenue increases, all criteria and demands from overwhelming numbers of Senate Republicans.

The majority leader's plan is not perfect. It is not the balanced approach I hoped it would be. But most importantly, right now, it prevents a default, it reduces the deficit—a critical imperative for our children and grandchildren—and it protects Medicare and Social Security and Medicaid.

My office is being swamped with calls and e-mails from Ohioans who cannot believe we are so close to default. I can't either. Let me read a couple letters from Ohio voters. Both of these individuals self-identify as Republicans when they write to me. The first one is from Representative MARCY KAPTUR's district, which is in northern Ohio, along the lake. He says:

> I am a 40-plus-year-old Republican who has tried to work to eliminate the tax money we use that is now paid to oil and gas companies as tax subsidies. I don't like my tax money being given to these companies with Senators' blessings. I would like to ask both of you—

He sends this, apparently, to myself and my colleague, Senator PORTMAN—

> to support a balanced approach being proposed by the President and put debt and deficit to bed until an election can be held and the American people can determine who should be in Congress. We should have listened to Ronald Reagan when he said this should not have been undertaken.

Meaning the debt limit issue.

> The debt limit is on past bills and should not be raised and not be used as a political volleyball and upset our financial institutions.

Another letter writer—again, a Republican—says:

> I did not vote for our current President, but I have to side with him on the debt ceiling issues. I am exhausted by the political bickering that goes on in Washington. Quit the child-like fighting and get this thing done. The American people are tired of it all.

A default would risk what amounts to a permanent tax hike on all Americans. Interest rates could rise for anyone applying for a home mortgage, a car loan or a college loan. Credit costs for all borrowers would climb. Governments at every level, businesses, not for profits, homeowners, credit card holders, even several States have already been placed on a credit watch. Every State would be hurt by a Federal default, which is why Governors of both parties are calling for a deal.

There could be repercussions for pension funds and money market funds that guard the retirement savings of middle-class families. A default on our obligations would be a knockout blow to the financial security of the Ohio Public Employees Retirement System. These are public employees who have spent their lives working in Ohio's courts and schools and many other public positions in local and State government. That is why the Director of OPERS—the Ohio Public Employees Retirement System—sent a letter with nine of her colleagues pleading:

> America is now a debtor nation and must show the world the nation's word is its bond. It is critical that the debt ceiling be raised to avoid a default.

The Ohio Public Employees Retirement System, obviously, represents Republicans and Democrats alike.

As a member of the Senate Banking Committee, I heard Chairman Ben Bernanke, a Republican appointee, speak in March, and he said default would be ''an extremely dangerous and very likely recovering-ending event.''

Just today, several mayors of Ohio's large- and medium- sized cities—for example, the cities of Hillsboro, South Euclid, Chillicothe, North Royalton, Lancaster, Akron, Middletown, Shaker Heights, Reynoldsburg, Dayton, Steubenville, Solon, Newark, Fairfield, and other cities, Republicans and Democrats alike—wrote:

> As Mayors, we rely on the partnership of the federal government to help us create jobs and grow our communities. Uncertainty surrounding the federal budget puts key programs like Community Development Block Grants and Community Oriented Policing Services in jeopardy. Job-creating infrastructure projects would come to a halt without the full support of our federal partners. Inaction on the debt ceiling threatens programs like Social Security that our citizens rely on to survive.

I have heard the Presiding Officer—in a meeting today, in fact—talk passionately about the uncertainty this would inject into our economy—to follow the House lead—and do this again in 6 months and the irresponsibility of that proposal. As difficult as this has been for people on all sides and the contentiousness and anger, it doesn't matter whether we are angry or it is contentious around here, but what does matter is the message it sends to main street—Main Street Connecticut, Main Street Hartford, Main Street Columbus, Main Street New Haven and Toledo. When businesses are thinking about expansion, when they are thinking about taking a loan out or thinking about borrowing money, they are not going to do it when we are in the midst of a financial crisis such as we are in now. If we were going to do this again in 6 months, you can bet we would have the same kind of divisions, the same kind of arguments.

The assistant majority leader told the story today about a Chicago businessperson who is terrified of this and what would happen if we didn't raise the debt ceiling, if we went into default; what might happen 6 months from now if we went through it again.

So the responsible position is for this body, on a bipartisan basis, to work on

the McConnell-Reid plan, to pass this, send it to the House of Representatives, and for them to pass it. We can then focus on job creation and on deficit reduction, but we will have moved forward together in a way that we have not for far too long a period of time.

Mr. DURBIN. Will the Senator yield for a question?

Mr. BROWN of Ohio. Of course.

Mr. DURBIN. There have been Members of the Senate and House who have gone before the cameras and come to the floor in each of those bodies and argued that defaulting on the national debt is really not a big deal, although we have never done that one time in our history—we had one technical default for a few days but never really defaulted on our debt one time in our history.

I ask the Senator from Ohio, in the response he is getting back from Ohio and I am getting back from Illinois from people who are genuinely concerned about a default on the national debt, I wonder if he has been hearing from Social Security recipients who are asking whether they will be receiving their checks after August 2 if we default on their debt. I wonder if he is getting calls from disabled veterans whom we promised to stand by the rest of their lives who receive monthly checks for their medical care and other things. Has he heard from small business leaders in Ohio, as I have in Illinois, who are suggesting that an increase in interest rates at this moment in time is exactly wrong when it comes to job creation?

I would like to ask the Senator from Ohio, when one of our colleagues from Pennsylvania comes to the floor and says defaulting on the national debt can be easily managed and no one will notice—I would like to ask the Senator from Ohio whether that is his impression.

Mr. BROWN of Ohio. That is surely not my impression. I appreciate the comments from the assistant majority leader from Illinois.

I listen to the words, as I have read, that Ronald Reagan said. The debt limit was raised 18 times in the 8 years of the Reagan administration, and each time it was, there were people who didn't like doing it. Nobody likes to vote for that. But there was never this: let's go up to the edge and take a chance. President Reagan always preached—as Presidents have since in both parties—that this is not a risk we can take, and I know this.

I hear from Social Security beneficiaries, I hear from veterans, I hear from small businesspeople, and I hear from contractors around Wright-Patterson Air Force Base that they don't think we should take this risk, that they are—some use the word ''terrified'' getting this close to default, and most can't really believe we are this close. I can't, either.

The Senator from Illinois and I have talked about this many times over the last few months, that we figured there would not be these lines in the sand and this belief that it doesn't matter if we default and we would get to a solution. But we haven't been able to.

But no responsible people in elected office that I can think of in the last 30 or 40 years have wanted to go this close to default and play chicken and just think, well, maybe it won't hurt us much. We know what happens with interest rates. We know what might happen with Social Security checks and veterans' benefits and prison guard pay and airport safety and food inspectors—all of those functions that matter. I don't know why any responsible leader in this body or the other body would want to take that risk.

Mr. DURBIN. I would like to ask through the Chair if the Senator from Ohio would yield for this question.

He may recall the time not that long ago when we closed down the government of the United States for a period of time, and there were some radio talk show hosts who argued that America wouldn't notice, just as they are arguing now that America won't notice if we default on our national debt. I know the Senator from Ohio can recall that and the fact that America did notice, and those who engineered that crisis paid a heavy political price.

What I am really getting to at this point, though, is to ask the Senator from Ohio—Monday night, when the Speaker of the House, JOHN BOEHNER, went on national television with the President of the United States and announced he had a bipartisan plan, he called it, that he could pass in the House of Representatives, many of us had the impression that was going to be done on Tuesday. Well, it wasn't done on Tuesday or Wednesday or Thursday. It is only today that they are voting on it, some 5 or 6 days later.

I would like to ask the Senator from Ohio, losing that 4- or 5-day period of time when we could have been moving forward to a compromise—the impact that has as we face this looming deadline of a default on our national debt on August 2.

Mr. BROWN of Ohio. I thank the Senator for that comment and question. This is clearly more dangerous for our economy and our country, from Wall Street to Main Street, than what happened when they closed the government down 15 years ago or threatened to a few months ago. That was troubling, and that was damaging to our country, but we don't know what exactly would happen here. We are almost sure interest rates would go up. We are almost sure many people who benefit from government services directly would see those benefits go away. Whether it is a Social Security check or whether it is food safety or running the airports safely, all of those things would be at risk.

I have heard a lot of sort of brouhaha or a lot of strong words out of the House and a lot of promises, but there seems to be too many people in that Chamber who don't really see the seriousness of this, don't see that this really does put our economy in jeopardy.

You know, it is not just our economy. That is the most important part, but it is also our reputation around the world. It is the strength of the dollar. It is the blot on our national reputation. I haven't been to Europe in a long time, but I hear reports from people around the world that they are saying: What is going on in the United States of America that you can't even agree on raising the debt ceiling so you can really focus on things such as jobs?

I had a meeting just last week—Senator ROCKEFELLER and I, earlier this week—and there were eight or nine Senators who joined us to talk about focusing on a jobs agenda and what we need to do to restore American manufacturing. In a State such as Illinois, and in Connecticut—the other Senator from Connecticut was in our meeting and talked about Bridgeport and New Haven and all the manufacturing that is done in this country. We are still a major manufacturing country. This is going to hurt manufacturers. It is going to mean they can't borrow to meet payroll or borrow to expand or borrow to create more jobs.

Why would we risk any of this instead of getting this done by focusing on job growth, and focusing on getting our budget in order? We know how do this. In the 1990s—and the Presiding Officer and the assistant majority leader were very much part of it—in the 1990s, we got to, one, a balanced budget and, second, we got to 21 million private sector jobs net increase because we passed a responsible budget. It had some tax increases for upper income people. It also had some tax breaks in it for middle-income people. It also had major cuts and major investments. And we did all of that because we wrote a thoughtful budget—didn't get a lot of help from the other side, but put that aside, we did it right, we got to a budget surplus, and we created 21 million jobs. We know how do this. But we didn't see anybody playing these kinds of games: Maybe we just let the debt ceiling go and go into default. We just could not take this chance.

I thank the Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank my colleague from Ohio for talking about this issue because it is on the minds of everyone here on Capitol Hill and across the Nation. We are getting a lot of e-mails and phone calls and letters, and it is understandable because this is the first time in our Nation's history that we face default on our national debt.

I received a letter from Amy in Germantown, IL, downstate. We have a lot of German families in our State, and we have a town named ''Germantown.'' Amy contacted me and said:

> Please do your utmost to compromise on a budget solution before the deadline expires. Our family has already weathered multiple economic downturns due to the dot-com bubble burst, 9/11, and most recently the subprime mortgage crisis. We are responsible

with our income, saving for our children's education and our retirement. However, we are extremely nervous about our savings and investments once again. If the United States of America defaults on its loan obligations, it is likely we will see a significant reduction in the value of our 401K and 403B investments, as well as the investments we have made for our children and grandchild's education.

. . . I cannot stand by another day and listen to all the elected officials in Washington talk about their convictions. Please remember your constituents and their situations.

Another letter from Scott in Bloomington, IL:

Dear Senator, I thought I'd offer you a real life personal example of what you are doing to common Americans by dragging out to the last minute the resolution of the Federal debt limit. Ironically, every August 1st, I receive a distribution from a tax-deferred retirement account. That account includes a variety of investments, not the least of which are equity mutual funds. The failure to provide leadership in Congress, along with the President and House leaders, will probably cost me about $5,000 this year. I will never see this money again. The recent fall in the equity markets is a direct result of the nervousness you are creating by failing to resolve the Federal debt limit issue, playing the usual political games. I respectfully request that you share this message with all of your colleagues as a reality check. Stop your games played for your own personal advantage, and start thinking about the people you are supposed to be serving.

A letter from David in Casey, IL:

I am retired and don't look forward to having my Social Security or veterans benefits cut. Why is it the rich get by with no additional taxes and we are taxed and our benefits in jeopardy? So why don't you elected officials wake up, start living like the rest of the population, put politics aside and do what is right for the country.

From the Lincoln Courier newspaper:

''From what I'm hearing, interest rates would go up,'' said Jim Muschinske, revenue manager for the Illinois Commission on Government Forecasting and Accountability. ''Some people may be more hesitant to buy big-ticket items they would have to finance.''

As a result, sales tax revenues are going to suffer for local governments. ''That could start a ripple effect,'' the newspaper went on to write.

''If the consumer pulls back, corporations would be more hesitant to add to their payroll,'' Muschinske said. ''They may cut or, at the very least, not hire. At this stage of the recovery, we would hope hiring would be further along.''

What troubles me the most is this is a manufactured political crisis. This is a self-inflicted political wound. Eighty-nine times since 1939 we have routinely—except for one little glitch—extended the debt ceiling. We have done it under Republican Presidents 55 times and Democratic Presidents 34 times. It is bipartisan.

All the President is asking for is the authority to borrow the money to pay for what Congress has spent. Members of Congress who come to the floor and pledge ''I will never vote to extend the debt ceiling'' are the same Members of Congress who just weeks ago said to the President: Stay in Afghanistan, stay the course, spend the money. We have got to do it. Mr. President, $10 billion a month in Afghanistan. For every dollar we spend, we have to borrow 40 cents. So for President Obama to keep the promise made by these same Members of Congress, he has to borrow funds to do it. Now that he has asked for authority to borrow it, they are saying: Oh, no, we want nothing to do with borrowing the money. And that is why we are here today.

Mr. President, let me say a word about the other issue that is being debated; that is, the deficit. And I know you feel as seriously about it as I do. The deficit in this country has to be addressed. We are leaving a debt to our children that is unimaginable, and we have to change it.

I have been working for a year and a half with the deficit commission the President created and with a group called the Gang of 6, and we have come up with a bipartisan approach to deal with this. It is sensible. It spreads the pain—and there will be pain—to everyone across America and puts everything on the table—everything. We don't spare anyone except the poorest and most vulnerable in our Nation.

We basically said to people: We have to raise revenue, and we have to start by increasing the tax burden of those in the highest income categories. I think it stands to reason. If we are asking for sacrifice from working families who are paying for college student loans, why wouldn't we ask the wealthiest people in America to pay a little more on their taxes?

Secondly, we put all of the Federal spending on the table, and we make dramatic cuts in Federal spending—not just on the side of the ledger that deals with nondefense but also in the Defense Department. There are some Members of Congress who argue that you cannot cut a penny from the Department of Defense.

When I was on the deficit commission, we had experts who came in from the Pentagon, and we learned that the Pentagon and the Department of Defense is the largest Federal employer in America.

But then Senator CONRAD of North Dakota asked an important question. He said: Beyond those Federal employees in the Department of Defense, how many contractors, how many contract employees work for the Department of Defense?

The expert said: I have no idea.

Senator CONRAD said: Well, give me a range.

Well, he says, between 1 million and 9 million.

That is quite a range. I think it is evidence that we ought to look at every single contract in the Department of Defense. Believe me, there are some of them that shouldn't be there where we are paying too much money and not getting the security we expect for our Nation.

So we need to look at both sides of the ledger—the defense side and the nondefense side—and save the money. Keep our troops safe and keep America safe, but don't waste money on that which doesn't make us safe.

Finally, the entitlement programs—and this is where many people across America do get nervous. I believe in Social Security and Medicare and Medicaid. I particularly believe we have a commitment to seniors who paid their entire working lives into these programs expecting them to protect them when they reached the age of retirement.

This year, on January 1, 10,000 Americans reached the age of 65, qualifying for Social Security and Medicare. On January 2, another 10,000; January 3, again. And for 19 more years, every day 10,000 more people will qualify for Social Security and Medicaid. Welcome to the baby boomers. Those who were born after World War II are now reaching retirement age and with that expect, because they paid in for a lifetime, to receive Social Security and Medicare. Now we need to look at those programs and ask, What can we do to make them stronger longer? We may have some disagreement about exactly how that is done, but we both agree that if we don't touch Medicare and leave it as is, in a matter of 6, 7, or 8 years, it will be insolvent, unable to pay its bills. That is unacceptable. We need to find ways to make Medicare a strong, viable program that will pay the medical bills of seniors and the disabled when they need them.

Social Security, the same. There is good news in Social Security; it is solvent for 25 years. We cannot say that about many programs, if any, in Washington. But the bad news is at the end of 25 years, benefits would have to be cut 22 percent. That is tough. A lot of people have no other source of income.

What I have suggested, and I hope people will listen carefully: Small changes we make today in Social Security will play out over 25 years to buy the solvency we need in this program for decades to come. Every penny of savings in Social Security needs to be reinvested right back into Social Security so we do not take the savings from Social Security for general deficit reduction—not at all. Whatever savings are there, put them back into the Social Security Program.

There are ways to do this. We could do it in a sensible fashion, and the only way I can say that with some confidence is I have done it. When I first got elected to Washington in 1983, they said: Welcome to Washington. Social Security is broke.

We sat down and fixed it. We bought over 50 years of solvency at that time. We can do it again. We have to think about this in thoughtful terms, preserve the basic benefits of these programs but give them a longer life so they will be there when they are needed in the future. Our Gang of 6 came up with a bipartisan agreement to deal with this. Thirty-six Senators of both parties have agreed to join us in this

effort, and I hope it becomes the basis for us addressing our deficit crisis and that we avert what clearly is a manufactured political crisis coming August 2 and that we extend this debt ceiling so we do not hurt our recovering economy. We cannot hurt the innocent businesses and families across America who count on us for leadership.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

PEACEFUL AND JUST RESOLUTION IN GEORGIA

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to Calendar No. 113, S. Res. 175.

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

The legislative clerk read as follows:

A resolution (S. Res. 175) 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.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN of Ohio. Mr. President, I know of no further debate. I ask the Senate to vote on the adoption of the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on the adoption of the resolution.

The resolution (S. Res. 175) was agreed to.

Mr. BROWN of Ohio. I ask unanimous consent the preamble be agreed to, the motion to reconsider be agreed to, with no intervening action or debate, and any statements be printed in the RECORD.

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

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 175

Whereas, since 1993, the territorial integrity of Georgia has been reaffirmed by the international community and 36 United Nations Security Council resolutions;

Whereas the United States-Georgia Strategic Charter, signed on January 9, 2009, underscores that ''support for each other's sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations'';

Whereas, in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Clinton stated, ''The United States will not waiver in its support for Georgia's sovereignty and territorial integrity.'';

Whereas the White House released a fact sheet on July 24, 2010, calling for ''Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia'' and for ''a return of international observers to the two occupied regions of Georgia'';

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States ''will not recognize Abkhazia and South Ossetia as independent states'';

Whereas, according to the Government of Georgia's ''State Strategy on Occupied Territories,'' the Government of Georgia has committed itself to a policy of peaceful engagement, the protection of economic and human rights, freedom of movement, and the preservation of cultural heritage, language, and identity for the people of Abkhazia and South Ossetia;

Whereas the August 2008 conflict between the Governments of Russia and Georgia resulted in civilian and military causalities, the violation of the sovereignty and territorial integrity of Georgia, and large numbers of internally displaced persons;

Whereas large numbers of persons remain displaced as a result of the August 2008 conflict as well as the earlier conflicts of the 1990s;

Whereas the August 12, 2008, ceasefire agreement, agreed to by the Governments of Russia and Georgia provides that all troops of the Russian Federation shall be withdrawn to pre-conflict positions;

Whereas the August 12, 2008, ceasefire agreement provides that free access shall be granted to organizations providing humanitarian assistance in regions affected by violence in August 2008;

Whereas the recognition by the Government of Russia of Abkhazia and South Ossetia on August 26, 2008, was in violation of the sovereignty and territorial integrity of Georgia;

Whereas Human Rights Watch concluded in its World Report 2011 that ''Russia continued to occupy Georgia's breakaway regions of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia'';

Whereas the parties have taken some constructive steps in recent months, including the resumption of direct flights between Russia and Georgia, Russian troop withdrawal from the Georgian village of Perevi, and regular participation in the Incident Prevention and Response Mechanism;

Whereas these positive steps neither adequately address the humanitarian situation on the ground nor constitute full compliance with the terms of the August 2008 ceasefire agreement;

Whereas, on November 23, 2010, before the European Parliament, Georgian President Saakashvili declared that ''Georgia will never use force to restore its territorial integrity and sovereignty'';

Whereas Secretary of State Clinton stated in Tbilisi on July 5, 2010, ''We continue to call for Russia to abide by the August 2008 cease-fire commitment . . . including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions.'';

Whereas the Russian Federation blocked the extension of the Organization for Security and Co-operation in Europe (OSCE) Mission to Georgia and the United Nations Observer Mission in Georgia, forcing the missions to withdraw from South Ossetia and Abkhazia;

Whereas troops of the Russian Federation stationed in Abkhazia and South Ossetia continue to be present without the consent of the Government of Georgia or a mandate from the United Nations or other multilateral organizations;

Whereas, at the April 15, 2011, meeting in Berlin between the foreign ministers of Georgia and NATO, Secretary of State Clinton stated, ''U.S. support for Georgia's sovereignty and territorial integrity remains steadfast. . . . We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.'';

Whereas, on April 25–26, 2011, Foreign Minister of Russia Sergei Lavrov made a high-profile visit to Abkhazia and South Ossetia, which was immediately criticized by the Department of State as ''inconsistent with the principle of territorial integrity and Georgia's internationally recognized borders'';

Whereas the Senate supports United States efforts to develop a productive relationship with the Russian Federation in areas of mutual interest, including non-proliferation and arms control, cooperation concerning the failure of the Government of Iran to meet its international obligations with regard to its nuclear programs, counter-terrorism, Afghanistan, anti-piracy, and economics and trade; and

Whereas the Senate agrees that these efforts must not compromise longstanding United States policy or United States support for its allies and partners worldwide: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia occupied by the Russian Federation;

(2) calls upon the Government of Russia to take steps to fulfill all the terms and conditions of the 2008 ceasefire agreements between Georgia and Russia, including returning military forces to pre-war positions and ensuring access to international humanitarian aid to all those affected by the conflict;

(3) urges the Government of Russia and the authorities in control in the regions of South Ossetia and Abkhazia to allow for the full and dignified return of internally displaced persons and international missions to the territories of Abkhazia and South Ossetia;

(4) supports peaceful, constructive engagement and confidence-building measures between the Government of Georgia and the authorities in control in South Ossetia and Abkhazia and encourages additional people-to-people contacts; and

(5) affirms that finding a peaceful resolution to the conflict is a key priority for the United States in the Caucasus region and that lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

ENCOURAGING WOMEN'S POLITICAL PARTICIPATION IN SAUDI ARABIA

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 114, S. Res. 216.

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

The legislative clerk read as follows:

A resolution (S. Res. 216) encouraging women's political participation in Saudi Arabia.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 216) encouraging women's political participation in Saudi Arabia, which had been reported from the Committee

on Foreign Relations, with an amendment and an amendment to the preamble.

(Strike the parts in boldface brackets and insert the parts shown in italics.)

S. RES. 216

[Whereas, on September 22, 2011, the Kingdom of Saudi Arabia is scheduled to hold its first nationwide municipal elections since 2005, with voter registration open as of April 23, 2011;

[Whereas the Government of Saudi Arabia has announced—as it did in 2005—that women will be unable to run for elective office or vote;

[Whereas, on March 28, 2011, president of the general committee for the election of municipal council members Abd al-Rahman Dahmash stated, ''We are not prepared for the participation of women in the municipal elections now.'';

[Whereas Foreign Minister of Saudi Arabia Prince Saud Al Faisal stated in an interview after the 2005 election that he assumed women would be allowed to vote in future elections, and that this would benefit the election process because women were ''more sensible voters than men'';

[Whereas the decision by the Government of Saudi Arabia to continue to disenfranchise women in the September 2011 municipal elections is inconsistent with a series of commitments made by the Government of Saudi Arabia;

[Whereas, in January 2003, Saudi Arabia proposed to the League of Arab States the ''Covenant for Arab Reform,'' resulting in the adoption of the ''Tunis Declaration'' at the May 2004 Arab Summit, which declared, among other things, a ''firm determination'' to ''pursue reform and modernization'' by ''widening women's participation in the political, economic, social, cultural and educational fields'';

[Whereas these declarations were reaffirmed at the Arab Summit in Algiers on March 23, 2005, and at the Riyadh Summit held in Saudi Arabia on March 28, 2007;

[Whereas, in April 2009, Saudi Arabia ratified the Arab Charter on Human Rights, which states in article 24(3), ''Every citizen has the right . . . to stand for election or choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of his will.'';

[Whereas, on June 10, 2009, the Government of Saudi Arabia accepted the majority of the recommendations put forward by the United Nations Human Rights Council's Working Group on the Universal Periodic Review including to ''[a]bolish all legislation, measures and practices that discriminate against women . . . In particular, to abolish legislation and practices which prevent women from participating fully in society on an equal basis with men,'' and to ''end the strict system of male guardianship and give full legal identity to Saudi women'';

[Whereas the Government of Saudi Arabia has indicated that it is supportive of the human rights of women;

[Whereas, in November 2010, Saudi Arabia was elected to the Executive Board of UN Women, emphasizing the commitment of the Government of Saudi Arabia to the rights of women;

[Whereas 'Abd al-Rahman Dahmash, the president of the general committee for the election of municipal council members, has stated that Saudi women will be granted the right to vote in the next municipal elections scheduled to be held in 2015; and

[Whereas, while the United States Government acknowledges the deep cultural and religious traditions and sentiments within Saudi society, without the right to vote on par with men, women in Saudi Arabia are denied not only a fundamental human right but also the ability to contribute fully to the economic development, modernization, and prosperity of their own country: Now, therefore, be it**]**

Whereas, on September 29, 2011, the Kingdom of Saudi Arabia is scheduled to hold its first nationwide municipal elections since 2005;

Whereas the Government of Saudi Arabia has announced—as it did in 2005—that women will be unable to run for elective office or vote;

Whereas, on March 28, 2011, president of the general committee for the election of municipal council members 'Abd al-Rahman Dahmash stated, ''We are not prepared for the participation of women in the municipal elections now.'';

Whereas the Foreign Minister of Saudi Arabia, Prince Saud Al Faisal, stated in an interview after the 2005 election that he assumed women would be allowed to vote in future elections, and that this would benefit the election process because women were ''more sensible voters than men'';

Whereas, on June 6, 2011, the Majlis Al-Shura Consultative Council adopted a resolution recommending that the Kingdom of Saudi Arabia Ministry of Rural and Municipal Affairs take the necessary measures to include female voters in future municipal elections;

Whereas the decision by the Government of Saudi Arabia to continue to disenfranchise women in the September 2011 municipal elections is inconsistent with a series of commitments made by the Government of Saudi Arabia;

Whereas, in January 2003, Saudi Arabia proposed to the League of Arab States the ''Covenant for Arab Reform,'' resulting in the adoption of the ''Tunis Declaration'' at the May 2004 Arab Summit, which declared, among other things, a ''firm determination'' to ''pursue reform and modernization'' by ''widening women's participation in the political, economic, social, cultural and educational fields'';

Whereas these declarations were reaffirmed at the Arab Summit in Algiers on March 23, 2005, and at the Riyadh Summit held in Saudi Arabia on March 28, 2007;

Whereas, in April 2009, Saudi Arabia ratified the Arab Charter on Human Rights, which states in article 24(3), ''Every citizen has the right. . . to stand for election or choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of his will.'';

Whereas, on June 10, 2009, the Government of Saudi Arabia accepted the majority of the recommendations put forward by the United Nations Human Rights Council's Working Group on the Universal Periodic Review including to ''[a]bolish all legislation, measures and practices that discriminate against women. . . In particular, to abolish legislation and practices which prevent women from participating fully in society on an equal basis with men,'' and to ''end the strict system of male guardianship and give full legal identity to Saudi women'';

Whereas the Government of Saudi Arabia has indicated that it is supportive of the human rights of women;

Whereas, in November 2010, Saudi Arabia was elected to the Executive Board of UN Women, emphasizing the commitment of the Government of Saudi Arabia to the rights of women;

Whereas 'Abd al-Rahman Dahmash, the president of the general committee for the election of municipal council members, has stated that Saudi women will be granted the right to vote in the next municipal elections scheduled to be held in 2015; and

Whereas, while the United States Government acknowledges the deep cultural and religious traditions and sentiments within Saudi society, without the right to vote on par with men, women in Saudi Arabia are denied not only a fundamental human right but also the ability to contribute fully to the economic development, modernization, and prosperity of their own country: Now, therefore, be it

Resolved, **[**That the Senate—

[(1) calls on the Government of Saudi Arabia to allow women to participate, both as voters and candidates for elective office, in the September 2011 elections;

[(2) supports the women of Saudi Arabia as they endeavor to exercise their human rights; and

[(3) believes that it is in the interest of Saudi Arabia and all nations to permit women to run for office and vote in all elections.**]**

That the Senate—

(1) urges the Government of Saudi Arabia to allow women to fully participate, both as voters and candidates for elective office, in the September 2011 elections;

(2) supports the women of Saudi Arabia as they endeavor to exercise their human rights and participate equally in society; and

(3) believes that it is in the interest of Saudi Arabia and all nations to permit women to run for office, receive civic education, and vote in all elections.

Mr. BROWN of Ohio. I ask unanimous consent the committee-reported substitute amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate and any statements be printed in the RECORD.

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

The amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 216), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 216

Whereas, on September 29, 2011, the Kingdom of Saudi Arabia is scheduled to hold its first nationwide municipal elections since 2005;

Whereas the Government of Saudi Arabia has announced—as it did in 2005—that women will be unable to run for elective office or vote;

Whereas, on March 28, 2011, president of the general committee for the election of municipal council members 'Abd al-Rahman Dahmash stated, ''We are not prepared for the participation of women in the municipal elections now.'';

Whereas the Foreign Minister of Saudi Arabia, Prince Saud Al Faisal, stated in an interview after the 2005 election that he assumed women would be allowed to vote in future elections, and that this would benefit the election process because women were ''more sensible voters than men'';

Whereas, on June 6, 2011, the Majlis Al-Shura Consultative Council adopted a resolution recommending that the Kingdom of Saudi Arabia Ministry of Rural and Municipal Affairs take the necessary measures to include female voters in future municipal elections;

Whereas the decision by the Government of Saudi Arabia to continue to disenfranchise women in the September 2011 municipal elections is inconsistent with a series of commitments made by the Government of Saudi Arabia;

Whereas, in January 2003, Saudi Arabia proposed to the League of Arab States the

''Covenant for Arab Reform,'' resulting in the adoption of the ''Tunis Declaration'' at the May 2004 Arab Summit, which declared, among other things, a ''firm determination'' to ''pursue reform and modernization'' by ''widening women's participation in the political, economic, social, cultural and educational fields'';

Whereas these declarations were reaffirmed at the Arab Summit in Algiers on March 23, 2005, and at the Riyadh Summit held in Saudi Arabia on March 28, 2007;

Whereas, in April 2009, Saudi Arabia ratified the Arab Charter on Human Rights, which states in article 24(3), ''Every citizen has the right . . . to stand for election or choose his representatives in free and impartial elections, in conditions of equality among all citizens that guarantee the free expression of his will.'';

Whereas, on June 10, 2009, the Government of Saudi Arabia accepted the majority of the recommendations put forward by the United Nations Human Rights Council's Working Group on the Universal Periodic Review including to ''[a]bolish all legislation, measures and practices that discriminate against women . . . In particular, to abolish legislation and practices which prevent women from participating fully in society on an equal basis with men,'' and to ''end the strict system of male guardianship and give full legal identity to Saudi women'';

Whereas the Government of Saudi Arabia has indicated that it is supportive of the human rights of women;

Whereas, in November 2010, Saudi Arabia was elected to the Executive Board of UN Women, emphasizing the commitment of the Government of Saudi Arabia to the rights of women;

Whereas 'Abd al-Rahman Dahmash, the president of the general committee for the election of municipal council members, has stated that Saudi women will be granted the right to vote in the next municipal elections scheduled to be held in 2015; and

Whereas while the United States Government acknowledges the deep cultural and religious traditions and sentiments within Saudi society, without the right to vote on par with men, women in Saudi Arabia are denied not only a fundamental human right but also the ability to contribute fully to the economic development, modernization, and prosperity of their own country: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of Saudi Arabia to allow women to fully participate, both as voters and candidates for elective office, in the September 2011 elections;

(2) supports the women of Saudi Arabia as they endeavor to exercise their human rights and participate equally in society; and

(3) believes that it is in the interest of Saudi Arabia and all nations to permit women to run for office, receive civic education, and vote in all elections.

