

national unemployment rate, 700,000 more children join the ranks of the uninsured. In Nevada and across America, the number of uninsured is rising every day. The number of uninsured children is rising every day, which makes it seem so unbearable for America to have so many uninsured children. The number of children who are not getting checkups, medicine, and emergency care is rising every day.

This week, the Senate will engage in an open, fair, and lively debate on this critical legislation. There will surely be points where Republicans and Democrats disagree on specifics. Democrats would have written this legislation to cover more children, but we compromised to create a bill Republicans would support.

Republicans may raise points of concern during the debate, and Democrats will consider their differing views. But during this debate, we should remember that the overwhelming majority of Democrats and Republicans agree on the fundamentals of this legislation.

I look forward to a productive debate, and I look forward to President Obama signing into law an extension of the Children's Health Insurance Program that will allow children of Nevada and all 50 States to get the care they need and deserve.

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#### RESERVATION OF LEADER OF TIME

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

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to a period for the transaction of morning business until 4 p.m., with Senators permitted to speak for up to 10 minutes each.

The Senator from Tennessee.

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#### BIPARTISAN COOPERATION

Mr. ALEXANDER. Mr. President, on Friday, at the National Press Club, Senate Republican leader MITCH MCCONNELL delivered an important address that everyone concerned about the future of our country ought to read.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks Senator MCCONNELL's speech.

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

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, Senator MCCONNELL congratulated the President for reminding many in Washington, including many Republicans, that the American people want their leaders to work together to solve problems, not to set traps. He suggested that among the issues on which we

could cooperate are reducing the national debt, energy independence, and lowering taxes. Specifically, Senator MCCONNELL urged the President to follow up on his pledge to put the power of the Democratic majorities to work on entitlement spending, the automatic spending that threatens within just 9 years to consume nearly 70 percent of the Federal budget and to create a national debt that equals our Nation's annual gross domestic product. Already, each American's share of the national debt is \$35,000.

In order to do that, Senator MCCONNELL said the President will have to reject the hyperpartisanship that exists in some quarters of Congress and engage Republicans on the merits of our ideas.

Senator MCCONNELL said that as Republican leader of the Senate, he would make this a firm principle of his dealings with the new administration, and he said that if the new President follows up on his promise to address entitlement spending, Democrats can expect more consideration from the Republicans than the last President received from them.

This is a major statement by an experienced Senate leader who has proven he knows how to stop bad legislation but is offering to go to work with the new President to shape and improve good and needed legislation, if the new majorities will meet Republicans on the merits of our ideas.

Some time ago, Senator MCCONNELL invited President Obama to come to the Senate and meet with Senate Republicans. And we all hope that soon he may do that.

The kind of cooperation Senator MCCONNELL talked about in his speech on Friday did not happen often in the last few years. It did on energy, it did on American competitiveness, to some degree on foreign intelligence issues. Earlier, it happened on education and some other issues. But when President Bush, for example, made reforming Social Security the major thrust of his second term, Democrats said no. Neither side moved off their position, and so deficit spending and our national debt kept going up.

If any subject over the last few years deserved cooperation, it was the war in Iraq. Senator Salazar and I assembled 17 Senators, 9 Democrats, and 8 Republicans, and there were 63 Members of the House almost evenly divided between the parties who sponsored a resolution to set as a goal for the country to end the war on the principles recommended by the Iraq Study Group.

President Bush would not support our legislation. The Democratic leaders refused to bring it to a vote. I remember telling both President Bush and Senator REID I believed we were the only ones who actually united them on Iraq. They were both against what we were trying to do. But if either President Bush had supported our resolution or if Senator REID had allowed it to come to a vote, I believe the

resolution would have been enacted, sending a message to our troops, to our country, and to our enemy that we were united in bringing an honorable and successful end to that conflict.

Ironically, we are now headed in Iraq toward a conclusion that now seems to have the general support of both President Bush and President Obama, presided over by the same Secretary of Defense, who has served them both. That is approximately the same result that was recommended by the Iraq Study Group.

