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No. 145

Senate

The Senate met at 2:30 p.m. and was called to order by the Honorable BERNARD SANDERS, a Senator from the State of Vermont.

PRAYER

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

Lord of life, as Senators deal with today's challenges, purge their hearts of anything that does not honor You. Remove from them the things that divide, uniting them in the common tasks of doing what is best for our Nation and world. When they are tempted to doubt, steady their faith. When they feel despair, infuse them with Your hope. When they do not know what to do, open their minds to a wisdom that can change and shape our times according to Your plan. Lord, empower them to trust You more fully, live for You more completely, and serve You more willingly. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BERNARD SANDERS led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 14, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BERNARD SANDERS, a

Senator from the State of Vermont, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 419, S. 3254, the Defense Department authorization bill.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

Motion to proceed to the bill (S. 3254) to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, the next hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans the second half.

The filing deadline for first-degree amendments to the Sportsmen's bill is 4 o'clock today. We are trying to work on an agreement with the Republicans to vote on the Sportsmen's bill and cyber security and have a path forward on the Defense authorization bill. We hope to have an agreement in the next couple of hours.

SENATOR GRASSLEY'S 11,000TH VOTE

Mr. REID. Mr. President, I rise today to honor my colleague CHUCK GRASSLEY on the occasion of his 11,000th vote.

Senator GRASSLEY has cast more than 6,400 consecutive votes—more consecutive votes than any Senators currently holding office in the Senate. This is truly a remarkable accomplishment that speaks to his dedication.

I know he considers it a sign of respect for his constituents and for the Senate. Senator GRASSLEY is a farmer, assembly line worker, who served in the Iowa State legislature and was elected to the House of Representatives here in Washington in 1974 and to the Senate in 1980.

Senator GRASSLEY learned the value of hard work early on the family farm. Today his son runs that farm but CHUCK still dedicates himself to working on the farm on many occasions, and then after that comes back to Washington.

As ranking member of the Judiciary Committee and past chairman of the Finance Committee, Senator GRASSLEY also takes his constitutional oversight responsibilities very seriously. He has long worked to make the judicial branch more open and transparent. To that end he has sponsored a bill to allow cameras in the courtroom and proposed creating the post of inspector general. He has been one of the most ardent protectors of whistleblowers. As a member of the Agriculture Committee, Senator GRASSLEY brings real-world experience from his Iowa farm to be an advocate for American farmers in Washington.

Even when Senator GRASSLEY and I do not agree on issues, I believe we always have the greatest respect for each other. I know I do for him and I feel confident he does of me. He is a principled, dedicated lawmaker and a genuine person.

One little side note. I came to the Senate and was elected in 1986, so early in 1987 I gave my maiden speech here in the Senate. It was on the Taxpayer Bill of Rights, something I tried to accomplish in the House but, frankly, I did not get to first base. That is an understatement. They paid no attention to

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



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me. So when I came here, that was my speech. I was way back there by the candy drawer.

I gave a speech on the Taxpayer Bill of Rights. The Presiding Officer was David Pryor from Arkansas. He was the chair on the subcommittee dealing with the IRS and finance. Senator GRASSLEY was listening to my speech in his office. Senator Pryor sent me a note when I finished that he had written while he was presiding, saying: I really like your legislation. I want to work with you to get it passed. I was stunned. One of the most senior Members of the Senate was interested in what I had to say. In the House, I repeat, they would not listen to me. I tried to talk to the chairman of that subcommittee. He would not even do a meeting with me. I still remember his name. I am not going to mention it.

Senator GRASSLEY contacted me and said: I want to work on this legislation. They worked with me. My first year in the Senate we passed the historic Taxpayer Bill of Rights to make the taxpayer a little more equal to the tax collector. It was landmark legislation. It would never have happened but for Senator GRASSLEY. So I admire what he has done for America in many different ways but certainly in that manner.

I know my friend, the Republican leader, is going to speak about Senator GRASSLEY. I explained to his staff I have to run to another meeting so I have a couple of minutes of things to say that I think are important.

RIISING ABOVE PARTISANSHIP

The work before us in these waning days of this Congress represents a test of our character, that of this body, a test of our willingness to rise above partisanship for the good of this great Nation.

Although I was disappointed that the Senate was unable to vote on final passage of Senator TESTER's Sportsmen's package, I hold fast to my optimism that we can pass that. We have a great deal to accomplish during the next 6 weeks to safeguard our country's financial health and protect middle-class families. But we will not complete anything without bipartisan cooperation. As Senate Majority Leader George Mitchell once said, "Bipartisanship means you work together to work it out."

So I hope to see that type of cooperation on display when the Senate votes to reconsider the stalled cyber security legislation. If we can work together to address these two issues, the Sportsmen's package and cyber security, it will set a tone of cooperation that could characterize the remainder of this Congress and next Congress as well.

National security experts say there is no issue facing this Nation more pressing than the threat of cyber attack on our critical infrastructure. Terrorists bent on harming the United States can all too easily devastate our power grid, our banking system, and our nuclear

plants. A bipartisan group of Senators has worked for 3 years to craft legislation that would do just that. Yet Republicans filibustered this worthy measure in July. It is imperative that Democrats and Republicans work together to address what the national security experts have called "the most serious challenge to our national security since the onset of the nuclear age sixty years ago."

So I found it encouraging when a number of my Republican colleagues—Senators MCCAIN, HUTCHISON, KYL, CHAMBLISS, COATS, and BLUNT—recently wrote President Obama advocating legislative action on cyber security.

They wrote:

An issue as far reaching and complicated as cyber security requires . . . formal consideration and approval by Congress . . . Only the legislative process can create the durable and collaborative public-private partnership we need to enhance our cyber security.

Senator LIEBERMAN, the chairman, and ranking member COLLINS have worked their hearts out. They have compromised with these people and many others to have a bill that is now before us. This group of Senators that I have just named say they remain committed to the legislative process. Today they have an opportunity to demonstrate that commitment. On several occasions since Republicans filibustered the cyber security bill this summer, I have asked my colleagues to bring me a list of amendments they wish to debate. As we consider this legislation today, they have yet another opportunity to do so. They can show their commitment to the cyber security threat by advancing this worthy measure and moving forward with a productive debate on the issue. This is yet another opportunity for this Congress to prove it can cooperate and compromise when it matters most. But it will not be our last opportunity.

