



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, TUESDAY, NOVEMBER 13, 2012

No. 144

Senate

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

PRAYER

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

Let us pray.

Eternal Father, our shelter in the time of storm, bless the Senators who are preparing to leave and those who are coming. As we turn to a new chapter in our Nation's history, we ask for Your guidance. We need You to guide us through the labyrinthine seasons of history, for we are weak but You are mighty. Lord, guide us with Your faithful Hands, becoming for this great land our strength and shield. Strengthen our weakness, comfort us in trouble and distress, and empower us to fight the good fight of faith.

We pray in the Name of Him who is the way, the truth, and the life. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 13, 2012.

To the Senate:

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

DANIEL K. INOUE,
President pro tempore.

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

SPORTSMEN'S ACT OF 2012—MOTION TO PROCEED—Resumed

RECOGNITION OF THE MAJORITY LEADER

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

WELCOME TO EVERYONE

Mr. REID. Mr. President, after our election, I welcome everyone back. For some it was a nice break. For others it was a lot of hard work. We welcome everyone back and look forward to a very productive next 6 weeks.

SCHEDULE

Mr. REID. Mr. President, the Senate is considering the motion to proceed to S. 3525, the Sportsmen's Act, postcloture. At 5:30 p.m., there will be a rollcall vote on the motion to proceed to the legislation.

FACING GREAT CHALLENGES

Mr. REID. Mr. President, for the last year, the country has been focused on the difference between Republicans and Democrats. And for the last 2 years, this Congress has not accomplished nearly enough. But as we close the 112th Congress, it is time to focus on our shared goals and our common purpose.

We all agree, I hope, that today—now—great challenges face our country and this Congress. Those challenges are large—too large to be solved by Democrats alone. They are too large to be undertaken by Republicans alone. And they are too grave for us to allow political differences to stand in the way of success.

On the day Gerald Ford became President of the United States, at a time of great national turmoil, he said:

There is no way we can go forward except together and no way anybody can win except by serving the people's urgent needs. We cannot stand still or slip backwards. We must go forward now together.

So said Gerald Ford.

Mr. President, that is as true today as it was back then. Today the Amer-

ican people have many urgent needs. They need more jobs. They need economic certainty. They need opportunity and fairness.

It is within our power as a Congress to quickly address these urgent needs.

It is within our power to forge an agreement that will give economic certainty now to middle-class families who can least afford a tax hike.

It is within our power to forge an agreement that will ask the richest of the rich—the most fortunate among us—to pay a little extra to reduce the deficit and secure our economic future.

It is within our power to forge an agreement that will protect important tax deductions for families and businesses still struggling.

It is within our power to forge an agreement that will take a balanced approach to reduce spending.

In fact, we could avert the fiscal cliff for 98 percent of American families and 97 percent of small businesses today. The House must only consider the Senate-passed bill freezing tax rates for those making less than \$250,000 a year. This Congress is but one vote away from avoiding the fiscal cliff for middle-class families and small businesses.

As influential conservative Bill Kristol said this week:

Let's have a serious debate. . . . It won't kill the country if we raise taxes a little bit on millionaires. It really won't.

So said Bill Kristol.

So solutions are in our grasp. We only have to make the choice to pull together instead of pulling apart.

The hands of the Democratic Caucus are reaching toward our Republican friends, our Republican colleagues. I urge the Republicans to join us to do the difficult but necessary work that is ahead.

If there is a message to take away from this year's election, it is this: Americans are tired of the politics of

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



Printed on recycled paper.

S6715

division. They are tired of obstruction and distraction. The American people—Democrats and Republicans—want cooperation and conciliation.

I urge any of my Republican colleagues who are considering the same strategy of obstruction to turn away from the divisions of the past and join in cooperation, compromise, and consensus.

Gridlock is not the solution. It is the problem.

How this Congress deals with the challenges ahead will be the test of our character, both as individuals and as a body politic—the U.S. Senate.

As the British playwright John Osborne said:

They spend their time mostly looking forward to the past.

We cannot look back. We must show the American people we are equal to the challenges we now face. The challenges are here. We know the challenges. We see the challenges. We can feel the challenges.

There are many reasons why—as we wind down this 112th Congress and embark upon the 113th—we must succeed.

But the best illustration of our duty—our obligation—comes from the words of Medal of Honor recipient DANIEL INOUE. Senator INOUE's son asked his dad why—after people were designated as enemy aliens, after being put in internment camps—why did he and the members of the famed 442nd Regimental Combat Team fight heroically the way they did.

Asked why he fought, Senator INOUE told his son—many years after the battle had ended and Lieutenant INOUE's wounds had healed—that he fought “for the children.” Senator INOUE said that he fought for the children. So I say to my colleagues—Democrats and Republicans—we must legislate, legislate for our children. They deserve it. We owe them the future.

It is time for Democrats and Republicans to go forward now together—“go forward now together,” as Gerald Ford said—and show the American people that we are equal to the challenges we face. The challenges are there. We must face them and face them together.

