

fought for 6 weeks to get this vote, and so we are going to have this vote at midnight. People aren't too happy with me now, but we are going to have a vote tonight at midnight, and I think it is an important vote. I think it is an important first step whether we win or lose. Because every Senator who votes on this tonight will have to go home and they will have to engage their constituents and explain to their constituents why they are still willing to send money to countries that are burning the American flag; why they are still willing to send money to countries where there is ample evidence of corruption and thievery; why they are still willing to send foreign aid to countries that are openly disdainful of us.

Does everyone realize the President of Afghanistan, or senior advisers, have said that if there is a war with Pakistan—between the United States and Pakistan—they will side with Pakistan? Pakistan's senior advisers have said if there is a war with Iran, they will side with Iran. These are the people we are sending billions of dollars to and saying: Please be our friends. They laugh and snigger at us and turn away and say: Fools. That is what they say about us.

I say what we need in this country is an American spring—an American spring where we wake up and say: Look, to make our country great again, to retain American greatness, we have to figure out how to grow at home. And I think that means leaving more money at home. I hope the Senate will consider this when they vote this evening.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

**REPORT ON OPERATION FAST AND FURIOUS**

**Mr. GRASSLEY.** Mr. President, on Wednesday, the inspector general of the Department of Justice issued his report on ATF's Operation Fast and Furious. This report is a significant milestone for the family of Border Patrol Agent Brian Terry. He was killed in a firefight with illegal aliens who were armed with illegal guns from Fast and Furious.

Attorney General Holder delayed any discipline for the officials responsible for Fast and Furious until after this report was released. The time for accountability has come. There are no more excuses for inaction.

The inspector general's nonpartisan review confirmed virtually everything I heard from whistleblowers over the last year and a half. The Justice Department tried to push all the blame on the ATF and officials down in Phoenix, AZ, but the inspector general confirmed that senior officials in Washington ignored red flag after red flag.

Senior officials in both the Justice Department and ATF knew or should have known that Operation Fast and Furious was putting guns into the hands of criminals. But they ignored the risk and failed to take steps to pro-

tect the public safety. The Inspector General also confirmed that there were major information-sharing failures between law enforcement agencies.

We are still going through the nearly 500-page report, as well as 309 pages of new documents the Justice Department produced late Wednesday. However, I was surprised to learn from the report that Attorney General Holder testified that he doesn't remember the conversation with me about Fast and Furious in my office on January 31, 2011. That is when I handed the first letters to the Attorney General opening the investigation of Fast and Furious.

I happen to remember that conversation. My staff told the Attorney General that day what whistleblowers had told us. Remember, whistleblowers got involved in coming to Congress because for months they were sending reports up from Phoenix to main Justice that selling guns illegally or encouraging our gun dealers to sell guns illegally was not a very smart thing for our Justice Department to do. And when they weren't listened to, these whistleblowers started coming to this Senator.

Specifically, at that meeting with Holder, we discussed that two weapons the ATF let go in Fast and Furious were found at the murder scene of Border Patrol Agent Terry. I emphasized I was personally bringing it to his attention—meaning the attention of the Attorney General—because these were very serious and credible allegations, not just some run-of-the-mill letter that I send to departments generally.

Yet even after that meeting, the Department didn't take this case seriously. The inspector general's independent report says so explicitly.

We do not believe that the gravity of this allegation was met with an equally serious effort by the Department to determine whether ATF and the U.S. Attorney's Office had allowed the sale of hundreds of weapons to straw purchasers.

The Justice Department claimed its process for writing letters to Congress was sound. But its response to me, in its February 4, 2011, letter, was false. That letter came back only 4 or 5 days after I first handed the letter to the Attorney General. The February 4, 2011, letter was false because DOJ later withdrew it and claimed it relied on bad information from the ATF and the U.S. Attorney's Office. However, the inspector general agreed with me that the Justice Department's response was seriously flawed—and not just the initial response. The inspector general also found that the Justice Department knew its initial reply wasn't true when it reaffirmed the denial of the whistleblower allegations in a May 2, 2011 letter to me.

Instead of acknowledging it was wrong, the Department repeatedly doubled down on its denials.

For example, Attorney General Holder said on multiple occasions since November 2011 that the wiretap evidence

authorized by the Justice Department headquarters did not put senior leadership on notice that the ATF was walking guns.