That is not just my opinion. Toward the end of last year I asked both Secretary Gates and Secretary Rice whether the path toward conclusion of the Iraq war that was agreed upon by the Iraqis and the United States and is now basically being recommended by President Obama, whether that was the path recommended by the Iraq Study Group, and each of them said yes.

There is a lesson here for the new administration. Technically, President Bush did not need Congress's approval to wage the war in Iraq. He is the Commander in Chief. But if he had won that congressional approval for the last 2 years of the war, that would have made the war easier, perhaps more successful, and certainly the Bush Presidency more successful.

Technically, President Obama, with large Democratic majorities in Congress, does not need Republicans to pass most legislation. "We won the election; we will write the bill," said Speaker PELOSI. That is the way to pass many bills, but as President Bush found out, it is not the way to have a successful Presidency.

The President and the Democratic majorities on their own can pass many bills, and we Republicans, with 41 or 42 votes in the Senate, can block some things and slow down almost anything. But most of us Republicans agree with Senator MCCONNELL: That is not what we are here to do. And what President Obama said in his inaugural address is that is not the kind of Presidency he wishes to have.

The new President is off to a good start in his relationships with Republican Members of the Senate. Even the Senate Democratic majority is showing some encouraging signs of letting the Senate function as it is supposed to function, as a guardian against the tyranny of the majority, warned of by de Tocqueville, by allowing debates, by allowing amendments and rollcalls on major pieces of legislation. That is what we are here for; we are here to represent the men and women who live in our States on those issues.

Tomorrow morning, there is a bipartisan breakfast, the first one of this year. We had them during the last 2 years. At that breakfast, we will be discussing the resolution of Senator CONRAD and Senator GREGG to create a Bipartisan Task Force for Responsible Fiscal Action. In other words, to get serious about dealing with runaway entitlement spending. Already we have, I

believe, 26 Members of the Senate, almost evenly split among Democrats and Republicans, who have accepted to come to that breakfast tomorrow morning. That is an unusual number of Senators for such an event.

Republicans and Democrats will not always agree. We emphasize different principles. We have different solutions. We are here because we were nominated in partisan conventions or partisan elections. We are here to contend, we are here to debate, we are here to offer our ideas. But to get here, almost all of us had to earn Independent votes and some votes from the other party.

When we got here, we all took an oath to represent all our constituents.

What will make this Presidency and this Congress different is if after we conclude delivering our sermons to one another, we put aside the 20 percent on which we disagree, and see if we can come to some result on the 80 percent on which we agree, as Senator ENZI of Wyoming likes to say.

This will not happen if the majority takes the position: We won the election, we will write the bill; or if the Democratic leader seeks to muzzle our constituents by not allowing amendments and debates and votes on the Senate floor. It can happen, as the Republican leader, Senator MCCONNELL, said in his address on Friday, if we in the Senate act like grownups and have the courage to put aside hyperpartisanship and reject the advice of groups that protect narrow interests and find ways to work together to solve the real problems that are facing our country today.

#### EXHIBIT 1

[From the Office of Senator Mitch McConnell, Jan. 23, 2009]

#### MEETING CHALLENGES: A WAY FORWARD FOR CONGRESS

Remarks of U.S. Senate Republican Leader Mitch McConnell (as prepared for delivery) National Press Club, January 23, 2009.

"Thank you, Donna. I also want to thank John Donnelly of Congressional Quarterly for inviting me here today. I'm delighted to be here, and I'm honored to be joined by such a distinguished group of reporters.

"For more than a century, the National Press Club has served a vital national purpose as a forum for newsmakers and those who cover them. A free press is essential to our Democracy. And today I thought I'd come over here to look for some free press.

"This past Tuesday, millions of Americans who are old enough to remember past inaugurations were reminded of one of the great hallmarks of our republic, and millions of young people experienced for the first time the rejuvenating effect of the peaceful transfer of power. Of all our civic rituals, few elicit the same feelings of national pride at home or more admiration abroad.

"But the inauguration of President Obama was somehow different, and not only because we were moved at seeing an African American take the oath of office from the steps of a building built by slaves. This year's inauguration was different because this year's election was different.