RECOGNITION OF THE MINORITY LEADER

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

THE ELECTIONS

Mr. MCCONNELL. Mr. President, I want to begin by welcoming all the new Members who are here today, Republican and Democrat. Congratulations on your victories, and welcome to the Senate. I assure you, it is not as terrible a job as some say it is. We welcome your ideas, your energy, and your enthusiasm, and we wish you every success in your time here.

I also want to congratulate the President and the Vice President on their hard-fought victory last week. And I wish to say a brief word of thanks to our own nominees as well, Governor

Romney and Congressman RYAN. They may not have won the race, but they earned our respect and admiration in the effort. They fought valiantly—valiantly—for the cause of limited government, free enterprise, opportunity for all, and a stronger social safety net that is there when people need it most.

In short, they fought for the kind of constitutional conservatism so many Americans believe in so very strongly. And their loss does nothing to diminish the importance of these enduring principles or our commitment to keep fighting for them. So we thank them, and we thank their families, for making the sacrifices any Presidential campaign demands. And I want to assure everyone: The cause goes on. Now onto the task at hand.

AVOIDING THE FISCAL CLIFF

In politics there is always a temptation among those who win office to think they have a mandate to do what they will. But it is important to remember that in this case the voters also reelected a Republican-controlled House last week and a closely divided Senate. And in a government of three equal branches, that is hardly irrelevant.

Most people may focus on the White House, but the fact is the government is organized no differently today than it was after the Republican wave of 2010.

Look out across the heartland and you will see vast regions of the country wary of the President's vision for the future. The country is sharply divided about the right path forward. If the President wants to unite America, as he has always claimed to, if he truly realizes that he was elected to represent all of its citizens, not just the ones who voted to give him a second term last Tuesday, then he will seek the common ground that he largely avoided so strenuously in his first term. That is his task. That is the duty that comes with being President.

I hope that in this term he rises to the challenge. It starts by realizing that he is the only man in America who can sign a piece of legislation into law—the only one of the 306 million Americans—and that while voters have given him a second term, they have also given those of us in Congress the power and the duty to ensure that he uses that power wisely. And that is, of course, what we intend to do.

The campaign is over. The time for slogans and pep rallies is past. If the President is serious about solving current crises and avoiding future ones, he has to step up and to lead.

So let me be clear: When it comes to the great economic challenges of the moment, saying that you want a balanced approach is not a plan. Saying people need to pay their fair share is not a plan. The tedious repetition of poll-tested talking points is simply that. The longer the President uses them as a substitute for leadership, the more difficult it will be to solve our many problems.

The time for the President to lead is now, and that means offering a concrete plan that takes into account the fact that half the Congress opposes tax hikes—not because we are selfish, not because we are stubborn, but we know it is the wrong thing to do, we know it will hurt the economy, and we know it will destroy jobs. This is not partisan politics. It is economics. As the President might say, it is math.

According to a recent independent, nonpartisan study, raising tax rates on top earners, as the President has proposed, would destroy over 700,000 jobs. It would slow the economy, meaning less revenue would come into the Treasury. As a result, it would not do much to reduce the deficit, even if Democrats actually followed through and used it for that purpose.

Think about it: The amount of revenue for which they are prepared to push us over the fiscal cliff would not fund the government for a week. Let me say that again. The amount of revenue for which they are prepared to push us over the cliff would not fund the government for 1 week.

So why in the world would we want to do that? What is the point? To make people feel good about whacking somebody else? That is not what we were sent here to do.

That is certainly not what the people of Kentucky sent me here to do. That is not how you set economic policy—because it makes you feel good. You set economic policy because you think it will lead to investment in America, create jobs, and give more people an opportunity to lift themselves up, boosting middle-class incomes now and ensuring security for the future. This is the kind of vision Speaker BOEHNER laid out for the country last week. I cannot think of any good reason the President would not embrace it.

Some on the other side have said we should just go off the cliff—just go off the cliff—and hope for the best. I do not think that is what the American people had in mind when they went to the polls last week. I think what they had in mind was that we put the contest of the past 2 years behind us and work it out.

The best way forward and the way that will lead to jobs and growth, a smaller deficit, and fewer political fights is to keep everybody's tax rates right where they are for now, to figure out a way to avoid the automatic defense cuts scheduled to hit at the end of the year without cutting a penny less than we promised and committing to the kind of comprehensive tax and entitlement reform that we all claim we want.

A simpler Tax Code that lowers rates and clears out certain deductions and special interest loopholes would trigger economic growth, create jobs, and result in more revenue without raising anyone's rates. We know this because we have seen it before. It actually works.

Personally, I do not think Washington should get any of that extra

revenue. I do not think we need it. As I have said many times before: Washington's problem is not that it taxes too little but that it spends too much. But in a good-faith effort to make progress on boosting the economy and government's long-term solvency, Republicans like me have said for more than a year now that we are open to new revenue in exchange for meaningful reforms to the entitlement programs that are the primary drivers of our debt, so that we can reduce the deficit, protect these programs for today's seniors, and strengthen them for future generations.

So new revenue must be tied to genuine entitlement changes that strengthen these programs for the future and preserve them and also address our long-term debt and deficit problems. In other words, we would do it if we thought we could make progress in creating more middle-class jobs and address what is by far the single biggest obstacle to fiscal balance. This is the basic outline of a plan, and it reflects our seriousness as a party.

