



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, WEDNESDAY, SEPTEMBER 19, 2012

No. 127

Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Eternal Lord God, we praise You for surrounding us with the shield of Your salvation. When we cry to You for help, You are always near, ever ready to comfort and cheer. When we remember what You have already done to bless our Nation and our lives, we can only declare, "Great is Your faithfulness."

As our Senators strive today to do Your will, remind them that Your love has no limits, Your hope has no restrictions, and Your power has no end. Guide them as they seek to discern what is best for our Nation and to courageously vote their convictions.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 19, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 499, S. 3521, which is the tax extenders legislation reported out of the Finance Committee previously.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to proceed.

The legislative clerk read as follows: Motion to proceed to Calendar No. 499, S. 3521, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions.

SCHEDULE

Mr. REID. Madam President, following my remarks and those of my distinguished friend, the Republican leader, the Senate will resume consideration of S. 3457, the Veterans Jobs Corps Act. The time until noon will be equally divided on that matter. At noon there will be a rollcall vote on the motion to waive the Budget Act with respect to the Veterans Jobs Corps bill. The Senate will then recess until 2:15 for our weekly caucus meetings.

At 2:15, there will be a cloture vote on the motion to proceed to the continuing resolution. There could be additional votes with respect to the Veterans Jobs Corps Act this afternoon or subsequent to a vote at noon.

The Republican leader and I have had a conversation this morning where we

have discussed the rest of the week and next week, perhaps, and we are trying to move forward and get this done. We have certain things we have to get done, but there is nothing—nothing—more important than getting the funding for the country. I appreciate the House sending it to us in the fashion they did. So I think it behooves us to get this done as quickly as possible.

MEASURE PLACED ON THE CALENDAR—H.R. 5949

Mr. REID. Madam President, I am told H.R. 5949 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows: A bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years.

Mr. REID. I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

THE OTHER 47 PERCENT

Mr. REID. Madam President, for months I believed Mitt Romney wanted to be President of all of the United States. This week we learned Mitt Romney only wants to be President of half the United States.

If Mitt Romney were President, he wouldn't waste time worrying about the 47 percent of Americans whom he believes are "victims"—whom Romney believes are unwilling to take "personal responsibility," and those are his words, not mine. He can only worry about how the other half lives, I guess. That is what Mitt Romney told donors at a closed-door fundraiser in Florida a month or so ago.

But it turns out it wasn't closed. Someone videotaped every word he said to his wealthy donors. This is, among other things, what he said:

There are 47 percent who . . . are dependent upon government, who believe that they are victims, who believe that government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you name it.

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



Printed on recycled paper.

S6393

Mitt Romney said his job as President would not be “to worry about those people.” But half of Americans are “those people.”

He went on to say: “I’ll never convince them”—this is a direct quote—“they should take personal responsibility and care for their lives.”

So who are those Americans Mitt Romney disdains as “victims” and “those people”? They are not avoiding their tax bills, using Cayman Islands tax shelters or Swiss bank accounts like Mitt Romney. Millions of the 47 percent are seniors on Social Security who don’t have Bain Capital retirement funds or inherited stock to fall back on. Many of the 47 percent are students reaching to afford university tuition so they can become nurses or teachers or attend a community college to become an electrician or welder or a lab technician. Some of the 47 percent have disabilities whose challenges are already a full-time job, but still are actively seeking opportunities in their lives. Millions more of this 47 percent have been unemployed since the great recession—not because they are free-loaders or can’t be bothered to get a job but because some private equity funds closed their factory and shipped their jobs off to China. Large numbers of the 47 percent are active-duty members of the military fighting for their country overseas. More of the 47 percent are veterans getting an education earned through dedicated service. Many of the 47 percent are mothers and fathers working minimum wage jobs but still struggling—and struggling every day. Others of the 47 percent are middle-class families raising children with a little help from the earned income tax credit and the child tax credit—a hand-up Republicans once bragged about helping to enact and, by the way, signed into law by that “liberal” Ronald Reagan. The 47 percent are ordinary hard-working Americans who deserve respect, especially from the man who wants to be their President. And these Americans pay a slew of other taxes, including State income taxes, payroll taxes, property taxes, and sales taxes. But, in Mitt Romney’s view, they still don’t pay enough.

So let’s ask a question: Whose taxes would Mitt Romney raise? Would Mitt Romney raise taxes on retirees who have paid into Social Security all their lives and are counting on it to get them through their golden years? That is a question.

Another question: Would Mitt Romney raise taxes on mothers and fathers who work hard but still struggle to put food in their children’s mouths? Ronald Reagan thought there were certain people who maybe need a little help and so we shouldn’t do that. I agree with Ronald Reagan.

Would Romney raise taxes on middle-class families stretching to afford diapers and day care at the same time? Would Romney raise taxes on Americans with disabilities striving to live full and productive lives? Would Rom-

ney raise taxes on students stretching every dollar to afford tuition? Would Romney raise taxes on men and women serving overseas in the military who make untold sacrifices to preserve America’s freedom and democracy not because they are getting rich doing it but out of a deep sense of duty?