"For the first time in awhile, America has a president who isn't viewed by most people as an overly polarizing figure. Americans are intrigued by President Obama's promise of

post-partisanship. And this afternoon I'd like to share some of my thoughts on the possibility of a new era of cooperation.

"As others have noted, the President does not govern alone.

He can't sign a bill Congress hasn't already passed. He can't spend money Congress hasn't appropriated. If President Obama's promise of post-partisanship is to be realized, he'll first need some cooperation from Congress.

"And so, in the spirit of overcoming divisions, let me start out by saying that I agree with President Obama's assertion on Tuesday that many of today's problems are simply too great for us to pass over in the interest of protecting narrow interests. The normal constituencies must be widened.

"On issue after issue, members of both parties have too often fallen into the habit of asking narrow interest groups what they think should be done about something before thinking about what the average American thinks should be done.

"This is how a group like CodePink could end up having so much influence in a national debate about the conduct of a war. This is why a prominent labor leader thinks he can tell a reporter that he expects 'pay-back' from Democrats for the support he gave them during last year's elections. And this is how vulgar insults hurled from overcaffeinated activists can suddenly pass for legitimate political discourse.

"When these things happen, it's easy to see why cynicism about government persists.

"And it's easy to see why something needs to change.

"Both sides are guilty. Republicans need to reevaluate the way decisions are made in Washington, and so do Democrats. But one thing is clear: every decision cannot be made based on a political calculation—because the usual interest groups so seldom agree.

"President Obama seems to understand this. His campaign was based on the notion that ordinary Americans would have a seat at the table in his administration. And broadening the old constituencies is, as he has suggested, one sure way to uphold that pledge.

"Once we do this, there are many issues on which we can cooperate. President Obama mentioned several of them on the campaign trail: reducing the national debt, increasing energy independence, and lowering taxes. There are others.

But achieving any one of them will be impossible without cooperation between both parties in Congress and between Congress and the White House.

"Now, I realize that if you told most people Mitch McConnell was down at the National Press Club hoping for bipartisanship, they'd tell you that's like an insurance agent hoping for an earthquake. Most people don't exactly view me as the Mr. Rogers of the Senate. But, respectfully, I think reporters too often confuse being conservative with being partisan. And while my voting record clearly reflects my core values, it also reflects a long commitment to working with others.

"Senator Feinstein has been my closest collaborator in fighting human rights abuses in Burma. For years, I worked alongside Senator Dodd on the Senate Rules Committee, where we teamed up to pass the Help America Vote Act. And more recently, I took a lead role in brokering a bipartisan financial rescue plan just a few weeks before my own reelection bid in November.

"I fought for the rescue package because I thought the country needed it, even though my party could have done without it—and I ended up paying for my efforts. Soon after the deal was struck, one of the very people who had sat at the negotiating table with me

ended up running ads against me on that very issue. He saw that it made me vulnerable back home, and tried to capitalize on it politically, which I certainly didn't expect. But these are the risks that politicians have to take from time to time in order to achieve something worthwhile. And it's a risk I was willing to take.

"There was, of course, a time when working on a bipartisan basis to achieve big things for the nation didn't mean exposing oneself to attack ads by one's own colleagues. For years, the Senate was a place where real friendships across party lines were common. One thinks of the breakfast meetings between Mike Mansfield and George Aiken; or Jim Eastland and Gaylord Nelson—men as far apart ideologically as you could find—spending time together after a long day's work. My Senate mentor, John Sherman Cooper, had a close relationship with President Kennedy.

"These friendships were always good for the Senate, and occasionally they paid major dividends for the whole country. One of the great examples of this in the modern era is the Social Security fix of 1983, brokered by Pat Moynihan and Bob Dole. And it's an example we could learn a lot from today.

"As Moynihan later recalled it, the genesis of that particular achievement came on the morning of January 3, 1983. Dole had published an op-ed piece in that day's edition of the 'New York Times' in which he said that Republicans were eager to accomplish big things in the coming year.

"He cited Social Security as a case in point, arguing that the looming insolvency of Social Security should overwhelm every other domestic priority. By accelerating already-scheduled taxes and reducing future benefit increases, Dole said, Social Security could be made solvent for decades.