So make no mistake, Republicans are offering bipartisan solutions. Now it is the President's turn. It is his turn to demonstrate similar seriousness, bring his party to the table, and take the lead. We are ready to find common ground, ready to find common ground on revenue—not as I said because any of us actually thinks the government needs any more of it, but because Democrats, from the President on down, have said they are willing to punish everyone if they do not get it. We are not about to let that happen, but we are also not about to further weaken the economy by raising tax rates and hurting jobs.

Look, this should not be that difficult. Recent history gives us two examples of Presidents who solved big problems by finding common ground with the other side. Ronald Reagan did it with a Democratic-led House after a far more resounding second-term victory than President Obama's, as did Bill Clinton with a Republican-controlled House and a Republican-controlled Senate after a more resounding second-term victory than President Obama's. Both examples, both of them, illustrate the rare opportunity that divided government presents.

President Obama can follow suit or he can take the extremist view that both Reagan and Clinton rejected by thumbing his nose at the other side and insisting that if Republicans are not willing to do things his way, he will not do anything at all. If the President is serious, he will follow the lead of Presidents Reagan and Clinton. If he is really serious, he will put the campaign rhetoric aside, propose a realistic solution that can pass a Republican-controlled House and a divided Senate, and work to get it done. And if the President acts in this spirit, I have no doubt he will have the support of his own party and a willing partner in ours.

The American people will breathe a sigh of relief knowing not only that we have avoided a crisis but that Washington can still serve their interests. Unless we act in a few short weeks, Americans will face a combination of defense cuts and automatic tax hikes that threaten to plunge us into another recession and undermine at the same time our national defense. This looming crisis is made worse by the backdrop of a massive Federal debt that we will never be able to tackle as long as Democrats refuse even the smallest of reforms to strengthen and protect the entitlement programs that are driving that debt.

That is why Republicans have remained firm on this point: Any serious solution, any serious solution, must include real spending cuts and meaningful entitlement reforms to strengthen and protect these programs for future generations. We got into this mess because we promised cuts that never materialized and because we could not muster the will to match entitlements with the changing demographics of our country.

We are not going to get out of it until we agree to do both, and agree to do it together. Republicans have reached out, made offers beyond our preferred approach in an effort to attract bipartisan solutions. Meanwhile, all we get from Democrats is letters saying they will not even consider reforming the very programs that lie at the heart, the very heart of our fiscal imbalance.

Instead of showing faith and a willingness to solve the problem, we get the same tired talking points that we cannot cut our way to prosperity. Well, that may poll well, but it is not a plan. It is a cliché that is meant to shut down debate and prevent a serious proposal from ever taking shape.

So how do we get around the stalemate? That is simple. Presidential leadership. Let me repeat. There is only one person in America out of 360 million Americans who can sign something into law and, even more importantly, deliver the members of his party to support a deal that he makes.

We will arrive at a plan when the President presents one or we will not get anywhere at all. That is how we get out of a jam. That is what the moment requires. It is the President's move. There is no way we can avert these job-killing tax hikes before they strike and replace the defense portion of the so-called sequester with cuts of equal size in areas that both sides have already agreed to during last summer's debt limit negotiations. We can do all of it in the weeks ahead with a promise to do even bigger things next year.

That is exactly what we should do. This is one of those moments where the only thing standing between success and failure is Presidential leadership. That is why we are calling on the President to seize the moment—seize the moment and do something he has not done before but which successful predecessors have so often done before.

We are calling on him to lead, to take the initiative, propose a plan that is actually designed to succeed. If he does, I am confident he will find he has more Republican friends over here than he thought. I am not asking the President to agree with us on the proper role of government or the dangers of a creeping regulatory state. I am not asking him to adopt our principles. I am simply asking him to respect our principles by not insisting that we compromise them because I assure you we will not. But we will be happy to work with him on a plan to avert the coming crisis and lay the groundwork for further success down the road.

Let's put the campaign behind us and get the job done.

I yield the floor.

RESERVATION OF LEADER TIME

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

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

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

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

ELECTION RESULTS

Mr. DURBIN. Mr. President, today is November 13. I think what strikes me about this date is it has only been 7 days since the election. It seems like a lot longer. Maybe it is because the election campaign itself felt so long. But it has been 7 days since the American people went out and voted.

I have to say this: It was not just because of the victory of the President which was important to many of us, but it was quite a validation of this country and this democracy that millions of Americans made the personal sacrifice, took the time, and went to the polling places and actually cast a vote. When it was all over, thank the Lord, it was decisive. The President won a majority of the popular vote as well as a strong majority of electoral votes. The outcome was not in suspense or in doubt when it was all over. That was good for the process, it was good for our country, and, quite frankly, it is time for us to move forward.

During the course of the campaign, I was actively working in my State of Illinois, around the Midwest, on behalf of the President. I was at one of these spin rooms, which is kind of hard to describe. You will not find it in the Constitution. It is hard to describe. After the debates there was this scrum of politicians and spokesmen who stood together under little signs with their names on them waiting for the press to come up to them and say: What did you see? What do you think?