Most recently, on June 7 of this year, the Attorney General went before the House Judiciary Committee. At this point, many Members of Congress had obtained and read the affidavits, even though the Justice Department did not want us to see them. Members who reviewed them said that the affidavits contained evidence of gunwalking. But Attorney General Holder testified:

I've looked at these affidavits, I've looked at these summaries. There's nothing in those affidavits as I've reviewed them that indicates gunwalking was allowed.

The inspector general has read these same wiretap affidavits. Since the inspector general is independent and nonpartisan, that independent, nonpartisan conclusion is at odds with the quote I just gave you from the Attorney General, and that quote from the Attorney General comes from testimony before the other body.

I quote from his report:

[T]he affidavits described specific incidents that would suggest . . . ATF was employing a strategy of not interdicting weapons or arresting known straw purchasers.

In fact, much of the inspector general's report is redacted because those affidavits are still under seal. Chairman ISSA and I asked the Justice Department months ago to move to unseal them so the public could decide for themselves. Now the inspector general has joined Congressman ISSA and this Senator, and is also calling for the Department to ask for permission of the court to release the affidavits. The Justice Department should have filed that motion months ago. Unsealing the affidavits will allow the American people and the Terry family to see the whole story.

The details of those affidavits show that senior officials knew, or should have known, about gunwalking in Fast and Furious. The inspector general independently confirmed this point, quite contrary to Attorney General Holder's denials. Those denials by the Attorney General show either incompetence or lack of truthfulness. Congress created an explicit statutory duty for certain senior Justice Department officials to authorize all wiretap applications, not just those involved with Fast and Furious.

Deputy Assistant Attorney General Jason Weinstein, who served directly under criminal division head Lanny Breuer, was one of the officials who approved some of these affidavits. Senior officials such as Mr. Weinstein tried to claim that they shouldn't be held accountable because they only read memos summarizing the wiretaps, not the full wiretap applications, as I think is required under law. But the inspector general found that Justice Department officials should review more than just the cover memo. He said that under the statute, they have the responsibility to be fully informed before authorizing wiretap applications.

Yet the inspector general also found that even

. . . a reader of the . . . cover memorandum would infer from the facts that ATF agents did not take enforcement action to interdict the weapons or arrest [straw purchasers].

So the memo Mr. Weinstein admits he did read indicated that ATF had walked guns, according to the inspector general.

Back in September of last year, Attorney General Holder said at a press conference:

The notion that somehow or other this thing reaches the upper levels of the Justice Department is something that . . . I don't think is supported by the facts.

Maybe the Attorney General doesn't think someone who reports directly to the head of the criminal division is a senior official, but this Senator does.

As a result of the inspector general's findings, Deputy Assistant Attorney General Weinstein has resigned. Mr. Weinstein should be held accountable, but he shouldn't take the fall for more senior officials who are also culpable.

Mr. Weinstein reported directly to Assistant Attorney General Lanny Breuer. When the Justice Department sent its letter to me denying ATF ever walked guns, Breuer knew otherwise. He knew in 2010 about gunwalking in another case, Operation Wide Receiver. That was long before the allegations in Fast and Furious; yet he waited 9 months before e-mails about Wide Receiver were about to be produced to Congress before he publicly apologized for not doing more about gunwalking in the previous gun walking Wide Receiver.

I asked Breuer whether he had seen the draft of the February 4 false letter to me. Breuer testified:

I cannot say for sure whether I saw a draft of the letter that was sent to you.

Now I will explain why that was a false statement that he made to me.

A month after Breuer's testimony, the Justice Department released more documents showing that Breuer was sent five drafts of the letter before it was sent to me. He forwarded three of them to his personal e-mail account. Breuer still maintained in written responses that it was "highly unlikely" he had read the letter because he was in Mexico when it was sent. On this matter, the inspector general report contained a significant factual error.

By the way, there aren't many errors in this inspector general's report. I compliment him for a very good job that he did.

The report read:

The OIG found no e-mail messages from Breuer in which he proposed edits, commented on the drafts, or otherwise indicated he had read them.

That statement of the inspector general is not true. In response to one of the drafts that Breuer received, he commented to Weinstein that it was "great work."

That may not be a proposed edit, but it is certainly a comment. Thus, Breuer's statement to Congress is sim-

ply not credible. E-mails show that Breuer was very engaged in the process, asking for and receiving updates from Weinstein at every stage of the drafting of that letter of February 4, 2011 that 8 or 9 months later they withdrew because it was false. Breuer and Weinstein sent multiple e-mails to each other on the matter each day, with Breuer asking after a quiet period, "Jason, let me know what's happening with this."