"At some point later in the day, Moynihan approached Dole on the Senate floor. If Dole really thought Social Security could be saved, he said, why not try to do it together? Well, 13 days later, an agreement was reached, and the Social Security crisis had passed.

"Twenty years later, Bob Dole could say that he had been the longest serving Republican Leader in history and the Republican nominee for president of the United States. But when a reporter asked him what he considered his proudest accomplishments in a lifetime of public service, the first thing that came to mind was the Social Security fix of 1983. Dole explained it this way: 'Those things that are lasting are bipartisan. If you don't have a consensus, it's not going to last.'

"This kind of bipartisan consensus has been increasingly rare in recent years, and the nation has suffered as a result. We saw this four years ago, when President Bush, newly reelected and with expanded Republican majorities in Congress, had the courage to put Social Security reform on the agenda. When he asked for bipartisan help, not one Democrat in Congress stepped forward. Every single one of them turned his or her back, reflexively choosing politics over governing—and the nation lost out on an opportunity to fix a crucial program in desperate need of reform.

"Today, Democrats have substantial majorities in the Senate and the House. They control the White House. And now Democrats assume responsibility for a number of pressing problems—including the one they refused to face in 2005. The problem with entitlement spending has not gone away.

"On Social Security in particular, the situation is increasingly dire: in 1950, 16 workers paid for every one person who received Social Security benefits. Today, it's about 3 workers per beneficiary. And within 10 years

times, more money will be coming out of the Social Security fund than going in.

"Looking at entitlements in general, Social Security, Medicare, Medicaid, and other programs will soon consume about twice the percentage of the federal budget they did four decades ago. If we don't rein this spending in, soon we'll have only have a fraction left for things like defense, roads, bridges, and special ed. And this is not a problem that raising taxes will solve. In order to meet all our current entitlement promises, we'd have to extract \$495,000 from every American household.

"The expansion of entitlement spending is a looming crisis that has been overlooked for too long. And with control of the White House and big majorities in Congress, Democrats now owe it to the American people to put their power to work on this vital issue. And here's my pledge: If they do so, they can expect more cooperation from Republicans than the last President received from them.

"President Obama has said he wants to tackle the entitlements crisis. But in order to succeed, he'll have to continue to reject the hyper partisanship that exists in some quarters of Congress. And he will have to engage Republicans on the merits of our ideas.

"The good news is that most people think ideas should be assessed on their merits, not on the senator or the president who proposes them. Our new President seems to think the same thing. And as Senate Republican Leader, I also pledge to make this a firm principle in my dealings with the Obama Administration.

"President Obama's campaign reminded many in Washington, including many Republicans, of the aspirations that the Americans people have about their government.

People want their leaders to work together to solve problems, not to set traps. The challenge now is for both parties to cooperate, not just in word but in deed.

"In all this, politics will have its place. But at this moment, achieving big things for the country is where my ambitions lie. Voters from both parties think Washington is broken. And that's a shame. But if both parties have helped create this cynical view of government, then both parties will have to work to correct it. And we can start, once the current debate over the Stimulus is through, by working to reform Social Security and Medicare.

"In this and in other efforts, there will be disagreements. But they can be principled disagreements, and the result of principled disagreement is often principled cooperation. The result won't satisfy everyone. As Bob Dole said of the 1983 Social Security fix, 'No one got everything, and everyone got something.'

"But many of the domestic problems we face are simply too great to kick the can down the road any longer. We need to summon the courage to act on issues that are of grave concern to our nation's future. And the long-term sustainability of entitlements is one of them.

"As Republicans look for common ground in this and other areas where legislative progress can be made, some will no doubt accuse us of compromise. But those who do so will be confusing compromise with cooperation. And anyone who belittles cooperation resigns him or herself to a state of permanent legislative gridlock. And that is simply no longer acceptable to the American people.

"President Obama has shown himself to be a man of legislative ambition. He reaffirmed this on Tuesday when he called on the country to recognize collective failures, and when he called on politicians to step up to the unpleasant tasks and seek first the interests of the whole.