I was in one of those. I can't remember where it was. I think it might have been New York at Hofstra after one of the Presidential debates. One of the reporters said to me: So, Mr. DURBIN, I know you are here supporting President Obama. What are you going to do

if Governor Romney wins and becomes President?

I said: Well, I am going to respect him, do everything I can to work with him to solve the problems of this country.

Do you know what he said? He said: I am going to hold you to that. Well, he should. That is the responsibility we all have regardless of party, to work with the President to solve our Nation's problems.

Now, there were some who said 4 years ago that when they viewed the new President, President Obama, their goal was to make sure, above all, that he was a one-term President. That was an unfortunate statement because it suggested that solving problems and dealing with our challenges was secondary to a political victory. I hope that in the second term the President can turn to both sides of the aisle in Congress and find support for solving our Nation's problems. They are many.

The first one is this fiscal cliff which Americans are hearing more and more about. On December 31 of this year laws will expire and things are going to happen. What will happen is taxes will go up across the board, not just on the wealthy but on everyone. There will be cutbacks in unemployment compensation, cutbacks in the payroll tax, 2-percent cuts. There will be a lot of different changes that affect a lot of people. We are going to see automatic cuts in spending, sequestration as we call it, both on the defense side and non-defense side.

Many people have said: Well, who dreamed this up? And the honest answer is all of us in Congress, Democrats and Republicans, together with the President created this so-called fiscal cliff, and we voted for it. The Republican leader of the Senate was here a few minutes ago. He voted in favor of it. I did too.

The idea was to have a December 31 deadline that was so imposing and so threatening that we would do something to avoid it. We created a super-committee to reduce the deficit, with equal numbers of Democrats and Republicans, and said: Find a way out of this deficit mess so we can avoid this cliff.

They could not. They were unable to reach an agreement. So now this December 31 deadline is looming. It is one that ought to sharpen our senses and our attention on solving the problems that face this country. They are substantial.

First, we need to get out of this recession. We are moving forward but slowly. We need to make sure that whatever we do in Congress it moves us in the direction of creating more jobs and strengthening business and making us more competitive in the 21st-century economy.

But secondly, as important, we need to deal with the deficit, a deficit which requires us to borrow 40 cents for every dollar we spend in Washington. That is unsustainable. I say that as a Demo-

crat. Republicans say it as well. We have got to balance the two, keep the economy moving forward and yet make a serious commitment to deficit reduction.

I was on the Bowles-Simpson Presidential commission which President Obama created. There were 18 of us. Eleven of us voted for the commission report, a bipartisan report, and I still believe that it contains the basic ingredients for finding our way through this challenge. I hope we could have support from the other side of the aisle.

I listened carefully to the speech just given by the Senator from Kentucky, and he said repeatedly that the election is behind us, we need to work together. That is exactly the right thing to say. It means we have to ask the Republican side that they join us in finding revenue. We know we need more in tax revenue to deal with this deficit. The President has proposed that those making over \$250,000 a year pay a little more. I don't think that is unreasonable. Those who have been blessed with success and comfort in life and doubly blessed by being part of this great Nation should be wanting to pay back a little to help us get through this economic challenge, and I think they will. I genuinely think they will. I also believe those who are in the middle-income categories, working families, need to be spared a tax increase. Many of them are struggling paycheck to paycheck. It isn't an easy economy in which to raise a child, put a child through college or keep your home or make plans for the future. We need to give those working families a helping hand to make sure they don't face a tax rise.

The President said the other day that we have a bill pending before the House that would spare those families making \$250,000 or less a year from seeing a tax increase, and he asked the House to pass it. I hope they will. That means we can focus on taxes only for those in higher income categories. The Senator from Kentucky said, well, it doesn't raise that much money. I beg to differ. If we impose a tax on those making over \$250,000 a year, and if we go back pre-Bush tax cuts, it raises \$800 billion over 10 years. That is not insubstantial. It is an important sum that we need to have to move toward a budget that is closer to being in balance. We have to include it. We need to look at entitlement programs in an honest fashion. We need to make sure that at the end of the day the Social Security system is there for generations to come, and Medicare, which is so important to 40 or 50 million Americans, will be there for many years to come as well. That is part of our responsibility.

I welcome the statement by the Senator from Kentucky. I take him at his word that he is willing to work with the President. He has called on the President to lead, and that is only right; the President is the leader of our Nation.

I might also add that we need leadership in Congress as well, Democrats

and Republicans willing to sit down at a table and reasonably work out our differences. It is not easy, but we can do it and we should do it.

VETERANS DAY 2012

Mr. DURBIN. Mr. President, we have heard a lot about the wealthiest 1 percent of Americans, and on this session after Veterans Day I wish to talk about another 1 percent, the 1 percent who have volunteered to defend us. I want to say a few words about veterans in earlier wars. Thirty years ago, thousands of veterans of the Vietnam war came home. They gave themselves a homecoming parade that they deserved but almost none had ever received. The Presiding Officer here from Virginia, I know as a Senator and as an ace Vietnam veteran, knows of what I speak.

With wounded veterans in wheelchairs leading the parade, they marched up Constitution Avenue to dedicate the National Vietnam Veterans Memorial, on whose polished granite walls were etched the names of nearly 58,000 dead and missing comrades-in-arms.