Before the end of the year, we must craft a balanced agreement to reduce the deficit and protect middle-class families from a tax hike. As cyber terrorism represents a serious threat to our national security, so the looming fiscal cliff represents a serious threat to our economic security.

I am heartened to see that a number of Republicans, including a number of prominent conservatives, have opened the door to a balanced agreement. Bill Kristol, a leading conservative commentator, said:

It won't kill the country if we raise taxes a little bit on millionaires. It really won't.

That is what he said. And Glenn Hubbard, an adviser to the Romney campaign, and an adviser to the last President Bush, conceded that any agreement must include revenue increases.

It is simple math. To protect the middle class, it will be necessary to ask millionaires and billionaires to contribute a little more as we work to reduce the deficit. Democrats understand we will not get everything we want from a bipartisan accord, but Repub-

licans should realize they will not get everything they want either. They should not prevent us, as my esteemed predecessor said, from working together to work it out. That was Senator Mitchell.

RECOGNITION OF THE MINORITY LEADER

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

SENATOR GRASSLEY'S 11,000TH VOTE

Mr. MCCONNELL. Our good friend from Iowa, Senator GRASSLEY, has cast his 11,000th vote. Since the founding of the Republic, only 2,000 men and women have served in the Senate. Only 23 have cast more votes than CHUCK GRASSLEY. No other current Senator has gone as long as he has without missing a single vote. He has not missed a vote in 19 years.

This year, Senator GRASSLEY marks 54 years of public service to the people of the Hawkeye State. While some Members of Congress have a tendency to lose touch with their constituents, CHUCK GRASSLEY has always worked hard to make sure he never did that. He has made it his business to stay connected to the folks back home by holding at least one townhall meeting a year in all of Iowa's 99 counties, and by responding to every letter, postcard, e-mail, or phone call. Of course, we are all familiar with his tweets. Much like the Senator himself, they are truly one of a kind.

Senator GRASSLEY also stays close to the land by working his family farm. He does that even while keeping up his duties here in Washington. He may be a U.S. Senator, but he has always preferred to be known as "a farmer from Butler County." Visitors to the Grassley farm say it is not uncommon to see Senator GRASSLEY pulling a cell phone out from under his baseball cap while riding on his tractor.

Over the years, CHUCK GRASSLEY has distinguished himself by his tenacity and his commitment to the public interest. His first major legislative achievement was the passage of the Federal False Claims Act, which over the years has saved taxpayers more than \$17 billion. As chairman of the Finance Committee, he led bipartisan bills through Congress that cut taxes by \$2 trillion, leaving more money in the pockets of hard-working Americans.

Senator GRASSLEY has a lot to be proud of in his career. He and Barbara are also rightly proud of their 58 years of marriage. They have five children, and many, many grandchildren. He has been a farmer, a father, a government watchdog, a steward of the Nation's finances; in short, he is a real statesman. The Senate would not be the same without him. The Nation, I firmly believe, would be a lot worse off without the remarkable service of Senator CHUCK GRASSLEY.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I listened to the speeches of the majority

leader and the Republican leader. I would like to add my statement of congratulations to my longtime friend Senator GRASSLEY for reaching this milestone of 11,000 votes in the U.S. Senate and to our State of Iowa and to our Nation.

Senator GRASSLEY and I were elected the same year, sworn in the same day of January 1975, although he preceded me to come to the Senate by 4 years, but I can say without any fear of contradiction that Senator GRASSLEY and I have had a wonderful working relationship. Obviously, anyone who knows our records knows we don't always agree on things all the time, and that is the way it ought to be around here; we have good debates, but we have always been friends.

The one thing I also know is that we have always worked together for the betterment of our State of Iowa. I think politics tends to end at that doorstep, and when it comes to Iowa, what is good for our State, we have always worked very closely. We have always had a great camaraderie, and our staffs have worked together very closely over the years. So, again, I wish to commend the senior Senator from the State of Iowa.

I now have the distinction of being the most senior junior Senator in the Senate. It used to be Fritz Hollings for years. Now I am the most senior junior Senator, and I couldn't ask for a better colleague and a better friend on that side of the aisle from the State of Iowa than Senator CHUCK GRASSLEY. I congratulate him on reaching this milestone.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have been here as a colleague in the Senate during those 11,000 votes. I don't want to ruin his reputation back home, but we have a significant number of those votes where he and I voted the same way, and, of course, he and I sit together or sit side by side on the Senate Judiciary Committee, and I congratulate him. These are milestones worth being noted.

Senator GRASSLEY and his wife Barbara are friends of Marcelle's and mine, and I congratulate him. His wife Barbara was kind enough both to recommend my wife for a cancer awareness award and then to introduce it just before we recessed. It has been that kind of relationship. Those of us who live in rural areas, as the distinguished Presiding Officer knows, acquire certain bonds, so I applaud the Senator.

Mr. GRASSLEY. Mr. President, I wish to thank several of my colleagues who have recognized me for casting my 11,000th vote yesterday. I want to acknowledge the fine things Senator REID, the majority leader, said, Senator MCCONNELL, the Republican leader, Senator STABENOW, Senator HARKIN, and Senator LEAHY, and I wanted them to know I appreciate very much the recognition they brought. I hope it is

nothing special, because I believe I am just exhibiting the work ethic of Iowans generally, who work very hard.

RESERVATION OF LEADER TIME

Mr. LEAHY. Mr. President, I have another subject, if I might. Incidentally, what is the parliamentary situation?

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the following hour will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

Mr. LEAHY. Mr. President, I will take from the majority side.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. LEAHY. As we all know, Congress is now back from an extended recess. When we left, there were a number of significant items pending either on the floor of the House or on the floor of the Senate. Yesterday I spoke about one major piece of legislation we passed here in the Senate by an overwhelmingly bipartisan vote, and that was the farm bill. It has, of course, implications to a State such as Vermont but also to every single State in this country. It has everything from milk price supports to drought and disaster relief. This was a bipartisan vote strongly supported by Democrats and Republicans alike. It has been stalled in the House, and I hope, now that the election is over, they can bring it up and pass it.