RESOLUTIONS SUBMITTED TODAY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 242, S. Res. 243, S. Res. 244.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, without any intervening action or debate, and any statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 242

Supporting the goals and ideals of National Ovarian Cancer Awareness Month

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas almost 21,000 women will be diagnosed with ovarian cancer in 2011, and 15,000 will die from the disease;

Whereas these deaths are those of our mothers, sisters, daughters, family members, and community leaders;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared 40 years ago;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at a higher risk;

Whereas some women, such as those with a family history of breast or ovarian cancer, are at a higher risk for the disease;

Whereas the pap test is sensitive and specific to the early detection of cervical cancer, but not ovarian cancer;

Whereas there is currently no reliable early detection test for ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas in June 2007, the first national consensus statement on ovarian cancer symptoms was developed to provide consistency in describing symptoms to make it easier for women to learn and remember the symptoms;

Whereas there are known methods to reduce the risk of ovarian cancer, including prophylactic surgery, oral contraceptives, and breast-feeding;

Whereas, due to the lack of a reliable early detection test, 75 percent of cases of ovarian cancer are detected at an advanced stage, making the overall 5-year survival rate only 45 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and that play an important role in the prevention of the disease;

Whereas awareness of the symptoms of ovarian cancer by women and health care providers can lead to a quicker diagnosis;

Whereas, each year during the month of September, the Ovarian Cancer National Alliance and its partner members hold a number of events to increase public awareness of ovarian cancer; and

Whereas September 2011 should be designated as ''National Ovarian Cancer Awareness Month'' to increase public awareness of ovarian cancer: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Ovarian Cancer Awareness Month.

S. RES. 243

Promoting increased awareness, diagnosis, and treatment of atrial fibrillation to address the high morbidity and mortality rates and to prevent avoidable hospitalizations associated with the disease

Whereas atrial fibrillation is a cardiac condition that results when the usual coordinated electrical activity in the atria of the heart becomes disorganized and chaotic, hampering the ability of the atria to fill the ventricles with blood, and allowing blood to pool in the atria and form clots;

Whereas an estimated 2,500,000 people in the United States are living with atrial fibrillation, the most common ''serious'' heart rhythm abnormality that occurs in people older than 65 years of age;

Whereas atrial fibrillation is associated with an increased long-term risk of stroke, heart failure, and all-cause mortality, especially among women;

Whereas people older than 40 years of age have a 1-in-4 risk of developing atrial fibrillation in their lifetime;

Whereas an estimated 15 percent of strokes are the result of untreated atrial fibrillation, a condition that dramatically increases the risk of stroke to approximately 5 times more than the general population;

Whereas atrial fibrillation accounts for approximately 529,000 hospital discharges annually;

Whereas atrial fibrillation costs an estimated $3,600 per patient for a total cost burden in the United States of $15,700,000,000;

Whereas better patient and health care provider education is needed for the timely recognition of atrial fibrillation symptoms;

Whereas an electrocardiogram is an effective and risk-free screen for heart rhythm irregularities and can be part of a routine preventive exam;

Whereas there is a dearth of outcome performance measures that focus on the management of atrial fibrillation; and

Whereas evidence-based care guidelines improve patient outcomes and prevent unnecessary hospitalizations for individuals with undiagnosed atrial fibrillation and for patients once atrial fibrillation is detected: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Secretary of Health and Human Services should work with leaders in the medical community to explore ways to improve medical research, screening and prevention methods, and surveillance efforts in order to prevent and appropriately manage atrial fibrillation, including by—

(1) advancing the development of process and outcome measures for the management of atrial fibrillation by national developers;

(2) facilitating the adoption of evidence-based guidelines by the medical community to improve patient outcomes;

(3) advancing atrial fibrillation research and education by—

(A) encouraging basic science research to determine the causes and optimal treatments for atrial fibrillation;

(B) exploring development of screening tools and protocols to determine the risk of developing atrial fibrillation; and

(C) enhancing current surveillance and tracking systems to include atrial fibrillation; and

(4) improving access to appropriate medical care for patients suffering from atrial fibrillation by encouraging education programs that promote collaboration among the Federal health agencies and that increase public and clinician awareness of atrial fibrillation, including risk assessment, screening, treatment, and appropriate clinical management.

S. RES. 244

Congratulating Omega Psi Phi Fraternity, Inc. for 100 years of service to communities throughout the United States and the world, and commending Omega Psi Phi for upholding its cardinal principles of manhood, scholarship, perseverance, and uplift

Whereas Omega Psi Phi is the first international fraternal organization to be founded on the campus of a historically black college;

Whereas Omega Psi Phi Fraternity, Inc. was founded at Howard University in Washington, District of Columbia, on November 17, 1911, by undergraduates Oscar James Cooper, M.D., Frank Coleman, Ph.D., and Edgar Amos Love, D.D., and their faculty advisor Ernest Everett Just, Ph.D.;

Whereas, on November 17, 2011, Omega Psi Phi will celebrate 100 years of service to communities throughout the United States and the world in many diverse fields of endeavor;

Whereas, in 2011, Omega Psi Phi has more than 700 chapters throughout the United States, Bermuda, the Bahamas, the Virgin Islands, South Korea, Japan, Liberia, Germany, and Kuwait;

Whereas Omega Psi Phi has maintained a commitment to the betterment of mankind, the enhancement of the community, and the enrichment of collegiate men through dedication to its cardinal principles of manhood, scholarship, perseverance, and uplift;

Whereas Omega Psi Phi chapters participate in activities that uplift their communities, including voter registration, illiteracy awareness, Habitat for Humanity, health awareness programs, and youth mentoring;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of science, including Dr. Ernest Everett Just, an internationally known biologist, Dr. Charles Drew, who perfected the use of blood plasma, Dr. Ronald E. McNair, an astronaut and member of the flight team aboard the Space Shuttle Challenger, Charles Bolden, an astronaut and the Administrator of the National Aeronautics and Space Administration, and Dr. Fred Drew Gregory, an astronaut and graduate of the United States Air Force Academy;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of sports, including Dr. Robert M. Screen, the tennis coach at Hampton University and the coach with the most wins in the history of the National Collegiate Athletic Association, Michael Jordan, who was inducted into the Naismith Memorial Basketball Hall of Fame in 2009, Charlie Ward, the winner of the Heisman Trophy in 1993 and a former guard with the New York Knicks of the National Basketball Association, Dr. LeRoy Walker, a former president of the United States Olympic Committee, and Terrance Trammell, a world champion hurdler;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of government, including William Hastie, the first Governor of the Virgin Islands, Lawrence Douglas Wilder, the first black Governor of Virginia, Togo West, a former Secretary of the Army, James E. Clyburn, a Member of the House of Representatives from South Carolina and the 26th Majority Whip of the House of Representatives, Jesse Jackson, Jr., a Member of the House of Representatives from Illinois, and Hank Johnson, a Member of the House of Representatives from Georgia;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of the arts, including Langston Hughes, the poet laureate who excelled as a poet, playwright, novelist, lyricist, and humorist, and William ''Count'' Basie, an internationally known pianist, composer, arranger, and band leader; and

Whereas Omega Psi Phi will commemorate its history and promote its continued success at its centennial celebration to be held July 27 through July 31, 2011, in Washington, District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Omega Psi Phi Fraternity, Inc. for 100 years of service to communities throughout the United States and the world; and

(2) commends Omega Psi Phi for upholding its cardinal principles of manhood, scholarship, perseverance, and uplift.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE DEBT CEILING

Mr. HOEVEN. Mr. President, I rise once again to urge my colleagues to come together and address this debt ceiling to reduce our deficit and debt. We are at the 12th hour, and it is vitally important to the American people we move forward. I believe there is opportunity to do that. I think it is important we move forward in a way that makes sure we address the root of the problem. The problem is, we have a deficit and a debt that is out of control. As we work together to reach agreement on this very important debt ceiling issue, we need to be mindful that we have taken a big step forward in reducing the deficit and debt that our country faces.

Let's start by taking just a minute to look at the numbers. Today this country has total revenues coming into the Federal Government at about $2.2 trillion. At the same time, we have expenses of $3.7 trillion, leaving an annual deficit of more than $1.5 trillion. Our debt is now in the range of $14.5 trillion. It is hard to even imagine what $1 trillion is, let alone $14.5 trillion. We are borrowing 40 cents of every dollar we spend, and our debt is growing $4 billion a day—$4 billion a day. The unemployment is 9.2 percent, and the latest GDP growth came out for the second quarter for this year. It was an anemic 1.3 percent.

We need to get our economy growing. We need to get people back to work. We need to get people working, and at the same time we have to control our spending. It is time to act.

We are faced with two different pieces of legislation at this point. One is the Boehner plan, or the Budget Control Act of 2011, that the House will be voting on very soon, I believe. Also, there is another plan, the Reid plan, in the Senate. Although they have some similarities, as configured now they are different plans and different approaches.

One, very importantly, gets us on the road to recovery. The other one doesn't. Let's take just a minute to talk about each of those respective plans to make sure we understand them. As they vote on them in the House, and as we face those important votes this evening or tomorrow or, hopefully, very soon, we can understand the differences between these approaches so we can find a way to come together on an approach that we can pass in this Chamber and also in the House, and, of course, that truly moves our country forward.

Under the Boehner proposal there is $917 billion in savings that must be provided in order to raise the debt ceiling, and that allows the first tranche of increase in the debt ceiling in the amount of $900 billion. Those savings have to be identified first—in fact, more than the amount of the debt ceiling increase.

Then the second tranche to increase the debt ceiling beyond that $900 billion, an additional $1.8 trillion in savings, has to be identified and provided—$1.8 trillion in savings. That is $2.7 trillion in savings to get this country back on the road to financial health in order to raise the debt ceiling. That is fundamentally important because that is the fundamental issue. It doesn't fully solve the problem, but it gets us on the right path, and we have to get going on the right path.

The second tranche of savings is done by a committee of six Members of the Senate—three Democrat, three Republican—and six Members of the House—three Republican, three Democrat—in a bipartisan committee. I think that committee offers us real opportunity. Here is why: The committee has to come up with recommendations for real savings by November. It is bipartisan, and it is a straight up-or-down vote in the House or the Senate to put those savings in place, and those savings must be identified before we raise the debt ceiling further. So it is something we have to do.

Let's think about that committee for a minute. That is a committee that can bring in the ideas of the Gang of 6. That is the committee that can bring in the Simpson-Bowles concept. That is a committee that can bring in tax reform. That is a committee that can bring in entitlement reform. These are the things we are going to need to address to get this economy going and get control of our spending. I know we have put together many pieces of legislation that have been bipartisan and have been very important for this country, and I think this committee truly offers us that opportunity. I hope it is something we in the Senate can find a way to come together on and that we can get our colleagues in the House to join us.

In my view, I do think we need to engage in tax reform. I think the right kind of progrowth tax reform—some of the concepts brought forth by the Gang of 6—can truly help us to stimulate

economic activity. I think the real way to get revenue for this country is through economic growth—not higher taxes, through economic growth. Expand the pie, the rising tide that lifts all boats.

If we can engage in tax reform to stimulate economic growth, we reduce that unemployment rate by more than 9 percent. That is good for every American, but it is also the way we create revenue to get us out of this deficit and debt at the same time that we control spending.

I absolutely believe it can work, and I think that we need to convince our Members we need to come together and make it happen.

The Boehner proposal also includes a balanced budget amendment, and I know that has been an issue of great debate in this Senate. I believe we need a balanced budget amendment. I have said it many times before. I come from a background in my State, as a Governor, where we balanced our budget every year. There are 49 States that either have a constitutional or statutory priority to balance their budget. We need that fiscal discipline in Washington, DC. I think we need it to make sure we don't get ourselves into this situation in the future years for ourselves or for these young people we see here today with us.

When we compare the approach of the Boehner plan, it is different from the Reid plan. It is important that we understand that. The Reid plan does provide that we identify $900 billion in savings, but that provides that once we have identified that $900 billion in savings, we raise the debt ceiling by $2.7 trillion, unlike the Boehner proposal where we are finding significantly more savings than we are increasing the debt ceiling. This is just the opposite. We are increasing the debt ceiling $2.7 trillion but only requiring $900 billion in savings. That doesn't get at the root of the problem. That continues the underlying problem of too much spending and too much debt. Like the Boehner proposal, the Reid proposal does provide for a committee. That is important. That is good. Unlike the Boehner proposal, it doesn't require that committee bring back the savings and that we put those savings in place before the debt ceiling is increased. It doesn't have the teeth we need to make sure we get this job done for the American people, and that is a problem. They are different approaches, and it doesn't include a balanced budget amendment.

There has been talk that we must work together to find a way to bridge the gap and the differences, and I think that is true. We have to find ways to come together. Time is growing short. We need to get it done now. I think it is the approach identified in the Boehner plan that we need to take. We need to get our colleagues in this Chamber to join with us to do it. It is the only piece of legislation that can pass the House, but, more importantly, it is a big step forward. It is a big step in the right direction for our country.

I thank the Chair.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. I would ask to speak for 20 minutes.

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

Mr. GRASSLEY. Mr. President, while we are waiting for people to decide what the rest of us can vote on in regard to cutting down on the national debt and what we can do about being able to continue our government to function tomorrow, all of this is about uncertainty, and we read about the uncertainty every day in the newspaper because people don't know what we are going to do. That then causes businesses, small and large, not to hire, and it seems as though they have a lot of cash they would like to spend and invest wisely. Some of that would surely create a lot of jobs and get our economy moving. Of course, the situation today where the revision of the quarterly economic growth has come out even less for the second quarter than we anticipated, it brings a lot of things to mind as to what we can do to create jobs. With 9.2 percent unemployment, that has to be our concentration.

I would like to advise my colleagues that a lot can be learned from history. We must change course if we want to change jobs. The 2007 to 2009 recession was officially over during the year 2009, and here we are still with 9.2 percent unemployment.

So this month happens to be the second-year anniversary of the official start of the recovery. But what kind of a recovery, with 9.2 percent unemployment? It seems to be an unofficial recovery; in other words, a recovery in name only. We have had about 2.8 percent annual growth average per year of that 2 years; and, of course, I just said the growth of the last quarter was revised downward. When we compare what we have during this recovery from what was a very bad recession with the recovery of the last deep recession, which was in 1981 and 1982, we compare this 2.8-percent growth now with a 7.1-percent growth for the recovery after the 1981 to 1982 deep recession—of course, we can go even further because, as I said, compare 7.1-percent growth after the deep recession of 1981 and 1982 with the 2.8-percent average growth so far during this 2 years of recovery, which has now slowed down to probably 1.5-percent growth. So statistically and actually, and for the people who are unemployed, recovery has, in fact, been very stalled since its very beginning 2 years ago, as we celebrate the 2-year anniversary of a so-called recovery, and still with 9.2-percent unemployment.

I say we must change course. If we want to go back to comparing now with the 1983 and 1984 period of time when we had a much more vibrant recovery, people tend to blame the weak economy today, during this recovery, on high personal savings rates. But, in fact, people are spending more now than they did in the 1983 to 1984 recovery because, today, the savings rate is about 5.6 percent, and in 1983 to 1984, the other recovery, it was 9.4 percent. So we can't say people aren't spending enough is why we don't have a recovery.

Then they tend to blame it on weak housing, but if we look at the difference between now and 1983 and 1984, that doesn't seem to be a very good reason.

Net exports are less now than they were in the 1983 and 1984 recovery. The growth of consumption and the growth of investment is 60 to 70 percent less now than it was in the 1983 and 1984 recovery.

So what can we learn from this history that made the recovery of 1983 and 1984, the last great recession we had compared to this recession, better than the recovery now? Why have we stalled today when we didn't stall in a comparable period of recovery after the last great recession? If the above doesn't explain it, then what does explain it? Why, then, was the recovery of the 1980s so much more vigorous than the recovery now if we are, in fact, in a recovery—and people would doubt that.

That is the question where I think we can learn from history. Political leaders ought to learn from the lessons of the past. There are a lot of lessons that can be learned going back over a long period of time: mistakes made in the Great Depression of the 1930s, or let's say the gigantic inflation of the 1970s. The 1930s and the 1970s were tough decades, but during those tough times and remembering them—and maybe other tough times as well; I am just picking out the Great Depression of the 1930s and the gigantic inflation of the 1970s—but these lessons learned by political leaders in the 1980s and 1990s led us to very unprecedented growth during those two decades when 44 million jobs were created. If 44 million jobs were created during those decades, why do we have such small job growth now? I think the answer is that we went back to basic principles that this country was founded upon: political and economic freedom. The principles that dominated the decades of the 1980s and 1990s when 44 million new jobs were created aligned with the principles that are the foundation of our country: political and economic freedoms. Those were limited government, incentives to produce, incentives for entrepreneurship, emphasis upon private markets, and rule of law. These tended to be in ascendancy during the decades of the 1980s and 1990s and it led to monetary

policy that brought about price stability. It brought about lower marginal tax rates. Regulations encouraged competition and innovation. We had welfare decisions that were devolved down to the States where they could be handled more efficiently, and we had spending restraints that led to balanced budgets during the late 1990s, paying down $568 billion on the national debt.

So there was great hope that what was done during the 1980s and 1990s that brought about 44 million new jobs would extend into the 21st century and that we would continue to bring market-based principles into Social Security and other entitlement programs, bring market-based principles into education, bring market-based principles into health care. Because if these market-based principles worked during the 1980s and 1990s of the last century and created 44 million jobs, the success of that ought to carry over into other government policies so we could continue down the road of creating jobs instead of stagnating as we have now.

But sometime after 2000—and that doesn't mean just after President Obama was elected, because there was a Republican President before that—but sometime after 2000 both political parties compromised—and I want to emphasize both political parties—on the principles of limited government. They did it for a multitude of reasons. Some of these reasons were that they thought government ought to control business cycles to a greater extent, that we ought to increase home ownership, and we know how that worked out: We ought to have a policy that people ought to be able to buy a house they can't afford. Now we know that is a stupid policy, but at the time we didn't know it; also the prescription drug issue, as an example, although there were some market-based principles put into that.

But, anyway, there were a multitude of reasons why we ought to compromise the principle of limited government, but it ended up more interventionist and it made the Federal Government more powerful, and we ended up with unintended consequences: the financial crisis we still remember and we are still trying to get out of; the recession, which I have already talked about, of 2007 and 2009, of which we are celebrating 2 years of supposed recovery that isn't real recovery; we have had a great amount of expanded government debt; and now we have this nonexistent recovery with 9.2-percent unemployment.

I think, looking back, how did this happen? I was here when it happened. It reminds me of the story about—well, I guess I ought to say it and then give the story. It happened so slowly, and all of these things added up to be bad to bring about the great recession, and now not a very good recovery, because each one of them happened independent of the other and without one relating to the other. So it reminds me of the story of the frog and the water. If you throw a frog in boiling water, he will jump out and live. If you put a frog in cold water and gradually heat it up to a boil, it is going to accommodate the changes and die. So these policies slowly developed and we got into the situation we are in right now. I will say it again: Change came so slowly, it crept up on us.

Then, of course, what happened? The crash came. We had this Federal intervention in housing. I stated it before: Buy a house even if you can't afford it. We eliminated a lot of Federal Reserve accountability, particularly when they didn't have to report on monetary growth on a regular basis as they did before. Then we had these countercyclical fiscal policies that failed. We had, during periods of growth in our economy, unrealistically low interest rates by the Federal Reserve action. Then, of course, we had government bailouts. This has led to things all getting worse since 2009. We had more intervention. We had loose monetary policies, QE1 and QE2, of the Federal Reserve. We had a stimulus plan that was supposed to keep unemployment under 8 percent, and since it was passed in February of 2009, unemployment has never been below that. It has always been above 8 percent. It is 9.2 percent now, but it was even over 10 percent. We had the Cash For Clunkers Program. We had the first-time homeowners tax credit. All of these together have not brought recovery, even though the economists tell us we are in the second-year anniversary of a recovery.

What did they bring that has stalled the recovery? What they have brought is more uncertainty, and more uncertainty is bad for the economy because, as I said when I started out, there is plenty of money out there in corporations. There are plenty of small businesses that want to hire, but they do not know what we in this Congress are going to do to them so they are not moving forward. Consequently, the unemployment rate is not going down. And right this very hour, as people are trying to find something that can pass this body and the other body so we do not have default, it even brings more uncertainty, and you read it in the morning paper, this morning's paper. So you have to come to the conclusion, with all of this intervention bringing about all this uncertainty, that big government is not a very good manager.

Then, as I said, this did not happen just since President Obama became President. This happened over the period of time of this decade and maybe even going back a little bit into the other decade. But just since President Obama was elected, we have added yet more complex intervention: the health care reform bill, Dodd-Frank, the Consumer Protection Bureau.

The President this very week has been talking about increasing taxes, only he does not use the word ''taxes.'' We have to have more ''revenue'' or we have to have ''balance.'' But it still adds up, all of these things out there, that government does not know what all these rules and regulations—do you realize that in health care reform, there are 1,690 delegations of authority to the Secretaries to write regulations? And they are not going to be written for years. But that brings so much uncertainty.

So we have more uncertainty, plus unintended consequences that come out of these, like right now, rising health care costs because of the bill, deterring new investments because of Dodd-Frank and deterring risk-taking. Risk-taking is what entrepreneurship is all about, and entrepreneurship is mostly related to small businesses, where 70 percent of the new jobs are created.

Government intervention is the problem because government intervention or government not making decisions all adds up to more uncertainty. So I think the solution is to unwind government intervention in all these regulations of EPA and all the other government agencies. Every day in the newspaper, you see some new regulation coming out. If you want to get people to hire, you ought to just shut down the printing presses for a while.

One sure thing though: We can thank God we have run out of monetary and fiscal ammunition because it has not worked anyway. We are going to probably have a great deal of inflation because of what the Fed did. We have no more spending we can do because all the spending we have done has not done the good it was supposed to do. We need no more greater debt, and we do not have any more zero interest rates to put out there because that is practically where it is right now.

Instead, what we need is spending controls, and what we need is free market principles. Historical evidence shows what works and what does not. I said what works and what does not is shown from the lessons learned from the depression of the 1980s and the gigantic inflation decade of the 1970s. So people in the 1980s and 1990s changed to policies that were market-oriented, and we created 44 million new jobs. So we ought to be learning from history. Historical evidence shows what works and what does not. And right this day, in this town, interventionists in the market control today. We need to restore less intervention, the policies of the 1980s and the 1990s to restore jobs. Remember, it created 44 million new jobs.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Indiana.

Mr. COATS. Mr. President, are we under a time agreement?

The PRESIDING OFFICER. The Senator has 10 minutes.

Mr. COATS. Mr. President, for several months now, I have been on the floor speaking, urging both Republicans and Democrats to listen to

Americans and take this unique opportunity we have before us to do what is right for our country's future.

Mr. President, 2010 sent an unmistakable message. Americans do not want us to spend beyond our means, more than we take in. They do not want higher taxes. They do not want budget gimmicks, and more smoke and mirrors. They want real, serious solutions to address our real, serious problem. We have worked several months to try to do that.

As I talk to Hoosiers all across the State of Indiana—businesspeople, retired workers, young people, and others—I sense the fear, frustration, disappointment and even anger in a growing number of people that started in 2010 and is accumulating as we continue to careen toward a potential budget default without a sensible or serious plan in place to get us back on the right track toward fiscal health.

American families are scared. They are scared, and they are frustrated, and I think rightfully so. They are worried about paying next month's bills. They are worried about getting a loan to buy a house or credit to help support a business. They are worried about being able to pay for their kids to go to school in the fall, just a few weeks away.

Our seniors are scared. Throughout this debate, they have been used over and over again as a political football for scare tactics. My phones are ringing off the hook with seniors basically saying: We have been told you are going to take away all of our benefits, but that is absolutely not true. We are trying to save those benefits. We are trying to take the reasonable measures necessary so those benefits for Social Security and Medicare are there for seniors in the future.

American businesses are frustrated. They are sick and tired of Washington's inability to act. The Washington Post reported this week that ''business leaders are growing exasperated with Washington. And they say dysfunction in the political system is holding them back from hiring and investing.'' The markets are jittery. We have seen a pretty good drop in the markets just this week. The dollar fell to a new low against the yen, and the yen is not doing that well. We continue to see stocks tumble.

So many have asked: Why haven't we acted yet? What are we waiting for? Why haven't we passed a bill to avoid this default? Why are we in this period of uncertainty, taking it right up as the clock ticks toward August 2?

While the President refused to even put forth a plan, House Republicans have been working to pass legislation. They passed the Cut, Cap, and Balance Act. They brought it here to the Senate floor. We were not even allowed to debate or vote on it or have amendments. For those who do not like it, there would have been an opportunity to improve it, there would have been an opportunity at least to have a ''yes'' or ''no'' vote on whether this was the path to where we needed to go. But we did not have that opportunity.

Now, even as I speak, we are moving toward another vote in the House—something similar coming forward tonight by Speaker BOEHNER and Republicans in the House. Unfortunately, it looks as if we are going to be blocked from debating that bill. There will be yet another motion to table, to deny the opportunity to move forward.

We know there are things going on behind the scenes, but this does not provide any assurance to the American people that whatever is being debated and put together is going to solve the problem. We are days away from exhausting our financial options, and we do not even allow those bills that do come before us to be debated.

Now, we have few options left in these few days remaining:

We can, No. 1, default and watch our U.S. economy be downgraded, interest rates rise, and the confidence in the United States as a place to safely invest your money deteriorate all around the world. This would be the first default in American history, except for a technical glitch some many years back.

The second option before us is we can pass legislation that is below where we need to be and where we ought to be, but we were not able to get there. Although it would avoid a default, it might not avoid a downgrade of our credit because it has not matched and met the minimal requirements of what most who have analyzed this situation have understood we need to undertake.

The third option—which has not been talked about too much, but several of us have been discussing this possibility—is to pass a short-term extension that will avert a default and allow us to continue to work for a serious fix that gets to those minimal measures necessary to make progress toward fiscal health.

That first option is not a viable option. Default has consequences we cannot begin to understand, and eventually those bills which the American people and their congressional representatives have put in place have to be paid because those promises were made.

The second measure—it may be what we are faced with, perhaps the best of the worst; is passing subpar legislation that begins the process of addressing it but is woefully short of really what needs to be done.

The third option, the short-term extension, is a way we can avoid the default and we can achieve cuts for the amount of necessary borrowing authority to get us through this period of time, whether it is 2 weeks or 4 weeks or 8 weeks. This short-term period of time would allow us to make yet one last-ditch chance to try to bring forward something that will avoid default but also put us on the road to fiscal health.

So I am urging my colleagues, if we cannot come up with something better than what we have, to give that serious consideration. What are those minimum levels? A $4 trillion cut over 10 years has been told to us over and over and over by anyone who has analyzed this situation as the minimal amount necessary to go forward. Others suggest quite a bit more. The Gang of 6 was working on, I believe, at least $4 trillion cut over that period of time. Simpson-Bowles provided for $4 trillion or more. Senator COBURN has brought out a plan, and others have suggested we need to be in the $9 trillion to $10 trillion range. But everyone has said you need to at least be at $4 trillion, and we are short of that, considerably.

We are also short of having serious commitment, plan and timetable to address the structural unraveling of our mandatory entitlement systems—Medicare and Medicaid and Social Security. This has been the political football kicked around, scaring seniors and others by saying Congress is here to try to take away their benefits, when actually we are here trying to save those benefits. But without structural changes in those programs, it is driving this deficit to a point which will be unsustainable in terms of providing benefits for those who need them.

We are going forward without a commitment to balance our budget, which I think is absolutely, ultimately the only thing that will keep us from doing binge spending here. The tendency is to want to say yes to everybody and no to nobody. We need something that will force us to be faithful to the Constitution of the United States, to have a balanced budget and not spend more than we take in.

Also, we all know we need an overhaul of our complicated Tax Code to make American businesses more competitive and to spur economic growth. After all is said and done, what this is really about is getting our fiscal house in order, getting our economy moving again—there was a terrible number this morning about the virtually small, almost nothing, lack of growth in the first and second quarters of this year—but getting the economy growing again so we can get people back to work.

That is what it is all about. We are not here to have Draconian cuts just for the fun of it. We are here to get our budget in balance so we can get our economy moving so people can have viable jobs for the future, so those kids coming out of college have a place to go, so the 55-year-old worker who is laid off and may never get back to work can get back to work, and so those who are seeking meaningful employment to pay their mortgage and raise a family and buy a home and send their kids to school will have the ability to do that. That is what it is all about. We are not doing this just for the fun of it. It is no fun to tell people we have to cut this and cut that and sacrifice here and sacrifice there. But we have put ourselves in the position where we have no other choice. To spend all of this time here, 7 months of diligent work by a lot of people——

The PRESIDING OFFICER. The Senator's 10 minutes is up.

Mr. COATS. Mr. President, I ask unanimous consent for 1 more minute.

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

Mr. COATS. Thank you, Mr. President. And I thank my colleague, also, for her patience.

To send us here, after 7 months, and come up with something that is short of the minimum, that continues the uncertainty—are they going to be able to pull it together with this two-stage process and gathering Senators and Congressman together to put a plan together that we have not been able to do in the first 7 months but we will do it in the next 5 months? A lot of people have some real problems with that.