So whose taxes would Mitt Romney raise? We know he wouldn’t raise taxes on millionaires and billionaires or companies that ship jobs overseas. He has made that very clear. If a person is a math teacher or a maid or a single mother, it won’t be Mitt Romney’s job to worry about those people. If a person is a multimillionaire, Mitt Romney won’t rest until they get a quarter of a million dollar tax cut. That is what the Ryan budget does and Romney likes that.

For all we know, Mitt Romney could be one of those who has paid no Federal income tax. Thousands of families making more than \$1 million pay nothing in Federal income taxes each year. I will repeat that. Thousands of families making more than \$1 million a year pay nothing in Federal income taxes. Is Mitt Romney among those? We will never know since he refuses to release his tax returns for the years before he was running for President. But from that one return—the only one we have seen—we know Mitt Romney pays a lower tax rate than middle-class families, thanks to a number of things he has done, including Swiss bank accounts and Cayman Islands tax shelters. And we can only imagine what new secrets would be revealed if he showed the American people a dozen years of tax returns as his dad did.

Mitt Romney believes in two sets of rules—one for millionaires and another for the middle class and the poor. If a person has money to hide in Bermuda and Switzerland, can that person not afford to pay a few pennies more to balance the budget or to reduce the deficit? Mitt Romney says no. But if a person is retired or poor, disabled, a student, or even a returning hero who fought for our country, Romney believes that person can afford to pay more taxes.

This rare look at the real Mitt Romney—this rare look we got from a man who was at a fundraiser for him—proves one thing: He is completely out of touch with average Americans. If he won’t stand up and fight for every American—every American—as President, then he does not deserve to serve any American as President.

RECOGNITION OF THE MINORITY LEADER

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

SUU KYI GOLD MEDAL CEREMONY

Mr. MCCONNELL. Madam President, later today Congress will award the Congressional Gold Medal to Daw Aung San Suu Kyi, a remarkably courageous woman whose cause I have taken a particular interest in over the years.

Suu Kyi’s story is so powerful it is almost hard to believe it is all true.

Her father Aung San, the architect of Burmese independence, was assassinated when she was a toddler. She lived in India for a time, worked at the U.N. here in the United States, and eventually married and settled into a happy and comfortable life with her professor husband and two boys in Oxford, England.

That quiet, suburban life changed forever one night in the spring of 1988. She got a phone call that her mother had fallen ill back in Burma. She left to take care of her the following day and arrived to find a revolution already underway.

As her father’s daughter, Suu Kyi was regarded as a natural fit to fill the role.

Years earlier, Suu Kyi had a premonition that her people might need her one day, so much so that when her husband proposed marriage, she agreed, but on the one condition that if her people ever needed her, she could go. He agreed without hesitation. More than two decades later, he made good on his pledge.

With Suu Kyi under house arrest in Burma, her husband fell ill with cancer back in England. She knew she would be allowed to leave, but she also knew she wouldn’t be allowed to return to Burma once she did. So with her husband’s support, Suu Kyi made the difficult decision to stay. For nearly two decades—two decades—she remained under house arrest in her mother’s old home on University Avenue on the shores of Inya Lake.

Over the years, I have followed Suu Kyi closely and I have done what I could to advance her cause. Along with Senator FEINSTEIN, I have worked to get the Burmese Freedom and Democracy Act enacted every year since 2003 as a way of pressuring the regime to reform itself. My colleague Senator MCCAIN has been active on this issue and has had the opportunity to visit with her several times.

If not for the quiet determination and simple confidence of this remarkable woman, democratic reforms might have seemed a lost cause under the Burmese junta. But in November 2010, we were all encouraged when Suu Kyi was finally released from house arrest. And since then we have seen other hopeful signs.

I was allowed the privilege of actually traveling to Burma earlier this year to meet with Suu Kyi and discuss some of the reforms we have seen. On April 1, Suu Kyi won a seat in the Burmese Parliament. We cannot be sure that the progress we have seen in Burma will last, but we are cautiously optimistic.

It is a great privilege to be able to honor this woman who has done so much for the Burmese people and for the cause of democratic reform and human rights around the world. I am also honored that Suu Kyi has graciously agreed to speak about her incredible journey and the cause of democratic reform and human rights at

the University of Louisville next Monday. I know the students and the larger community there are all looking forward to her visit.

But for now, this is a truly special day here at the Capitol. It has been a long time coming. We are honored to have this hero with us today and delighted to award her our Nation's highest civilian honor.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

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

VETERANS JOBS CORPS ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3457, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 3457) to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

Pending:

Reid (for Murray) amendment No. 2789, in the nature of a substitute.

Reid amendment No. 2808 (to amendment No. 2789), to change the enactment date.

Reid amendment No. 2809 (to amendment No. 2808), of a perfecting nature.

Reid amendment No. 2810 (to the language proposed to be stricken by amendment No. 2789), to change the enactment date.

Reid amendment No. 2811 (to amendment No. 2810), of a perfecting nature.

Reid motion to commit the bill to the Committee on Veterans' Affairs, with instructions, Reid amendment No. 2812, to change the enactment date.