But there is another urgently needed piece of legislation that we have passed here in the Senate, and it is time to pass it in the House. I know we have issues such as disaster relief for the victims of Hurricane Sandy. We should do that. We have the fiscal cliff that threatens our economy. That is extremely important. We should have confirmation votes on scores of judicial nominees. We have 19 of them pending on the floor. All of that is important. All of these things can be done in the time remaining for us. But one of the important legislative priorities is the VAWA, the Violence Against Women Reauthorization Act. I wrote the bill with Republican MIKE CRAPO of Idaho. This was and is a bipartisan piece of legislation. It won the support of all the women Senators in this body, Republican and Democratic alike. It passed by an overwhelming margin in this body. The distinguished Presiding Officer was a strong supporter of it. This Senate-passed bill deserves to be on our short list of priorities for the rest of the year.

I was pleased to see that the President and Speaker BOEHNER have indicated a willingness to work toward a bipartisan solution to avoid the fiscal cliff. But on VAWA, the Violence Against Women Reauthorization Act, the time for posturing has long passed.

Congress has failed to pass the bipartisan Violence Against Women Reauthorization Act. It passed the Senate with 68 votes more than 200 days ago. We need to take it up and pass it in the House.

I am committed to ensuring that VAWA addresses the changing needs of all victims. I stand ready, as I have from the start, to work with all Members of both parties. I look forward to hearing from the Republican leaders in the House and to seeing this important measure enacted.

You know, both parties could have celebrated the passage of yet another bipartisan VAWA reauthorization bill after the Senate's convincing vote in April. There have been a lot of victims since April. They could be receiving the critical protections included in the Senate-passed VAWA reauthorization bill.

In the month since the Senate passed the Leahy-Crapo bill, we have been reminded of the importance of VAWA. I will give you a couple of examples. Let me tell you, these are very grim stories. But let me tell you some very grim stories about what is happening.

In Wisconsin, a gunman opened fire in a Milwaukee-area spa. He wounded four people and he killed three people, including his estranged wife. The Republican Governor of Wisconsin called for tougher domestic violence laws because the gunman had previously abused his estranged wife. The Leahy-Crapo bill will strengthen the ability of States and service providers to identify domestic violence cases with a significant risk of homicide and take effective steps to protect potential victims.

In another case, an Amherst, MA, college student who was raped by a classmate bravely stepped forward in the pages of her school newspaper to describe the lack of response from the school administration. That young student—she is not alone by any means—along with countless others like her, deserves attentive and respectful treatment in the wake of such a heinous act of sexual violence. Our bill would encourage such a response with new campus protections.

If we don't take congressional action, these and other crucial new protections in the Leahy-Crapo bill will not be able to help victims and prevent crimes nationwide. These recent events remind us that innocent lives are on the line when it comes to domestic and sexual violence. These victims of rape and domestic violence cannot wait. It is unacceptable to delay these protections. I was astounded to hear that some of the objections in the House were because we covered all women—all women—in the act, immigrants, gays, straight, Native Americans, whoever it might be.

Mr. President, I still have nightmares about some of the crime scenes I went to as a young prosecutor in Vermont at 2 and 3 o'clock in the morning. I remember seeing the battered bodies of victims, battered and

bloodied bodies of victims. I never remember a police officer there saying: Wait a minute, we have to find out whether this victim is gay or straight, whether this victim is an undocumented immigrant or a Native American. We have to determine that before we can decide whether we are going to do anything. The distinguished Presiding Officer was mayor of our Queen City of Burlington. He never would have allowed any member of the police force in that city to pick and choose. None of us would.

So let's face up to reality. Let's stop saying we can't pass this bipartisan bill because we have to limit it and we have to pick and choose who are victims. I have said it over and over again on this floor: A victim is a victim is a victim. So let's come together. Let's send the bipartisan Leahy-Crapo bill to the President without further delay. Let's stop the deaths, the beatings, and the rapes that are occurring. How many of us could pick up an article in the paper and read of one of these things and not be shocked? Every one of us, as a Member of Congress, has the ability to do something to stop this. This is an easy bill to pass. It passed by a wide, strong, bipartisan effort here in the Senate. Let's just take it up, call a vote in the House on it.

I have heard from enough Republicans and Democrats in the House of Representatives. If this bill came up for a vote, it would pass. I think it is slamming the door in the faces of people who might be abused if we don't bring it back.

Mr. President, I see the distinguished chair of the Senate Agriculture Committee on the floor, and, as I mentioned earlier, just a few minutes ago and yesterday, her leadership brought about one of the most sweeping, cost-saving, best 5-year farm bills this body has passed.

I yield the floor.

THE ACTING PRESIDENT pro tempore. The Senator from Michigan.

THE FARM BILL

Ms. STABENOW. Thank you, Mr. President, and thank you to the former chair of the Agriculture Committee and a very distinguished Member who leads in so many areas, whether it is our dairy producers, whether it is organic farmers, whether it is nutrition entitlement. We wouldn't have the 5-year farm bill that we passed in the Senate without Senator LEAHY's leadership. So his words are very kind, but I am very appreciative of all he has done.

I so much appreciate our senior Senator from Vermont coming to the floor and speaking out about the need to get a farm bill done. That is why I am here today as well—to echo the Senator's words from yesterday and today. We need to get it done, as we all know. We have seen 45 days since the farm bill expired, and there is absolutely no reason whatsoever not to get this done.

Before speaking about that, though, let me also thank our chairman from

the Judiciary Committee for his words about the Violence Against Women Act because every victim of crime, every victim of domestic violence needs to be covered under this law. I am very grateful for all the Senator has done to make sure all victims are covered, and that is another bill that needs to get passed in the House of Representatives.

In talking about the farm bill, I also want to say congratulations to another distinguished member of my committee, Senator GRASSLEY, for his 11,000th vote, which he cast last night. I know Senator HARKIN was here on the floor as well speaking about that—two incredibly talented members of the Agriculture Committee. I wish to congratulate Senator GRASSLEY, who has been a real champion and leader on the reforms that are in our bill—really some historic reforms in the bill. He has led that effort, and I congratulate him as he has reached a very important milestone.