Here is a photograph that was taken that day. This is Joseph Ambrose of Joliet, IL. Mr. Ambrose was 86 years old then. He is wearing the same uniform he wore as a 19-year-old U.S. Army private in France in World War I. In his arms he carries a flag, the flag that covered the coffin of his son who gave his life for our country in Korea.

Joseph Ambrose wore his old Army "doughboy" uniform and carried his son's flag often to Veterans Day parades and VFW conventions. He confessed that some years he had to go on a crash diet to get back into the uniform, but he did it to honor the veterans of Vietnam and Korean wars that he believed Americans needed to remember, and he wanted to remind us of an important truth, that no matter the outcome of the war, those who answer the call of duty and risk everything to defend our country deserve the respect of a grateful nation.

In the 30 years since its dedication, the Vietnam Veterans Memorial has become an almost sacred place of remembering, reconciliation, and healing. It has a special impact on visitors. I was one. As you walk down that incline and this polished granite monument starts to loom higher and higher, and the names grow until you are engulfed by them, you have a feeling of the immensity of sacrifice that was involved in that war.

This past weekend in Chicago and Quincy, IL, big cities and small alike across America communities held Veterans Day parades. Volunteers assembled and sent thank-you packages to the troops serving overseas. I was at Union Station in Chicago yesterday. Fifth Third Bank sponsored the sending of these packages to those who are currently serving. It is all good and it is important, but it is only a fraction of what we owe to veterans.

Mr. President, I want to give special thanks to you and a special shout-out

for what you have accomplished in your service in the Senate. I remember the first time we ever sat down and had any serious conversation about your service in the Senate for the State of Virginia, and you told me your No. 1 priority was a new GI bill. You were brandnew to this place, but you sure knew that subject inside and out. I respected you so much for it and respect you even more for sticking with it. Your determination led to the creation of a new GI bill. Thousands—thousands—of veterans are going to have better lives and their families as well because you were determined to make it happen.

I know you are retiring and nearing the end of your term here in the Senate, but it is a lasting contribution to this country, and I am glad that since it was at the top of your list when you arrived that you got it done. Some Senators spend a lifetime around here and never get No. 1 on the list accomplished, but you did it, and I thank you very much for your leadership in that regard.

It was 2½ years ago that we also created the family caregivers act to help veterans who survived catastrophic and disabling injuries in Iraq and Afghanistan and the family members who sacrificed so much to help them. I introduced this bill after Senator Hillary Clinton moved on to the State Department 4 years ago. I thought it was a good idea and it was recommended to me by the family of wounded veteran Eric Edmundson. His mom and dad and sister came to me, and we talked about the caregivers act. Traumatic brain injuries, as we know, are one of the signature casualties of the wars in Iraq and Afghanistan.

In 2005, Eric Edmundson was a 26-year-old Army sergeant. He survived a roadside blast but then went into cardiac arrest while awaiting transport to a military hospital. His brain was deprived of oxygen for almost 30 minutes. Doctors told his parents that Eric would spend the rest of his life in a vegetative state, and they should choose a nursing home for their 26-year-old son. But Eric's mom and dad said, no, we are not giving up on this young man. They fought for Eric to be transferred to the Rehabilitation Institute of Chicago, one of the best—in fact, the same hospital that my colleague Senator MARK KIRK has been returning to time and time again for rehabilitation from his stroke.

I visited Eric at that hospital several times. He worked so hard to heal and to make progress and his family was with him every day. I will never forget the time I visited Eric in his hospital room in Chicago and his mom said, Eric has a gift for you. I thought, wait a minute, Eric is giving me a gift, at which point his mom and dad walked over on each side of his wheelchair, grabbed one of his elbows each, lifted him up, and Eric took three steps. It was amazing. There wasn't a dry eye in that hospital room, tears of joy that

this young man finally could take a few steps.

His dad said at that time, In about a month Eric is going to walk out of the front door of this hospital. Can you be there? Of course I was. It was a proud day not only for Eric and his family but for all of us to see the dramatic progress he made.

Today Eric lives in North Carolina with his wife and two young children. His mom and dad are there by his side every day. They have moved in today to be full-time caregivers for their son, and the family caregivers act helps their family and so many others make sure that Eric is home with his family where he wants to be, receiving the kind of care he deserves for service to our country. So far more than 130 families in Illinois and more than 5,000 nationwide are part of the caregivers program. I am proud of that program. I thank Senator Clinton for a great idea. I thank Senator DANNY AKAKA, who was chairman of the Veterans' Affairs Committee when it passed as part of larger legislation.

Posttraumatic stress syndrome is another signature wound of these wars that we recently engaged in. These wounds aren't visible, but they are wounds to the spirit. They can be just as debilitating and deadly as a visible wound. We know that active-duty servicemembers are taking their own lives at alarming rates, and the suicide rate among veterans is even higher. The VA estimates that 18 veterans a day take their own lives. The VA has made heroic efforts to keep up with the surge of mental health needs in Iraq and Afghanistan veterans. Yet despite those efforts only a fraction of veterans with PTSD are receiving timely, effective care.