I want to close by saying we cannot give up on the process of getting America back to fiscal health. We have to keep working. I have proposed a way here to try to do something better than what we are going to be faced with in doing in order to avoid this default.

I am hoping we have the opportunity to do that. If not, I am hoping we have the commitment to go forward and do what we all know we need to do for the sake of the future of this country—the country we love and want to be prosperous for the sake of the future of American families and their children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise during this very critical debate about the deficit crisis to talk for a few minutes about what this means for Michigan and for the families and the businesses I represent. I grew up in a small northern town of Clare, MI, where my family ran the automobile dealership, the Oldsmobile dealership, and my mom was a nurse at the local hospital.

My first job was washing the cars on the car lot. It was a time when people believed in America and the full faith and credit of America. I cannot imagine—I cannot imagine—my parents and my grandparents ever believing it would be possible for America to default on its obligations.

But here we are today, and that is a very real possibility. It is outrageous because it does not have to be this way. We have been through a lot in Michigan. I know you know that, Mr. President. We have had more people out of work than any other State in this recession. In fact, we have been hit harder, longer, deeper than any other State. We took the brunt of the recession, and people are now just starting to get back on their feet. They are the lucky ones.

When people in Washington talk about this deficit crisis as though it is just another political game, it is not a game. It is not a game to the families I represent. It is not a game to seniors I represent. It is not a game to the small businesses or to the manufacturers that have worked very hard to turn things around and move forward in our State. It is not a game to the people who are worried about what is going to happen on Tuesday if we cannot come together and create a solution, which we absolutely have to do.

There are nearly 2 million people in Michigan, senior citizens and people with disabilities, who have earned their Social Security benefits and might not receive them next week. We have 1.6 million seniors, people such as my mom, who may not be able to see their doctor and use their Medicare next week.

Michigan has 700,000 veterans, men and women who have bravely served our country, and they expect us to keep our promise to them as a country. Those are the people I am thinking about today as we are trying to find a bipartisan compromise.

We have to solve this problem and we need to get it done now and there is no reason that cannot happen. I am hearing from small business owners. I have been on the phone today talking to small business owners, the people whom we need in Michigan to turn the economy around. They are doing everything they can to grow their companies and to create jobs. But now they need customers, and they have customers who are saying they are afraid to make a purchase, they are holding onto their dollars, they are afraid to buy a house or furniture.

Today, I talked to friend of mine in northern Michigan, a prominent auto dealer, who indicated he has people who normally come in every 3 years and buy a new car, and they are just sitting because they do not know what is going to happen. They do not know what is going to happen in the economy. They do not know what is going to happen to them and their families and they are waiting. They are waiting for us. They are waiting for Washington to get its act together and to solve this problem and to move on to the other challenges in front of us, particularly to focus on jobs.

Our recovery has already taken hits. We saw that in the economic numbers that came out this morning. Families from Michigan have already taken the one-two punch of higher food prices, higher gas prices, and now we have people talking seriously about letting the country default which will lead to higher interest rates for people trying to raise their families, for small businesses trying to hire new employees.

The last thing they need—that anybody needs—is higher interest rates. A default would cripple the ability of our companies to create jobs, and it is the people who are already hurting the most, the middle-class working families, who will pay the biggest price, once again. That is wrong.

Worst of all, that scenario would be entirely self-inflicted by people on both ends of this building who are not willing to come together and work together on a bipartisan basis to resolve this. There is absolutely no reason why this country needs to default on its obligations. There is no reason.

I am hearing from seniors in Michigan who are scared that they might not get their Social Security checks next week. They are living check to check—benefits they have worked their whole lives to earn, and it is absolutely ridiculous they would have to worry about that in the greatest country in the world and all because people in Washington cannot seem to sit down and work this out.

For many seniors in Michigan, that is all they have to live on. That is all they have to pay their rent, to buy groceries, to pay for their medicine. They are worried about how they are going to live if this country goes into default.

I am hearing from veterans in Michigan, many of whom were left disabled after their service, who are angry, and rightly so, that the country they fought for might default on their payments for the first time.

I am hearing from young people who are worried about their future and the future of their generation if Congress allows the full faith and credit of the United States to come into question.

We all know it is critical to be able to cut the deficit. We also need to grow the economy. We need a full, balanced package. But we understand the critical nature and the importance of cutting this deficit that has been allowed to accumulate over the last decade. We have already cut spending. We will cut more.

The bipartisan plan that will soon come before us, and I wish to thank Senator REID for his leadership in bringing this forward and working so diligently and our colleagues across the aisle who have been working in the Senate to create a bipartisan plan. But the plan that will be before us cuts spending by nearly $2.5 trillion, and it does even more. It creates a second step that is absolutely critical if we are going to tackle the rest of the story, the rest of the country's challenges so we can create a truly balanced approach to eliminating the deficit.

People in Michigan understand that to do that, that includes cutting the special subsidies and other special interest spending through the Tax Code and creating a fairer Tax Code, so that reducing our deficit is not, once again, put on the backs of middle-class families and senior citizens who have already paid a heavy price.

This has to be balanced, long term, fair, to solve the problem and allow us to grow the economy and create jobs. I so appreciate and have worked very hard to make sure the plan in front of us protects and maintains Medicare and Social Security. This has been a top priority for our majority.

The plan Senator REID will be offering does that. Most important, the Senate plan creates certainty for the economy and the markets until 2012. People in Michigan do not want us having this debate every month. They certainly do not want us having this over

and over and over again and we know because we have heard that the plan which will come to a vote in the House, unfortunately, will not have bipartisan support, does not solve the problem, does not stop us from being downgraded in our credit rating, does not put us in a situation for long-term problem solving.

It keeps us stuck in the mud for months over and over again by only addressing the debt ceiling for 4 months or 6 months. We will be right back here again stuck when we need to be able to solve this and move on and focus on growing our economy so businesses can create jobs. People in Michigan have had enough. I have had enough. They have had enough.

One man called my office earlier today. He said: I do not want to relive this nightmare in a few months. I could not agree with him more. We cannot be in a situation where we are not creating economic certainty, solving this problem, and then moving forward as a country in a global economy. We have a lot of work to do to be able to compete around the world and make sure our businesses are creating jobs here at home.

Families and small businesses in Michigan have been through enough. It is time to get this done. We have to do it together. It is about working together. It is about creating a bipartisan plan, and it is time to get that done. I know my colleagues in the Senate on both sides of the aisle know the seriousness of this situation. I certainly know our leader does, and I am grateful for his persistence and focus in bringing people together to solve this.

We have a serious debt crisis that we can and must solve, and the House must join us in a bipartisan solution. We also have a jobs crisis in our country. We need to resolve the current impasse and then focus like a laser on growing our economy so companies can create jobs, so we can get out of debt, and we can stay out of debt.

I would strongly urge my colleagues, my colleagues on the other side of the aisle in this Chamber, to continue to work together to find a solution, to come together, to get this done in the Senate. I would urge my colleagues, on behalf of the hard-working men and women of the State of Michigan, it is time to come together to get this done. We know what needs to be done. We know it has to be bipartisan, and we know we have to work together. People in Michigan are saying enough is enough. It is time to get this done.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 6:45 p.m. today, with Senators permitted to speak therein for up to 10 minutes each, and that at 6:45 I be recognized.

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

The Senator from Utah is recognized.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to give my full speech.

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

THE DEBT CEILING

Mr. HATCH. Mr. President, according to President Obama and Treasury Secretary Geithner, the Federal government will default on its obligations in 5 days, on August 2, 2011.

It is clear that some Democrats, including President Obama, want to use this fiscal crisis to raise taxes.

Under the guise of closing loopholes, the administration wants to set the stage for tax increases to finance historic levels of government spending.

When this President came into office, he saw himself as the second coming of Franklin Roosevelt. He was going to finish the work that LBJ was unable to complete. And a fawning media was happy to encourage his grandiose vision for national economic reordering.

I get a big kick out of this ''Time'' magazine article entitled ''The New New Deal.''

Using the financial crisis of 2008 and 2009, he was going to transform the United States into a European-style social democracy.

Businesses, and the individuals who start them, would no longer be free entities with property rights. They would be arms of the state that exist for the purpose of funding ever expanding welfare programs.

Taxation would no longer be a necessary evil, with citizens and businesses recognizing a legal duty to pay what was owed, but understanding that they were ceding their property rights to the government to provide for certain public goods.

Instead, businesses and taxpaying citizens would be obligated to share their wealth with the state.

Because the progressives running the administration do not believe in natural rights to liberty and property because they think everything a family or business makes is in fact due only to the largesse of the state paying taxes is no longer something that must be done, but something that people should want to do.

They owe it to the government to pay taxes, since that money is not really theirs anyway. In this new progressive political community that the President hopes to create, taxation becomes shared sacrifice, and taxpayers become gleeful participants in ''spreading the wealth around,'' as the President once put it.

But the President and his party have hit a brick wall. The spending part was easy. The taxing part is hard.

For all of the talk about how Republicans are divided on the issue of raising the debt ceiling, you only have to scratch the surface to see the deep divisions among Democrats.

The reason that the President has offered up no plan to reduce spending, and the reason Democrats have not passed a budget in over 800 days, is because they are badly divided.

They all want the massive levels of new spending that the President pushed through in his stimulus and ObamaCare. But not all want to pay for it.

They all want to maintain existing levels of entitlement spending. But not all want to raise the taxes necessary to pay for it.

They know that some of their constituents like all this spending, but they know that the vast majority of Americans reject the President's funding of his leviathan state through higher taxes.

So they do nothing.

The President has no plan.

I want to repeat that again.

The President has no plan.

Maybe if we shout it from the rooftops, the media will start to take notice.

The President has no plan. And Senate Democrats don't either; certainly not one that addresses our current fiscal crisis.

The critical issue we face is more than imminent default on our obligations. That is unlikely to happen. It certainly should not happen. In my opinion, it will only happen if the President wants it to happen. On Wednesday, I asked the Financial Stability Oversight Council, which is chaired by Secretary Geithner, to provide me and the rest of this institution with an assessment of the cash position of the United States. As Congress considers options for raising the debt ceiling, it needs to know precisely how Treasury plans to pay its bills, and when it is going to fall short of cash to do so.

I asked that the Secretary respond to this reasonable request by yesterday afternoon. The Secretary chose not to respond. I want to be clear that this unresponsiveness by his Treasury Secretary is unacceptable. President Obama needs to understand that this failure to provide the Senate with critical information is not tolerable and will not be forgotten.

Still, I am confident that the Nation will get through this immediate crisis, and there will be no default. But that is only part of the problem. The real issue remains. The United States cannot support the level of spending President Obama has given us and that Democrats from the New Deal onward have bequeathed to the Nation in the form of ever expanding entitlement spending programs.

That is the real issue. And the majority leader's proposal does not address this, any more than the President's White House bromides about a balanced solution address it.

The real threat to this Nation is not the threat of a downgrade due to default.

The real long-term threat is a downgrade of the Nation's credit rating because President Obama has written checks that this country can't cash.

The real threat is that interest rates will go up for businesses, families, students, homeowners and anyone who has to borrow money. The economic ramifications of a downgrade threaten to bowl over our fragile economy. Job creation remains weak. Annualized growth in real inflation-adjusted GDP was only 1.3 percent in the second quarter. This follows on the heels of .4 percent growth in the first quarter.

Along with many others, I have said that if we do not get our spending under control, we are on a glide path to Greece and other Eurozone countries whose credit ratings are destroyed and whose bonds have junk status. Those countries would not have solved their problems by allowing the government to borrow more. Their only way out was to reduce the size of their welfare states.

Yet this is what the President, and the Treasury Secretary, and congressional Democrats are suggesting as a solution. They would have you believe that everything will be set right if only we give the President the legal authority to borrow an additional $2.7 trillion.

Americans are not buying this snake oil. I know that Utahns are not buying it. They understand that our nation's fiscal problem is spending. Giving the President more power to borrow more money is not going to fix that problem. Reducing spending is going to fix that problem.

The numbers could not be more clear.

As we can see, here are the Federal taxes and spending as a percentage of GDP. The red line is the spending line. We can see it is out of control in the 2012 Obama budget. The blue line is the average of what it has been in the past. We can see it is tremendously below where the President's budget is taking us.

Federal spending, as a share of our economy is trending at a pace 15 to 20 percent greater than its historical average of 20.6 percent of GDP. If we leave in place this year's level of taxation, including the marginal rate relief of the 2001 and 2003 tax cuts, and patch the alternative minimum tax—or AMT—the Federal tax take will equal or exceed its historic share of the economy.

Liberals suggest that the deficit and debt must be addressed through tax increases.

This is either deliberately misleading or sadly delusional.

Maybe we have found the truly shovel-ready policies of my friends on the other side, and they smell like a freshly fertilized farmer's field. Or maybe my friends on the other side simply refuse to come to grips with reality. But sticking their heads in the sand is not an option here. The markets, and the American people, understand the nature of our crisis.

Non-defense discretionary spending is at historic levels. And our entitlement programs are headed for bankruptcy. This fiscal year we have a projected budget deficit of $1.5 trillion.

We have a debt of over $14.3 trillion.

President Obama's budget assumes $13 trillion in new debts. This spending needs to be brought to heel. But the proposal of the majority leader does not get the job done.

It allows for the largest debt ceiling increase in history.

This makes sense. President Obama has given us the largest deficits in our history, and his borrowing needs are historic as well.

To pay for his political science experiment to turn the United States into Sweden, he earlier required a $1.9 trillion debt limit increase. That was the largest in the Nation's history.

But now he is coming back for another $2.7 trillion.

Conservatives understand that this is not sustainable. It is one thing to raise the debt limit. It is another thing to do so without reforms that would keep us from getting into a fiscal crisis of this magnitude again. That is why I, and many others in Congress, pledged to vote against a debt ceiling increase prior to the institution of immediate spending cuts and spending caps, and sending a strong balanced budget amendment with taxpayer protections to the States for ratification.

To be clear, that commitment to cut, cap, balance passed the House with bipartisan support. The Senate could have taken up that bill last week, but Democrats chose to table it rather than debate it. And the President chose to tell us what he did not support rather than what he does support.

Any increase in the debt limit needs to be accompanied by serious spending reductions, but the bill of the majority leader does not get us there. All it does is provide President Obama with an opportunity to borrow more money to pay for more spending.

The President would get a $2.7 trillion debt limit increase but less than $1 trillion in cuts.

And most of those cuts are gimmicks. They assume savings from war spending that the President has not requested and that is unlikely to materialize.

It does not include a balanced budget amendment. And most importantly from my perspective, it assumes a massive tax increase in 2013 by allowing the 2001 and 2003 tax relief to expire, allowing the AMT to hit middle-class taxpayers, and allowing for increases in estate taxes that are a small business and job killer.

You won't see that though in the talking points. They bury the breadth of that tax hit in their baseline assumptions.

But we know that President Obama and his liberal allies are planning massive tax increases on the middle class. While their rhetoric suggests that we can fix out debt crisis just by raising taxes on the rich and closing loopholes, the reality is that they are setting the stage to roll back tax expenditures.

And cutting back tax expenditures will be a tax increase on middle income itemizers.

When Democrats talk about tax expenditures, they are talking about your ability to purchase a home, or save for retirement, or give to your church, or put away money for your children's education.

That is where the money is. It is not in bonus depreciation for corporate jets. And it is not in tax benefits for energy companies. It is not in changing the treatment of carried interest for private equity companies. It is not in repealing the deduction for mortgage interest related to yachts used as second homes.

This issue of tax expenditures is confusing and demands greater clarity. As ranking member of the Finance Committee, it is my responsibility to correct the record on what the curtailment or elimination of tax expenditures would really mean for taxpayers and families.

I have spoken about tax expenditures a number of times in the last few weeks, but given the failure of the President and his congressional allies to take on our spending crisis, I want to reemphasize the essential point—if Democrats are allowed to balance the budget their way, it will result in new tax burdens for the middle class.

Tax expenditures are not ''spending through the tax code.'' They are an opportunity for you to keep more of your own money.

And they are not, by and large, special interest benefits that disproportionately benefit wealthy taxpayers. The Democrats' rhetoric on expenditures does not jibe with the reality of our Tax Code. The data are clear. Tax expenditures tend to skew towards taxpayers below the President's definition of the rich.

Let's work through some examples of what concrete proposals to cutback tax expenditures would yield in revenue and what they will mean to middle income Americans.

I am going to take a look at the budget outline presented by our friend and colleague, the distinguished chairman of the Senate Budget Committee. The Senate Democratic Caucus outline was discussed among the larger Democratic Caucus. Republican members, including long-standing Budget Committee members, were briefed by reading the details of the outline in the Washington Post. The Senate Democratic budget called for $2.38 trillion in tax increases when measured against the current policy baseline. The current policy baseline represents the level of taxation Americans are currently paying.

According to materials released by Senate Budget Committee Democrats, they are looking at three categories of tax increases.

The first category would raise marginal rates on single taxpayers with $500,000 and over in income and married couples with $1,000,000 and over in income. For those taxpayers, including many small business owners, the marginal rates would rise by 17 percent.

According to the Tax Policy Center, the TPC, a think tank often cited by our friends on the other side—certainly not a conservative think tank—at least 38 percent of flowthrough income, much of it small business income, would be subject to the marginal rate hike.

The marginal rate on capital gains and dividend income would rise by 33 percent. Keep in mind the IRS Statistics of Income group reports that 65 percent of capital gains income would be hit by this tax hike. Add in the tax increases from ObamaCare, and in less than 18 months the marginal rates on capital gains and dividends will rise by 59 percent. Is that a positive signal for investors to move capital into projects? That tax hike represents $380 billion of tax increases in the Democratic budget.

Now, look at this chart, the Senate Democratic budget tax increases. The total tax increases needed are $2.380 trillion. They suggest, No. 1, raise the marginal rates on singles over $500,000 and married couples over $1,000,000. That would be $380 billion. No. 2, closing corporate loopholes and curtailing offshore tax evasion is $262 billion. After that, the remaining tax increases needed from tax expenditures would be $1.738 trillion.

So, again, we would take the total tax increases needed—$2.380 trillion—reduce that by the $380 billion gained from raising the marginal rates on singles earning over $500,000 and married couples over $1,000,000 and closing corporate loopholes and curtailing offshore tax evasion with $262 billion, and the remaining tax increases needed from the tax expenditures alone would be $1.738 trillion.

The second category of tax increases in the Democratic budget is a set of concepts we have heard about for years in Senate floor speeches. President Obama frequently refers to them as well. We also see these concepts mentioned in the vast left-of-center DNC think tank establishment and by liberal pundits. They fall into two groups of proposals: The first group is closing corporate loopholes, and the second group is curtailing offshore tax avoidance or evasion.

Again, as you can see, they want to increase taxes by $2.380 trillion by raising the marginal rates on singles earning over $500,000 and married couples earning over $1,000,000, which is $380 billion. Then they want to close corporate loopholes and curtail offshore tax evasion, and they think they can save $262 billion on that. That still leaves $1.738 trillion.

The Finance Committee Republican staff compiled all known, specified, and scored proposals in these two groups. Staff calculated the proposals as summing $642 billion over 10 years. The numbers are Joint Committee on Taxation scores.

Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the staff calculations.

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

	JCT Estimates	Treasury estimates (in billions)
Other revenue changes and loophole closers	$ 262	$ 336
Eliminate fossil-fuel preferences	40.7	46.2
Increase unemployment taxes	47.4	61.0
Simplify the tax code	(10.7)	0.4
Reduce the tax gap and make reforms	(10.1)	1.4
Modify estate and gift tax	3.1	$ 19.50
Sum	$ 332	$ 464
Total tax expenditures from Conrad budget	$ 2,380	$2,380
Substract estimates from raising marginal rates	380	19.50%
Subtract other revenue changes and loophole closers	262	
Amount needed from tax expenditures	$ 1,738	

Mr. HATCH. To President Obama's credit, he put his money where his rhetoric is. Most of the loophole closures and offshore measures were contained in his budget.

If we subtract the two categories of tax increases, there remains $1.73 trillion in tax increases the Senate Democratic budget must find by cutting back tax expenditures.

Here we go again. This is a very important chart. I will remind everyone of something I mentioned in my first discussion of tax expenditures. The Joint Committee on Taxation warns us that tax expenditure figures are not the same as revenue estimates for policy changes.

In March 2011, the CBO released a set of budget options for deficit reduction. On the revenue options, CBO and Joint Committee on Taxation estimated the proposals. There are a number of them that deal with cutbacks on tax expenditures.

If we start with the Senate Democratic budget's target of $1.73 trillion, we can see an illustration of some policy options that tax writers would have to consider. I have a chart that lists the revenue raised from some of these options.

Let's look at this chart. It may be difficult to read on a television monitor, so I will go through these. These are tax expenditure policy options from the Congressional Budget Office to raise revenue. In other words, we have a tax to take away these tax expenditures.

No. 1 would be eliminate the deduction for State and local taxes. I don't think many people are going to want that to happen.

No. 2, they will tax Social Security benefits similar to the defined-benefit distributions. That is $438 billion right there in increased taxes.

No. 3 is tax investment income from life insurance and annuities. That is $260 billion.

No. 4, curtail the deductions for charitable giving. Can you believe that? That is $219 billion.

No. 5, gradually eliminate the mortgage interest deduction. Take that away from people who buy homes?

That is $215 billion.

No. 6, eliminate the child tax credit. That is $117 billion.

No. 7, raise tax rates on capital gains. That is $49 billion.

No. 8, eliminate education tax benefits, which is $48 billion.

No. 9, reduce 401(k) contribution limits, which is $46 billion.

And No. 10, tax carried interest as ordinary income, which is $21 billion.

Well, the first one should cause some concern to my friends on the other side. It would eliminate the State and local income and sales tax deduction. The so-called blue States generally have very high local and State tax burdens. Eliminating that deduction would mean the constituents of my friends representing those States will find themselves with an effective tax increase of up to 35 percent. That is what they are doing to themselves. Eliminating this deduction would yield revenue of $862 billion over 10 years.

The second one would reduce the aftertax value of Social Security benefits received by seniors. This CBO option would tax Social Security benefits like we do employer-provided defined benefit retirement plans. Funny how much fur has flown over Social Security reform. Yet this cutback on Social Security benefits has flown under the radar. It appears not all tax expenditures are about corporate jets and yachts. That proposal would raise $438 billion over 10 years. I mean, come on, hit Social Security for something like that?

Well, let's look at the third tax expenditure cutback option. That would tax the inside buildup in life insurance. Here is an example. Under current law, if a father and mother buy a $100,000 life insurance policy and make the surviving spouse or children beneficiaries, death will trigger a tax-free benefit of $100,000. Under this option, this tax expenditure—if they get rid of that—the difference between the face amount of

the policy and premium payments would be taxable. According to the CBO option book, that new tax would raise $260 billion over 10 years. Who wants to do that?

The fourth on the list is a tax benefit near and dear to many of my fellow Utah families. It is the itemized deduction for charitable donations. Under this option, only those deductions that exceed 2 percent of adjusted gross income would be deductible. For many Utahns who tithe—and I am one of them—10 percent of our gross income, this would mean an automatic cut of 20 percent of our deduction. This would affect not just Utahns but charitable givers all over the country. This proposal would reduce the tax benefit of charitable giving by $219 billion over 10 years.

Now, the fifth one is well-known to tens of millions of our constituents. It is the home mortgage interest deduction. If a taxpayer saves up a down payment and borrows for a home, they can take the interest paid on the mortgage as an itemized deduction. This proposal would gradually eliminate the home mortgage interest deduction. In 10 years, the deduction would be gone. This proposal would raise $215 billion over 10 years.

The sixth tax expenditure cutback option involves the current $1,000-per-child tax credit. That credit drops to $500 per child in 18 months if the 2001–2003 tax relief plans are not extended. It is, by definition, limited to low- and middle-income taxpaying families. CBO tells us if we were to eliminate it, there would be $117 billion raised over 10 years.

The seventh tax expenditure cutback would partially eliminate the tax expenditure for the lower rate on capital gains and dividends. It would, in effect, eliminate 25 percent of that tax expenditure and significantly drive up capital gains and dividends rates. As I indicated earlier, the top marginal rate on capital gains and dividends is set to rise by 59 percent in less than 18 months if the President and my friends on the other side get their way. This option—though described as a cutback on a tax expenditure—would drive that rate up higher.

The marginal rate on two-thirds of capital gains income would be driven up 72 percent. It would raise $49 billion, though, over 10 years, for our tax-seeking friends.

The eighth tax expenditure cutback option would sharply curtail tax benefits for families who send their kids to college. It would eliminate the Hope Scholarship and lifetime learning credits and phase out the student loan interest deduction. For that half of the population that pays the freight in society, the 49 percent who pay income tax, our friends on the other side are telling them their load is just going to get much heavier. That would be their message to middle-income American families who want to send their kids to college. This option would raise $48 billion over 10 years.

The ninth tax expenditure cutback option would reduce limits on contributions to retirement plans. About 50 percent of American workers participate in retirement plans. They save for their own retirement. They do not look to rely only on Social Security. There is bipartisan consensus that for America to remain prosperous, families and individuals must save more during their working lives. Yet this option would go in the other direction. It would mean less in retirement savings. CBO says it would raise $46 billion over 10 years if we take that one away.

Now, the tenth tax expenditure cutback option is one we have heard much about from my friends on the other side. It would tax partnership interests—known as carried interest—like ordinary income rather than capital gain. Interestingly enough, with a solidly Democratic Senate last year, this revenue raiser did not pass. There is a lot of speculation about that. I will not join it, but it is curious that when constituencies that favor Democrats decisively raised legitimate concerns about the possible negative effects on private equity and enterprise value, this proposal didn't quite make it past the finish line. That proposal would raise $21 billion over 10 years.

If you assume no interactive effects, the list of options I walked through adds up to $2.27 trillion in tax hikes. That is a lot more than called for by the Senate Democratic budget outline. Recall that outline produced by Senate Democrats boiled down to $1.73 trillion in cutbacks on tax expenditures. But look at how broad these tax hikes are. They hit big chunks of the 49 percent of American households who pay income taxes.

Take a look at the chart again. This is a chart that confirms what many of us have suspected. Although they might not come clean about it, when you look at the code and you look at our deficits, there is only one place for Democrats to go if they are going to close the deficit their way, with no meaningful spending reductions. They are going to have to hit tax expenditures, and specifically those that benefit middle-class itemizers.

They hit residents of blue States. They hit seniors. They hit everyone who owns a life insurance policy. They hit everyone who takes an itemized deduction for giving to their church, local food kitchen, or other charities. They hit everyone with a mortgage, everyone who receives a child tax credit, and anyone with capital gains. They hit middle-income families and students who benefit from education tax benefits. They hit those who save for retirement. They hit those folks who start up businesses and take a future profits interest in the form of a capital gain. But to hear the President talk, you would think we could get there by taxing corporate jets and yachts.

I am accustomed to the media carrying the water of liberal politicians, but there has been a real dereliction of duty in allowing President Obama to get away with this. Even at this late date, he is still getting away with it. He has no plan. Tell me. He has no plan. Show it to me. He talks about his plan, but we have yet to see it in writing. In fact, there is no plan.

The press ridiculed Richard Nixon for his secret plan to end the war in Vietnam. But here we are in a catastrophic crisis, and President Obama gets a pass when it comes to his secret plan to balance the budget.

To suggest that a debt crisis triggered by $14.3 trillion in debt can be fixed by taxing the luxuries of evil rich people is so childish and lacking in seriousness that the President should have been called out on it immediately. But he wasn't. He was allowed to get away with it.

President Obama's balanced approach—he talks about a balanced approach all the time—one that includes meaningful reductions to his historic levels of spending, is a plan for economic stagnation and national ruin, and it is a plan to bankrupt seniors.

He wants shared sacrifice. From whom? We were shown that the middle class is going to get hit the hardest. I want shared prosperity by cutting back on spending and getting the Federal Government out of most of our lives in ways that are intrusive and costly, to being able to get jobs and raise jobs and do what has to be done in this country.

It is a plan to bankrupt our seniors. The President knows this, as do his colleagues in Congress. He knows his supposed plan does nothing to fix the long-term trajectory of his deficit spending. So the question folks need to ask is, what is he hiding? How does the left plan on closing the gap and balancing the budget their way? The answer is the elimination or reduction of tax expenditures. And that means middle-class tax increases. To hear my friends on the other side, you would think the only folks hit by Democratic tax increases will be corporate jet owners, yachtsmen, and millionaires. But when you peek behind the rhetorical curtain, you find that does not pan out. Most of the tax base is in the middle and upper middle income families who make up that 49 percent of Americans who are the only ones who shoulder the burden of the income tax.

We know that the recent numbers are the bottom 51 percent of all households do not pay income taxes. No, it is the 49 percent of Americans who shoulder the burden of the income tax; that is where the money is. As I have shown with the CBO and Joint Committee on Taxation options, that is where you have to go. Without a counterbalancing rate cut, this version of tax reform means fewer resources for home ownership, retirement savings, and charitable giving.

But don't say I did not warn you. Those who want to treat tax expenditures as some abstract budgetary honey pot risk having the folks who

make the honey, the taxpaying bees, to rightfully sting you. As one who hails from the Beehive State, I can tell you, you will feel the sting.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am here this afternoon to discuss our work toward addressing the national debt and staving off a collision with our debt ceiling or a default on our financial obligations.

First, I wish to commend Majority Leader REID for putting forward a proposal which would make a very serious $2.4 trillion downpayment on deficit reduction and, most importantly, end the impasse over the debt ceiling. I encourage my Republican colleagues to support it or offer some reasonable changes that would allow them to support it.

But let me also address some developments on the other side of the Capitol, where an extremist group of House Republicans is continuing their ''my way or the highway,'' what President Lincoln called ''rule or ruin,'' approach to these negotiations.

Amazingly, news reports indicate that Pell grants—Pell grants—may be put on the chopping block in Speaker BOEHNER's latest effort to appease the most extreme members of his party. This is getting ridiculous. Rhode Island's great Senator Claiborne Pell first proposed the grants that now bear his name. He envisioned a grant that would enable low-income students to attend our country's wonderful colleges and universities so they too could share in the American dream. Why do these far-right extremists in the House want to snuff that out?

In 1976, the first year Pell grants were fully funded, a full Pell grant paid 72 percent of the cost of attendance at a typical 4-year public college. Today, a full Pell grant covers 34 percent of those costs, and even that they are willing to attack. This vital assistance from Pell grants can often mean the difference between being able to attend college or not. With many families in Rhode Island and across America still struggling in this struggling economy, we should be looking for ways to strengthen Pell grants, not weaken them. America needs more college graduates, not fewer.