Farming is the riskiest business in the world, and this year it is even riskier. I believe that because of what is happening with climate change, it will be even more risky in the future. It is incredibly important that we step up and get a farm bill that gives our farmers the tools they need to manage their risks.

In the spring, we experienced late freezes that wiped out fruit crops in a number of States, including in Michigan, where our cherry growers were just about wiped out and currently have no access to crop insurance, although part of our farm bill is creating a path for them. We are very pleased to be creating a path for them to have crop insurance, but it was devastating in the spring.

Then this summer there were record-breaking droughts that left crops withering in the fields, and in our bill we address issues of drought for lifestyle producers, which is incredibly important and, by the way, fully paid for by the savings of our bill.

Then we saw Hurricane Isaac flood croplands, and Hurricane Sandy has caused destruction like nothing we could have imagined.

In a year when there were so many reminders of the need for risk management for our farmers, there is absolutely no excuse not to finish the job and get a farm bill done by the end of this year. I am optimistic we are going to be able to do that.

I hope my colleagues will remember how we came together in June to pass the bipartisan Agriculture Reform, Food and Jobs Act in the Senate. I thank my ranking member and colleague Senator ROBERTS for his leadership in this effort. We truly did this together, working across the aisle, listening to all the Members of the Senate. As you know, we eliminated 100 different programs and authorizations that did not make sense anymore or were duplicating something else. We streamlined programs to make them work better for farmers and ranchers

and we saved taxpayer money and cut \$23 billion in spending.

At this time, when we are looking at coming up with a way to reduce the deficit and put us on a path for balancing the budget, I cannot imagine why we would not want to take the savings from our bipartisan farm bill and include that in this much needed agreement that we need to come to by the end of the year.

This was not only a bipartisan effort but, because it was deficit reduction, it is one of the few deficit reduction bills—maybe the only one—we actually have passed this year, and we need to make sure it gets all the way to the finish line. We cannot afford to walk away from the reforms in this bill. We cannot afford to walk away from our dairy farmers who are right now operating without any kind of safety net. The current policy does not work for them so just extending that makes no sense. It is a disaster waiting to happen. We cannot afford to walk away from our dairy farmers.

We cannot afford to walk away from livestock producers who need the permanent disaster assistance we passed in the Senate farm bill. By the way, it is in the House bill that came out of committee. That is also bipartisan.

We cannot afford to walk away from the critical priorities in conservation of our land, air, and water, of energy, not only of biofuels but the new jobs available in bio-based manufacturing, which I am seeing happen in Michigan as well as all across the country. We cannot afford to walk away from support for our specialty crop growers, fruit and vegetable growers, so important for our families' health and for the economic strength of our country as well. Also, as to forestry and nutrition, which affects so many families and so many children in schools, we cannot afford to walk away from important funding and policy reforms in each one of these areas.

We just need to get this done. This is not rocket science; it is a matter of making it a priority and spending a little bit of time and getting it done. Voters in the election made one thing very clear. They want bipartisanship. They want us to work together as we have done in the Senate, both in the Agriculture Committee and on the floor, to be able to get a 5-year farm bill. They want us to simply get things done. The House of Representatives has a chance now to follow our lead, to pass a bipartisan bill that reforms agricultural programs, that cuts the deficit, ends direct payments and other unnecessary subsidies, and gives farmers the risk management tools they desperately need going forward.

Everywhere I go I hear from farmers who say they need us to get this done. They get up early in the morning. They work hard all day. They come home late. When there is work to be done, they do it. They have to do it. They do not put it off until another day for whatever excuse. They do what has to

be done, and they expect us to do what has to be done.

Now we are 45 days past the expiration of the last farm bill. We are looking at January and beyond when a series of changes will happen automatically unless we pass a new bill. It will be very difficult on a number of fronts. We could see chaos in the markets and confusion for farmers as we revert back to what is called permanent law, which is a collection of policies from the Depression era. They are poorly suited to the way agriculture is done today. Again, it makes no sense.

We cannot let this happen. There is no excuse for not getting the bill done by the end of the year. We have done it in the Senate when everyone said it was impossible. We put the votes together in just a couple days, with 73 amendments and went through and voted on every single one of them. Then we voted to pass the bill and got the job done. Now it is time for our House colleagues to do the same. I am looking forward to working with the leadership of the House Agriculture Committee. I have great confidence that we can sit down together and produce a final bill to bring back to the Senate that will allow us to get this done before the end of the year.

Now is the time to do it. I urge our House colleagues to put this on the top of their list.

THE PRESIDING OFFICER (Mr. MERKLEY). The Senator from Vermont.

DEFICIT REDUCTION AND SOCIAL SECURITY

Mr. SANDERS. Mr. President, I think the American people and Members of Congress, now that the election is over, are paying a great deal of attention to the so-called fiscal cliff and to deficit reduction in general. As we discuss deficit reduction, which is clearly a major issue for our country, it is important for us to remember how we got to where we are today. Where we are today is approximately a \$1 trillion deficit and a \$16 trillion national debt. I hope everyone does remember that back in January 2001, when Bill Clinton left office and George Bush assumed the Presidency, at that moment in history this country had a \$236 billion surplus and economists were projecting that surplus would grow and grow in the future.

The reason, to a very significant degree, that we are where we are today in terms of the deficit has everything to do with the fact that we went to war in Iraq and Afghanistan, but we did not pay for those wars—which, by the way, by the time we take care of our last veteran, will cost us more than \$3 trillion. When we do not pay for expensive wars, we add to the deficit.

When we give out a huge amount in tax breaks, as we did under the Bush administration, and a lot of those tax breaks went to the wealthiest people in this country—when we give tax breaks to millionaires and billionaires and we do not offset them, we also add to the deficit. When we pass a Medicare Part D prescription drug program written

by the insurance companies—more expensive than it should be—and we do not pay for that, we add to the deficit.

In the midst of this Wall Street-caused recession, one of the points many people have not seen is that today, at 15.2 percent of our GDP, revenue is the lowest it has been in 60 years. When workers lose their jobs and businesses go under, less revenue comes into the Federal Government, adding to our deficit crisis. That, to a significant degree, is why we are where we are today.

When we talk about deficit reduction and how we go forward, there is another reality we have to address; that is, the middle class of this country is disappearing. Not only is unemployment, in real terms, close to 15 percent, but median family income in the last 10 years has gone down by over \$3,000.