President Obama recently issued an Executive order to improve mental health care for servicemembers and veterans. The order will expand by 50 percent the capacity of the VA on their crisis line to make sure that any veteran facing a crisis can get professional help within 24 hours.

There is a bill pending in the Senate that would do even more. The Mental Health ACCESS Act introduced by Senator PATTY MURRAY, who has been an amazing champion of veterans—she is the daughter of a severely wounded veteran, and a fierce champion for veterans and their families—the Mental Health ACCESS Act, which I am proud to cosponsor, would make comprehensive improvements in VA suicide prevention counseling and mental health staffing. It would also expand eligibility for a variety of VA health and mental health services to family members, which are so important. We also need to step forward as well and make sure that we go beyond welcoming home parades for veterans and find them a job. Parades are just fine, but if you really want to support a veteran, hire that veteran. Give that veteran a job. America's military today is the best trained, best educated in the his-

tory of the world. They have done an enormously good job for our country, and they can do the same for businesses across America.

I hope the bipartisan plan which we are working on with Senator BILL NELSON of Florida to pass will be enacted soon and become part of the law of the land to help these veterans. The President is prepared to sign it, and the sooner we do it the better.

Let me salute some of the veterans in the Senate who are here: Senator FRANK LAUTENBERG, who served in World War II; Senator DANNY INOUE, a Medal of Honor recipient from World War II; Senator JOHN MCCAIN, Senator TOM CARPER, Senator KERRY, and the Presiding Officer, Senator JIM WEBB, both of whom served with honor in Vietnam, as well as Senator LINDSEY GRAHAM, who continues to serve as a colonel in the Air Force Reserve; and my colleague Senator MARK KIRK, who is a commander in the Navy Reserve. And not to leave out Senators AKAKA, BINGAMAN, BLUMENTHAL, SCOTT BROWN, CARPER, COATS, COCHRAN, ENZI, HARKIN, INHOFE, ISAKSON, TIM JOHNSON, KOHL, LUGAR, BILL NELSON, REED, ROBERTS, SESSIONS, and WICKER.

The elections earlier this month saw at least 9 new veterans of Iraq and Afghanistan elected to Congress, bringing the total of new veterans in the next Congress to at least 16. They are still counting the ballots in some States.

The people of Illinois are proud that 3 of those 16 veterans are from our State: Congressman ADAM KINZINGER, an Air Force veteran of Iraq and Afghanistan, and two exceptional leaders who will join the next Congress, Bill Enyart, a new Congressman from downstate Illinois, a veteran of Vietnam and former adjutant general of the Illinois National Guard. Then, of course, my friend, my "sheroe," Tammy Duckworth. She is the daughter of a Vietnam vet and one of the first women to ever fly a combat mission in Iraq. She was copiloting a Black Hawk helicopter when an RPG struck her helicopter. She lost both her legs and the use of her right arm. She has worked in both State and Federal Government on behalf of veterans. What a proud day it will be for America when Tammy stands to take the oath of office in just a few weeks as the newest member of the U.S. House of Representatives.

I want to say a word about my first boss in the Senate, another veteran by the name of Paul Douglas, a man who at the age of 50 enlisted in the Marine Corps in 1942, went through Parris Island training, talked himself into combat, where he was wounded at Peliliu and then more seriously wounded at Okinawa and lost the use of his left arm. He was an extraordinary man who refused to take his veterans' disability pay. He sent his checks back to the government every single month. He joked that you could do the work of a Senator with one arm tied behind your back, so it wasn't really fair for him to

take disability pay for too long. In too many issues we in the Senate have tied our own hands with excessive rancor and bipartisanship.

I hope in this lameduck session and beyond, that at least on the issue of helping our veterans, we can come together on a bipartisan basis.

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, it was 101 years ago when my grandmother came to this country with three small children and landed in Baltimore from Lithuania, and came down the steps into America for the first time. The year was 1911. I don't know how my grandmother managed to navigate her way to East Saint Louis, IL, to meet my grandfather with those three little kids and not speaking a word of English, but she did. So it is with some pride that I have displayed in my office right behind my desk my mother's naturalization certificate when she became a citizen of the United States.

I think the fact that her son became a U.S. Senator tells a great story about our Nation and the opportunity that is available.

I have always had a soft spot in my heart for immigrants because I am the proud son of an immigrant who came to this country and worked her way into citizenship and raised a good family. Our story is not unique. It is, in fact, the American story. And this election has really brought to the attention of many the need for us to deal with immigration reform. There are more than 10 million Americans out there who are undocumented, uncertain of their future. Some people mistakenly believe they live in homes full of undocumented people. In most cases, we find that four out of the five in a family are legally here in America and the fifth—maybe even mom—is undocumented. So it is a challenge for us to deal with these folks who have been here for so long in a fair and honest way. We can't turn our backs on them.

One can go into a restaurant or hotel in Chicago and by and large find many of these individuals working to clean the rooms and clear the tables. A family who has someone in a nursing home probably has an undocumented worker who is making sure their mother or father or someone they love has the basics they need every single day. So we need a realistic and reasonable approach to address the millions of undocumented immigrants living in America today.