"Make no mistake: Some of our new President's proposals will be met with strong,

principled resistance from me and from others. But many of his ambitions show real potential for bipartisan cooperation. And if we see sensible, bipartisan proposals, Republicans will choose bipartisan solutions over partisan failures every time.

"Thank you very much."

Mr. ALEXANDER. Mr. President, 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. BUNNING. 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.

#### GEITHNER NOMINATION

Mr. BUNNING. Mr. President, I rise to speak in opposition to the nomination of Timothy Geithner to be Secretary of the Treasury. Of the many positions in the Federal Government about to be filled, the Treasury Secretary is among the most critical today. We are confronted by several financial panics and disasters, and one false move by the Secretary of the Treasury could result in years of stagnation and high unemployment.

Even before the disclosure of Mr. Geithner's tax problems, I had serious reservations about his nomination. Mr. Geithner has been involved in about every flawed bailout action of the previous administration. He was the front-line regulator in New York when all the so-called financial innovations that have recently brought our markets to their knees became widespread. He went along with all the flawed monetary policy decisions of Alan Greenspan and Ben Bernanke, and he stretched the law beyond recognition to bail out Bear Stearns and later AIG. All those actions, or failures to act, raise questions about the nominee's judgment, but his failure to pay his own Social Security and Medicare taxes, despite clear evidence he knew he owed the taxes, reflects negligence or worse toward the law he will be responsible for enforcing.

The financial crisis we are in the middle of today did not happen overnight and it could have been prevented. Easy monetary policy under former Federal Reserve Chairman Alan Greenspan provided the fuel for a speculative asset bubble that burst. Finally, it popped. Mr. Geithner helped Chairman Greenspan keep pouring that fuel on the fire from the day he got to the New York Fed.

More careful regulation by Mr. Greenspan, his successor Ben Bernanke, and other regulators could have better contained the damage from the bubble. Mr. Geithner sat at their side from 2003 until now. Yet he raised not one objection to their flawed regulations.

Even worse than supporting the flawed Greenspan and Bernanke poli-

cies, Mr. Geithner failed himself as a regulator. One of Mr. Geithner's most important jobs was to prevent the collapse of the largest and most important banks. One look at Citigroup today shows how he failed in that job. Although he talked about the great threat or the systemic risk, Mr. Geithner sat idly by as risk became more and more concentrated in the hands of a few large financial institutions and the pricing of risk became detached from reality. Trillions of dollars in savings held by Americans are being destroyed as a result.

When the crisis worsened last fall, Mr. Geithner helped craft the \$700 billion bailout presented to Congress. The Geithner-Paulson-Bernanke plan, as sold to Congress, was to buy toxic assets to bail out their Wall Street buddies—no strings attached. But soon, Treasury changed course, choosing to take equity in banks—an option explicitly rejected before Congress. Sadly, Mr. Geithner went along with all these decisions.

Finally, we have learned that Mr. Geithner is comfortable with giving tax dollars away, but not so much with paying them himself. Documents show he repeatedly acknowledged his tax obligation and then ignored clear instructions to pay. I find Mr. Geithner's explanation that this was a careless mistake unconvincing and unsupported by the facts.

His failure to pay what he owed cost Social Security and Medicare more than \$34,000, part of which would never have been repaid if Mr. Geithner was not nominated to be Secretary of the Treasury, a position which oversees tax enforcement. And he was able to convince the IRS to refund the penalties they initially charged. I hope Mr. Geithner will remember this experience when considering the tax issues of ordinary Americans.

This is all the more unfortunate because America needs a strong and credible Secretary of the Treasury now more than ever. The most recent Secretary treated Congress with borderline contempt and hostility. He was not forthcoming with information or explanations, only marching orders. I do believe Mr. Geithner understands the important role Congress has to play in our economic policies, and until his evasive and unsatisfactory answers about his tax problems, I thought he would at least do a better job than Secretary Paulson at working with Congress. When Mr. Geithner is indeed confirmed—and I know he will be by this body—I hope he will follow through on his promises to be a responsive and respectful Secretary of Treasury to Congress.

Mr. President, for all these reasons I have discussed, I cannot, in good conscience, support this nomination.

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

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

The assistant legislative clerk proceeded to call the roll.