Meanwhile, in the midst of all that, we have the most unequal distribution of wealth and income of any major country on Earth. We have the top 1 percent owning 42 percent of the wealth in America while the bottom 60 percent owns just 2.3 percent. In the last study we have seen on income distribution, between 2009 and 2010, 93 percent of all new income went to the top 1 percent and the bottom 99 percent shared the remaining 7 percent. We are seeing a disappearing middle class—people on top doing fantastically well and very high rates of poverty.

I say all that as a prelude to suggest how we should go forward in terms of deficit reduction. The main point I wish to make is it is absolutely wrong, it is immoral in my view, and it is bad economics to move forward on deficit reduction on the backs of the elderly, the children, the sick and the poor. What we as a Congress have to do is to make several points very clear.

There are a number of folks out there talking about cutting Social Security. Let's get the facts straight. Social Security has nothing to do with the deficit because it is independently funded by the payroll tax. Let me quote maybe an unlikely source on that issue; that is, on October 7, 1984, President Ronald Reagan said:

Social Security has nothing to do with the deficit. Social Security is totally funded by the payroll tax levied on employer and employee. If you reduce the outgo of Social Security that money would not go into the general fund to reduce the deficit. It would go into the Social Security trust fund. So Social Security has nothing to do with balancing a budget or erasing or lowering the deficit.

That ends the quote from President Ronald Reagan, October 7, 1984. I do not often agree with Ronald Reagan, but he was absolutely right.

I am very pleased that just a few days ago majority leader HARRY REID said pretty much the same thing: Don't mess with Social Security. It has nothing to do with deficit reduction. I hope very much that the Senate will agree that as we go forward on deficit reduction, Social Security should be off the table.

Many of us want to make sure Social Security is solvent for the next 75 years. How do we do it? I have ideas. Others have different ideas. But it is not part of deficit reduction.

In my view, at a time of great recession, when so many people are hurting, we must not cut Medicare. We must not cut Medicaid. There are ways to do deficit reduction which are fair. Let me suggest some of the ways we should do it.

The President has been very clear. This is what he campaigned on; that it makes no sense at all from an economic or moral perspective that we continue Bush's tax breaks for the top 2 percent, people who are making \$250,000 a year or more. If we end those tax breaks, that is \$1 trillion going to deficit reduction.

Right now, one out of four profitable corporations in this country, including corporations that make billions of dollars a year, is paying nothing in taxes. Some of them have actually gotten a rebate from the IRS. Before we talk about cutting Medicare, Medicaid or education, let's make sure we do away with the loopholes many large, profitable corporations are currently experiencing.

One of the particularly outrageous examples of tax avoidance that is taking place right now has to do with the tax havens that exist in the Cayman Islands, Bermuda, and in other countries. There are estimates that we are losing over \$100 billion a year because corporations and wealthy individuals, instead of paying their Federal taxes to this country, are stashing their money in tax havens in other countries. That is wrong. That is an issue we must address.

Last, when we talk about deficit reduction, we have to remember we have tripled defense spending since 1997. We now spend as much money on defense—or almost as much—as the rest of the world combined. No one disagrees that there is enormous waste, bureaucracy, and unnecessary weapons systems in the Defense Department that we can eliminate while we maintain the strongest defense in the world.

Let me conclude by saying this: Yes, we have to go forward with deficit reduction but, no, we cannot and must not do it on the backs of the elderly, the children, the sick, and the poor. There are ways to do it that are fair which ask those people who are doing phenomenally well to start paying their fair share of taxes, and that is the position this Senate should take.

Thank you very much, Mr. President, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

(The remarks of Mr. MCCAIN, Mr. GRAHAM, and Ms. AYOTTE pertaining to

the submission of S. Res. 594 are printed in today's RECORD under "Submitted Resolutions.")

Mr. McCAIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Senate reconvenes this week here in Washington, many States are still working to clean up the wreckage left behind by Hurricane Sandy, the largest Atlantic hurricane on record, and the States are already making new preparations to protect against future extreme weather events.

Hurricane Sandy will be remembered both for the large area it affected and for the devastation wrought by its fierce winds and massive storm surge—more than 100 lives lost, 8.5 million homes and businesses without power, \$20 billion in property damage, and possibly another \$30 billion in lost business. Hurricane Sandy was no doubt an extreme weather event and she is likely to be the second costliest Atlantic storm in U.S. history at more than \$50 billion.

Sandy slammed into the east coast, causing destruction from the Mid-Atlantic up through New England. The States of New Jersey and New York were hit especially hard, and our thoughts and prayers and our promise of prompt and meaningful support go out to all of those affected across the region.

In my home State of Rhode Island, moderate to major flooding occurred along the entire southern coastline, with some areas experiencing severe erosion and destruction.

Houses were swept off their foundations in our southern coast communities such as Matunuck, shown in this photo I have in the Chamber. As shown in this picture, here is our former colleague in the Senate, now Governor Chafee, inspecting the interior of a house with its front having been washed off. And you can see the neighboring cottage that is in the ocean. Other small cottages have been actually destroyed by the ocean in that location.

Beaches and dunes were driven down by the waves and wind, and thick sand and stone deposits covered up roads, as was the case on Atlantic Avenue in Misquamicut, which was just being dug out here in this photograph.

Nearly 30 percent of Rhode Island's residents were directly affected by this storm. President Obama granted Governor Chafee's request for a Federal disaster declaration in four of our State's five counties. More than 130,000 Rhode Islanders lost power and 8 cities and towns were forced to implement evacuations. The whole State will be affected by the as of yet unknown millions in damage and lost business.

But Rhode Island is resilient. Some businesses hit hard by Sandy and the subsequent nor'easter have already reopened. Others are working hard to re-

open soon. Here in this picture we can see Atlantic Avenue from the sky. And the owners of Paddy's Beach Restaurant, shown here, as well as their neighbors all along the beach, are determined to reopen for the summer tourist season.

I remember walking through this little notch here with the owners of Paddy's, and looking at this scene of devastation around them, and the owners saying: That is not so bad. We can rebuild. We will be back on our feet in no time. They already had friends and volunteers on site with hammers and shovels and saws, cleaning up and getting things put right.