So, quite obviously, he was involved before the letter was ever sent to me. Rather than holding him accountable for this evidence, the inspector general's report gives him a pass.

Worse, new e-mails produced Wednesday show that Breuer was in the weeds about his deputy Jason Weinstein coming to brief the Senate Judiciary Committee staff a week after the Justice Department's false letter was sent to me.

On February 13, 2011, Breuer sent an e-mail about such details as what specific questions my staff asked of Weinstein at this briefing. Breuer wrote:

The goal—and by all accounts it seems to have worked—was to communicate that ATF's work in the AZ case and others like it reflected sound judgment and investigative work.

It is clear that Breuer was in the weeds enough to know what the Justice Department was communicating to me was undermined by the gunwalking he knew about in Wide Receiver. He should have come forward in February 2011 and told Congress that he knew ATF had in fact walked guns. His failure to do so, coupled with his attempt to mislead Congress, is why I have called for him to resign or be fired. I made that request last fall on the floor of this Senate.

The Attorney General has been saying for months that he would hold off on any personnel action until the inspector general's report was released. We have been hearing that for almost a year, "Let the inspector general finish his work, and then we will decide what to do." So, Mr. Attorney General, it is time to hold people accountable.

I wish to close with language from a statement that the family of Border Patrol Agent Brian Terry issued. Agent Terry is the person where two guns that were walked were found at his murder scene.

From the family of Brian Terry:

The Department's failure chronicled in the report had deadly and tragic consequences for hundreds of innocent American and Mexican victims of violent crimes.

And our son, friend, relative and hero, Brian Terry, is dead.

Questions and concerns should have been raised before the weapons purchased in this failed government sting wound up in the hands of drug dealers and killers, including those who killed Brian.

The focus today should not be on political spin control nor on praise for the Department of Justice supervisors who chose to resign in light of the report's findings, but rather on the gross negligence of the Department documented in the report and the tragic consequences of that negligence.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Iowa.

THE RYAN BUDGET

Mr. HARKIN. Mr. President, our Nation faces an absolutely fundamental choice in this year's election: Are we going to rescue, restore, and rebuild the middle class or are we going to continue to shift even more wealth and advantages to those at the top at the expense of the middle class?

As I have done every day we have been in session here, I want to point out to the American people what the blueprint is for this country under the Romney-Ryan budget. That is their budget. A budget is a blueprint of where you want to go, what you want to do, how you want to build something—how you want to build the future of our country. That is the Ryan budget. So I want to take a look again at the Ryan budget and what it does for the future of this country.

First of all, the very centerpiece of the Ryan budget is whopping new tax cuts, mostly for those at the top, the richest 2 percent. Those making \$1 million or more a year would receive \$265,000 a year in new tax cuts on top of the \$129,000 they would get from extending the old Bush tax cuts. That means now if you are in the top 2 percent and you are making over \$1 million a year, you get \$394,000 in new tax cuts.

We keep hearing about Mr. Romney and Mr. RYAN talking about entitlements. We have got to cut back on entitlements. Don't we? What about this? That is what they always talk about. They are talking about people who are lower income, who rely upon certain things such as nutrition assistance or job training programs, maybe Pell grants for students, for poor kids to go to college—cut back on those. What about this entitlement? This is an entitlement; you are entitled to it: If you make over \$1 million a year, you will be entitled to those tax cuts.

We don't hear them cutting back on that entitlement. No. They want to extend it. How do they pay for all these new tax cuts? The total is \$4.5 trillion over 10 years. They do not exactly say how, but the Republican budget, that Ryan budget, would offset these tax cuts by making very deep and Draconian cuts in programs that undergird the middle class—everything from education, student loans, grants, law enforcement, clean air, clean water, food safety, medical research, highways, bridges and other infrastructure, all cut in the Ryan budget.

The Ryan budget, as I will explain a little bit more in detail shortly, would end Medicare. We will hear a lot of people saying it will end Medicare as we know it. Well, if we end something as we know it, that means we end it.

The Romney-Ryan budget, since Mr. Romney called it marvelous—the Romney-Ryan budget would end Medicare and make it a voucher care system. That would force seniors to pay nearly