During my time in the Senate, we have taken steps to improve the Pell grant program. After 4 years of level funding under President Bush, we began to increase the maximum grant from $4,050 in academic year 2006–2007 to $5,050 for this coming academic year. We also increased the minimum family income that automatically qualifies a student for the maximum Pell grant, a change which better reflects today's economic realities.

Despite the clear need for continued investment in our future through Pell grants, a need that has long had bipartisan support and backing, a group of House Republicans this year began an outright assault on Pell grant funding. These grants are needed more than ever, as the economic downturn has led more people to seek higher education in an effort to find a job. But not to this band of extremists. The House Republican budget would have slashed Pell grants, reducing the average award by $1,775, and cutting off more than 1.3 million Americans, including nearly 5,800 students in Rhode Island.

I understand the need to find savings in the Federal budget and to make difficult choices, and Leader REID's proposal offers up $2.4 trillion worth. But we could also make bad choices in going about this, and of all the bad choices we could make, cutting Pell grants is among the worst. America needs a highly trained workforce, and Pell grants help make the promise of a college education a reality.

After America spoke out and the Senate defeated the extreme House Republican budget, I hoped the assault on the Pell grant was behind us, at least for a while. Yesterday, however, The Hill, a newspaper here in Washington, reported that some Republican House Members are opposing Speaker BOEHNER's debt ceiling increase bill over funding if it provides for Pell grants. In this article, someone called Pell grants welfare. Some welfare, helping kids afford college and pursue their dreams. Today there is talk that cuts to Pell grants are being discussed as the pound of flesh required by the most far-right Members of the Speaker's caucus as the price of supporting his bill. Remember that these House Republicans continue to protect every tax giveaway to special interests, every one, while they want to cut off access to college for regular kids.

The simple fact is Pell grants help lower income people achieve dreams of college and improve those young people's prospects for careers and employment. It is good for them and it is good for America. The Pell grant program doesn't give a free ride, but it does give a boost and is a wise investment in the future of our country, a future where the fates of nations will depend on the education of their people.

Earlier this week, student and education advocacy organizations, including the Education Trust, Campus Progress, the National Council of LaRaza, and the United States Student Association, joined together to ''Save Pell.'' I applaud their advocacy and commitment in fighting for Pell grants, and I am proud to join their effort. I strongly urge the far-right extremists who are pulling their party and the House of Representatives and this country over the cliff to end their reckless attack on the American middle class, take the victory you have been offered, and stop the damage.

Ronald Reagan in 8 years I believe raised the debt ceiling 18 times. The Tea Party has been here 6 months and has put the country on the brink of default days away. Instead, I ask my colleagues to work with Democrats on a bipartisan solution that does not attack the fundamental underpinnings of a successful middle class, such as Medicare, Social Security, Pell grants. Avert the looming debt ceiling collision and reduce our deficits.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. THUNE. I object.

The PRESIDING OFFICER (Mr. BENNET). Objection is heard.

The clerk will continue with the call of the roll.

The legislative clerk continued with the call of the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 4]

Begich	Conrad	Murray
Bennet	Coons	Pryor
Blumenthal	Durbin	Reid (NV)
Brown (OH)	Johanns	Sanders
Cantwell	Lautenberg	Schumer
Cardin	McConnell	Thune
Casey	Merkley	Whitehouse

The PRESIDING OFFICER. A quorum is not present.

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 76, nays 23, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—76

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

NAYS—23

Alexander	Graham	McConnell
Ayotte	Grassley	Paul
Barrasso	Heller	Risch
Coburn	Hoeven	Roberts
Cornyn	Inhofe	Sessions
Crapo	Johnson (WI)	Toomey
DeMint	Lee	Vitter
Enzi	McCain	

NOT VOTING—1

Wicker

The motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

The majority leader is recognized.

Mr. REID. Mr. President, may we have order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. REID. I thank the Chair.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ESTABLISHING THE COMMISSION ON FREEDOM OF INFORMATION ACT PROCESSING DELAYS

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to S. 627.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House which, the clerk will report.

The legislative clerk read as follows:

Resolved, that the bill from the Senate (S. 627) entitled ''An Act to establish the Commission on Freedom of Information Act Processing Delays'' do pass with an amendment.

Mr. REID. Mr. President, I move to concur in the House amendment to that legislative matter, and I move to table the motion to concur and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Will the majority leader yield for a question?

Mr. REID. Yes, without losing my right to the floor.

Mr. MCCONNELL. Is it the majority leader's intention, after we have the vote on tabling the proposal that came over from the House, to file cloture on the Reid budget?

Mr. REID. Yes.

Mr. MCCONNELL. I say to my friend, we would be happy to have that vote tonight. And I will also mention to my friend that the House of Representatives intends to vote on the Reid amendment tomorrow afternoon at 1 o'clock. In order to accommodate the schedules of Senators, we would be more than happy to accommodate the majority and have the vote on the Reid budget tonight.

Mr. REID. Mr. President, through the Chair, I say to my friend, the distinguished Republican leader, let's hope they are more timely on their 1 o'clock vote than they have been in the last few days.

I would say this very directly: We would be happy to have a vote on the Reid amendment just like the House did today, a majority vote. We have gotten into a situation that is untoward. Everything that moves is a supermajority. That isn't the way it should be. So we are happy to have a vote anytime. But it should be a majority vote just like the House had. They had a majority vote today, and they had an overwhelming extra vote of none. So we would be happy to have a simple majority vote on the Democratic proposal that we are putting forward.

Mr. MCCONNELL. Is that a consent?

Mr. REID. That is a consent that we will be happy to have a vote if it is a simple majority vote.

Mr. MCCONNELL. Mr. President, reserving the right to object, let me say that this is almost an out-of-body experience to have someone suggest a 50-vote threshold on a matter of this magnitude in the Senate. I am perplexed, Mr. President—genuinely perplexed—that my friend, the majority leader doesn't want to vote on his proposal as soon as possible. I object.

Mr. REID. Let's have order. Let the Republican leader be heard.

Mr. MCCONNELL. I object.

Mr. REID. So it is obvious to the world that in the Senate this is now another filibuster. That is what this is; it is a filibuster to stop us from moving forward on legislation. This is a filibuster in any name that you want.

I am disappointed. I asked for a rollcall vote on the tabling motion. I ask that we move forward.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion to concur.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 59, nays 41, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—59

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hatch	Paul
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cantwell	Landrieu	Schumer
Cardin	Lautenberg	Shaheen
Carper	Leahy	Stabenow
Casey	Lee	Tester
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
DeMint	Manchin	Vitter
Durbin	McCaskill	Warner
Feinstein	Menendez	Webb
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Graham	Murray	

NAYS—41

Alexander	Barrasso	Boozman
Ayotte	Blunt	Brown (MA)
Burr	Hoeven	Murkowski
Chambliss	Hutchison	Portman
Coats	Inhofe	Risch
Coburn	Isakson	Roberts
Cochran	Johanns	Rubio
Collins	Johnson (WI)	Sessions
Corker	Kirk	Shelby
Cornyn	Kyl	Snowe
Crapo	Lugar	Thune
Enzi	McCain	Toomey
Grassley	McConnell	Wicker
Heller	Moran	

The motion was agreed to.

Mr. RUBIO. Mr. President, I oppose the motion to table the motion to concur in the House amendment to S. 627, the Budget Control Act of 2011. Although I do not support the bill as written, I believe that the Senate should proceed to it in an effort to amend the bill to include greater spending cuts, caps, and provisions which will boost our economy like progrowth tax and regulatory reform.

I strongly oppose the proposal put forth by Senate Majority Leader REID. The bill is filled with accounting gimmicks and does nothing to encourage enactment of a constitutional balanced budget amendment—an essential step towards ending our unsustainable deficits and debt that enjoys bipartisan support in both Chambers of Congress. Amazingly, as our economy continues to struggle, the Reid proposal appears to assume a tax hike upwards of $3 trillion, which would kill jobs and impede efforts to grow the economy and reduce our staggering debt in the process.

The PRESIDING OFFICER. The majority leader.

MOTION TO CONCUR WITH AMENDMENT NO. 589

(Purpose: To cut spending, maintain existing commitments, and for other purposes)

Mr. REID. Mr. President, I move to concur in the House amendment to S. 627 with an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 589 to the House amendment to S. 627.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant 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 Reid motion to concur in the House amendment to S. 627, with amendment No. 589.

Harry Reid, Max Baucus, Barbara Boxer, Carl Levin, Tom Harkin, Benjamin L.

Cardin, Charles E. Schumer, Richard J. Durbin, Patrick J. Leahy, Mark R. Warner, Patty Murray, Christopher A. Coons, Richard Blumenthal, Sherrod Brown (OH), Kent Conrad, Mark Begich, John F. Kerry, Debbie Stabenow.

AMENDMENT NO. 590 TO AMENDMENT NO. 589

Mr. REID. Mr. President, I have a second-degree amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 590 to amendment No. 589.

The amendment is as follows:

At the end, add the following new section:

SECTION ___

This Act shall become effective 5 days after enactment.

MOTION TO REFER WITH AMENDMENT NO. 591

Mr. REID. Mr. President, I have a motion to refer the House message to the Budget Committee with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message to the Senate Budget Committee with instructions to report back forthwith with an amendment No. 591.

The amendment is as follows:

At the end, add the following new section:

SECTION ___

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 592

Mr. REID. Mr. President, I have an amendment to my instructions, which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 592 to the instructions on the motion to refer the House message on S. 627.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 593 TO AMENDMENT NO. 592

Mr. REID. Mr. President, I have a second-degree amendment to my instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 593 to amendment No. 592.

The amendment is as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. MCCONNELL. Would the Senator withhold?

Mr. REID. If my friend the Republican leader wishes to speak, I, of course, would withhold.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I thank the majority leader.

I wish to commend the Speaker of the House, JOHN BOEHNER, for his determination and perseverance.

It wasn't easy, but Speaker BOEHNER has been working tirelessly over the past few months and especially over these past few days to build consensus within his party and to pass a bill through the House that would end this crisis and take an important step toward getting our fiscal house in order.

While Democrats in the Senate have been over here plotting about how they can prevent a solution to this crisis, Speaker BOEHNER rolled up his sleeves and did the hard work needed to prevent the crisis. So I thank him for taking his responsibilities as a legislator, as a leader, and as a citizen so seriously and getting the job done. He and the other Republicans in the House have now passed two bills that would not only end this crisis, but would actually do something about its root cause.

They know as well as I do that Washington cannot continue to borrow 40 cents of every dollar it spends and not expect a reckoning. It may not be this Tuesday. But unless we do something to rein in our spending and our debt an even bigger crisis will come. That is why House Republicans have insisted on including a provision in the legislation they just passed that would only allow Congress to raise the debt ceiling if it also passes a law that requires Washington to balance its books.

This isn't exactly a radical proposal.

If Congress's inability to live within its means is the reason for this crisis, then why not pass a law that requires it? It makes perfect sense to almost everybody in America except a few hundred Democrats in Washington.

But that has been the story of this whole summer.

A lot of people look at Washington right now and say what they are seeing is a dysfunctional government. This isn't dysfunction. What you see in Washington right now is Democrats refusing to admit they've got a spending problem, and fighting any attempt to get it under control.

That is what this is all about.

Just take a look at what has been happening here in the Senate over the past 48 hours.

Rather than do their duty and come up with a bill that can pass, Senate Democrats have been busy ginning up opposition to everything else. Senate Democrats have not offered a single solution to this crisis that has a chance of passing either Chamber in Congress. Think about that: we have been staring at this deadline for months. And the majority party in the Senate hasn't even made the effort to come up with a solution that could pass a Chamber they control!

They have put all their energy into defeating everything else.

The majority leader claims he has a plan.

Well, here is what it does.

It asks Congress to make the largest debt ceiling increase in history, without paying for it.

It creates a committee that has no real power to generate more savings down the road.

And it doesn't require us to balance our books.

Until yesterday, the only reason Senate Democrats had for opposing the House bill was that it didn't raise the debt limit beyond the next Presidential election.

Yesterday, they came up with another excuse. They said the debt limit increase doesn't last long enough to provide certainty to the markets.

Leave aside the fact that Democrats have spent the last 2½ years perfecting the art of creating economic uncertainty.

Leave that aside.

The fact is, of the 31 times the debt limit has been raised over the past 25 years, 22 lasted less than a year. And I don't recall any of the Democrats who voted for those increases expressing any concern about economic uncertainty.

The simple truth is this: Senate Democrats have no good reason whatsoever for opposing the bill the House just passed.

This bill was actually negotiated in direct consultation with the Democrat leaders who now claim to oppose it.

You want proof? Well, ask yourself this: why does the Reid bill have the same title as the bill the House just passed? Coincidence? Why do the two bills contain pages of identical text? Coincidence? Look through it yourself.

Look at the Democrat priorities that are in there. How do you think they got in there?

I will tell you how: because they put them in there.

So it is an absolute mystery to me why any Democrat in the Senate would have opposed that bill.

There isn't an argument against it that is left standing. And we would all be voting to approve it right now if President Obama hadn't told Democrats to oppose it last weekend. The only reason—the only reason—we are

even still talking about this crisis is because the President of the United States doesn't want to have another debate about his own fiscal recklessness before his next election.

One more thing.

Just so there is no doubt that Democrats in Congress have abdicated their responsibility by failing to produce a solution of their own, I have a suggestion. Let's test out the Reid bill. Let's call it up and vote on it tonight. See how it does. Let's see the fruits of the Democrats' labors. Let's see what they came up with as this crisis approached.

The Speaker has sent over two bills that could end this crisis now. Let's call up the majority leader's bill and see if it will fly. And if it doesn't, then let's take up the House bill, pass it, and end this crisis now.

But Republicans have done our job.

Mr. President, I just wanted to ask my friend one more time. We have here a situation where the Senate has voted to table, in effect, the House-passed measure and the majority leader has filled up the tree and filed cloture on his proposal. As I indicated earlier, every single member of my conference here in the Senate would be happy to move up that vote.

As we all know, the markets are waiting to see if we are going to act. It strikes me that it might make sense for all of us on a bipartisan basis to go on and act as rapidly as possible. I believe every Member of the Senate has pretty well determined how they would vote on cloture on the motion to proceed to my friend's measure. Therefore, I would again ask consent that we immediately proceed to a vote on invoking cloture on the Reid amendment.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, it is very obvious there should be a vote on my amendment and it should be with a simple majority. That is the way it has traditionally been in this body until the Republicans have tried to establish a supermajority, which doesn't work. This is a filibuster. This is something that should not be filibustered. They should back off the filibuster and let us vote. Let us vote. That is where we are. We feel very strongly on this side that if the House can pass something with a simple majority, so can we.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is noted.

The Republican leader.

Mr. MCCONNELL. Mr. President, I don't want to belabor this. I would just finally point out that we are in the rather curious position that the House of Representatives tomorrow at 1 p.m. will vote on the Reid proposal before my friend and his conference are willing to let us vote on his proposal.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we know that if the legislation in the House of Representatives had required a supermajority, we would not be dealing with the Boehner—I am trying to say a nice word—the Boehner legislation. We wouldn't be doing that.

We are here now. We have tried our utmost to come up with a fair proposal that deserves an up-or-down vote. It is fair. It reduces the debt by $2.4 trillion. In fact, most every bit of it includes material that the House has voted on before, the Senators have voted on before. It is something we should do. It is fair.

We have tried to compromise. That is not a bad word. I had a tentative meeting set with some Republican Senators this afternoon. The meeting didn't come to be. I have asked my friend the Republican leader to negotiate, and he has chosen not to do that. That is too bad.

I want to move forward. And if my friend wants to negotiate with others, fine. My door has been open all day. But we are doing the right thing. We will not agree to a 6-month extension, putting our country in jeopardy in just a few weeks. The Ryan budget has been out there whacking Medicare, whacking Medicare fraud. The cut, cap, and whatever it was does the same thing.

What I have put forward is a fair proposal. It is something we should do. It would get rid of the disaster that is facing us. It is the right thing to do.

The American people want us to work this out, and we have tried. We have given. We have compromised. There has just been no give on the other side. In fact, Mr. President, it has been quite the opposite.

We had a wonderful agreement set up here between the two people who ran the Budget Committee for years, Senators CONRAD and GREGG, a wonderful proposal to move forward expedited procedures. What happened? When we moved to it, seven Republicans who sponsored the legislation didn't vote for it. Then we moved forward with the Biden group. What happened with that? The Republicans walked out of that meeting. We had a situation where meetings were going on with the President. Leader CANTOR from the House walked out on that meeting. Speaker BOEHNER walked out on the President twice. The Gang of 6, trying to work something out, one of the leaders—the most vocal leader of that group took a sabbatical leave and stepped back in just a few days ago.

We have tried our utmost to negotiate something in fairness. We are where we are. We want an up-or-down vote on my proposal.

If the Republicans continue to filibuster this, they are going to have to show at 1 o'clock Sunday morning or thereabouts that they are going to continue the filibuster. We are not going to give up on this.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I think we all agree it is fairly routine to have the 60-vote threshold in the Senate, particularly on a matter of enormous significance such as this. It is almost unheard of to suggest that a matter of this magnitude would be dealt with at a 51-vote threshold.

Where are we? It is an interesting history lesson my friend gives us about various debates we have had in the past, but this is where we are right now. Where we are right now is our good friends on the other side do not want us to move forward with a vote on what they are advocating.

Mrs. BOXER. Yes, we do.

Mr. DURBIN. Majority vote.

Mr. MCCONNELL. We just heard the majority leader talk about—could we have order in the Senate, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MCCONNELL. We just heard the majority leader making the arguments on the merits for his proposal. That is what we wish to move forward with. We would be happy to have the vote on cloture on his measure tonight so we could move forward and finally get a resolution here. We have the curious position the majority is in effect stopping action on its own proposal and the House of Representatives tomorrow will vote on the Reid proposal, apparently before the Senate will vote on the proposal of the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Finally, the Republican leader said we don't need to carry this on forever. I agree with my friend. This legislation is of utmost importance. It has great significance, as he said. All the more reason there should not be a filibuster being conducted on this legislation. Our country is in the throes of an economic disaster. To think that they would filibuster this, they are not negotiating, and that is why we are at the last—we waited as long as we could to come forward with something that we would try to get through here. But we have not been able to do it because they have not negotiated in good faith. All the negotiation has been with ourselves.

Mr. LEAHY. Mr. President, this evening, the Senate is considering S. 627, as amended by the House of Representatives—the bill now called the Budget Control Act of 2011. Earlier this week, the House Republican Leadership used a procedural maneuver to strip from this bill bipartisan provisions to strengthen the Freedom of Information Act, FOIA, that unanimously passed the Senate. I urge the Senate to restore the bipartisan Leahy-Cornyn Faster FOIA Act of 2011, as originally and unanimously passed by the Senate in May, when the Senate considers its budget bill.

The Faster FOIA Act enjoys broad bipartisan support from across the political spectrum. The Senate unanimously passed this bill in May, after the Judiciary Committee favorably reported the bill by voice vote. Recently, more than 35 transparency organizations urged the House Committee on

Oversight and Government Reform to act on this legislation. On Tuesday, the Washington Post editorialized that the House should promptly enact this bipartisan bill to improve the FOIA process.

Senator CORNYN and I first introduced the Faster FOIA Act in 2005, to address the growing problem of excessive FOIA delays within our Federal agencies. During the intervening years, the problem of excessive FOIA delays has not gone away. We reintroduced this bill in 2010, and the Senate unanimously passed it last year. The current bill is the most recent product of our bipartisan work to help reinvigorate FOIA.

The Faster FOIA Act would establish a bipartisan Commission on Freedom of Information Act Processing Delays to examine the root causes of excessive FOIA delays. The Commission would recommend to Congress and the President steps that should be taken to reduce these delays, so that the administration of the FOIA is more equitable and efficient.

The Faster FOIA Act will help ensure the dissemination of government information to the American people, so that our democracy remains vibrant and free. This is a laudable goal that we all share. Neither Chamber of Congress should allow partisan politics to obstruct the important goal of this bill.

The ongoing debate in Congress about the national debt has made clear that we must find ways to work together, across party lines and ideologies, to address the many challenges facing our Nation. This bipartisan spirit is at the core of the Faster FOIA Act. I have said many times that open government is neither a Democratic issue, nor a Republican issue it is truly an American value and virtue that we all must uphold. I urge the Senate to include the Faster FOIA Act in its budget bill, and I urge the Congress to promptly enact this good government measure.

I ask unanimous consent to have printed in the RECORD the letters in support of reinstating the Faster FOIA Act in the final debt ceiling package.

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

SUNSHINE IN GOVERNMENT INITIATIVE,
Arlington, VA, July 29, 2011.

Hon. HARRY REID,
U.S. Senate.
Hon. MITCH MCCONNELL,
U.S. Senate.
Hon. JOHN BOEHNER,
U.S. House of Representatives.
Hon. NANCY PELOSI,
U.S. House of Representatives.

DEAR MAJORITY LEADER REID, MINORITY LEADER MCCONNELL, SPEAKER BOEHNER, AND MINORITY LEADER PELOSI: We urge the Congress to reinstate the bipartisan, uncontroversial language strengthening the Freedom of Information Act (FOIA) that was removed from S. 627, the Faster FOIA Act, as it was amended to address the unrelated issue surrounding the debt limit. The original language would create a bipartisan commission to recommend concrete ways to strengthen transparency in the federal government and has broad, bipartisan support.

The Sunshine in Government Initiative is a coalition of media associations promoting government transparency, especially focusing on FOIA. SGI members include the American Society of News Editors, the Associated Press, Association of Alternative Newsweeklies, National Newspaper Association, Newspaper Association of America, Radio Television Digital News Association, Reporters Committee for Freedom of the Press and Society of Professional Journalists.

Especially in this fiscal environment, the Faster FOIA Commission would help the public understand how taxpayer dollars are being spent by bringing together experts inside and outside the government to look ''under the hood'' of agency FOIA operations and to propose within a year the most realistic, effective and cost-efficient improvements to improve government transparency.

The Freedom of Information Act is the vital law that helps ensure the public can see what its government is up to while protecting personal privacy, national security, trade secrets and other important interests. The Commission's work should provide timely insight to help inform next steps that Congress with your leadership might undertake to strengthen transparency in the federal government.

Sincerely,

RICK BLUM,
Coordinator.

JULY 28, 2011.

Hon. HARRY REID,
Majority Leader, U.S. Senate, The Capitol, Washington, DC.
Hon. JOHN BOEHNER,
Speaker, U.S. House of Representatives, The Capitol, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, The Capitol, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR MAJORITY LEADER REID, MINORITY LEADER MCCONNELL, SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the undersigned organizations concerned with government openness and accountability, we are writing to urge you to restore the bipartisan Faster FOIA provisions in S. 627, now known as the Budget Control Act of 2011.

This week, Speaker Boehner took S. 627 as a vehicle for his budget bill. This procedural maneuver could shave a few days off of Senate consideration, should the House pass the Boehner budget control bill. However, in doing so, the Speaker unnecessarily stripped the Faster FOIA Act from S.627, completely replacing the language with the budget bill. If the Faster FOIA language is not restored in S. 627, the bipartisan progress made by the Senate on the legislation will be wiped out. This is a setback for openness and accountability in the executive branch, and bipartisan action in Congress.

The Senate unanimously passed the Faster FOIA Act, authored by Senator Leahy (D-VT) and Senator Cornyn (R–TX) in May. The legislation would establish the Commission on Freedom of Information Act (FOIA) Processing Delays (the Commission) to examine several thorny issues that create unreasonable bars to public access under the FOIA and recommend to Congress and the President steps that should be taken to reduce delays and make the administration of the FOIA equitable and efficient throughout the federal government.

The Faster FOIA Act enjoys strong support among a broad range of non-governmental organizations. Recently, more than 35 organizations joined to urge the House Committee on Oversight and Government Reform to act on the legislation. A recent editorial in the Washington Post also called on the House to embrace the bill in the same bipartisan spirit as the Senate in the interest of improving the FOIA process.

We urge you to advance openness and accountability to restore the bipartisan Faster FOIA provisions in S. 627. We thank you in advance for your consideration of our request.

Sincerely,

American Library Association, Citizens for Responsibility and Ethics in Washington—CREW, Electronic Frontier Foundation, Freedom of Information Center at the Missouri School of Journalism, Fund for Constitutional Government, National Freedom of Information Coalition, National Security Archive, OMB Watch, OpenTheGovernment.org, Project On Government Oversight—POGO, Public Citizen, Reporters Committee for Freedom of the Press.

MORNING BUSINESS

BROWN UNIVERSITY LIBRARY

Mr. REED. Mr. President, I believe libraries are critical institutions to our Nation and our democracy. Today, I recognize one library in particular, Brown University Library, for its 150th anniversary as Rhode Island's oldest Federal Depository Library.

The Federal Depository Library Program was established by Congress to ensure that the American public could access government records and information locally. The 10 depository libraries in Rhode Island are part of a network of more than 1,200 libraries nationwide that provide free access to Federal Government materials, both in print and online.

In 1861, under a newly enacted law granting each Senator the authority to assign one depository in their State, Senator James F. Simmons designated the Brown University Library as an official depository to receive U.S. Government publications. While Brown University had been receiving government documents through various channels since revolutionary times, this designation established Brown as the first depository library in Rhode Island and one of the earliest so designated libraries in the Nation.

For the past 150 years, the Brown University Library has helped students, faculty, and residents throughout Rhode Island find and use government information. The collection at Brown contains a wide variety of government documents that reflect the rich history of Rhode Island and the Nation as a whole, including historical debates surrounding the adoption of the 13th amendment abolishing slavery and legislation authored by my predecessor Senator Claiborne Pell establishing the National Endowment for the Arts and the National Endowment for the Humanities. It is also home to a wealth of information useful to Rhode Islanders, such as demographic

data on the changing and diverse nature of the State's population; a vast array of health and wellness materials; and business and economic news and reports.

Since 1994, Brown and other Federal depository libraries have worked in partnership with the U.S. Government Printing Office to make government information in a digital format directly accessible to the public via the Internet. First, through the GPO Access online system, and now through GPO's Federal Digital System, the American public has free access to authenticated information from all three branches of the Federal Government.

Across the country, Federal depository libraries enable the public to stay informed on the workings of our government and provide free access to all types of essential information. Additionally, they play a vital role in preserving the historical record of our democracy. I congratulate Brown University Library for its 150 years of serving as a resource for the people of Rhode Island and am proud to celebrate an institution that is dedicated to informing Rhode Islanders and advancing the values of our democracy.

TRIBUTE TO DAVE JOHNSON

Mr. LUGAR. Mr. President, I rise today, with several of my colleagues to recognize the outstanding service and contribution of a fellow Hoosier and life-long public servant, Dave Johnson.

Dave first joined my staff in 1987 and he has been a brilliant resource to me over the years since then. Dave is a truly gifted individual. He is knowledgeable about all facets of agricultural and food policy and is able to see all of the potential opportunities and challenges with proposed legislation. Dave is always prepared to interact with a Member on the Senate floor during consideration of agriculture legislation, and equally at ease in dealing with Indiana constituents or farmers from anywhere in the United States. His mark can be found on countless pieces of Senate food and agriculture legislation, ranging from nutrition to biomass to conservation. Dave is always an available and willing resource to members on the Agriculture Committee, or other members from the Senate as a whole who seldom delve into agricultural policy discussions.

Dave and I have shared one true passion over our years of service—nutrition. I have long been an advocate of nutrition programs, and specifically a supporter of the school lunch program. It has been Dave's dedicated counsel and advice that has helped to shape these important programs into what they are today. I remember that on one occasion, while traveling back home in southern Indiana, I learned from my constituents of some of the deficiencies in a local summer children's nutrition program. I shared these concerns with Dave, and within a matter of days Dave responded to my request and had a bill on my desk. That legislation proposed a pilot project, which was approved by Congress, and today has been expanded to a nationwide program.

Dave has never been intimidated by the vastness of diversity in agriculture. He has always been able to determine the appropriate solution to a real problem, and then draft the implementing legislation to go along with it. He is never too busy to take the time to mentor young staff members by sharing his vast knowledge and experience, and he is always willing to reach across the aisle to contribute to more effective results for American agriculture.

Dave, I don't know how we will write a farm bill without you. You will be sincerely missed.

Mr. COCHRAN. Mr. President, I am pleased to commend Dave Johnson for 23 years of service to the Federal Government. I am very grateful for his effective and dedicated leadership as chief counsel of the Senate Agriculture Committee during the time I served as chairman of the Committee.

He also served in important jobs at the U.S. Department of Agriculture, the U.S. Commodity Futures Trading Commission, as well as the Senate Committee on Agriculture, Nutrition, and Forestry. The farm bills that Mr. Johnson helped draft during his career are impressive examples of his insight and good judgment.

The far-reaching effects of his contributions to the field of agriculture are illustrated by the successes we have had as a Nation as a result of our food and agriculture policies. I congratulate Dave Johnson for his impressive career of improving the quality of life of rural America.

Mr. CHAMBLISS. I want to take this opportunity to congratulate Dave on his 23 years of service as a public servant. His career, including service in the Senate, the Department of Agriculture and the Commodities Futures Trading Commission, has led him to be one of the most influential staffers on legislation supporting farmers, ranchers and the less privileged across the country.

For those of us who have had the pleasure of knowing and working closely with him, we know Dave as a true professional and an extremely thoughtful individual. His knowledge and experience have served as a virtual encyclopedia for policy makers on this Committee and in the Executive Branch. The talent and knowledge that Dave possesses reflects a career of dedicated service that cannot be replicated or easily replaced. His well-earned departure will create a void that will be difficult to fill.

As I look back at Dave's career and the years I served as chairman of the Senate Agriculture Committee, I can say I am particularly proud of Dave's work on nutrition and food assistance programs. I know my colleagues and I can attest to Dave's care for and dedication to improving the lives of the less privileged. His tireless efforts to secure funding for the hungry and less privileged through the 1996 farm bill, the 1994 Child Nutrition Act and countless other pieces of legislation are a testament to his sense of duty and his nonpartisan approach to identifying solutions that advance the promise of our great Nation to all of our citizens. I was always honored to have his passion and advocacy for the disadvantaged on my side of the aisle.

Dave has made a real impact on the lives of all Americans and has done so with a modest approach that sought solutions over recognition. Dave is one of the most modest individuals I have ever met and I am certain his modesty is born of his upbringing. Dave's approach to work in Washington, DC, has always been governed by the lessons he learned on his family farm in rural Indiana. He does not boast of his many achievements nor lecture those who seek his counsel or advice. I have always known him to be quiet and unpretentious in spite of his achievements and station. He has sought to act as a mentor to young staffers and wise counsel to the Senators and policy makers who have called on him throughout the years.

On behalf of my former agriculture committee staff and for myself, I want to thank Dave for his service to the U.S. Senate and to our country. I wish him the best as he moves on to his next adventure.