The Ocean State of Rhode Island has a special relationship with the seas, and that special relationship requires that we accept challenges presented by extreme ocean weather, and it is part of our day-to-day life on the coast to be part of that proud and rewarding tradition.

But many of us recognize that this tradition, as President Obama reminded us on election night, is—to quote the President—"threatened by the destructive power of a warming planet."

It is difficult to say whether extreme weather such as Hurricane Sandy was specifically caused by climate change. But we do know that a warming planet increases both the severity and the likelihood of these storms; that it, to use one analogy, loads the dice for extreme weather.

The atmosphere and oceans are getting warmer. We know that. As oceans get warmer, storm systems such as Sandy gather more moisture and energy from them and grow stronger. John T. Fasullo and Kevin Trenberth of the National Center for Atmospheric Research in Boulder, CO, estimate that when Hurricane Sandy struck, ocean temperatures along the east coast were nearly 5 degrees above normal, in part attributed to global warming.

Warmer oceans expand. We know that too. This expansion, along with melting glaciers and snowpack, has resulted in a measurable and continuing rise of sea levels along our coasts. And, of course, as sea levels rise, tides and waves and storms and storm surges reach farther inland.

Sandy caused a whopping storm surge. That is the column of water that is formed by the winds and the pressure system of a major storm. That surge peaked at about 5½ feet in Newport, RI, less than the 9½ feet in the Battery in Lower Manhattan but still significant.

At the Newport tide gauge, mean sea level is up 10 inches. Mean sea level is up 10 inches from our devastating famous Hurricane of 1938, and these extra inches of sea level increased Sandy's storm surge by at least that amount. Experts predict that the sea level rise will continue up to 3 to 5 feet more in Rhode Island by the end of the century.

If we do not recognize the need to reduce our greenhouse gas emissions and

to prepare our infrastructure for climate change, future superstorms will be even more damaging than Hurricane Sandy. Hurricane Sandy was, in some respects, a preview of coming attractions. By 2100, the ocean will sit higher, be warmer, and feed more moisture and heat into storms. In addition, the oceans will be far more acidic, but that is for another speech.

Tomorrow, the Committee on Environment and Public Works, which the Presiding Officer serves on with such distinction, will hold a legislative hearing on the Water Resources Development Act. I appreciate very much Chairman BOXER's response to storms such as Sandy and the foresight she had to include a postdisaster program in the draft that will help States such as mine recover from extreme events such as Hurricane Sandy.

Also included is the Northeast coastal restoration program aimed at building the natural and manmade barriers and buffers that helped protect our lives, our infrastructure, and our natural resources from great storms such as Sandy.

When average temperatures rise, we can also expect daily temperature records to be broken. When the average sea level rises, we can also expect an increase in peak coastal flooding. In fact, we have seen thousands of daily temperature records broken and costly coastal flooding and the pain and damage caused by these extreme events has inevitably turned the Nation's attention to climate change.

That is why a growing chorus of voices is convinced and concerned about climate change. A University of Texas poll asked respondents in March and then again in July of this year if they thought global climate change was occurring. It is interesting. The percentage of Democrats convinced of global climate change went from 83 percent in March up to 87 percent amid the high heat and drought of the summer of 2012.

Among Independents, the percentage rose from 60 percent in March to 72 percent in July as news of the unusual weather spread around the country. Even among Republicans, the number of believers who acknowledged that climate change was prevalent went from 45 percent to 53 percent. The party whose hallmark in Congress is denial of climate change, that put forward the view that climate change is a hoax, now actually has a majority of voters who recognize this reality. So this Chamber is getting further and further apart from the reality of the public, even from the reality of the Republican public.

In the aftermath of Hurricane Sandy, Mayor Bloomberg of New York wrote:

Our climate is changing . . . And while the increase in extreme weather we have experienced in New York City and around the world may or may not be the result of it, the risk that it may be—given the devastation it is wreaking—should be enough to compel all elected leaders to take immediate action.

The only place where denial still prevails is in Congress where polluter

money has such influence. But polluter money cannot change the facts. A study recently published in *Science* shows that greenhouse gases captured in air bubbles stretching back 650,000 years show that the level of carbon dioxide in the atmosphere is now 27 percent higher than its highest recorded level at any other point in that time.

This year, an Arctic monitor has registered atmospheric concentrations of carbon dioxide at 400 parts per million for the first time; the first time ever that a carbon dioxide sensor has hit this ominous milestone. For tens of thousands of years, for 800,000 years actually, 8,000 centuries, we have been in a range of 170 to 300 parts per million of carbon dioxide in our atmosphere. Now we are starting to see measures of 400. We are in unprecedented and uncharted territory.

We know we will need to adapt our coastal infrastructure to keep communities safe and prosperous in this changing climate. We will be relocating roads and bridges. We will be bolstering utilities and protecting water and wastewater infrastructure. We will be revising our flood maps and our emergency planning.

The Senate needs to do its part to ready us for adaptation in the face of a changing climate. We can address these issues in legislation such as WRDA and Defense reauthorization, even in the budget debate. But the overwhelming majority of scientists is convinced that our climate is changing, and all the evidence shows they are right.

Indeed, the evidence shows it appears to be their worst-case scenarios that are the correct ones. We must be willing to take the necessary actions to prepare both for the new normal climate change is bringing and for the new extremes climate change portends.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

THE FISCAL CLIFF

Mr. ISAKSON. I thank the distinguished Senator from Rhode Island for his hard work. I rise to talk for 1 minute about this lameduck session today. We are in the second day of a lameduck session following the elections of a week and a half ago.

We face an impending fiscal cliff. We face the end of the year. We face a day of calling, a day of reckoning. I think I have an obligation as one Member of the Senate, and I think everybody has the same obligation, to come to this floor and talk about the solutions and resolutions, not problems and what we can and cannot do.

We are in a very dangerous position. I have been in this body one other time when we faced a fiscal cliff. It was in September of 2008. I will never forget it. The markets had been collapsing. The subprime securities had been collapsing. The world was in difficult financial times. The President of the United States, at that time a Republican, brought forward a plan to solve that problem or at least to forestall

the collapse of the markets and give us a chance to come back over time.