Reid amendment No. 2813 (to (the instructions) amendment No. 2812), of a perfecting nature.

Reid amendment No. 2814 (to amendment No. 2813), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

KNOWING WHO YOU REALLY ARE

Mr. DURBIN. Madam President, Bill Daley is a businessman in Chicago and a friend of mine. A few years back he was the chairman of the Al Gore Presidential campaign. We all know how the campaign ended in the Florida recount. Bill was contacted several years later by those who wanted to run for President. They made their trip to Chicago and asked Bill if he could give them some insight into what it was all about, how you would win. Bill said to them, one and all, the same thing: I am not sure I have any special strategy to tell you, but there is one thing I have discovered over the years. By the end of the Presidential campaign, the American people will know who you really are.

I thought that was very simply and directly stated by Bill Daley and reflected the fact that although every candidate at every level tries to sur-

round himself or herself with the wisest people in Christendom, to give them advice on polling and media and analyzing the electorate and the right words to be said, that more so in a Presidential campaign than almost any others, by the end of the campaign, the American people know who you really are.

The revelations into a person's values and character are not those well-scripted ads or even those flowery speeches. The revelations come by observing that person in good times and bad and perhaps hearing the unguarded comments which give you an insight into what they think when the camera is not on.

That is why this release of a video of Mitt Romney has had such an impact on America. What he said at a fundraiser in Boca Raton, FL, to some very wealthy supporters on May 17, 2012, bears repeating in specific detail. Here is what he said:

There are 47 percent of the people who will vote for the president no matter what. All right, there are 47 percent who are with him, who are dependent upon government, who believe that they are victims, who believe the government has a responsibility to care for them, who believe that they are entitled to health care, to food, to housing, to you-name-it. That that's an entitlement. And the government should give it to them. And they will vote for this president no matter what. . . . These are people who pay no income tax. . . . [M]y job—

This is Mitt Romney speaking—

is not to worry about those people. I'll never convince them they should take personal responsibility and care for their lives.

It was a moment of candor by Romney in a room full of friends about his view of America, and it has become the centerpiece of this week's debate in the Presidential campaign, not just because he was caught in an off moment or with an embarrassing statement, but the fact that since then he has not retracted, he has not backed off of those statements.

In his first press conference, when confronted, he said he was "inelegant" in the way he spoke. Well, assuming that he meant ineloquent and not lacking eloquence, I would say he has had enough time to develop an elegant reply, and we have not heard it.

I think there is more truth than not in what he says when it comes to his point of view of this country, and it is no surprise when you look back to those other unguarded moments and things he has said during the course of the campaign.

We remember the highlights. "Corporations are people, my friend," he said. "I like being able to fire people," he said. "I'm not concerned about the very poor," Romney said. "I'm also unemployed," Romney said. "Ann drives a couple of Cadillacs," Romney said. "Ten thousand bucks? \$10,000 bet?" he said. "I have some great friends that are NASCAR team owners," he said.

It was Bill Kristol who wrote recently—I believe it was yesterday—in the Weekly Standard a response in

which he was critical of President Obama but also of Governor Romney. Here is what Bill Kristol, one of the prominent conservative spokesmen in America, in response to Romney's revelation at the Boca Raton fundraiser, wrote:

It's worth recalling that a good chunk of the 47 percent who don't pay income taxes are Romney supporters—especially of course seniors (who might well "believe they are entitled to health care," a position Romney agrees with), as well as many lower-income Americans (including men and women serving in the military) who think conservative policies are better for the country even if they're not getting a tax cut under the Romney plan. So Romney seems to have contempt not just for the Democrats who oppose him, but for tens of millions who intend to vote for him.

End of quote from Bill Kristol.

This was a revelation into his values and his view of America. But it also tells us that he does not understand this country and the people who live in it. Because when we take a close look at those in the 47 percent, here is who we find: the elderly, working families with children, and low-wage earners. That is the 47 percent.

The elderly. One in five of the elderly is in the 47 percent. These Americans do not owe any Federal income tax because of a longstanding policy choice that Social Security benefits—modest Social Security benefits—should not be taxed. Does Romney oppose that? Does he want to tax Social Security benefits so these will be responsible nonvictims in his view of America?

Now let's turn to low-income working families with children. They make up approximately one out of six people in the 47 percent. They benefit from the earned income tax credit. It was an incentive for them to go to work. Realizing they do not make much money working, we are going to give them a break in the Tax Code to help them get by.

As the majority leader mentioned earlier, this notion came out under President Ronald Reagan. It was Ronald Reagan who said, when he signed this into law in 1986, this will remove "six million [poor] people from the income tax rolls," making it one of the most effective antipoverty programs in our history."

So these people are not paying taxes—so-called victims, so-called irresponsible, under Romney's analysis. Is he suggesting the earned income tax credit has to go?

When you take a look at these people who make up the 47 percent in America, you understand that many of them have paid their dues. Veterans on disability may not be paying income taxes. They are part of the 47 percent. People who are middle-income working families, whose kids borrow money for college are turning to the government for help when they want to put their kids through school to make sure they have a better life.

I close because I know I have my colleagues coming to the floor. There is