Mr. JOHANNS. Mr. President, I rise today to echo my colleagues in recognizing Dave Johnson for his commitment to public service. Having spent 23 years working on agriculture and food policy for the Federal Government, Dave has demonstrated a rare dedication to an industry that provides food, feed, fiber and fuel to people all around the globe.

While serving as Secretary of Agriculture, I had the privilege of working closely with Dave, who was Deputy Chief of Staff at the U.S. Department of Agriculture. I fondly remember the many hours Dave spent putting pen to paper and drawing together our ideas into legislative language for Congress to consider as part of the 2007–2008 farm bill process. His knowledge of agriculture policy and his work ethic were invaluable to our efforts. The many hours we spent working on farm policy led to a friendship that I continue to appreciate.

Twenty-three years is a long time to spend as a public servant and Dave has earned our sincerest gratitude for his years of service to farmers, ranchers, conservationists, nutrition advocates, rural Americans and all those affected by USDA policies, who have directly or indirectly benefitted from his work.

I wish Dave the very best as he opens a new chapter in his life. I am confident that with his positive attitude, principled approach and genuinely kind heart, success will follow him down whatever path he chooses.

Mr. ROBERTS. I would like to take a few moments this morning to wander from regular order to recognize a long-

time staffer and public servant who will be retiring next Friday.

August 5 will be Dave Johnson's last day as a Republican staffer on the Senate Committee on Agriculture, Nutrition, and Forestry. It will also be the end of a 23-year career in public service—most of that right here on this committee.

Dave has served me as ranking member since March. He previously served as both the chief Republican counsel and deputy staff director of this committee. His service includes working for Chairman LUGAR from 1987 to 1991 and again from 1994 to 2003. He then served Chairman COCHRAN from 2003 to 2005 and Chairman CHAMBLISS from 2005 to 2007. And from 2007 to 2008 he served then-Secretary of Agriculture MIKE JOHANNS as a deputy chief of staff at the U.S. Department of Agriculture. He then moved to the Commodity Futures Trading Commission where he served until we convinced him to come back and help us get up and running this past spring.

Dave's record speaks for itself. But I am not sure some understand just how valuable his service has been to this Committee and agriculture and nutrition policy.

As those who know Dave can tell you, his first love has been nutrition policy. He has worked on numerous child nutrition bills and the nutrition title of no less than four farm bills, by my count. I also know that if you sit down and visit with him, he'd probably tell you that one of his proudest moments was the work he did on the 1996 Welfare Reform Act.

Dave has always been a straight shooter. He gives you the answers you need to hear. But one of his greatest strengths is reminding you of the things you haven't considered and need to think about. He has been a tremendous mentor to young staff on both sides of the aisle and he was often the first stop many of them made when looking for advice on how to learn the ropes of the committee.

Finally, Dave's attention to detail and proofing proposed legislation is legendary. If you are scrubbing a bill and making sure it is done right, his is the set of eyes you want on it. A member of my staff was once told by a former member of the Senate Parliamentarian's office that a farm bill Dave had helped write and scrub was ''among the best written bills we've ever seen come through the Senate.''

That pretty much sums up Dave's service to this committee. Dave, as a former bucket-toter myself, thank you for your years of service to our country, the Senate, the members of this Committee and our constituents. You have been a true public servant and we all wish you only the best as you head home to Indiana.

Job well done.

THE READY SCHOOLS ACT

Mr. BROWN of Ohio. Mr. President, August marks the start of a new school year for more than 1.8 million students in Ohio. It is a time of excitement and nervousness as students prepare for challenging classes, different classmates, and new teachers.

As the summer winds down, high school students are cramming in the summer reading that they pushed off in favor of a bike ride with friends or a game of baseball. Middle school students are crossing their fingers in hopes that their best friend from the last school year is in their class this year. And soon-to-be kindergarteners are practicing their numbers and letters in preparation of their first day of elementary school.

Student readiness for kindergarten is generally defined by the Ohio School Readiness Initiative as a child who has age-appropriate cognitive and social skills and a healthy mind and body. Student readiness can be fostered through a child's participation in high-quality and developmentally appropriate preschool programs like Head Start. These programs are important because if a child is not prepared for elementary school, they are more likely to fall behind their better-prepared peers and remain behind as they progress through school.

However, it is equally important that schools are prepared to accept and support all students as they arrive at the schoolhouse door. Student readiness also means school readiness.

That is why I am introducing The Ready Schools Act of 2011 with my colleague Senator KAY R. HAGAN of North Carolina. This legislation incorporates the recommendations of a report conducted by the congressionally commissioned National Education Goals Panel, which states that elementary ''school readiness'' involves not only preparing each child for school, but also preparing schools to support each child's learning and development needs.

The Ready Schools Act of 2011 would require title 1 eligible Local Educational Agencies to work with their elementary schools to develop a ready-school needs review. This review would focus on ways an elementary school can develop policies that would create a positive school environment. It would help teachers provide students with developmentally and culturally appropriate curriculums. Finally, it would empower collaboration with early childhood education providers in the school attendance area to ensure a smooth transition from preschool to elementary school.

In my State of Ohio, the SPARK Ohio partnership has led the way in an effort to make every school a ''ready'' school. Through a strong partnership comprised of the Sisters of Charity, the Ohio Department of Education, the WK Kellogg Foundation and others, SPARK Ohio has helped developed a ''ready'' school needs review that is now a national model. I am proud of these efforts, and the hard work of the students, administrators, teachers, and families that have ensured the success of the more than 40 ''ready'' schools in Ohio.

The Ready Schools Act is about more than making our schools the best they can be. It is about making Ohio, and all States in the Nation, the best they can be. By strengthening the alignment and delivery of early education, our youngest students can continue on a path of academic and life achievement. Research shows that third-grade reading skills can serve as an indicator of whether or not a student will graduate from high school. And not only is school readiness an educational imperative, it is an economic one as well. High school students dropping out from the class of 2010 alone will cause the State of Ohio over $10 billion in lower lifetime earnings, higher health care costs, and crime related costs.

The building blocks critical to a lifetime of learning are laid during the elementary school years. This is why I am proud to introduce the Ready Schools Act. It will not only improve our system of education but will ultimately lead to a stronger nation.

ADDITIONAL STATEMENTS

TRIBUTE TO HAL DAVID

• Mrs. BOXER. Mr. President, today I wish to celebrate the 90th birthday of Hal David, a wonderful lyricist who has entertained the world with his delightful songs for more than half a century.

Born in Brooklyn, Hal David developed a talent for music at an early age while studying violin and playing in bands. His first hit record came in 1949 with ''The Four Winds and the Seven Seas'' by Vic Damone. During the 1950s, David began his legendary collaboration with composer Burt Bacharach, and the two created hit songs such as ''Walk on By,'' ''I'll Never Fall in Love Again,'' ''The Look of Love,'' and ''What the World Needs Now Is Love.'' Hal's talents earned him four Academy Award nominations, including an Oscar for ''Raindrops Keep Falling on My Head'' from the film ''Butch Cassidy and the Sundance Kid''; and an induction into the Songwriters Hall of Fame and the Nashville Songwriters Hall of Fame.

Hal David has also fought to protect and promote other songwriters. As president of the American Society of Composers, Authors and Publishers, ASCAP, he worked tirelessly to protect the intellectual property rights of musicians. As chairman & CEO of the Songwriters Hall of Fame, he helped create the Songwriters Hall of Fame Gallery at the Grammy Museum in Los Angeles.

Hal David's extraordinary songs will continue to touch the lives and hearts of future generations. I invite all of my colleagues to join me in honoring Hal David as he celebrates his 90th birthday.•

ISABEL, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today I recognize the community of Isabel, SD, on reaching the 100th anniversary of its founding. Located in Dewey County, Isabel has a strong farming and ranching tradition, which has been passed on through the generations. Isabel will celebrate its centennial August 2–7, 2011.

Isabel began its settlement in the spring of 1910 along the Milwaukee Railroad and the town became a legal corporation on March 13, 1911. Isabel was named for the daughter of President Earling of the Milwaukee Railroad. With its vast prairie, Isabel was a prime location for cattle and sheep ranching. The Homestead Act of 1908 encouraged pioneers to move West and these pioneers built the first stores and businesses in Isabel. Businesses allowed local farmers and ranchers to thrive and became hallmarks of the community.

Isabel will celebrate its 100th anniversary with an All School Reunion, a parade, two rodeos, powwows, and dances. Isabel's centennial celebration will also include a wagon train and trail ride, which will retrace an old wagon route to neighboring settlements.

Isabel's strong sense of community helped the town endure challenges in its early settlement, including the severe drought of 1911. Isabel continues to be a steadfast farming and ranching community today. I am proud to honor Isabel on its 100th anniversary. Isabel holds the virtues and values that lay at the very heart of South Dakota.•

TRIBUTE TO J. MICHAEL MILEY

• Mr. LUGAR. Mr. President, today I recognize a fellow Hoosier, Mr. J. Michael Miley, as he nears the end of his term as the 106th chairman of the Nation's largest insurance association, the Independent Insurance Agents & Brokers of America, IIABA. Mike is an executive with the Gibson Insurance Group in Plymouth, IN, and was installed as the association's chairman last September.

Mike began his insurance career in 1973 and joined the Gibson Insurance Group in 1983. His relationship with the IIABA began in 1978, when he became a member of the Marshall-Fulton-Starke Counties Independent Insurance Agents Association, ultimately climbing the ranks to serve as its president. During his affiliation with the Independent Insurance Agents of Indiana, IIAI, Mike served at numerous posts, and was elected to the executive committee of IIAI and served as president in 1995. He was elected Indiana's State national director to the board of IIABA in 1997.

Over the years, Mike has been the recipient of numerous awards, including the 1987 Chairman of the Year Award for his work on the New Products and Services Committee, Indiana Agent of the Year Award both in 1989 and 2006, Honorary Commissioner of Insurance in 1990, and in 1991 he was the first recipient of the Harry P. Cooper Public Image Award.

On the national level, he has proven his leadership capabilities by serving on the boards of Membership Services, Inc., Agency Administrative Services, Inc., and Trusted Choice, Inc. Mike also held leadership roles as a board member of Big ''I'' Advantage, as chairman of IIAA Agency Administrative Services, Inc., and as a member of the Professional Liability Committee.

Mike has also been very active in his community, including work with the United Way of Marshall County. His volunteer efforts with the group include fundraising as well as serving as a board member and president in 1998 and 1999.

Mike attended Arizona State University and lives in Plymouth, IN, with his wife Cindy and their two children, Margaret and Matthew. I would like to commend Mike's commitment to his profession, his community, and our State of Indiana, and I wish him and his family all the best in their future endeavors.•

RAPID CITY, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Rapid City, SD. Rapid City has recently been designated America's ''Most Patriotic Town'' by Rand McNally and USA Today in their inaugural Best of the Road competition, which recognizes achievements of small towns across the country. Rapid City will be one of five towns featured on USA Today's Web site, www.bestoftheroad.com, and featured in the new 2013 Rand McNally Atlas.

Rapid City is the second-largest city in South Dakota and is located on the eastern slope of the Black Hills in the western part of the State. Nearby Mount Rushmore National Memorial and Ellsworth Air Force Base make Rapid City a patriotic mecca. However, I believe it is not the location but the people of Rapid City that gave the town the honor of being named the most patriotic town in America.

The citizens of Rapid City live their lives in support of both their community and their country. This patriotic town strives for excellence while its residents live the American dream. I would like to offer my congratulations to the citizens and the community of Rapid City on this accomplishment and wish them continued prosperity in the years to come.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 and withdrawals which were referred to the appropriate committees.

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

MESSAGES FROM THE HOUSE

At 10:05 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2056. An act to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes.

H.R. 2149. An act to designate the facility of the United States Postal Service located at 4354 Pahoa Avenue in Honolulu, Hawaii, as the ''Cecil L. Heftel Post Office Building''.

H.R. 2548. An act to designate the facility of the United States Postal Service located at 6310 North University Street in Peoria, Illinois, as the ''Charles 'Chip' Lawrence Chan Post Office Building''.

At 5:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 440. An act to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''.

At 7:52 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with an amendment:

S. 627. An act to establish the Commission on Freedom of Information Act Processing Delays.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 789. An act to designate the facility of the United States Postal Service located at 20 Main Street in Little Ferry, New Jersey, as the ''Sergeant Matthew J. Fenton Post Office''.

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 789. An act to designate the facility of the United States Postal Service located at 20 Main Street in Little Ferry, New Jersey, as the ''Sergeant Matthew J. Fenton Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2056. An act to instruct the Inspector General of the Federal Deposit Insurance Corporation to study the impact of insured depository institution failures, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2149. An act to designate the facility of the United States Postal Service located at 4354 Pahoa Avenue in Honolulu, Hawaii, as the ''Cecil L. Heftel Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2213. An act to designate the facility of the United States Postal Service located at 801 West Eastport Street in Iuka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2244. An act to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2548. An act to designate the facility of the United States Postal Service located at 6310 North University Street in Peoria, Illinois, as the ''Charles 'Chip' Lawrence Chan Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2710. A communication from the Chief of Planning and Regulatory Affairs, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cooperation in USDA Studies and Evaluations, and Full Use of Federal Funds in Nutrition Assistance Programs Nondiscretionary Provisions of the Healthy, Hunger-Free Kids Act of 2010, Public Law 111–296'' (RIN0584–AE20) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2711. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Shepherd's Purse With Roots From the Republic of Korea Into the United States'' ((RIN0579–AD26) (Docket No. APHIS–2009–0086)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2712. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal Bunt; Regulated Areas in Arizona, California, and Texas'' (Docket No. APHIS–2009–0079) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2713. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Effective Date for Swap Regulation'' (17 CFR Part 1) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2714. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Agricultural Commodity Definition'' ((17 CFR Part 1) (RIN3038–AD23)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2715. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Prohibition on the Employment, or Attempted Employment, of Manipulative and Deceptive Devices and Prohibition on Price Manipulation'' ((17 CFR Part 180) (RIN3038–AD27)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2716. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Large Trader Reporting for Physical Commodity Swaps'' ((17 CFR Parts 15 and 20) (RIN3038–AD17)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2717. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Business Affiliate Marketing and Disposal of Consumer Information Rules'' ((17 CFR Part 162) (RIN3038–AD12)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2718. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Privacy of Consumer Financial Information; Conforming Amendments Under Dodd-Frank Act'' ((17 CFR Part 160) (RIN3038–AD13)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2719. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Ted F. Bowlds, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2720. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–8189)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2721. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Large Trader Reporting'' ((17 CFR 240.13h–1) (RIN3235–AK55)) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2722. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Security Ratings'' (RIN3235–AK18) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2723. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Diesel-Powered Motor Vehicle Idling Act'' (FRL No. 9445–9) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2724. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of California; Interstate Transport of Pollution; Interference with Prevention of Significant Deterioration Requirement'' (FRL No. 9446–6) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2725. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Lead; Clearance and Clearance Testing Requirements for the Renovation, Repair, and Painting Program'' (FRL No. 8881–8) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2726. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan; San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 9444–3) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2727. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan; South Coast Air Quality Management District'' (FRL No. 9437–6) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2728. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9446–7) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2729. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standard Format and Content of License Termination Plans for Nuclear Power Plant Reactors'' (Regulatory Guide 1.179, Revision 1) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2730. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Alternative to Minimum Days Off Requirements'' (RIN3150–AI94) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Environment and Public Works.

EC–2731. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Discontinuance of High-Low Method for Substantiating Travel Expenses'' (Announcement 2011–42) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Finance.

EC–2732. A communication from the Acting Comptroller of the Currency, transmitting, pursuant to law, a report entitled ''Report on Credit Ratings''; to the Committee on Finance.

EC–2733. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011–0113–2011–0120); to the Committee on Foreign Relations.

EC–2734. A joint communication from the Deputy Assistant Administrator for Legislative and Public Affairs, U.S. Agency for International Development (USAID) and the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Joint Summary of Performance and Financial Information for Fiscal Year 2010''; to the Committee on Foreign Relations.

EC–2735. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Activities Inventory Reform Act Inventory Summary as of June 30, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–2736. A communication from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the National Counterterrorism Center; to the Select Committee on Intelligence.

EC–2737. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the New Hampshire Advisory Committee; to the Committee on the Judiciary.

EC–2738. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure'' (RIN0648–XA554) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2739. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Vessels Participating in the Rockfish Entry Level Trawl Fishery in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XA558) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2740. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XA557) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2741. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Gulf of Mexico Non-Sandbar Large Coastal Shark Fishery'' (RIN0648–XA541) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2742. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure of the 2011–2012 Commercial Sector for Black Sea Bass in the South Atlantic'' (RIN0648–XA552) received in the Office of the President of the Senate on July 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2743. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mosby, MO'' ((RIN2120–AA66)(Docket No. FAA–2010–0608)) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2744. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Madison, SD'' ((RIN2120–AA66)(Docket No. FAA–2011–0135)) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2745. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Campbellton, TX'' ((RIN2120–AA66)(Docket No. FAA–2010–1053)) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2746. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lincoln City, OR'' ((RIN2120–AA66)(Docket No. FAA–2010–0987)) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2747. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Florence, OR'' ((RIN2120–AA66)(Docket No. FAA–2010–0986)) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2748. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BRP-Power Train GmbH and Co. KG Rotax 912 F3, 912 S2, 912 S3, 912 S4, 914 F2, 914 F3, and 914 F4 Reciprocating Engines'' ((RIN2120–AA66)(Docket No. FAA–2011–0456)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2749. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; L'Hotellier Portable Halon 1211 Fire Extinguishers'' ((RIN2120–AA66)(Docket No. FAA–2011–0506)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2750. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schweizer Aircraft Corporation (Schweizer) Model 269A, A–1, B, C, C–1, and TH–55 Series Helicopters'' ((RIN2120–AA64)(Docket No. FAA–2011–0593)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2751. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0477)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2752. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0573)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2753. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–200 and –300 Series Airplanes, and Model A340–200 and –300 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2010–1277)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2754. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc (RR) RB211–524 Series Turbofan Engines'' ((RIN2120–AA64)(Docket No. FAA–2011–0624)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2755. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0152)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2756. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and MD–88 Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2010–1203)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2757. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes (Collectively Called A300–600 Series Airplanes); and Model A310 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2010–1197)) received in the Office of

the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2758. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330–200 and –300 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2009–1212)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2759. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0260)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2760. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Model DHC–8–400 Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0036)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2761. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–120, –120ER, –120FC, –120QC, and –120RT Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2010–0546)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2762. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0259)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2763. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Model P2006T Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2011–0326)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2764. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Model 737–600, –700, –700C, –800, –900, and –900ER Series Airplanes'' ((RIN2120–AA64)(Docket No. FAA–2010–0853)) received in the Office of the President of the Senate on July 27, 2011; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 605. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR (for himself, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, and Mrs. GILLIBRAND):

S. 1449. A bill to authorize the appropriation of funds for highway safety programs and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE:

S. 1450. A bill to amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VITTER (for himself, Mr. NELSON of Florida, Mr. MCCAIN, and Mr. WHITEHOUSE):

S. 1451. A bill to prohibit the sale of billfish; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. JOHNSON of South Dakota, and Mr. REED):

S. 1452. A bill to promote simplification and fairness in the administration and collection of sales and use taxes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 1453. A bill to amend the Marine Mammal Protection Act of 1972 to allow the transport, purchase, and sale of pelts of, and handicrafts, garments, and art produced from, Southcentral and Southeast Alaska northern sea otters that are taken for subsistence purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. COCHRAN, Mr. BROWN of Massachusetts, Mr. LEVIN, Mr. CARDIN, Mr. SCHUMER, and Mr. INOUYE):

S. 1454. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. STABENOW (for herself, Ms. SNOWE, Mr. INOUYE, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. CHAMBLISS, Mr. TESTER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BENNET, Mr. LIEBERMAN, Mrs. HUTCHISON, Mrs. BOXER, Mr. MERKLEY, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. SCHUMER):

S. Res. 242. A resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month; considered and agreed to.

By Mr. CRAPO (for himself, Mr. CASEY, Mr. INOUYE, Mr. AKAKA, Mr. RUBIO, and Mr. TOOMEY):

S. Res. 243. A resolution promoting increased awareness, diagnosis, and treatment of atrial fibrillation to address the high morbidity and mortality rates and to prevent avoidable hospitalizations associated with the disease; considered and agreed to.

By Ms. LANDRIEU (for herself, Mrs. HAGAN, Mr. WICKER, Mr. BROWN of Ohio, Mr. NELSON of Florida, Mr. LEVIN, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. CORNYN):

S. Res. 244. A resolution congratulating Omega Psi Phi Fraternity, Inc. for 100 years of service to communities throughout the United States and the world, and commending Omega Psi Phi for upholding its cardinal principles of manhood, scholarship, perseverance, and uplift; considered and agreed to.

By Mr. KERRY (for himself and Mr. DURBIN):

S. Res. 245. A resolution designating November 2011 as ''Stomach Cancer Awareness Month'' and supporting efforts to educate the public about stomach cancer; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 48

At the request of Mr. INOUYE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 387

At the request of Mrs. BOXER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 387, a bill to amend title 37, United States Code, to provide flexible spending arrangements for members of uniformed services, and for other purposes.

S. 409

At the request of Mr. SCHUMER, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 811

At the request of Mr. MERKLEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 811, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 966

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor

of S. 966, a bill to amend the Public Health Service Act to provide for osteoporosis and related bone disease education, research, and surveillance, and for other purposes.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Idaho (Mr. RISCH) 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. 1058

At the request of Mr. PRYOR, the name of the Senator from Mississippi (Mr. WICKER) 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. 1096

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1096, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under the Medicare part B program by extending the minimum payment amount for bone mass measurement under such program through 2013.

S. 1119

At the request of Mr. INOUYE, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1119, a bill to reauthorize and improve the Marine Debris Research, Prevention, and Reduction Act, and for other purposes.

S. 1144

At the request of Mr. WYDEN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1144, a bill to amend the Soda Ash Royalty Reduction Act of 2006 to extend the reduced royalty rate for soda ash.

S. 1203

At the request of Ms. SNOWE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1203, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1348

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1348, a bill to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1359

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1359, a bill to make the National Parks and Federal Recreation Lands Pass available at a discount to members of the Armed Forces and veterans.

S. 1372

At the request of Mr. REED, the names of the Senator from Maine (Ms. SNOWE) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1372, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 1395

At the request of Mr. BARRASSO, the names of the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

S. 1417

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1417, a bill to amend the Internal Revenue Code of 1986 to modify the credit for qualified fuel cell motor vehicles and to allow the credit for certain off-highway vehicles, and for other purposes.

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 216

At the request of Mrs. BOXER, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. Res. 216, a resolution encouraging women's political participation in Saudi Arabia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 1450. A bill to amend title 23, United States Code, to provide for the establishment of a commercial truck safety program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, today I introduce the Commercial Truck Safety Act of 2011 to address one of my top priorities, and one of my constituents' greatest concerns in recent years, keeping trucks on the Interstate Highway System whenever and wherever possible.

Improving truck safety has been one of my key concerns for more than a decade. What seemed like a simple task so many years ago has become a long battle, fighting for common sense changes that would allow all trucks in Maine to use the Interstate system.

In 2009, Senator COLLINS and I, and our colleagues from Vermont, were able to secure a one-year pilot program that allowed 100,000–pound trucks on Interstates in Maine. The program reinforced the need for a permanent change to the outdated and inconsistent regulations that govern the weight of trucks on our Interstate highways.

During the 2009–2010 pilot program, there were 14 fewer crashes, a 10 percent improvement, involving six-axle vehicles, even with increased traffic volume on Maine's Interstate system. In fact, there were no fatal crashes on the Interstate during the pilot program, and 5 fewer injuries on secondary roads.

Maine's Department of Transportation collects fatal accident data regarding large trucks, and more than 96 percent are on secondary roads, not the Interstate, including the portion of 1–95 that has a permanent exemption. Crash rates for Maine trucks on secondary roads are 7 to 10 times higher than on Interstate highways.

Trucks belong on the highway, but Interstate highway weight limits are inconsistent across state lines, and shippers are forced to use secondary roads to move goods through states still restricted by weight limits established decades ago. In the 122 miles between Hampden and Houlton, Maine, a common route for shippers, these legal 100,000-pound trucks are forced to pass by 9 schools, 270 intersections, and more than 3,000 driveways.

The Commercial Truck Safety Act will allow states to petition the Secretary of Transportation for a waiver from current Interstate weight limits. The Secretary would have the authority to authorize a 3-year pilot program, during which time state engineers, highway users, and safety advocates would weigh the advantages and disadvantages, and report to the Secretary who could then set reasonable, permanent weight limits.

The Secretary would authorize a 3-year pilot program within a state, and require the creation of a safety committee, composed of engineers, safety advocates, and highway users. This team would report to the Secretary on whether the pilot program should be made permanent, eliminating the need

for individual States to come to Congress for special exemptions.

Under my plan, only six-axle vehicles would be eligible to carry loads over 80,000 pounds. A 2000 Federal Highway Administration study noted that these trucks cause LESS fatigue on both rigid and flexible pavements. There is no question that allowing these vehicles on the Interstate will have safety, environmental, and efficiency benefits.

A total of 27 States already have some type of permanent exemption, and 47 states allow trucks weighing over 80,000 pounds on some roads within their State. To offer a clear picture of this, if you are driving a 100,000-pound truck from Gary, Indiana, just outside of Chicago, to Portland, Maine, you would be forced to unload the additional weight to continue on the Interstate in Maine, or travel through the state on local roads, needlessly raising the risk of an accident on a local road or street. Conversely, and inexplicably, you can drive a truck weighing 90,000 pounds all the way from Kansas City, MO to Seattle, WA, exclusively on the Interstate system.

If a State's chief highway engineer can certify the safety of a route, and the condition of a road, a State should have the flexibility to change its weight limit on Interstate highways.

Pulp and paper produced in Bucksport and Lincoln, Maine, are vital to the economic health of my State, but with the return to previous weight limits, Maine is at a significant disadvantage due to the higher cost of transportation caused by this fundamental inequity. Some of my constituents noted that the pilot program increased efficiency so appreciably, it was as if the factory had been moved 200 miles closer to the customer. While at first glance this may seem insignificant, we must not forget that diesel prices are well above $4.00 per gallon, and tractor trailers operate at approximately 6 miles per gallon. Not only will this bill save fuel and costs for shippers, it will reduce costs for states. A 2004 study commissioned by the Maine Department of Transportation indicates that a permanent change would reduce the state's pavement costs by more than $1 million per year. It would also cut bridge rehabilitation costs by more than $300,000 per year.

It is critical that we maximize our current highway capacity, and ensure that freight movement is efficient and timely. The Commercial Truck Safety Act will provide states with the flexibility they need to improve freight mobility and increase safety on our highways. I urge my colleagues to support this bill, and allow States to update truck weight limits that no longer enhance safety or boost our economy.

By Mr. DURBIN (for himself, Mr. JOHNSON of South Dakota, and Mr. REED):

S. 1452. A bill to promote simplification and fairness in the administration and collection of sales and use taxes; to the Committee on Finance.

Mr. DURBIN. Mr. President, ''Level the Playing Field.''

When I ask small business owners what they would like the Federal Government to do to help them thrive, the answer I most frequently hear is, ''level the playing field.''

It may be a cliché, but there's truth to it. Most small businesspeople don't want a government handout. They don't want special treatment. They just want to be able to compete fairly against other businesses.

That is why I am introducing the Main Street Fairness Act.

If you are a small business owner in Peoria or Springfield or Alton, you compete against neighboring businesses down the street and, increasingly, with sellers on the internet. The businesses down the street have to collect the same State sales taxes that you do. But, many internet sellers don't.

That means internet sellers have a built-in price advantage. That isn't fair, and it's not a level playing field.

The Main Street Fairness Act would address that. The bill would give Congressional endorsement to the Streamline Sales and Use Tax Agreement, which 45 States and the District of Columbia created years ago to help make it feasible for businesses selling online to collect State and local sales taxes already owed.

Why is this Agreement necessary? The Supreme Court ruled in the early '90s that the maze of current sales tax rules and rates was too complex to expect online retailers to comply. The States worked together to address that problem.

The Main Street Fairness Act says that any State that wants to do so can require online retailers to collect the same sales taxes that Main Street businesses collect, provided that small online retailers are exempt, online retailers are compensated for any startup administrative costs associated with collecting sales taxes, and all retailers are treated equally regarding sales tax collection.

Let me be as clear as I can on one point: this bill is NOT a tax increase.

It doesn't amend the Internal Revenue Code in any way. It simply provides states the option to require all retailers to collect the sales taxes that are already owed.

The Main Street Fairness Act provides two other big benefits.

First, consumers will no longer be asked to itemize the sales taxes they owe from their online purchases on their year-end tax forms. Few consumers comply with the law today—most don't know they should—but the Main Street Fairness Act would eliminate the need to do so.

Second, State and local governments would collect taxes that are already owed.

It is no secret that many States and cities, including the State of Illinois and local governments across my State, are struggling to balance their budgets.

The State of Illinois estimates that we lose as much as $153 million each year in unpaid taxes on internet sales alone.

Passing the Main Street Fairness Act would help State and local governments balance their budgets without cutting spending or raising new taxes.

The Main Street Fairness Act is supported by the National Governors' Association, National Conference on State Legislatures, Governing Board of the Streamlined Sales and Use Tax Agreement, National Retail Federation, International Council of Shopping Centers, Retail Industry Leaders Association, and the National Association of Real Estate Investment Trusts.

The Main Street Fairness Act will level the playing field for our small businesses. I urge its passage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Main Street Fairness Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Consent of Congress.
Sec. 3. Findings.
Sec. 4. Authorization to require collection of sales and use taxes.
Sec. 5. Determinations by governing board and judicial review of such determinations.
Sec. 6. Minimum simplification requirements.
Sec. 7. Limitation.
Sec. 8. Expedited judicial review.
Sec. 9. Definitions.
Sec. 10. Severability.
Sec. 11. Sense of Congress on digital goods and services.

SEC. 2. CONSENT OF CONGRESS.

Congress consents to the Streamlined Sales and Use Tax Agreement.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) States should be encouraged to simplify their sales and use tax systems.

(2) As a matter of economic policy and basic fairness, similar sales transactions should be treated equally, without regard to the manner in which sales are transacted, whether in person, through the mail, over the telephone, on the Internet, or by other means.

(3) Congress may facilitate such equal taxation consistent with the United States Supreme Court's decision in *Quill Corp. v. North Dakota*.

(4) States that voluntarily and adequately simplify their tax systems should be authorized to correct the present inequities in taxation through requiring sellers to collect taxes on sales of goods or services delivered in-state, without regard to the location of the seller.