The House of Representatives rejected it and then the markets went down over 800 points in 1 day. Two days later, the Senate came back and adopted a plan to move us forward. The markets stabilized, but they were already at the bottom. They had fallen by 50 percent.

Now here we are almost 5 years later, still recovering from the depths of the drop of the market at that particular period of time. If we do not address the fiscal cliff and take the first step in this lameduck session to move forward in terms of sanity on taxation, sanity on spending, and sanity on entitlements, then we are going to put ourselves in the same position again.

I happen to think one of the best lines in President Obama's speeches in his first campaign, and he reiterated it in the last one, was when he talked about we are a country not of the red States of America or the blue States of America but of the United States of America.

My predecessor, Zell Miller, former Governor of Georgia, once said: We do not find most Georgians on the very far right or the very far left. We find them in Walmart. They want a fair deal and a fair price and a good deal and they want to be treated right. The American people want to be treated right. They do not want to see their taxes go up at the end of the year. They do not want Congress to turn its back on cutting its spending where it can. They want us to get entitlements so they are fixed for the long run, not in danger of expiring in the short term.

We are this close to being able to find common ground, if we will only take the first step by sitting down at the table. In the last 2 weeks I have heard the first step from both sides of the Democratic and Republican Party. JOHN BOEHNER, 1 week ago, acknowledged that revenues could be a part of the solution. He acknowledged he wanted to do it through tax reform. President Obama has reiterated, as he did today in his press conference, that he wanted to raise rates on those in the upper income. But when pointed to and when asked by a reporter: Mr. President, that means there is no line in the sand? That means it has to be that tax increase or nothing at all, the President refused to take the bait. He said: I will listen to other ideas. He said: I will sit at the table. He said: But it has to be meaningful common ground. It has to be plans to truly deal with our fiscal cliff, deal with our spending and deal with entitlements and deal with our taxes.

Let me just for a second, if I can, opine on what all of us know: It is a three-part problem, our debt and our deficit. It is spending. It is revenues. It is entitlements. It is not that we do not know what the answers or the solutions are. They are all on the table. They have been visited by the Gang of 6, by Simpson-Bowles, by a lot of the

brilliant people in this Chamber, Senator CONRAD from North Dakota, who is unfortunately leaving us, has talked about it time and again; Senator COBURN from Oklahoma. Why don't we put those things on the table, sit down around the table and figure out a formula for success to keep us from going off the fiscal cliff?

It is one thing to gain the confidence of the world and investors and the world body politic; it is quite another to lose it. If we ever lose that confidence, if we ever go off that cliff and people no longer think this is still the greatest place on the face of the Earth to invest their money, then America has a harder struggle to come back than it would ever have by facing our problems now.

So for a brief couple minutes, I wish to talk specifically about those things that can be done. First of all, in terms of spending, we can cut discretionary spending. But we all know discretionary spending and our deficit are about equal and have been for about the last 5 years, which means if we cut all Federal discretionary spending, cancel the government for 1 year, all we are doing is balancing the budget; we are not saving any money. We all know we cannot do it totally by cutting spending, but we do know we should, which means we should bring appropriations bills to the floor, we should debate those bills on the floor, we should hold our agencies accountable, and manage things on a cost-benefit analysis—do what JEANNE SHAHEEN and I have talked about in terms of a biennial budget. Have 1 year dedicated to spending, the other year dedicated to oversight. We can find savings and we can find revenue to reduce our deficit, but that will not do all of it.

Entitlements. We have to look at entitlements. But that does not mean we take away anyone's Social Security or anybody's Medicare because I do not consider them entitlements in the first place. The Presiding Officer paid 1.35 percent of his income every day of his working life for his Medicare and he deserves to get it.

The Presiding Officer paid 6.2 percent of his income for his payroll deduction for his Social Security and he deserves to get it. But we all know those programs were started in 1968 and the 1930s and eligibility should be reformed. We should find a way to make eligibility be actuarially sound, as they did in 1983, when Ronald Reagan and Tip O'Neill raised the eligibility for me so I could not get Social Security at age 65, I had to wait until age 66.

Did I miss it? No, I did not think I would live that long in the first place. But when I did get there, I appreciated the fact that they saved Social Security for me in 1983. We need to save it for our children and our grandchildren today, and we can do it by looking at eligibility in the formula. We do not have to raise the tax or lower the benefit. We might mean test the COLA in terms of Social Security, but we can

fix it if we just sit around the table and talk about it and not take away anybody's eligibility.

Medicare is tougher. We can means test benefits in terms of copayments. We can take plans such as PAUL RYAN's and give people options. Whatever we do, we can sit down around the table and find a way for the future, find a way to save the Medicare the American people have paid for.

In terms of the safety net, nobody wants to do away with the safety net. But it is time we looked at the safety net and the cost-benefit analysis and the eligibility for the benefit programs so we manage them appropriately such as you would any other expenditure of government.

Then we go to the Tax Code. That is where we are today. That is the stumbling block, seeing where we are going to move forward on taxes. Time is running out. I will be the first person to admit it would be hard to come up with a comprehensive reform in 7 weeks to fix the Tax Code.

But it would not be hard to come up with a comprehensive agreement this month, now in this session, to do it early next year and put off pushing us off the fiscal cliff. Get a new speed bump next year. Give us the time to sit down around the table and find common ground. Maybe it is means testing deductions, which raises revenues without raising rates. In fact, there is a great argument, and the argument comes from 1986, when Reagan and O'Neill again lowered the top tax rate from 70 percent to 28 percent and raised revenues in the same taxable year, all because we raised the base upon which the levy was charged.

We raised more revenue which, in the end, is the name of the game. My main point is this: We should not be sitting around twiddling our thumbs. The clock is running. We face a fiscal cliff. There are some in this Chamber who have said: Oh, we just need to go off it. We will pay the price. Then we will finally sit down and do what is right. I would, with all due respect, say that is pretty stupid. We have gone off a cliff once before in 2008. We are still reeling from it today because we did not deal fast enough with the decisions we had to make as a Congress to address the problems of the people who elected us to come and manage their affairs.

I would submit to you that it is about time the American Government did what every American family has had to do in the last 5 years: sit around our kitchen table like they have sat around theirs, talk about our income like they have talked about theirs, cut their budgets and spending where they have had to because they have had to tighten their belts. Don't you think the government ought to at least ask of itself what it has required every American family to do?