In this year's election, the Republican Presidential nominee advocated what he called "self-deportation." It doesn't make any sense. It would be wrong to force millions of hard-working immigrants who are contributing to our country to leave. Instead, we need a better solution—a path to citizenship for immigrants who will earn their way into that status by working hard, paying their taxes, learning English, and being a part of America's future. The American people agree. According to exit polls from last week's

election, 65 percent of Americans—64 percent of Independents, 51 percent of Republicans—said that most undocumented immigrants working in the United States should be given a chance to apply for legal status, and 29 percent disagreed.

In my time in the Senate, I have had the opportunity to be involved in several bipartisan efforts to pass immigration reform. On the Democratic side, the late Senator Ted Kennedy was our leader, and Senator JOHN MCCAIN took the lead on the Republican side. President Barack Obama, then a Senator, was part of that effort. Unfortunately, we haven't moved forward since those days.

There is one part of immigration reform that is very important to me personally. It is known as the DREAM Act. Eleven years ago I introduced this legislation for the first time. It would allow a select group of immigrant students with great potential to contribute to this country. The DREAM Act would give these students a chance to earn their way to citizenship if they came to the United States as children, have good moral character, graduate from high school, and complete at least 2 years of college or serve in our military. Now, these young people grew up in America, and they have overcome great obstacles. They went to school with many of our own kids, and they are valedictorians, star athletes, and leaders in the ROTC. They are our future doctors, engineers, and teachers who will make America stronger. Why would we want to educate them and then lose their talents for the future of our country?

Last month a new report from the Center for American Progress and the bipartisan Partnership for a New American Economy concluded that passage of the DREAM Act would add \$329 billion to our economy and create 1.4 million new jobs by 2030. In my home State of Illinois, by 2030 the DREAM Act would contribute \$14 billion to the economy and DREAMers would create up to 58,000 new jobs, generating \$461 million in tax revenue.

The young people who would be eligible for the DREAM Act call themselves DREAMers. Like the civil rights activists of past generations, they speak out. Now they are telling us their stories. I have been coming to the floor almost every week in the Senate to tell the story of another DREAM Act student. It is the best way for people to understand who they are.

I want to talk about Carlos Martinez today. Carlos and his brother were brought to the United States in 1991 when Carlos was 9 years old. When Carlos came to this country, he didn't speak a word of English. His father told him, "Estudien para que no batallen en la vida como yo." Translated, it means, "Study, so you don't struggle in life like I have." That was the advice he received from his dad, and Carlos took it to heart. At Cholla High School in Tucson, AZ, Carlos graduated ninth in his

class. He enrolled at the University of Arizona. He had never owned a computer before he went to school, but he loved math and dreamed of being a computer engineer. Four years later, in 2003, Carlos graduated with a bachelor of science degree in computer engineering, with minors in computer science, electrical engineering, mathematics, and Spanish. He was named the top Hispanic graduate in his class at the University of Arizona.

After Carlos graduated, reality set in. He received job offers from Intel, IBM, and a lot of top tech companies, but he couldn't work for them because he is undocumented. But Carlos didn't give up. He enrolled in a master's program for software systems engineering at the University of Arizona. He completed the 2½-year program in just a year and a half. He was nominated for the University of Arizona Graduate School Centennial Award, given to the school's top graduate student.

This is a hopeful time for DREAMers like Carlos. The Obama administration has granted temporary legal status to young people who would be eligible for the DREAM Act. The status—known as deferred action for childhood arrivals—will allow DREAMers to live and work legally in America, and they can renew it every 2 years. This will give these young immigrants the chance to come out of the shadows and be part of the only country they have ever really known. It is a historic moment in the long struggle for equal justice in America.

The administration's new deportation policy will make America stronger by giving the DREAMers a chance to be part of it. Carlos Martinez submitted his application on August 15, the very first day forms were available, and he was one of the first to receive deferred action for childhood arrivals. Thanks to President Obama's new policy, Carlos will finally be able to use his bachelor's and master's degree in computer engineering. He had to wait 7 years after receiving his master's degree, but the day has finally come when he will get his chance.

As soon as he received the notification, Carlos went to a career fair at his alma mater and handed out resumes to IBM, Intel, and the other tech companies that had tried to hire him years earlier. In a letter he wrote to me, Carlos said:

It was the best news of my life. Finally I would be able to work as a software engineer or own a business and create jobs.

According to recent polls, the American people clearly support the new DREAM Act policy. For example, a Bloomberg poll found that 64 percent of likely voters—including 66 percent of Independents—support the policy, compared to only 30 percent who oppose it. The American people understand it makes no sense to deport these talented young people. They grew up in America, and they can make us a better nation.

As America learns more about the DREAMers in our midst, such as Carlos

Martinez, who are ready to contribute their talents to getting our economy back on track, support will build for passing the DREAM Act and comprehensive immigration reform. President Obama has given temporary protection to DREAMers. Now let's pass the law. Let's do the right thing for people just like Carlos all over the United States.