(5) The States have experience, expertise, and a vital interest in the collection of sales and use taxes, and thus should take the lead in developing and implementing sales and use tax collection systems that are fair, efficient, and non-discriminatory in their application and that will simplify the process for both sellers and buyers.

(6) Online consumer privacy is of paramount importance to the growth of electronic commerce and must be protected.

SEC. 4. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) GRANT OF AUTHORITY.—

(1) IN GENERAL.—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized, subject to the requirements of this section, to require all sellers not qualifying for the small seller exception to collect and remit sales and use taxes with respect to remote sales sourced to that Member State under the Agreement.

(2) REQUIREMENTS FOR AUTHORITY.—The authorization provided under paragraph (1) shall be granted once all of the following have occurred:

(A) Ten States comprising at least 20 percent of the total population of all States imposing a sales tax, as determined by the most recent Federal census, have petitioned for membership and have become Member States under the Agreement.

(B) The following necessary operational aspects of the Agreement have been implemented by the Governing Board:

(i) Provider and system certification.

(ii) Setting of monetary allowance by contract with providers.

(iii) Implementation of an online multistate registration system.

(iv) Adoption of a standard form for claiming exemptions electronically.

(v) Establishment of advisory councils.

(vi) Promulgation of rules and procedures for dispute resolution.

(vii) Promulgation of rules and procedures for audits.

(viii) Provisions for funding and staffing the Governing Board.

(C) Each Member State has met the requirements to provide and maintain the databases for sales and use taxes and the taxability matrix described in the Agreement, pursuant to requirements of the Governing Board.

(3) LIMITATION OF AUTHORITY.—The authorization provided under paragraph (1)—

(A) shall be granted notwithstanding any other provision of law; and

(B) is dependent upon the Agreement, as amended, meeting the minimum simplification requirements of section 6.

(b) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—The authorization provided under subsection (a) shall terminate for all States if—

(A) the requirements contained in subsection (a) cease to be satisfied; or

(B) any amendment adopted to the Agreement after the date of the enactment of this Act is inconsistent with the provisions of this Act.

(2) LOSS OF MEMBER STATE STATUS.—The authorization provided under subsection (a) shall terminate for a Member State, if such Member State no longer meets the requirements for Member State status under the terms of the Agreement or the provisions of this Act.

(c) DETERMINATION OF STATUS.—

(1) IN GENERAL.—The Governing Board shall determine if Member States are in compliance with the requirements of subsections (a) and (b) and whether each Member State meets the minimum simplification requirements of section 6, and shall reevaluate such determination on an annual basis.

(2) COMPLIANCE DETERMINATION.—Upon the determination of the Governing Board that all the requirements of subsection (a) have been satisfied, the authority to require a seller to collect and remit sales and use taxes shall commence on the first day of a calendar quarter at least 6 months after the date the Governing Board makes its determination.

(3) NONCOMPLIANCE DETERMINATION.—Upon a final determination by the Governing Board that a Member State is not in compliance with the minimum simplification requirements of section 6 or is otherwise not in compliance with the Agreement, that Member State shall lose its remote seller collection authority on the earlier of—

(A) the date specified by the Governing Board; or

(B) the later of—

(i) the first day of January at least 2 years after the Governing Board finally determined the State was not compliant; or

(ii) the first day of a calendar quarter following the end of one full session of the State's legislature beginning after the Governing Board finally determined the State was not compliant.

For purposes of this section, the terms ''final determination'' or ''finally determined'' shall mean that all appeals processes provided for in the Agreement have been exhausted or the time for pursuing such appeals has expired. An action before the Federal Court of Claims pursuant to section 5 shall not operate to stay a State's loss of collection authority.

(4) RESTORATION OF AUTHORITY.—Any Member State that loses its collection authority under this section must comply with all provisions of this section to have its remote seller collection authority restored.

SEC. 5. DETERMINATIONS BY GOVERNING BOARD AND JUDICIAL REVIEW OF SUCH DETERMINATIONS.

(a) PETITION.—At any time after the Governing Board has made the determinations required under section 4(c), any person who may be affected by the Agreement may petition the Governing Board for a determination on any issue related to the implementation of the Agreement or on a Member State's compliance with this Act or the Agreement.

(b) REVIEW IN COURT OF FEDERAL CLAIMS.—Any person who submits a petition under subsection (a) may bring an action against the Governing Board in the United States Court of Federal Claims for judicial review of the action of the Governing Board on that petition if—

(1) the petition relates to an issue of whether—

(A) a Member State has satisfied or continues to satisfy the requirements for Member State status under the Agreement;

(B) the Governing Board has performed a nondiscretionary duty of the Governing Board under the Agreement;

(C) the Agreement—

(i) continues to satisfy the minimum simplification requirements of section 6; or

(ii) otherwise continues to be consistent with the provisions of this Act; or

(D) any other requirement of section 4 has been satisfied; and

(2) the petition is denied by the Governing Board in whole or in part with respect to that issue, or the Governing Board fails to act on the petition with respect to that issue not later than the 6-month period beginning on the day after the date on which the petition was submitted.

(c) TIMING OF ACTION FOR REVIEW.—An action for review under this section shall be initiated not later than 60 days after the denial of the petition by the Governing Board, or, if the Governing Board fails to act on the petition, not later than 60 days after the end of the 6-month period beginning on the day after the date on which the petition was submitted.

(d) STANDARD OF REVIEW.—

(1) IN GENERAL.—In any action for review under this section, the court shall set aside the actions, findings, and conclusions of the Governing Board found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

(2) REMAND.—If the court sets aside any action, finding, or conclusion of the Governing Board under paragraph (1), the court shall remand the case to the Governing Board for further action consistent with the decision of the court.

(3) NONMONETARY RELIEF.—In connection with any remand under paragraph (2), the court may not award monetary relief, but may award declaratory and injunctive relief.

(e) JURISDICTION.—

(1) GENERALLY.—Chapter 91 of title 28, United States Code, is amended by adding at the end the following new section:

''SEC. 1510. JURISDICTION REGARDING THE STREAMLINED SALES AND USE TAX AGREEMENT.

''The United States Court of Federal Claims shall have exclusive jurisdiction over actions for judicial review of determinations of the Governing Board of the Streamlined Sales and Use Tax Agreement under the terms and conditions provided in section 5 of the Main Street Fairness Act.''.

(2) CONFORMING AMENDMENT TO TABLE OF SECTIONS.—The table of sections for chapter 91 of title 28, United States Code, is amended by adding at the end the following new item:

''1510. Jurisdiction regarding the streamlined sales and use tax agreement.''.

SEC. 6. MINIMUM SIMPLIFICATION REQUIREMENTS.

(a) IN GENERAL.—The minimum simplification requirements for the Agreement are as follows:

(1) A centralized, one-stop, multistate registration system that a seller may elect to use to register with the Member States, provided a seller may also elect to register directly with a Member State, and further provided that privacy and confidentiality controls shall be placed on the multistate registration system so that it may not be used for any purpose other than the administration of sales and use taxes. Furthermore, no taxing authority within a Member State or a Member State that has withdrawn or been expelled from the Agreement may use registration with the centralized registration system for the purpose of, or as a factor in determining, whether a seller has a nexus with that Member State for any tax at any time.

(2) Uniform definitions of products and product-based exemptions from which a Member State may choose its individual tax base, provided, however, that all local jurisdictions in that Member State with respect to which a tax is imposed or collected, shall have a common tax base identical to the State tax base of that Member State. A Member State may enact product-based exemptions without restriction if the Agreement does not have a definition for the product or for a term that includes the product. A Member State shall relax the good faith requirement for acceptance of exemption certificates in accordance with section 317 of the Agreement, as in effect on the date of the enactment of this Act.

(3) Uniform rules for sourcing and attributing transactions to particular taxing jurisdictions.

(4) Uniform procedures for the certification of service providers and software on which a seller may elect to rely in order to determine Member State sales and use tax rates and taxability.

(5) Uniform rules for bad debts and rounding.

(6) Uniform requirements for tax returns and remittances.

(7) Consistent electronic filing and remittance methods.

(8) Single, State-level administration of all Member State and local sales and use taxes, including a requirement for a State-level filing of tax returns in each Member State.

(9) A provision requiring the elimination by each Member State of caps and thresholds on the application of sales and use tax rates and exemptions based on value, provided that this limitation does not apply to the items identified in sections 308C, 322, and 323 of the Agreement, as in effect on the date of the enactment of this Act.

(10) A provision requiring each Member State to complete a taxability matrix, as adopted by the Governing Board. The matrix shall include information regarding terms defined by the Agreement in the Library of Definitions. The matrix shall also include, pursuant to the requirements of the Governing Board, information on use-, entity-, and product-based exemptions.

(11) A provision requiring that each Member State relieves a seller or service provider from liability to that Member State and local jurisdiction for collection of the incorrect amount of sales or use tax, and relieves the purchaser from penalties stemming from such liability, provided that collection of the improper amount is the result of relying on information provided by that Member State regarding tax rates, boundaries, or taxing jurisdiction assignments, or in the taxability matrix regarding terms defined by the Agreement in the Library of Definitions.

(12) Audit procedures for sellers, including an option under which a seller not qualifying for the small business exception may request, by notifying the Governing Board, to be subject to a single audit on behalf of all Member States for sales and use taxes. The Governing Board, in its discretion, may authorize such a single audit.

(13)(A) Subject to subparagraphs (B), (C), (D), and (E), a provision requiring that in order for a Member State to require collection with respect to remote sales under section 4, the Member State shall provide compensation for expenses incurred by a seller directly in administering, collecting, and remitting sales and use taxes to that Member State. Such compensation may vary in each Member State as provided in the Agreement.

(B) Congress hereby finds that the compensation for expenses incurred by sellers required of Member States under the terms of the Agreement, as in effect on the enactment of this Act, is the minimum compensation necessary, when considered in connection with the simplification requirements contained in the Agreement on the date authority to require collection commences under section 4, to satisfy the requirement under subparagraph (A) on such date.

(C)(i) A provision requiring that the minimum compensation required of a Member State under subparagraph (A) may be modified as follows:

(I) Adjusted in relationship to changes in the size of the small business exemption adopted by the Governing Board.

(II) Decreased as additional simplifications and improvements in technology reduce collection costs.

(III) Increased if provisions of the Agreement are adopted that increase collection costs.

(ii) Any such modification in the minimum required compensation must be based on an independent review of the expenses incurred by sellers in administering, collecting, and remitting sales and use taxes and shall consider all changes impacting such expenses and take into account and be proportional to the increase or decrease in the expenses incurred by sellers in administering, collecting, and remitting sales and use taxes.

(D) The compensation required by subparagraph (A) shall be provided pursuant to the implementation schedule set out in the Agreement. Nothing in this Act shall prohibit a Member State from providing compensation greater than the amount required by this Act or the Agreement or on a date earlier than required by this Act or the Agreement.

(E) Compensation necessary to meet the requirement of subparagraph (A) may be provided to a seller or a third party service provider whom a seller has contracted with to perform the sales and use tax responsibilities of a seller.

(14) Appropriate protections for consumer privacy.

(15) Governance procedures and mechanisms to ensure timely, consistent, and uniform implementation and adherence to the principles of the streamlined system and the terms of the Agreement.

(16) A uniform rule to establish a small seller exception to a requirement to collect authorized by this Act.

(17) Uniform rules and procedures for sales tax holidays.

(18) Uniform rules and procedures to address refunds and credits for sales taxes relating to customer returns, restocking fees, discounts and coupons, and rules to address allocations of shipping and handling and discounts applied to multiple item and multiple seller orders.

(b) REQUIREMENT TO PROVIDE SIMPLIFIED TAX SYSTEMS.—

(1) IN GENERAL.—The requirements of this section are intended to ensure that each Member State provides and maintains the necessary simplification to its sales and use tax system to warrant the collection authority granted to such Member State in section 4.

(2) REDUCTION OF ADMINISTRATIVE BURDENS.—The requirements of this section should be construed—

(A) to require each Member State to substantially reduce the administrative burdens associated with sales and use taxes; and

(B) as allowing each Member State to exercise flexibility in how these requirements are satisfied.

(3) EXCEPTION.—In instances where exceptions to the requirements of this section can be exercised in a manner that does not materially increase the administrative burden on a seller obligated to collect or pay the taxes, such exceptions are permissible.

(c) NO REQUIREMENT TO EXEMPT FROM OR IMPOSE TAX.—Nothing in this Act or the Agreement shall require any Member State or any local taxing jurisdiction to exempt, or to impose a tax on any product, or to adopt any particular type of tax, or to impose the same rate of tax as any other taxing jurisdiction.

SEC. 7. LIMITATION.

(a) IN GENERAL.—Nothing in this Act shall be construed as—

(1) subjecting a seller to franchise taxes, income taxes, or licensing requirements of a Member State or political subdivision thereof; or

(2) affecting the application of such taxes or requirements or enlarging or reducing the authority of any Member State to impose such taxes or requirements.

(b) NO EFFECT ON NEXUS, ETC.—

(1) IN GENERAL.—No obligation imposed by virtue of the authority granted by section 4 shall be considered in determining whether a seller has a nexus with any Member State for any other tax purpose.

(2) PERMISSIBLE MEMBER STATE AUTHORITY.—Except as provided in subsection (a), and in section 4, nothing in this Act permits or prohibits a Member State from—

(A) licensing or regulating any person;

(B) requiring any person to qualify to transact intrastate business;

(C) subjecting any person to State taxes not related to the sale of goods or services; or

(D) exercising authority over matters of interstate commerce.

SEC. 8. EXPEDITED JUDICIAL REVIEW.

(a) THREE-JUDGE DISTRICT COURT HEARING.—Notwithstanding any other provision of law, any civil action challenging the constitutionality of this Act, or any provision thereof, shall be heard by a district court of 3 judges convened pursuant to the provisions of section 2284 of title 28, United States Code.

(b) APPELLATE REVIEW.—

(1) IN GENERAL.—Notwithstanding any other provision of law, an interlocutory or final judgment, decree, or order of the court of 3 judges in an action under subsection (a) holding this Act, or any provision thereof, unconstitutional shall be reviewable as a matter of right by direct appeal to the United States Supreme Court.

(2) 30-DAY TIME LIMIT.—Any appeal under paragraph (1) shall be filed not more than 30 days after the date of entry of such judgment, decree, or order.

SEC. 9. DEFINITIONS.

For the purposes of this Act the following definitions apply:

(1) GOVERNING BOARD.—The term ''Governing Board'' means the governing board established by the Streamlined Sales and Use Tax Agreement.

(2) MEMBER STATE.—The term ''Member State''—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include associate members under the Agreement.

(3) NONDISCRETIONARY DUTY OF THE GOVERNING BOARD.—The term ''nondiscretionary duty of the Governing Board'' means any duty of the Governing Board specified in the Agreement as a requirement for action by use of the term ''shall'', ''will'', or ''is required to''.

(4) PERSON.—The term ''person'' means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or any other legal entity, and includes a State or local government.

(5) REMOTE SALE.—The term ''remote sale'' means a sale of goods or services attributed to a particular Member State with respect to which a seller does not have adequate physical presence to establish nexus under the law existing on the day before the date of the enactment of this Act so as to allow such Member State to require, without regard to the authority granted by this Act, the seller to collect and remit taxes covered by this Act with respect to such sale.

(6) REMOTE SELLER.—The term ''remote seller'' means any seller who makes a remote sale.

(7) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

(8) STREAMLINED SALES AND USE TAX AGREEMENT.—The term ''Streamlined Sales and Use Tax Agreement'' (or ''the Agreement'') means the multistate agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and unless the context otherwise indicates as further amended from time to time.

SEC. 10. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional,

the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 11. SENSE OF CONGRESS ON DIGITAL GOODS AND SERVICES.

It is the sense of Congress that each Member State that is a party to the Agreement should work with other Member States that are also parties to the Agreement to prevent double taxation in situations where a foreign country has imposed a transaction tax on a digital good or service.

By Mr. DURBIN (for himself, Mr. COCHRAN, Mr. BROWN of Massachusetts, Mr. LEVIN, Mr. CARDIN, Mr. SCHUMER, and Mr. INOUYE):

S. 1454. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I am introducing the ''Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act'' with my colleagues Senators COCHRAN, LEVIN, CARDIN, SCHUMER, INOUYE, and BROWN of Massachusetts.

The Centers for Disease Control and Prevention estimates that about 13 percent of American adults, 26 million people, have chronic kidney disease. Some of these individuals can improve their condition with medication and lifestyle changes, but approximately half a million of them have irreversible kidney failure, or end-stage renal disease, ESRD. These patients require dialysis or a kidney transplant to survive.

Organ transplantation is a medical success story. Thousands of transplants are done every year, and for the patients fortunate enough to receive a donated organ, the quality and length of their lives can be dramatically improved. Of the more than 28,000 transplants performed in 2010, over 16,898 of them were kidney transplants.

A large portion of these kidney transplants were paid for by the Medicare system, which provides healthcare to aged and disabled Americans, as well as those living with ESRD. Medicare also covers dialysis for patients who have not received a donor kidney and immunosuppressive drugs for kidney transplant recipients. Organ transplant recipients must take immunosuppressive drugs every day for the life of their transplant to reduce the risk of organ rejection.

In 2000, Congress wisely eliminated the 36–month time limitation for aged and disabled beneficiaries who had Medicare status at the time of transplant. So today, for an older or disabled person on Medicare, immunosuppressive drugs are covered by Medicare for the life of the transplant.

However, we still have an unfair and unrealistic gap in coverage for people with ESRD who are neither disabled nor elderly. For those transplant recipients, Medicare coverage, including coverage of immunosuppressive drugs, ends 36 months after transplantation. Without regular access to immunosuppressive drugs to prevent rejection, many patients find themselves back in a risky and frightening place, in need of a new kidney. This is economically inefficient and morally wrong.

Since Medicare covers the cost of the transplant for end stage renal disease, it makes sense for Medicare to preserve this investment by covering anti-rejection drugs. It would be far less expensive for Medicare to cover immunosuppressive drugs at a cost of $10,000 to $20,000 a year than to pay for dialysis at $78,000 a year or another transplant at a cost of $110,000 if a patient's kidney fails and he is once again eligible for Medicare coverage.

I am pleased to introduce the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act along with my colleagues. This legislation would allow kidney transplant recipients to continue Medicare coverage for the purpose of immunosuppressive drugs only. All other Medicare coverage would end 36 months after the transplant.

It is time to pass this legislation to provide continuous coverage for immunosuppressive drugs through Medicare. My legislation will reduce the need for dialysis and kidney re-transplants and provide reliable, sustained access to critically important, life-saving medications for thousands of Americans. In both moral and economic terms, this is the right decision.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1454

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2011''.

SEC. 2. EXTENDED MONTHS OF COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT PATIENTS AND OTHER RENAL DIALYSIS PROVISIONS.

(a) MEDICARE ENTITLEMENT TO IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS .—

(1) KIDNEY TRANSPLANT RECIPIENTS.—Section 226A(b)(2) of the Social Security Act (42 U.S.C. 426–1(b)(2)) is amended by inserting ''(except for eligibility for enrollment under part B solely for purposes of coverage of immunosuppressive drugs described in section 1861(s)(2)(J))'' before '', with the thirty-sixth month''.

(2) INDIVIDUALS ELIGIBLE ONLY FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) Section 1836 of the Social Security Act (42 U.S.C. 1395o) is amended—

(i) by striking ''Every'' and inserting ''(a) IN GENERAL.—Every''; and

(ii) by inserting at the end the following new subsection:

''(b) INDIVIDUALS ELIGIBLE FOR IMMUNOSUPPRESSIVE DRUG COVERAGE.—Beginning on January 1, 2012, every individual whose insurance benefits under part A have ended (whether before, on, or after such date) by reason of section 226A(b)(2) is eligible for enrollment in the insurance program established by this part solely for purposes of coverage of immunosuppressive drugs.''.

(B) CONFORMING AMENDMENT.—Sections 1837, 1838, and 1839 of the Social Security Act (42 U.S.C. 1395(p), 42 U.S.C. 1395(q), 42 U.S.C. 1395(r)) are each amended by striking ''1836'' and inserting ''1836(a)'' each place it appears.

(3) ENROLLMENT FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1837 of the Social Security Act (42 U.S.C. 1395(p)) is amended by adding at the end the following new subsection:

''(m)(1) Any individual who is eligible under section 1836(b) to enroll in the medical insurance program established under this part for purposes of coverage of immunosuppressive drugs may enroll only in such manner and form as may be prescribed by regulations, and only during an enrollment period described in this subsection.

''(2) An individual described in paragraph (1) may enroll beginning on the first day of the third month before the month in which the individual first satisfies section 1836(b).

''(3) An individual described in paragraph (1) whose entitlement for hospital insurance benefits under part A ends by reason of section 226A(b)(2) on or after January 1, 2012, shall be deemed to have enrolled in the medical insurance program established by this part for purposes of coverage of immunosuppressive drugs.''.

(4) COVERAGE PERIOD FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) IN GENERAL.—Section 1838 of the Social Security Act (42 U.S.C. 1395q) is amended by adding at the end the following new subsection:

''(g) In the case of an individual described in section 1836(b), the following rules shall apply:

''(1) In the case of such an individual who is deemed to have enrolled in part B for coverage of immunosuppressive drugs under section 1837(m)(3), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b).

''(2) In the case of such an individual who enrolls in part B for coverage of immunosuppressive drugs under section 1837(m)(2), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b) or the month following the month in which the individual so enrolls, whichever is later.

''(3) The provisions of subsections (b) and (d) shall apply with respect to an individual described in paragraph (1) or (2).

''(4) In addition to the reasons for termination under subsection (b), the coverage period of an individual described in paragraph (1) or (2) shall end when the individual becomes entitled to benefits under this title under section 226(a), 226(b), or 226A.''.

(B) CONFORMING AMENDMENTS.—Section 1838(b) of the Social Security Act (42 U.S.C. 1395q(b)) is amended, in the matter following paragraph (2), by adding ''or section 1837(m)(3)'' after ''section 1837(f)'' each place it appears.

(5) PREMIUMS FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended—

(A) in subsection (b), by adding at the end the following new sentence: ''No increase in the premium shall be effected for individuals who are enrolled pursuant to section 1836(b) for coverage only of immunosuppressive drugs.''; and

(B) by adding at the end the following new subsection:

''(j) DETERMINATION OF PREMIUM FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—The Secretary shall, during September of each year, determine and promulgate a monthly premium rate for the succeeding calendar year for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b). Such premium shall be equal to 35 percent of the monthly actuarial rate for enrollees age 65 and over, determined according to paragraph (1), for that succeeding calendar year. The monthly premium of each individual enrolled for coverage of immunosuppressive drugs under section 1836(b) for each month shall be the amount promulgated in this subsection. Such amount shall be adjusted in accordance with subsections (c) and (f).''.

(6) GOVERNMENT CONTRIBUTION.—Section 1844(a) of the Social Security Act (42 U.S.C. 1395w(a)) is amended—

(A) in paragraph (3), by striking the period at the end and inserting ''; plus'';

(B) by adding at the end the following new paragraph:

''(4) a Government contribution equal to the estimated aggregate reduction in premiums payable under part B that results from establishing the premium at 35 percent of the actuarial rate under section 1839(j) instead of 50 percent of the actuarial rate for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b).''; and

(C) by adding at the end the following flush matter:

''The Government contribution under paragraph (4) shall be treated as premiums payable and deposited for purposes of subparagraphs (A) and (B) of paragraph (1).''.

(7) EXTENSION OF SECONDARY PAYER REQUIREMENTS FOR ESRD BENEFICIARIES ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395(y)(b)(1)) is amended by adding at the end the following new sentence: ''With regard to immunosuppressive drugs furnished to an individual who enrolls for the purpose of coverage of immunosuppressive drugs under section 1836(b) on or after January 1, 2012, this subparagraph shall apply without regard to any time limitation, except that when such individual becomes entitled to benefits under this title under sections 226(a) or 226(b), or entitled to or eligible for benefits under this title under section 226A, the provisions of subparagraphs (A) and (B), and the time limitations under this subparagraph, respectively, shall apply.''.

(8) ENSURING COVERAGE UNDER THE MEDICARE SAVINGS PROGRAM.—Section 1905(p)(1)(A) of the Social Security Act (42 U.S.C. 1396d(p)(1)(A)) is amended by inserting ''or an individual who is enrolled under part B for the purpose of coverage of immunosuppressive drugs under section 1836(b)'' after ''section 1818''.

(9) PART D.—Section 1860D–1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(A)) is amended by inserting ''(but not including an individual enrolled solely for coverage of immunosuppressive drugs under section 1836(b))'' before the period at the end.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 242—SUPPORTING THE GOALS AND IDEALS OF NATIONAL OVARIAN CANCER AWARENESS MONTH

Ms. STABENOW (for herself, Ms. SNOWE, Mr. INOUYE, Mr. CARDIN, Ms. COLLINS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. CHAMBLISS, Mr. TESTER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. BENNET, Mr. LIEBERMAN, Mrs. HUTCHISON, Mrs. BOXER, Mr. MERKLEY, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 242

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas almost 21,000 women will be diagnosed with ovarian cancer in 2011, and 15,000 will die from the disease;

Whereas these deaths are those of our mothers, sisters, daughters, family members, and community leaders;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared 40 years ago;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at a higher risk;

Whereas some women, such as those with a family history of breast or ovarian cancer, are at a higher risk for the disease;

Whereas the pap test is sensitive and specific to the early detection of cervical cancer, but not ovarian cancer;

Whereas there is currently no reliable early detection test for ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas in June 2007, the first national consensus statement on ovarian cancer symptoms was developed to provide consistency in describing symptoms to make it easier for women to learn and remember the symptoms;

Whereas there are known methods to reduce the risk of ovarian cancer, including prophylactic surgery, oral contraceptives, and breast-feeding;

Whereas, due to the lack of a reliable early detection test, 75 percent of cases of ovarian cancer are detected at an advanced stage, making the overall 5-year survival rate only 45 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and that play an important role in the prevention of the disease;

Whereas awareness of the symptoms of ovarian cancer by women and health care providers can lead to a quicker diagnosis;

Whereas, each year during the month of September, the Ovarian Cancer National Alliance and its partner members hold a number of events to increase public awareness of ovarian cancer; and

Whereas September 2011 should be designated as ''National Ovarian Cancer Awareness Month'' to increase public awareness of ovarian cancer: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Ovarian Cancer Awareness Month.

SENATE RESOLUTION 243—PROMOTING INCREASED AWARENESS, DIAGNOSIS, AND TREATMENT OF ATRIAL FIBRILLATION TO ADDRESS THE HIGH MORBIDITY AND MORTALITY RATES AND TO PREVENT AVOIDABLE HOSPITALIZATIONS ASSOCIATED WITH THE DISEASE

Mr. CRAPO (for himself, Mr. CASEY, Mr. INOUYE, Mr. AKAKA, Mr. RUBIO, and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 243

Whereas atrial fibrillation is a cardiac condition that results when the usual coordinated electrical activity in the atria of the heart becomes disorganized and chaotic, hampering the ability of the atria to fill the ventricles with blood, and allowing blood to pool in the atria and form clots;

Whereas an estimated 2,500,000 people in the United States are living with atrial fibrillation, the most common ''serious'' heart rhythm abnormality that occurs in people older than 65 years of age;

Whereas atrial fibrillation is associated with an increased long-term risk of stroke, heart failure, and all-cause mortality, especially among women;

Whereas people older than 40 years of age have a 1-in-4 risk of developing atrial fibrillation in their lifetime;

Whereas an estimated 15 percent of strokes are the result of untreated atrial fibrillation, a condition that dramatically increases the risk of stroke to approximately 5 times more than the general population;

Whereas atrial fibrillation accounts for approximately 529,000 hospital discharges annually;

Whereas atrial fibrillation costs an estimated $3,600 per patient for a total cost burden in the United States of $15,700,000,000;

Whereas better patient and health care provider education is needed for the timely recognition of atrial fibrillation symptoms;

Whereas an electrocardiogram is an effective and risk-free screen for heart rhythm irregularities and can be part of a routine preventive exam;

Whereas there is a dearth of outcome performance measures that focus on the management of atrial fibrillation; and

Whereas evidence-based care guidelines improve patient outcomes and prevent unnecessary hospitalizations for individuals with undiagnosed atrial fibrillation and for patients once atrial fibrillation is detected: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Secretary of Health and Human Services should work with leaders in the medical community to explore ways to improve medical research, screening and prevention methods, and surveillance efforts in order to prevent and appropriately manage atrial fibrillation, including by—

(1) advancing the development of process and outcome measures for the management of atrial fibrillation by national developers;

(2) facilitating the adoption of evidence-based guidelines by the medical community to improve patient outcomes;

(3) advancing atrial fibrillation research and education by—

(A) encouraging basic science research to determine the causes and optimal treatments for atrial fibrillation;

(B) exploring development of screening tools and protocols to determine the risk of developing atrial fibrillation; and

(C) enhancing current surveillance and tracking systems to include atrial fibrillation; and

(4) improving access to appropriate medical care for patients suffering from atrial fibrillation by encouraging education programs that promote collaboration among the Federal health agencies and that increase public and clinician awareness of atrial fibrillation, including risk assessment, screening, treatment, and appropriate clinical management.

SENATE RESOLUTION 244—CONGRATULATING OMEGA PSI PHI FRATERNITY, INC. FOR 100 YEARS OF SERVICE TO COMMUNITIES THROUGHOUT THE UNITED STATES AND THE WORLD, AND COMMENDING OMEGA PSI PHI FOR UPHOLDING ITS CARDINAL PRINCIPLES OF MANHOOD, SCHOLARSHIP, PERSEVERANCE, AND UPLIFT

Ms. LANDRIEU (for herself, Mrs. HAGAN, Mr. WICKER, Mr. BROWN of Ohio, Mr. NELSON of Florida, Mr. LEVIN, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. CORNYN) submitted the following resolution; which was considered and agreed to:

S. RES. 244

Whereas Omega Psi Phi is the first international fraternal organization to be founded on the campus of a historically black college;

Whereas Omega Psi Phi Fraternity, Inc. was founded at Howard University in Washington, District of Columbia, on November 17, 1911, by undergraduates Oscar James Cooper, M.D., Frank Coleman, Ph.D., and Edgar Amos Love, D.D., and their faculty advisor Ernest Everett Just, Ph.D.;

Whereas, on November 17, 2011, Omega Psi Phi will celebrate 100 years of service to communities throughout the United States and the world in many diverse fields of endeavor;

Whereas, in 2011, Omega Psi Phi has more than 700 chapters throughout the United States, Bermuda, the Bahamas, the Virgin Islands, South Korea, Japan, Liberia, Germany, and Kuwait;

Whereas Omega Psi Phi has maintained a commitment to the betterment of mankind, the enhancement of the community, and the enrichment of collegiate men through dedication to its cardinal principles of manhood, scholarship, perseverance, and uplift;

Whereas Omega Psi Phi chapters participate in activities that uplift their communities, including voter registration, illiteracy awareness, Habitat for Humanity, health awareness programs, and youth mentoring;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of science, including Dr. Ernest Everett Just, an internationally known biologist, Dr. Charles Drew, who perfected the use of blood plasma, Dr. Ronald E. McNair, an astronaut and member of the flight team aboard the Space Shuttle Challenger, Charles Bolden, an astronaut and the Administrator of the National Aeronautics and Space Administration, and Dr. Fred Drew Gregory, an astronaut and graduate of the United States Air Force Academy;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of sports, including Dr. Robert M. Screen, the tennis coach at Hampton University and the coach with the most wins in the history of the National Collegiate Athletic Association, Michael Jordan, who was inducted into the Naismith Memorial Basketball Hall of Fame in 2009, Charlie Ward, the winner of the Heisman Trophy in 1993 and a former guard with the New York Knicks of the National Basketball Association, Dr. LeRoy Walker, a former president of the United States Olympic Committee, and Terrance Trammell, a world champion hurdler;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of government, including William Hastie, the first Governor of the Virgin Islands, Lawrence Douglas Wilder, the first black Governor of Virginia, Togo West, a former Secretary of the Army, James E. Clyburn, a Member of the House of Representatives from South Carolina and the 26th Majority Whip of the House of Representatives, Jesse Jackson, Jr., a Member of the House of Representatives from Illinois, and Hank Johnson, a Member of the House of Representatives from Georgia;

Whereas the men of Omega Psi Phi have distinguished themselves in the field of the arts, including Langston Hughes, the poet laureate who excelled as a poet, playwright, novelist, lyricist, and humorist, and William ''Count'' Basie, an internationally known pianist, composer, arranger, and band leader; and

Whereas Omega Psi Phi will commemorate its history and promote its continued success at its centennial celebration to be held July 27 through July 31, 2011, in Washington, District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Omega Psi Phi Fraternity, Inc. for 100 years of service to communities throughout the United States and the world; and

(2) commends Omega Psi Phi for upholding its cardinal principles of manhood, scholarship, perseverance, and uplift.

SENATE RESOLUTION 245—DESIGNATING NOVEMBER 2011 AS ''STOMACH CANCER AWARENESS MONTH'' AND SUPPORTING EFFORTS TO EDUCATE THE PUBLIC ABOUT STOMACH CANCER

Mr. KERRY (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 245

Whereas stomach cancer is 1 of the most difficult cancers to detect and treat in the early stages of the disease, which contributes to high mortality rates and human suffering;

Whereas stomach cancer is the second-leading cause of cancer mortality worldwide;

Whereas, in 2009, an estimated 21,000 new cases of stomach cancer were diagnosed in the United States;

Whereas, in 2010, it was estimated that 10,000 people in the United States would die from stomach cancer;

Whereas the estimated 5-year survival rate for stomach cancer is only 26 percent;

Whereas approximately 1 in 113 individuals will be diagnosed with stomach cancer in their lifetimes;

Whereas an inherited form of stomach cancer carries a 67- to 83-percent risk that an individual will be diagnosed with stomach cancer by 80 years of age;

Whereas, in the United States, stomach cancer is more prevalent among racial and ethnic minorities;

Whereas better patient and health care provider education is needed for the timely recognition of stomach cancer risks and symptoms;

Whereas more research into effective early diagnosis, screening, and treatment for stomach cancer is needed; and

Whereas November 2011 is an appropriate month to observe ''Stomach Cancer Awareness Month'': Now, therefore, be it

Resolved, That the Senate—

(1) designates November 2011 as ''Stomach Cancer Awareness Month'';

(2) supports efforts to educate the people of the United States about stomach cancer;

(3) recognizes the need for additional research into early diagnosis and treatment for stomach cancer; and

(4) encourages the people of the United States and interested groups to observe and support November 2011 as ''Stomach Cancer Awareness Month'' through appropriate programs and activities to promote public awareness of, and potential treatments for, stomach cancer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 589. Mr. REID proposed an amendment to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays.

SA 590. Mr. REID proposed an amendment to amendment SA 589 proposed by Mr. REID to the bill S. 627, supra.

SA 591. Mr. REID proposed an amendment to the bill S. 627, supra.

SA 592. Mr. REID proposed an amendment to amendment SA 591 proposed by Mr. REID to the bill S. 627, supra.

SA 593. Mr. REID proposed an amendment to amendment SA 592 proposed by Mr. REID to the amendment SA 591 proposed by Mr. REID to the bill S. 627, supra.

TEXT OF AMENDMENTS

SA 589. Mr. REID proposed an amendment to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays; as follows:

Strike all after ''Section'' and insert the following:

1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Budget Control Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—DISCRETIONARY SPENDING CAPS AND ENFORCEMENT

Sec. 101. Discretionary spending limits.
Sec. 102. Senate budget enforcement.

TITLE II—OTHER SPENDING CUTS

Subtitle A—Federal Pell Grant and Student Loan Program Changes

Sec. 211. Federal Pell Grant and student loan program changes.

Subtitle B—Farm Programs

Sec. 221. Definition of payment acres.

TITLE III—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

Sec. 301. Establishment of Joint Select Committee.
Sec. 302. Expedited consideration of joint committee recommendations.
Sec. 303. Funding.
Sec. 304. Rulemaking.

TITLE IV—DEBT CEILING DISAPPROVAL PROCESS

Sec. 401. Debt ceiling disapproval process.

TITLE I—DISCRETIONARY SPENDING CAPS AND ENFORCEMENT

SEC. 101. DISCRETIONARY SPENDING LIMITS.

(a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the

Senate to consider any bill, resolution, amendment, motion or conference report that includes any provision that would cause the discretionary spending limits as set forth in this section to be exceeded.

(b) LIMITS.—

(1) IN GENERAL.—In this section, the term ''discretionary spending limits'' has the following meaning subject to adjustments in paragraph (2) and subsection (c):

(A) For fiscal year 2012—

(i) for the security category $606,000,000,000 in budget authority; and

(ii) for the nonsecurity category $439,000,000,000 in budget authority.

(B) For fiscal year 2013—

(i) for the security category $607,000,000,000 in budget authority; and

(ii) for the nonsecurity category $440,000,000,000 in budget authority.

(C) For fiscal year 2014, for the discretionary category, $1,068,000,000,000 in budget authority.

(D) For fiscal year 2015, for the discretionary category, $1,089,000,000,000 in budget authority.

(E) For fiscal year 2016, for the discretionary category, $1,111,000,000,000 in budget authority.

(F) For fiscal year 2017, for the discretionary category, $1,134,000,000,000 in budget authority.

(G) For fiscal year 2018, for the discretionary category, $1,156,000,000,000 in budget authority.

(H) For fiscal year 2019, for the discretionary category, $1,180,000,000,000 in budget authority.

(I) For fiscal year 2020, for the discretionary category, $1,203,000,000,000 in budget authority.

(J) For fiscal year 2021, for the discretionary category, $1,227,000,000,000 in budget authority.

(2) AUTHORIZED ADJUSTMENT TO LIMITS.—

(A) ADJUSTMENTS FOR BUDGET SUBMISSION.—When the President submits a budget under section 1105 of title 31, United States Code, OMB shall calculate and the budget shall include adjustments to discretionary spending limits (and those limits as cumulatively adjusted) for the budget year and each out year equal to the baseline levels of new budget authority using up-to-date concepts and definitions minus those levels using the concepts and definitions in effect before such changes. Such changes may only be made after consultation with the committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to such changes.

(B) ADJUSTMENTS FOR CONGRESSIONAL ENFORCEMENT.—For the purposes of Congressional enforcement of the limits in this section, the Chairmen of the Committees on the Budget of the Senate and House of Representatives may adjust the discretionary spending limits in amounts equal to the adjustments made pursuant to subparagraph (A) as contained in the President's budget. Any adjustment made pursuant to this subparagraph shall not constitute a repeal or change to the limits contained in this section.

(c) ESTIMATES AND OTHER ADJUSTMENTS.—

(1) IN GENERAL.—

(A) LIMITS AND SUBALLOCATIONS FOR CONGRESSIONAL ENFORCEMENT.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), (3), or (4), or the offering of an amendment thereto or the submission of a conference report thereon—

(i) for the purposes of enforcement of the discretionary spending limits in the Senate and the House of Representatives, the Chairman of the Committee on the Budget of that House may adjust the discretionary spending limits in this section, the budgetary aggregates in the concurrent resolution on the budget most recently adopted by the Senate and the House of Representatives, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose; and

(ii) following any adjustment under clause (i), the Committee on Appropriations of that House may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(B) OTHER ADJUSTMENTS.—For the purposes of determining an end of the year sequester pursuant to subsection (f), when OMB submits a sequestration report under subsection (f)(7) for a fiscal year, OMB shall calculate, and the sequestration report and subsequent budgets submitted by the President under section 1105(a) of title 31, United States Code, shall include, adjustments to discretionary spending limits (and those limits as adjusted) for the fiscal year and each succeeding year through 2021 upon the enactment of a bill or resolution relating to any matter described in paragraphs (2), (3), or (4).

(C) ESTIMATES.—

(i) CBO ESTIMATES.—As soon as practicable after Congress completes action on any discretionary appropriation, CBO, after consultation with the Committees on the Budget of the House of Representatives and the Senate, shall provide OMB with an estimate of the amount of discretionary new budget authority for the current year (if any) and the budget year provided by that legislation.

(ii) OMB ESTIMATES AND EXPLANATION OF DIFFERENCES.—

(I) IN GENERAL.—Not later than 7 calendar days (excluding Saturdays, Sundays, and legal holidays) after the date of enactment of any discretionary appropriation, OMB shall make publicly available on the day it is issued and, on the following day, shall be printed in the Federal Register a report containing the CBO estimate of that legislation, an OMB estimate of the amount of discretionary new budget authority for the current year (if any) and the budget year provided by that legislation, and an explanation of any difference between the 2 estimates.

(II) DIFFERENCES.—If during the preparation of the report OMB determines that there is a significant difference between OMB and CBO, OMB shall consult with the Committees on the Budget of the House of Representatives and the Senate regarding that difference and that consultation shall include, to the extent practicable, written communication to those committees that affords such committees the opportunity to comment before the issuance of the report.

(D) ASSUMPTIONS AND GUIDELINES.—OMB estimates under subparagraph (C) shall be made using current economic and technical assumptions. In its final sequestration report, OMB shall use the OMB estimates transmitted to the Congress under this paragraph. OMB and CBO shall prepare estimates under this paragraph in conformance with scorekeeping guidelines determined after consultation among the House and Senate Committees on the Budget, CBO, and OMB.

(E) ANNUAL APPROPRIATIONS.—For purposes of this paragraph, amounts provided by annual appropriations shall include any new budget authority for the current year (if any) and the advance appropriations that become available in the budget year from previously enacted legislation.

(2) OTHER ADJUSTMENTS.—Other adjustments referred to in paragraph (1)(B) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the first amount specified in subclauses (I) through (X) of clause (ii) for that fiscal year for continuing disability reviews and Supplemental Security Income redeterminations under the heading ''Limitation on Administrative Expenses'' for the Social Security Administration, and provides an additional appropriation for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, or one or more initiatives that the Office of the Chief Actuary determines would be at least as cost effective as a redetermination of eligibility under the heading ''Limitation on Administrative Expenses'' for the Social Security Administration of up to an amount further specified in that subclause, then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that fiscal year may be adjusted by the amount in budget authority not to exceed the additional appropriation provided in such legislation for that purpose for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of $758,000,000, and an additional appropriation of $237,000,000;

(II) for fiscal year 2013, an appropriation of $758,000,000, and an additional appropriation of $390,000,000;

(III) for fiscal year 2014, an appropriation of $778,000,000, and an additional appropriation of $559,000,000;

(IV) for fiscal year 2015, an appropriation of $799,000,000, and an additional appropriation of $774,000,000;

(V) for fiscal year 2016, an appropriation of $822,000,000, and an additional appropriation of $778,000,000;

(VI) for fiscal year 2017, an appropriation of $849,000,000, and an additional appropriation of $804,000,000;

(VII) for fiscal year 2018, an appropriation of $877,000,000, and an additional appropriation of $831,000,000;

(VIII) for fiscal year 2019, an appropriation of $906,000,000, and an additional appropriation of $860,000,000;

(IX) for fiscal year 2020, an appropriation of $935,000,000, and an additional appropriation of $890,000,000; and

(X) for fiscal year 2021, an appropriation of $963,000,000, and an additional appropriation of $924,000,000.

(iii) DEFINITIONS.—As used in this subparagraph, the terms ''continuing disability reviews'' and ''Supplemental Security Income redeterminations'' mean continuing disability reviews under titles II and XVI of the Social Security Act and redeterminations of eligibility under title XVI of the Social Security Act.

(iv) REPORT.—The Commissioner of Social Security shall provide annually to the Congress a report on continuing disability reviews and Supplemental Security Income redeterminations which includes—

(I) the amount spent on continuing disability reviews and Supplemental Security Income redeterminations in the fiscal year covered by the report, and the number of reviews and redeterminations conducted, by category of review or redetermination;

(II) the results of the continuing disability reviews and Supplemental Security Income redeterminations in terms of cessations of benefits or determinations of continuing eligibility, by program; and

(III) the estimated savings over the short-, medium-, and long-term to the Old-age, Survivors, and Disability Insurance, Supplemental Security Income, Medicare, and Medicaid programs from continuing disability reviews and Supplemental Security Income redeterminations which result in cessations of benefits and the estimated present value of such savings.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year to the Internal Revenue Service of not less than the first amount specified in subclauses (I) through (X) of clause (ii) for tax activities for that fiscal year, including tax compliance to address the Federal tax gap (taxes owed but not paid), and provides an additional appropriation for tax activities, including tax compliance activities to address the Federal tax gap, of up to an amount further specified in that subclause, then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that fiscal year may be adjusted by the amount in budget authority not to exceed the amount of additional appropriations for tax activities, including tax compliance to address the Federal tax gap provided in such legislation for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of $7,979,000,000, and an additional appropriation of $2,519,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(II) for fiscal year 2013, an appropriation of $7,979,000,000, and an additional appropriation of $3,132,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(III) for fiscal year 2014, an appropriation of $8,204,000,000, and an additional appropriation of $3,542,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(IV) for fiscal year 2015, an appropriation of $8,444,000,000, and an additional appropriation of $3,975,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(V) for fiscal year 2016, an appropriation of $8,710,000,000, and an additional appropriation of $4,486,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(VI) for fiscal year 2017, an appropriation of $9,012,000,000, and an additional appropriation of $4,538,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(VII) for fiscal year 2018, an appropriation of $9,330,000,000, and an additional appropriation of $4,585,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(VIII) for fiscal year 2019, an appropriation of $9,667,000,000, and an additional appropriation of $4,626,000,000 for tax activities, including tax compliance to address the Federal tax gap;

(IX) for fiscal year 2020, an appropriation of $9,989,000,000, and an additional appropriation of $4,688,000,000 for tax activities, including tax compliance to address the Federal tax gap; and

(X) for fiscal year 2021, an appropriation of $10,315,000,000, and an additional appropriation of $4,754,000,000 for tax activities, including tax compliance to address the Federal tax gap.

(iii) DEFINITION.—As used in this subparagraph, the term ''additional appropriation for tax activities, including tax compliance to address the Federal tax gap'' means new and continuing investments in expanding and improving the effectiveness and efficiency of the overall tax enforcement and compliance program of the Internal Revenue Service and fully funding operational support activities at the Internal Revenue Service. New and continuing investments include additional resources for implementing new authorities and for conducting additional examinations, audits, and enhanced third party data matching.

(iv) APPROPRIATION.—The first amount specified in subclauses (I) through (X) of clause (ii) is the amount under one or more headings in an appropriations Act for the Internal Revenue Service that is specified to pay for the costs of tax activities, including tax compliance to address the Federal tax gap.

(v) ADDITIONAL AMOUNT.—The amounts further specified in subclauses (I) through (X) of clause (ii) are the amounts under one or more headings in an appropriations Act for the Internal Revenue Service for the amount of the additional appropriation for tax activities, including tax compliance to address the Federal tax gap, but such adjustment shall be 0 (zero) unless the appropriations Act under the heading ''Operations Support'' for the Internal Revenue Service provides that such sums as are necessary shall be available, under the ''Operations Support'' heading, to fully support tax enforcement and compliance activities.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the first amount specified in subclauses (I) through (X) of clause (ii) for program integrity or fraud and abuse activities under the heading ''Health Care Fraud and Abuse Control Account'' program for the Department of Health and Human Services for that fiscal year, and provides an additional appropriation for program integrity or fraud and abuse activities under the heading ''Health Care Fraud and Abuse Control Account'' program for the Department of Health and Human Services of up to an amount further specified that subclause, then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted in an amount not to exceed the amount in budget authority provided in such legislation for that purpose for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of $311,000,000, and an additional appropriation of $270,000,000;

(II) for fiscal year 2013, an appropriation of $311,000,000, and an additional appropriation of $299,000,000;

(III) for fiscal year 2014, an appropriation of $326,000,000, and an additional appropriation of $314,000,000;

(IV) for fiscal year 2015, an appropriation of $340,000,000, and an additional appropriation of $332,000,000;

(V) for fiscal year 2016, an appropriation of $356,000,000, and an additional appropriation of $350,000,000;

(VI) for fiscal year 2017, an appropriation of $373,000,000, and an additional appropriation of $352,000,000;

(VII) for fiscal year 2018, an appropriation of $391,000,000, and an additional appropriation of $354,000,000;

(VIII) for fiscal year 2019, an appropriation of $411,000,000, and an additional appropriation of $354,000,000;

(IX) for fiscal year 2020, an appropriation of $430,000,000, and an additional appropriation of $356,000,000; and

(X) for fiscal year 2021, an appropriation of $451,000,000, and an additional appropriation of $356,000,000.

(iii) DEFINITION.—As used in this subparagraph, the term ''program integrity or fraud and abuse activities'' means those activities authorized by section 1817(k)(3) of the Social Security Act and other related program integrity activities, including administrative costs, in the Medicare Advantage and the Medicare Prescription Drug Programs authorized in title XVIII of the Social Security Act, in section 1893 of the Social Security Act, in Medicaid authorized in title XIX of the Social Security Act, and in the Children's Health Insurance Program (''CHIP'') authorized in title XXI of the Social Security Act.

(iv) REPORT.—The report required by section 1817(k)(5) of the Social Security Act for each fiscal year shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by an adjustment under this subparagraph.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—

(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations in a fiscal year of the first amount specified in subclauses (I) through (X) of clause (ii) for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews under the heading ''State Unemployment Insurance and Employment Service Operations'' for the Department of Labor for that fiscal year, and provides an additional appropriation for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews under the heading ''State Unemployment Insurance and Employment Service Operations'' for the Department of Labor of up to an amount further specified in that subclause, then the discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by an amount in budget authority not to exceed the additional appropriation provided in such legislation for that purpose for that fiscal year.

(ii) AMOUNTS SPECIFIED.—The amounts specified are—

(I) for fiscal year 2012, an appropriation of $60,000,000, and an additional appropriation of $10,000,000;

(II) for fiscal year 2013, an appropriation of $60,000,000, and an additional appropriation of $15,000,000;

(III) for fiscal year 2014, an appropriation of $61,000,000, and an additional appropriation of $19,000,000;

(IV) for fiscal year 2015, an appropriation of $61,000,000, and an additional appropriation of $24,000,000;

(V) for fiscal year 2016, an appropriation of $62,000,000, and an additional appropriation of $28,000,000;

(VI) for fiscal year 2017, an appropriation of $63,000,000, and an additional appropriation of $28,000,000;

(VII) for fiscal year 2018, an appropriation of $64,000,000, and an additional appropriation of $29,000,000;

(VIII) for fiscal year 2019, an appropriation of $64,000,000, and an additional appropriation of $30,000,000;

(IX) for fiscal year 2020, an appropriation of $65,000,000, and an additional appropriation of $31,000,000; and

(X) for fiscal year 2021, an appropriation of $66,000,000, and an additional appropriation of $31,000,000.

(iii) DEFINITIONS.—As used in this subparagraph, the terms ''in-person reemployment

and eligibility assessments'' and ''unemployment improper payment reviews'' mean reviews or assessments conducted in local workforce offices to determine the continued eligibility of an unemployment insurance claimant under the Federal Unemployment Tax Act, title III of the Social Security Act, and applicable State laws, to ensure they are meeting their obligation to search for work as a condition of eligibility, and to speed their return to work.

(iv) ADDITIONAL APPROPRIATION.—The amounts further specified in subclauses (I) through (X) of clause (ii) are the amounts under the heading ''State Unemployment Insurance and Employment Service Operations'' for the Department of Labor for the amount of the additional appropriation for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, but such adjustment shall be 0 (zero) unless the appropriations Act providing such additional appropriation also provides the full amount requested under the heading ''State Unemployment Insurance and Employment Service Operations'' for the Department of Labor for grants to States for the administration of State unemployment insurance laws in the budget submitted for that fiscal year under section 1105 of title 31, United States Code.

(3) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—

(A) CAP ADJUSTMENT.—The discretionary spending limits, allocation to the Committees on Appropriations of each House, and aggregates for that year may be adjusted by an amount in budget authority not to exceed the amount provided in such legislation for that purpose for that fiscal year, but not to exceed in aggregate the amounts specified in subparagraph (B) for any—

(i) bills reported by the Committees on Appropriations of either House or in the Senate, passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committees on Appropriations of either House;

(iii) amendments between the Houses, Senate amendments to such amendments offered by the authority of the Committee on Appropriations of the Senate, or House amendments to such amendments offered by the authority of the Committee on Appropriations in the House of Representatives; or

(iv) conference reports;

making appropriations for overseas deployments and related activities.

(B) LEVELS.—

(i) LEVELS.—The initial levels for overseas deployments and related activities specified in this subparagraph are as follows:

(I) For fiscal year 2012, $126,544,000,000 in budget authority.

(II) For the total of fiscal years 2013 through 2021, $450,000,000,000 in budget authority.

(ii) LEVELS FOR CONGRESSIONAL ENFORCEMENT.—For each fiscal year after fiscal year 2012, Congress shall adopt in the concurrent resolution on the budget for that fiscal year an adjustment for overseas deployments and related activities, provided that Congress may not adopt an adjustment for any fiscal year that would cause the total adjustments for fiscal years 2013 through 2021 to exceed the amount authorized in clause (i)(II).

(iii) ACCOUNTING FOR OVERSEAS DEPLOYMENT AND RELATED ACTIVITIES.—In any report issued under subsection (f)(7), OMB shall state the total amount of spending on overseas deployments and related activities for fiscal years 2013 through 2021 and the estimated amount of budget authority adjustment remaining for that period.

(C) ADJUSTMENT FOR OFFSET OVERSEAS DEPLOYMENT COSTS.—The levels set in subparagraph (B) may be further adjusted by the amount of budget authority provided in legislation for additional costs associated with overseas deployments and related activities if the amount of budget authority above those levels is offset.

(4) ADJUSTMENTS FOR DISASTER FUNDING.—

(A) IN GENERAL.—If, for fiscal years 2011 through 2021, appropriations for discretionary accounts are enacted that Congress designates as being for disaster relief in statute, the adjustment shall be the total of such appropriations in discretionary accounts designated as being for disaster relief, but not to exceed the total of—

(i) the average funding provided for disasters over the previous 10 years, excluding the highest and lowest years; and

(ii) for years when the enacted new discretionary budget authority designated as being for disaster relief for the preceding fiscal year was less than the average as calculated in clause (i) for that fiscal year, the difference between the enacted amount and the allowable adjustment as calculated in clause (i) for that fiscal year.

(B) OMB REPORT.—OMB shall report to the Committees on Appropriations in each House the adjustment for disaster funding for fiscal year 2011, and a preview report of the estimated level for fiscal year 2012, not later than 30 days after enactment of this Act.

(d) LIMITATIONS ON CHANGES TO THIS SECTION.—Unless otherwise specifically provided in this section, it shall not be in order in the Senate or the House of Representatives to consider any bill, resolution (including a concurrent resolution on the budget), amendment, motion, or conference report that would repeal or otherwise change this section.

(e) WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsections (a) through (d) shall be waived or suspended only—

(A) by the affirmative vote of three-fifths of the Members, duly chosen and sworn; or

(B) if the provisions of section (f)(8) are in effect.

(2) APPEAL.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(f) END-OF-YEAR SEQUESTER FOR EXCEEDING DISCRETIONARY CAPS.—

(1) SEQUESTRATION.—

(A) IN GENERAL.—Not later than 14 calendar days after the end of a session of Congress (excluding weekends and holidays) and on the same day as a sequestration (if any) under section 5 of the Statutory Pay-As-You-Go Act of 2010, there shall be a sequestration to eliminate a budget-year breach, if any, within the discretionary categories as set by subsection (b).

(B) OVERSEAS DEPLOYMENTS.—Any amount of budget authority for overseas deployments and related activities for fiscal year 2012 in excess of the levels set in subsection (c)(3)(B)(i), or for fiscal years 2013 through 2021 that would cause the total adjustment for fiscal years 2013 through 2021 to exceed the amount authorized in section (c)(3)(B)(II), that is not otherwise offset pursuant subsection (c)(3)(C)(i), shall be counted in determining whether a breach has occurred—

(i) for fiscal years 2012 and 2013, in the security and non-security categories by amounts in the same proportion as the total amount designated in that fiscal year for overseas deployments and related activities in security and non-security accounts, respectively; and

(ii) for fiscal years 2014 through 2021, in the discretionary category.

(C) EMERGENCY SPENDING.—

(i) EFFECT OF DESIGNATION IN STATUTE.—If, for any fiscal year, appropriations for discretionary accounts are enacted that Congress designates as emergency requirements in statute pursuant to this subparagraph, the total of such budget authority in discretionary accounts designated as emergency requirements in all fiscal years from such appropriations shall not be counted in determining whether a breach has occurred, and shall not count for the purposes of Congressional enforcement.

(ii) DESIGNATION IN THE HOUSE OF REPRESENTATIVES.—If an appropriations Act includes a provision expressly designated as an emergency for the purposes of this section, the Chair shall put the question of consideration with respect thereto.

(iii) POINT OF ORDER IN THE SENATE.—

(I) IN GENERAL.—When the Senate is considering an appropriations Act, if a point of order is made by a Senator against an emergency designation in that measure, the provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(II) SUPERMAJORITY WAIVER AND APPEALS.—

(aa) WAIVER.—Subclause (I) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(bb) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subparagraph shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subparagraph.

(III) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of subclause (I), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subparagraph.

(IV) FORM OF THE POINT OF ORDER.—A point of order under subclause (I) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(V) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, an appropriations Act, upon a point of order being made by any Senator pursuant to this subparagraph, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable under the same conditions as was the conference report. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(2) ELIMINATING A BREACH.—Each non-exempt account within a category shall be reduced by a dollar amount calculated by multiplying the baseline level of sequesterable budgetary resources in that account at that

time by the uniform percentage necessary to eliminate a breach within that category.

(3) MILITARY PERSONNEL.—

(A) IN GENERAL.—The President may, with respect to any military personnel account, exempt that account from sequestration or provide for a lower uniform percentage reduction than would otherwise apply, provided that the President has notified Congress of the manner in which such authority will be exercised pursuant to paragraph (7)(A)(ii).

(B) REDUCTIONS.—If the President uses the authority to exempt any military personnel from sequestration under paragraph (7)(A)(ii), each account within subfunctional category 051 (other than those military personnel accounts for which the authority provided under subparagraph (A) has been exercised) shall be further reduced by a dollar amount calculated by multiplying the enacted level of non-exempt budgetary resources in that account at that time by the uniform percentage necessary to offset the total dollar amount by which budget authority is not reduced in military personnel accounts by reason of the use of such authority.

(4) PART-YEAR APPROPRIATIONS.—If, on the date specified in paragraph (1), there is in effect an Act making or continuing appropriations for part of a fiscal year for any budget account, then the dollar sequestration calculated for that account under paragraphs (2) and (3) shall be subtracted from—

(A) the annualized amount otherwise available by law in that account under that or a subsequent part-year appropriation; and

(B) when a full-year appropriation for that account is enacted, from the amount otherwise provided by the full-year appropriation.

(5) LOOK-BACK.—If, after June 30, an appropriation for the fiscal year in progress is enacted that causes a breach within a category for that year (after taking into account any sequestration of amounts within that category), the discretionary spending limits for that category for the next fiscal year shall be reduced by the amount or amounts of that breach.

(6) WITHIN-SESSION SEQUESTRATION.—If an appropriation for a fiscal year in progress is enacted (after Congress adjourns to end the session for that budget year and before July 1 of that fiscal year) that causes a breach within a category for that year (after taking into account any prior sequestration of amounts within that category), 15 days after such enactment there shall be a sequestration to eliminate that breach within that category following the procedures set forth in paragraphs (2) through (4).

(7) REPORTS.—

(A) SEQUESTRATION PREVIEW REPORT.—

(i) IN GENERAL.—Not later than 5 days before the date of the President's budget submission for CBO, and the date of the President's budget submissions for OMB, OMB and CBO shall issue a preview report regarding discretionary spending based on laws enacted through those dates. The preview report shall set forth estimates for the current year and each subsequent year through 2021 of the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under this section.

(ii) NOTIFICATION REGARDING MILITARY PERSONNEL.—On or before the date of the sequestration preview report, the President shall notify Congress of the manner in which the President intends to exercise flexibility with respect to military personnel accounts under paragraph (3).

(B) SEQUESTRATION UPDATE REPORT.—Not later than August 15 for CBO, and August 20 for OMB, OMB and CBO shall issue a sequestration update report, reflecting laws enacted through those dates, containing all of the information required in the sequestration preview reports. This report shall also contain a preview estimate of the adjustment for disaster funding for the upcoming fiscal year.

(C) FINAL SEQUESTRATION REPORT.—Not later than 10 days after the end of session for CBO, and 14 days after the end of session for OMB (excluding weekends and holidays), OMB and CBO shall issue a final sequestration report, updated to reflect laws enacted through those dates, with estimates for each of the following:

(i) For the current year and each subsequent year through 2021 the applicable discretionary spending limits for each category and an explanation of any adjustments in such limits under this section, including a final estimate of the disaster funding adjustment.

(ii) For the current year and the budget year the estimated new budget authority for each category and the breach, if any, in each category.

(iii) For each category for which a sequestration is required, the sequestration percentages necessary to achieve the required reduction.

(iv) For the budget year, for each account to be sequestered, estimates of the baseline level of sequesterable budgetary resources and the amount of budgetary resources to be sequestered.