Mr. President, I have listened carefully to some of the statements made after the elections by those on the other side of the aisle, many of whom have opposed the DREAM Act from the start, and I have been heartened and encouraged that so many are now speaking out in favorable terms about doing something finally for young people like Carlos. Let's get this done. This used to be a very bipartisan measure, but filibusters have stopped it year after year. We can pass it, and we should pass it. In 2007, the first time the DREAM Act came to a vote on the floor of the Senate, 52 Senators—a bipartisan majority—voted for it, but still the Republican filibuster stopped us. We didn't get the 60 votes we needed. Three years later, in December of 2010, the DREAM Act was again considered on the floor of the Senate. The gallery was filled with DREAMers in their caps and gowns. It was an inspiring sight to look up and see them in those seats. That day 55 Senators voted for the DREAM Act. It was a majority but not enough; we needed 60 to overcome another Republican filibuster. The President and the vast majority of Democrats continue to support the DREAM Act and comprehensive immigration reform.

Let me add that the DREAM Act is very important to me, but equally if not more important is comprehensive immigration reform to help not only Carlos but many like him—their parents and members of their family—who may not qualify under the DREAM Act but deserve a chance as well.

I believe most of my Republican colleagues understand that immigration is good for America. Immigration is America. We are all immigrants but for the Native Americans who welcomed to the shores the occupants of the Mayflower. Former President George W. Bush led the attempt to reform legislation, and he said, "Family values don't stop at the Rio Grande." I disagree with George W. Bush on many things, but on the issue of immigration, he was genuine and committed, and I agree with what he said. I have been heartened by comments from Speaker BOEHNER and others in the last week. I believe Democrats and Republicans of good will can come together across the aisle, roll up our sleeves, and do something good for America and fix our broken immigration system so that it is true to our American values as a nation of immigrants.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of H.R. 4114 and that the Senate proceed to its consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4114) to increase, effective as of December 1, 2012, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

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

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 4114) was ordered to a third reading, was read the third time, and passed.

SPORTSMEN'S ACT OF 2012— MOTION TO PROCEED—Continued

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

HONORING OUR ARMED FORCES

SERGEANT JASON M. SWINDLE

Mr. BOOZMAN. Mr. President, at a time when we are seeing reports of violence in areas all around the world, we must never forget that the men and women of the U.S. military are out there fighting on our behalf day in and day out so we can live in a safe environment here at home. Our servicemembers are well aware of the risks they face as they serve this Nation, and it is our duty to do all we can to honor those who fight and pay the ultimate price for our freedoms.

Today I am here to pay my respects to SGT Jason M. Swindle, an Arkansan who, at 24 years of age, laid down his life for our country while supporting Operation Enduring Freedom. Sergeant Swindle attended Cabot High School in Cabot, AR, and joined the Army in 2005. He was assigned to B Company, 1st Battalion, 64th Regiment, 3rd Infantry Division at Fort Stewart, GA. He was serving his third combat deployment. He was posthumously awarded the Bronze Star and a Purple Heart.

His family and friends describe him as being a fun-loving guy who was very patriotic and very proud of the work he was doing in the Army.

In addition to being a soldier, Sergeant Swindle was also a husband and a father. He leaves behind his wife

Chelsey, who is currently expecting their second child, and a 1-year-old son, Paxton.

Mr. President, it is people such as Jason Swindle who are the true American heroes. I ask my colleagues to keep his wife, children, and the rest of his family in their thoughts and prayers during this very difficult time. I humbly offer my sincerest gratitude to Jason for his selfless sacrifice in the service and defense of this great Nation.

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

Mr. MORAN. Mr. President, first I would like to add my condolences and sympathy to the family in honor of Sergeant Swindle. I appreciate what the Senator from Arkansas had to say, and I join all my colleagues in recognizing the sacrifice of this soldier and many others who have made such a tremendous sacrifice and have created opportunities for us as Americans.

GLOBAL ENTREPRENEURSHIP WEEK

Mr. President, we have just come through a divisive and expensive campaign. Hopefully that divisiveness and that expense is a thing of the past, and I come to the floor today—during Global Entrepreneurship Week—to ask my colleagues to now work together to pursue policies that are guaranteed to improve our economy. There have been too many opportunities in the past year to pursue issues and policies that divide us. Now we must come together around something that can unite us—entrepreneurship, innovation, and startup businesses.

The story of America is really a story of entrepreneurs. Our history is filled with examples of determined individuals who risked their livelihoods to pursue ideas they believed could solve problems and improve the quality of life of people around the world. These entrepreneurs built the foundation of the American economy from its earliest days, pushing forward innovative solutions to some of our most complex problems.

They pursued success, and that success built the American economy and the jobs it provides.

Entrepreneurs have continued to be the driving force in the U.S. economic growth and expansion in recent times as well. Data from the Kauffman Foundation shows that between 1980 and 2005, companies less than 5 years old accounted for nearly all new jobs created in the United States. Since 1977—the first year data was collected—new businesses have created an average of 3 million jobs each year.

At a time when millions of Americans remain out of work and our country is mired in debt, we need to do more to support the entrepreneurs who create American jobs and hold the promise of our growing economy.

Started in 2008 by the Kauffman Foundation, Global Entrepreneurship Week is a worldwide celebration of entrepreneurs and like-minded individuals. Since its founding, Global Entrepreneurship Week has grown to include