(D) EXPLANATION OF DIFFERENCES.—The OMB reports shall explain the differences between OMB and CBO estimates for each report required by this paragraph.

(8) SUSPENSION IN THE EVENT OF LOW GROWTH.—Section 254(i) and subsections (a), (b)(1), and (c) of section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 with respect to suspension of this section for low growth only shall apply to this section, provided that those sections are deemed not to apply to titles III and IV of the Congressional Budget Act of 1974 and section 1103 of title 31, United States Code.

(g) DEFINITIONS.—In this section:

(1) NONSECURITY CATEGORY.—The term ''nonsecurity category'' means all discretionary appropriations, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, not included in the security category defined in this Act, but does not include any appropriation designated for overseas deployments and related activities pursuant to section (c)(3) or appropriation designated as an emergency pursuant to this Act.

(2) SECURITY CATEGORY.—The term ''security category'' includes discretionary appropriations, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, in budget functions 050 and 700, but does not include any appropriation designated for overseas deployments and related activities pursuant to section (c)(3) or appropriation designated as an emergency pursuant to this Act.

(3) DISCRETIONARY CATEGORY.—The term ''discretionary category'' includes all discretionary appropriations, as that term is defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985, but does not include any appropriation designated for overseas deployments and related activities pursuant to section (c)(3) or appropriation designated as an emergency pursuant to this Act.

(4) ADVANCE APPROPRIATION.—The term ''advance appropriation'' means appropriations of new budget authority that become available one or more fiscal years beyond the fiscal year for which the appropriation act was passed.

(5) DISCRETIONARY SPENDING LIMITS.—The term ''discretionary spending limits'' means the amounts specified in this section.

(6) DEFINITIONS.—To the extent they are not defined in this section, the terms used in this section shall have the same meaning as the terms defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(h) SEQUESTRATION RULES.—

(1) IN GENERAL.—Subsections (g) and (k) of section 256 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall apply to sequestration under this Act.

(2) INTERGOVERNMENTAL FUNDS.—For purposes of sequestration under this section, budgetary resources shall not include activities financed by voluntary payments to the Government for goods and services to be provided for such payments, intragovernmental funds paid in from other Government accounts, and unobligated balances of prior year appropriations.

SEC. 102. SENATE BUDGET ENFORCEMENT.

(a) IN GENERAL.—

(1) For the purpose of enforcing the Congressional Budget Act of 1974 through April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(1) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2012 with appropriate budgetary levels for fiscal years 2011 and 2013 through 2021.

(2) For the purpose of enforcing the Congressional Budget Act of 1974 after April 15, 2012, including section 300 of that Act, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels set in subsection (b)(2) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2013 with appropriate budgetary levels for fiscal years 2012 and 2014 through 2022.

(b) COMMITTEE ALLOCATIONS, AGGREGATES AND LEVELS.—

(1) As soon as practicable after the date of enactment of this section, the Chairman of the Committee on the Budget shall file—

(A) for the Committee on Appropriations, committee allocations for fiscal years 2011 and 2012 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(B) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2011, 2012, 2012 through 2016, and 2012 through 2021 consistent with the Congressional Budget Office's March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office's March 2011 baseline, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(C) aggregate spending levels for fiscal years 2011 and 2012 and aggregate revenue levels fiscal years 2011, 2012, 2012 through 2016, 2012 through 2021 consistent with the Congressional Budget Office's March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office's March 2011 baseline, and the discretionary spending limits set forth in this Act for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(D) levels of Social Security revenues and outlays for fiscal years 2011, 2012, 2012 through 2016, and 2012 through 2021 consistent with the Congressional Budget Office's March 2011 baseline adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the Congressional Budget Office's March 2011 baseline, for the purpose of

enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(2) Not later than April 15, 2012, the Chairman of the Committee on the Budget shall file—

(A) for the Committee on Appropriations, committee allocations for fiscal years 2012 and 2013 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(B) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2012, 2013, 2013 through 2017, and 2013 through 2022 consistent with the Congressional Budget Office's March 2012 baseline for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(C) aggregate spending levels for fiscal years 2012 and 2013 and aggregate revenue levels fiscal years 2012, 2013, 2013–2017, and 2013–2022 consistent with the Congressional Budget Office's March 2012 baseline and the discretionary spending limits set forth in this Act for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(D) levels of Social Security revenues and outlays for fiscal years 2012 and 2013, 2013–2017, and 2013–2022 consistent with the Congressional Budget Office's March 2012 baseline budget for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) SENATE PAY-AS-YOU-GO SCORECARD.—

(1) Effective on the date of enactment of this section, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Senate Committee on the Budget shall reduce any balances of direct spending and revenues for any fiscal year to 0 (zero).

(2) Not later than April 15, 2012, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Senate Committee on the Budget shall reduce any balances of direct spending and revenues for any fiscal year to 0 (zero).

(3) Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman shall publish a notification of such action in the Congressional Record.

(d) FURTHER ADJUSTMENTS.—

(1) The Chairman of the Committee on the Budget of the Senate may revise any allocations, aggregates, or levels set pursuant to this section to account for any subsequent adjustments to discretionary spending limits made pursuant to this Act.

(2) With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this section, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(e) EXPIRATION.—

(1) Subections (a)(1), (b)(1), and (c)(1) shall expire if a concurrent resolution on the budget for fiscal year 2012 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

(2) Subections (a)(2), (b)(2), and (c)(2) shall expire if a concurrent resolution on the budget for fiscal year 2013 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

TITLE II—OTHER SPENDING CUTS

Subtitle A—Federal Pell Grant and Student Loan Program Changes

SEC. 211. FEDERAL PELL GRANT AND STUDENT LOAN PROGRAM CHANGES.

(a) FEDERAL PELL GRANTS.—Section 401(b)(7)(A)(iv) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended—

(1) in subclause (II), by striking ''$3,183,000,000'' and inserting ''$13,683,000,000''; and

(2) in subclause (III), by striking ''$0'' and inserting ''$7,500,000,000''.

(b) TERMINATION OF AUTHORITY TO MAKE INTEREST SUBSIDIZED LOANS TO GRADUATE AND PROFESSIONAL STUDENTS.—Section 455(a) of the Higher Education Act of 1965 (20 U.S.C. 1087e(a)) is amended by adding at the end the following:

''(3) TERMINATION OF AUTHORITY TO MAKE INTEREST SUBSIDIZED LOANS TO GRADUATE AND PROFESSIONAL STUDENTS.—

''(A) IN GENERAL.—Notwithstanding any provision of this part or part B, for any period of instruction beginning on or after July 1, 2012—

''(i) a graduate or professional student shall not be eligible to receive a subsidized Federal Direct Stafford Loan under this part;

''(ii) the maximum annual amount of Federal Direct Unsubsidized Stafford Loans such a student may borrow in any academic year (as defined in section 481(a)(2)) or its equivalent shall be the maximum annual amount for such student determined under section 428H, plus an amount equal to the amount of Federal Direct Subsidized Loans the student would have received in the absence of this subparagraph; and

''(iii) the maximum aggregate amount of Federal Direct Unsubsidized Stafford Loans such a student may borrow shall be the maximum aggregate amount for such student determined under section 428H, adjusted to reflect the increased annual limits described in clause (ii), as prescribed by the Secretary by regulation.

''(B) EXCEPTION.—Subparagraph (A) shall not apply to an individual enrolled in coursework specified in paragraph (3)(B) or (4)(B) of section 484(b).''.

(c) INAPPLICABILITY OF TITLE IV NEGOTIATED RULEMAKING AND MASTER CALENDAR EXCEPTION.—Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by this section, or to any regulations promulgated under those amendments.

Subtitle B—Farm Programs

SEC. 221. DEFINITION OF PAYMENT ACRES.

(a) IN GENERAL.—Section 1001(11) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702(11)) is amended—

(1) in subparagraph (A)—

(A) by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) in the case of direct payments for the 2012 crop year, 59 percent of the base acres for the covered commodity on a farm on which direct payments are made.''.

(b) PAYMENT ACRES FOR PEANUTS.—Section 1301(5) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8751(5)) is amended—

(1) in subparagraph (A)—

(A) by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) in the case of direct payments for the 2012 crop year, 59 percent of the base acres for peanuts on a farm on which direct payments are made.''.

TITLE III—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION

SEC. 301. ESTABLISHMENT OF JOINT SELECT COMMITTEE.

(a) DEFINITIONS.—In this title:

(1) JOINT SELECT COMMITTEE.—The term ''joint committee'' means the Joint Select Committee on Deficit Reduction established under subsection (b)(1).

(2) JOINT SELECT COMMITTEE BILL.—The term ''joint committee bill'' means a bill consisting of the proposed legislative language of the joint committee recommended under subsection (b)(3)(B) and introduced under section 302(a).

(b) ESTABLISHMENT OF JOINT SELECT COMMITTEE.—

(1) ESTABLISHMENT.—There is established a joint select committee of Congress to be known as the ''Joint Select Committee on Deficit Reduction''.

(2) GOAL.—The goal of the joint committee shall be to reduce the deficit to 3 percent or less of GDP.

(3) DUTIES.—

(A) IN GENERAL.—

(i) IMPROVING THE SHORT-TERM AND LONG-TERM FISCAL IMBALANCE.—The joint committee shall provide recommendations and legislative language that will significantly improve the short-term and long-term fiscal imbalance of the Federal Government and may include recommendations and legislative language on tax reform.

(ii) CONSIDERATION OF OTHER BIPARTISAN PLANS.—As a part of developing the joint committee's recommendations and legislation, the joint committee shall consider existing bipartisan plans to reduce the deficit, including plans developed jointly by Senators or Members of the House of Representatives.

(iii) RECOMMENDATIONS OF HOUSE OF REPRESENTATIVES AND SENATE COMMITTEES.—Not later than October 14, 2011, each committee of the House of Representatives and Senate may transmit to the joint committee its recommendations for changes in law to reduce the deficit consistent with the goals described in paragraph (2) for the joint committee's consideration.

(B) REPORT, RECOMMENDATIONS, AND LEGISLATIVE LANGUAGE.—

(i) IN GENERAL.—Not later than November 23, 2011, the joint committee shall vote on—

(I) a report that contains a detailed statement of the findings, conclusions, and recommendations of the joint committee and the CBO estimate required by paragraph (5)(D)(ii); and

(II) proposed legislative language to carry out such recommendations as described in subclause (I).

No amendment to the Rules of the House of Representatives or the Standing Rules of the Senate shall be in order in the legislative language required in subclause (II).

(ii) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—The report of the joint committee and the proposed legislative language described in clause (i) shall require the approval of not fewer than 7 of the 12 members of the joint committee.

(iii) ADDITIONAL VIEWS.—A member of the joint committee who gives notice of an intention to file supplemental, minority, or additional views at the time of final joint committee vote on the approval of the report and legislative language under clause (ii), shall be entitled to 3 calendar days in which to file such views in writing with the staff director of the joint committee. Such views shall then be included in the joint committee report and printed in the same volume, or part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(iv) TRANSMISSION OF REPORT AND LEGISLATIVE LANGUAGE.—If the report and legislative language are approved by the joint committee pursuant to clause (ii), then not later

than December 2, 2011, the joint committee shall submit the joint committee report and legislative language described in clause (i) to the President, the Vice President, the Speaker of the House of Representatives, and the Majority and Minority Leaders of both Houses.

(v) REPORT AND LEGISLATIVE LANGUAGE TO BE MADE PUBLIC.—Upon the approval or disapproval of the joint committee report and legislative language pursuant to clause (ii), the joint committee shall promptly make the full report and legislative language, and a record of the vote, available to the public.

(4) MEMBERSHIP.—

(A) IN GENERAL.—The joint committee shall be composed of 12 members appointed pursuant to subparagraph (B).

(B) APPOINTMENT.—Members of the joint committee shall be appointed as follows:

(i) The majority leader of the Senate shall appoint 3 members from among Members of the Senate.

(ii) The minority leader of the Senate shall appoint 3 members from among Members of the Senate.

(iii) The Speaker of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(iv) The minority leader of the House of Representatives shall appoint 3 members from among Members of the House of Representatives.

(C) CO-CHAIRS.—

(i) IN GENERAL.—There shall be 2 Co-Chairs of the joint committee. The majority leader of the Senate shall appoint one Co-Chair from among the members of the joint committee. The Speaker of the House of Representatives shall appoint the second Co-Chair from among the members of the joint committee. The Co-Chairs shall be appointed not later than 14 calendar days after the date of enactment of this section.

(ii) STAFF DIRECTOR.—The Co-Chairs, acting jointly, shall hire the staff director of the joint committee.

(D) DATE.—Members of the joint committee shall be appointed not later than 14 calendar days after the date of enactment of this section.

(E) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the joint committee. Any vacancy in the joint committee shall not affect its powers, but shall be filled not later than 14 calendar days after the date on which the vacancy occurs in the same manner as the original appointment. If a member of the committee leaves Congress, the member is no longer a member of the joint committee and a vacancy shall exist.

(5) ADMINISTRATION.—

(A) IN GENERAL.—To enable the joint committee to exercise its powers, functions, and duties, there are authorized to be disbursed by the Senate the actual and necessary expenses of the joint committee approved by the Co-Chairs, subject to Senate rules and regulations.

(B) EXPENSES.—In carrying out its functions, the joint committee is authorized to incur expenses in the same manner and under the same conditions as the Joint Economic Committee as authorized by section 11 of Public Law 79-304 (15 U.S.C. 1024(d)).

(C) QUORUM.—Seven members of the joint committee shall constitute a quorum for purposes of voting, meeting, and holding hearings.

(D) VOTING.—

(i) PROXY VOTING.—No proxy voting shall be allowed on behalf of the members of the joint committee.

(ii) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—The Congressional Budget Office shall provide estimates of the legislation (as described in paragraph (3)(B)) in accordance with sections 308(a) and 201(f) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a) and 601(f)) (including estimates of the effect of interest payment on the debt). In addition, the Congressional Budget Office shall provide information on the budgetary effect of the legislation beyond the year 2021 and the Congressional Budget Office and Joint Committee on Taxation may provide information on the budgetary effect of the legislation relative to alternative fiscal scenarios. The joint committee may not vote on any version of the report, recommendations, or legislative language unless such estimates are available for consideration by all members of the joint committee at least 48 hours prior to the vote as certified by the Co-Chairs.

(E) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 calendar days after the date of enactment of this section, the joint committee shall hold its first meeting.

(ii) AGENDA.—The Co-Chairs shall provide an agenda to the joint committee members not less than 48 hours in advance of any meeting.

(F) HEARINGS.—

(i) IN GENERAL.—The joint committee may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths the joint committee considers advisable.

(ii) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—

(I) ANNOUNCEMENT.—The Co-Chairs shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted not less than 7 days in advance of such hearing, unless the Co-Chairs determine that there is good cause to begin such hearing at an earlier date.

(II) WRITTEN STATEMENT.—A witness appearing before the joint committee shall file a written statement of proposed testimony at least 2 calendar days prior to appearance, unless the requirement is waived by the Co-Chairs, following their determination that there is good cause for failure of compliance.

(G) TECHNICAL ASSISTANCE.—Upon written request of the Co-Chairs, a Federal agency shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.

(c) STAFF OF JOINT COMMITTEE.—

(1) IN GENERAL.—The Co-Chairs may jointly appoint and fix the compensation of staff as they deem necessary, within the guidelines for Senate employees and following all applicable Senate rules and employment requirements.

(2) ETHICAL STANDARDS.—Members on the joint committee who serve in the House of Representatives shall be governed by the House ethics rules and requirements. Members of the Senate who serve on the joint committee and staff of the joint committee shall comply with Senate ethics rules.

(d) TERMINATION.—The joint committee shall terminate on January 13, 2012.

SEC. 302. EXPEDITED CONSIDERATION OF JOINT COMMITTEE RECOMMENDATIONS.

(a) INTRODUCTION.—If approved by the majority required by section 301(b)(3)(B)(ii), the proposed legislative language submitted pursuant to section 301(b)(3)(B)(iv) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the majority leader of the Senate or by a Member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House of Representatives or by a Member of the House of Representatives designated by the majority leader of the House of Representatives.

(b) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which the joint committee bill is referred shall report it to the House of Representatives without amendment not later than December 9, 2011. If a committee fails to report the joint committee bill within that period, it shall be in order to move that the House of Representatives discharge the committee from further consideration of the bill. Such a motion shall not be in order after the last committee authorized to consider the bill reports it to the House of Representatives or after the House of Representatives has disposed of a motion to discharge the bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except 20 minutes of debate equally divided and controlled by the proponent and an opponent. If such a motion is adopted, the House of Representatives shall proceed immediately to consider the joint committee bill in accordance with paragraphs (2) and (3). A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(2) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider a joint committee bill reports it to the House of Representatives or has been discharged (other than by motion) from its consideration, it shall be in order to move to proceed to consider the joint committee bill in the House of Representatives. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed with respect to the joint committee bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(3) CONSIDERATION.—The joint committee bill shall be considered as read. All points of order against the joint committee bill and against its consideration are waived. The previous question shall be considered as ordered on the joint committee bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the joint committee bill. A motion to reconsider the vote on passage of the joint committee bill shall not be in order.

(4) VOTE ON PASSAGE.—The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

(c) EXPEDITED PROCEDURE IN THE SENATE.—

(1) COMMITTEE CONSIDERATION.—A joint committee bill introduced in the Senate under subsection (a) shall be jointly referred to the committee or committees of jurisdiction, which committees shall report the bill without any revision and with a favorable recommendation, an unfavorable recommendation, or without recommendation, not later than December 9, 2011. If any committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(2) MOTION TO PROCEED.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a joint committee bill is reported or discharged from all committees to which it was referred, for the majority leader of the Senate or the majority leader's designee to move to proceed to the consideration of the joint committee bill. It shall also be in order for any Member

of the Senate to move to proceed to the consideration of the joint committee bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the joint committee bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint committee bill is agreed to, the joint committee bill shall remain the unfinished business until disposed of.

(3) CONSIDERATION.—All points of order against the joint committee bill and against consideration of the joint committee bill are waived. Consideration of the joint committee bill and of all debatable motions and appeals in connection therewith shall not exceed a total of 30 hours which shall be divided equally between the Majority and Minority Leaders or their designees. A motion further to limit debate on the joint committee bill is in order, shall require an affirmative vote of three-fifths of the Members duly chosen and sworn, and is not debatable. Any debatable motion or appeal is debatable for not to exceed 1 hour, to be divided equally between those favoring and those opposing the motion or appeal. All time used for consideration of the joint committee bill, including time used for quorum calls and voting, shall be counted against the total 30 hours of consideration.

(4) NO AMENDMENTS.—An amendment to the joint committee bill, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint committee bill, is not in order.

(5) VOTE ON PASSAGE.—If the Senate has voted to proceed to the joint committee bill, the vote on passage of the joint committee bill shall occur immediately following the conclusion of the debate on a joint committee bill, and a single quorum call at the conclusion of the debate if requested. The vote on passage of the joint committee bill shall occur not later than December 23, 2011.

(6) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint committee bill shall be decided without debate.

(d) AMENDMENT.—The joint committee bill shall not be subject to amendment in either the House of Representatives or the Senate.

(e) CONSIDERATION BY THE OTHER HOUSE.—

(1) IN GENERAL.—If, before passing the joint committee bill, one House receives from the other a joint committee bill—

(A) the joint committee bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint committee bill had been received from the other House until the vote on passage, when the joint committee bill received from the other House shall supplant the joint committee bill of the receiving House.

(2) REVENUE MEASURE.—This subsection shall not apply to the House of Representatives if the joint committee bill received from the Senate is a revenue measure.

(f) RULES TO COORDINATE ACTION WITH OTHER HOUSE.—

(1) TREATMENT OF JOINT COMMITTEE BILL OF OTHER HOUSE.—If the Senate fails to introduce or consider a joint committee bill under this section, the joint committee bill of the House of Representatives shall be entitled to expedited floor procedures under this section.

(2) TREATMENT OF COMPANION MEASURES IN THE SENATE.—If following passage of the joint committee bill in the Senate, the Senate then receives the joint committee bill from the House of Representatives, the House-passed joint committee bill shall not be debatable. The vote on passage of the joint committee bill in the Senate shall be considered to be the vote on passage of the joint committee bill received from the House of Representatives.

(3) VETOES.—If the President vetoes the joint committee bill, debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(g) LOSS OF PRIVILEGE.—The provisions of this section shall cease to apply to the joint committee bill if—

(1) the joint committee fails to vote on the report or proposed legislative language required under section 301(b)(3)(B)(i) by November 23, 2011; or

(2) the joint committee bill does not pass both Houses by December 23, 2011.

SEC. 303. FUNDING.

Funding for the joint committee shall be derived in equal portions from—

(1) the applicable accounts of the House of Representatives; and

(2) the contingent fund of the Senate from the appropriations account ''Miscellaneous Items'', subject to Senate rules and regulations.

SEC. 304. RULEMAKING.

The provisions of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

TITLE IV—DEBT CEILING DISAPPROVAL PROCESS

SEC. 401. DEBT CEILING DISAPPROVAL PROCESS.

Subchapter I of chapter 31 of subtitle III of title 31, United States Code, is amended—

(1) in section 3101(b), by striking ''or otherwise'' and inserting ''or as provided by section 3101A or otherwise''; and

(2) by inserting after section 3101, the following:

''§ 3101A. Presidential modification of the debt ceiling

''(a) IN GENERAL.—

''(1) $1.2 TRILLION.—

''(A) CERTIFICATION.—If, not later than December 31, 2011, the President submits a written certification to Congress that the President has determined that the debt subject to limit is within $100,000,000,000 of the limit in section 3101(b) and that further borrowing is required to meet existing commitments, the Secretary of the Treasury may exercise authority to borrow an additional $1,200,000,000,000 subject to the enactment of a joint resolution of disapproval enacted pursuant to this section. Upon submission of such certification, the limit on debt provided in section 3101(b) (referred to in this section as the 'debt limit') is increased by $416,000,000,000.

''(B) RESOLUTION OF DISAPPROVAL.—Congress may consider a joint resolution of disapproval of the authority under subparagraph (A) as provided in subsections (b) through (f). The joint resolution of disapproval considered under this section shall contain only the language provided in subsection (b)(2). If the time for disapproval has lapsed without enactment of a joint resolution of disapproval under this section, the debt limit is increased by an additional $784,000,000,000.

''(2) ADDITIONAL AMOUNT.—

''(A) CERTIFICATION.—If, after the debt limit is increased by $1,200,000,000,000 under paragraph (1), the President submits a written certification to Congress that the President has determined that the debt subject to limit is within $150,000,000,000 of the limit in section 3101(b) and that further borrowing is required to meet existing commitments, the Secretary of the Treasury may exercise authority to borrow an additional amount equal to $1,200,000,000,000 subject to the enactment of a joint resolution of disapproval enacted pursuant to this section.

''(B) RESOLUTION OF DISAPPROVAL.—Congress may consider a joint resolution of disapproval of the authority under subparagraph (A) as provided in subsections (b) through (f). The joint resolution of disapproval considered under this section shall contain only the language provided in subsection (b)(2). After the time for disapproval has lapsed without enactment of a joint resolution of disapproval under this section, the debt limit is increased by the amount authorized under subparagraph (A).

''(b) JOINT RESOLUTION OF DISAPPROVAL.—

''(1) IN GENERAL.—Except for the $416,000,000,000 increase in the debt limit provided by subsection (a)(1)(A), the debt limit may not be raised under this section if, within 55 calendar days after the date on which Congress receives a certification described in subsection (a)(1) or within 15 calendar days after the Congress receives the certification described in subsection (a)(2) (regardless of whether Congress is in session), there is enacted into law a joint resolution disapproving the President's exercise of authority with respect to such additional amount.

''(2) CONTENTS OF JOINT RESOLUTION.—For the purpose of this section, the term 'joint resolution' means only a joint resolution—

''(A)(i) for the certification described in subsection (a)(1), that is introduced on September 6, 7, 8 or 9, 2011 (or, if the Senate was not in session, the next calendar day on which the Senate is in session); and

''(ii) for the certification described in subsection (a)(2), that is introduced between the date the certification is received and 3 calendar days after that date;

''(B) which does not have a preamble;

''(C) the title of which is only as follows: 'Joint resolution relating to the disapproval of the President's exercise of authority to increase the debt limit, as submitted under section 3101A of title 31, United States Code on _____' (with the blank containing the date of submission); and

''(D) the matter after the resolving clause of which is only as follows: 'That Congress disapproves of the President's exercise of authority to increase the debt limit, as exercised pursuant to the certification under section 3101A(a) of title 31, United States Code.'.

''(c) EXPEDITED CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

''(1) RECONVENING.—Upon receipt of a certification described in subsection (a)(2), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this section, the House shall convene not later than the second calendar day after receipt of such certification.

''(2) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House without amendment not later than 5 calendar days after the date of

introduction of the joint resolution described in subsection (a). If a committee fails to report a joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

''(3) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after introduction of a joint resolution under subsection (a), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on a joint resolution addressing a particular submission. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(4) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except two hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

''(d) EXPEDITED PROCEDURE IN SENATE.—

''(1) RECONVENING.—Upon receipt of a certification under subsection (a)(2), if the Senate has adjourned or recessed for more than 2 days, the majority leader of the Senate, after consultation with the minority leader of the Senate, shall notify the Members of the Senate that, pursuant to this section, the Senate shall convene not later than the second calendar day after receipt of such message.

''(2) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be immediately placed on the calendar.

''(3) FLOOR CONSIDERATION.—

''(A) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the day after the date on which Congress receives a certification under subsection (a) and for the certification described in subsection (a)(1), ending on September 14, 2011 and for the certification described in subsection (a)(2) on the 6th day after the date on which Congress receives a certification under subsection (a) (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

''(B) CONSIDERATION.—Consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(C) VOTE ON PASSAGE.—If the Senate has voted to proceed to a joint resolution, the vote on passage of the joint resolution shall occur immediately following the conclusion of consideration of the joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

''(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

''(e) AMENDMENT NOT IN ORDER.—A joint resolution of disapproval considered pursuant to this section shall not be subject to amendment in either the House of Representatives or the Senate.

''(f) COORDINATION WITH ACTION BY OTHER HOUSE.—

''(1) IN GENERAL.—If, before passing the joint resolution, one House receives from the other a joint resolution—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If the Senate fails to introduce or consider a joint resolution under this section, the joint resolution of the House shall be entitled to expedited floor procedures under this section.

''(3) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

''(4) CONSIDERATION AFTER PASSAGE.—

''(A) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution (but excluding days when either House is not in session) shall be disregarded in computing the appropriate calendar day period described in subsection (b)(1).

''(B) VETOES.—If the President vetoes the joint resolution—

''(i) the period beginning on the date the President vetoes the joint resolution and ending on the day on which the Congress receives the veto message with respect to the joint resolution (regardless of whether Congress is in session) shall be disregarded in computing the appropriate calendar day period described in subsection (b)(1); and

''(ii) debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

''(5) VETO OVERRIDE.—If within the appropriate calendar day period described in subsection (b)(1), Congress overrides a veto of the joint resolution with respect to authority exercised pursuant to paragraph (1) or (2) of subsection (a), the limit on debt provided in section 3101(b) shall not be raised, except for the $416,000,000,000 increase in the limit provided by subsection (a)(1)(A)(i).

''(6) SEQUESTER.—

''(A) IN GENERAL.—If within the 55 calendar days of receiving the certification described in subsection (a)(1), Congress overrides a veto of the joint resolution with respect to authority exercised pursuant to paragraph (1) of subsection (a), OMB shall, immediately, sequester pro rata amounts from all discretionary and direct spending accounts as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) (as in effect September 30, 2006) equal to $416,000,000,000. No reduction of payments for net interest (all of major functional category 900) shall be made under any order issued under this paragraph.

''(B) APPLICATION.—Section 255 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not apply to this section, except that payments for military personnel accounts (within subfunctional category 051), TRICARE for Life, Medicare (functional category 570), military retirement, Social Security (functional category 650), veterans (functional category 700), and net interest (functional category 900) shall be exempt.

''(g) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection and subsections (b), (c), (d), (e) and (f) are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.''.

SA 590. Mr. REID proposed an amendment to amendment SA 589 proposed by Mr. REID to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays; as follows:

At the end, add the following new section:

SEC.___.

This Act shall become effective 5 days after enactment.

SA 591. Mr. REID proposed an amendment to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays; as follows:

At the end, add the following new section:

SEC.___.

This Act shall become effective 3 days after enactment.

SA 592. Mr. REID proposed an amendment to amendment SA 591 proposed by Mr. REID to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 593. Mr. REID proposed an amendment to amendment SA 592 proposed by Mr. REID to the amendment SA 591 proposed by Mr. REID to the bill S. 627, to establish the Commission on Freedom of Information Act Processing Delays; as follows:

In the amendment, strike ''2 days'' and insert ''1 day''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, August 4, 2011, at 2:15 p.m. in room

628 of the Dirksen Senate Office Building to conduct a hearing entitled ''The American Indian Probate Reform Act: Empowering Indian Land Owners''.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

PRIVILEGES OF THE FLOOR

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that Taylor Eggleston, an intern in Senator PAUL's office, be granted the privilege of the floor for the remainder of this day.

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

Mr. UDALL of Colorado. I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDERS FOR SATURDAY, JULY 30, 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m. on Saturday, July 30; 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 concur in the House message to accompany S. 627, the legislative vehicle for the debt limit increase, and that the time from 1:30 p.m. until 7:30 p.m. be equally divided and controlled between the two leaders or their designees, with the majority and the Republicans controlling alternating 30-minute blocks of time with the majority controlling the first block; further that the time from 7:30 p.m. until 8 p.m. be equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 15 minutes and the majority controlling the final 15 minutes.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, as a reminder to all Senators, the majority leader filed cloture on the motion to concur on the House message with a Reid amendment this evening.

ADJOURNMENT UNTIL 1 P.M. TOMORROW

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 9:02 p.m., adjourned until Saturday, July 30, 2011, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

MICHAEL E. HOROWITZ, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF JUSTICE, VICE GLENN A. FINE, RESIGNED.

NATIONAL SCIENCE FOUNDATION

ANNEILA I. SARGENT, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2016, VICE GERALD WAYNE CLOUGH, TERM EXPIRED.

WITHDRAWALS

Executive Message transmitted by the President to the Senate on July 29, 2011 withdrawing from further Senate consideration the following nominations:

GOODWIN LIU, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE A NEW POSITION CREATED BY PUBLIC LAW 110–117, APPROVED JANUARY 7, 2008, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2011.

MICHAEL F. MUNDACA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ERIC SOLOMON, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.

BARBARA K. MCQUISTON, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION), WHICH WAS SENT TO THE SENATE ON MAY 9, 2011.