So instead of talking about what we can't find agreement on, why don't we start talking about what we can find agreement on? We don't have to just

penalize one taxable class of Americans and declare a political victory but not solve our problem any more than we have some obfuscation in terms of tax reform that really is "now you see it and now you don't." We can do meaningful reform that accomplishes the raising of revenues and more equity in the Tax Code, we can cut discretionary spending where appropriate, and we can reform our entitlements. Over time we can get our fiscal house in order.

The great thing about our problem is that it is not a problem that has to be solved in one fell swoop, but we have to make a commitment to begin to reduce deficits and, in turn, eliminate them so we will reduce debt. We need a game plan over the next decade that causes us to do that. When we do, we will return to the greatness America has always known. But if we don't, it will not be a good place to invest people's money, our rates will go up on our debt service, and America will have a hard time returning to the preeminence it has known.

So my message today is this: The President, in his press conference, said all issues were open on the table. JOHN BOEHNER, in his leadership remarks, said the same thing in terms of revenues a week ago. Let's sit down at that table and let's start talking about those solutions. Let's start giving ourselves meaningful goals and not just use the threat of destroying our economy and our investment in our country as a threat to cause us to do nothing. Let's do something. Let's do the people's business. Let's face the music and make it a symphony.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 3414

Mr. DURBIN. Madam President, I ask unanimous consent that at 4:30 p.m., the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on S. 3414, the Cybersecurity of Act of 2012, be agreed to; that the motion to reconsider be agreed to and that there be up to 60 minutes of debate equally divided between the two leaders or their designees on the motion to invoke cloture on S. 3414; that upon the use or yielding back of time, the Senate proceed to the cloture vote on S. 3414, upon reconsideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WIND PRODUCTION TAX CREDIT

Mr. UDALL of Colorado. Madam President, I want to start by welcoming my colleagues to what I hope will be a highly productive lameduck session of Congress. We have immense challenges facing our country, but I believe we can come together and accomplish the tasks before us, hopefully in a truly bipartisan way.

As the Presiding Officer knows, one of the issues I have been really concerned about for some time is the production tax credit for wind energy, which is known by its acronym of PTC. I would like to acknowledge that the Presiding Officer's State, Minnesota, has a big presence in wind energy.

I have come to the floor, as my colleagues know—and maybe, in some of their minds, too often—I come down here every morning we are in session—just about every morning since June—to talk about the importance of extending this job-creating tax credit.

The PTC has helped create literally tens of thousands of good-paying middle-class jobs all across our Nation, it has in turn spurred the growth of the wind energy industry, and it has strengthened American manufacturing, which we all deeply care about, and it has helped free us from foreign sources of energy. That is quite a trifecta of successes, make no mistake about it. It has also underlined the fact that energy security is national security.

But as the expiration of the PTC draws near—and it draws near at the end of this year—the inaction here in the Congress has brought a dark cloud literally over this important American industry, and our workers are paying the price. Manufacturers across our great Nation and all along the wind industry's supply chain have been forced to lay off thousands of workers just in the past several months, and I wish to share one example. Vestas, which is a leading manufacturer of wind turbines that has a large presence in my home State of Colorado, has laid off hundreds of workers. Literally, hard-working Americans are losing their good-paying jobs because Congress has delayed action to extend this tax credit, which I should point out has broad bipartisan and bicameral support, so both the Senate and the House—both parties—have support for extending it. Enough is enough.

Luckily, we have made some progress. Earlier this year the Senate Finance Committee passed a bipartisan tax extenders bill that would extend a number of important tax provisions, and among them was the production tax credit. Unfortunately, this package, which is critical and is so important to our economy, has sat on the shelf for many months now. As comrades tell me, and I share with you as

my colleagues, that is just simply unacceptable.

As I mentioned, I have made these regular trips down to the floor, and what I have been able to do is highlight individual States and how the wind industry has created jobs and generated power for each of those individual States. In fact, I am 20 States in and I am nowhere near done, and that is because almost every one of the 50 States has a presence in the wind energy industry.

Today I am going to turn to Wisconsin, which has a well-established manufacturing sector historically, and that manufacturing sector has retooled to support the wind industry. In fact, if you look at the map here, Wisconsin has over 22 manufacturing facilities that make parts for the wind energy industry.

In addition to the manufacturing sector, Wisconsin has also made big gains in wind power generation. So you can build turbines, blades, the towers, and the cells, but also, if you have a wind resource, you can then harvest that wind. Wisconsin has made big gains in harvesting that wind.

The farms there, the wind farms, already provide enough electricity to power 150,000 homes, and the projects that are currently proposed in Wisconsin could multiply that number fourfold. If you look at the economic implications, they are very impressive. In fact, according to the National Renewable Energy Lab, which I have to say is located in Colorado, if even half of the proposed projects were completed, they would provide a cumulative economic benefit of over \$1 billion. That is \$1 billion. Let's do our part in helping make that investment happen by extending the production tax credit.

As I have pointed out, the PTC has helped these Wisconsin facilities prosper and grow, but this looming expiration would threaten some 3,000 jobs that are supported by this industry in Wisconsin.

It is also important to note that when the big companies that gain some of the attention in the wind energy world, such as Siemens or Vestas, announce layoffs because of uncertainty over the PTC, there are a lot of other small businesses in the industry that are affected by those decisions. There are literally thousands of parts in a wind turbine—some 8,000, to be exact. So when you see the industry take a step back, a lot of those small businesses are affected, and they feel the downturn as well. We all are really concerned about those families and those communities and the small businesses that are hurt by those sorts of job losses in Wisconsin and all over our country.

As I close, Madam President, there is a tremendous amount of work the wind energy industry has done to help restore America's manufacturing base. With all of that potential looming in front of us, we just can't let our inaction stand in the way.

My message to all of us is pretty simple. We need to pass the production tax credit as soon as possible. PTC equals jobs, and we need to pass it ASAP. I can't say it enough times. There is no reason for this delay. It has caused the loss of good-paying jobs, and it has set back our energy independence goals. If we don't act soon, foreign competition will get the upper hand and pass us by. There is no question that the rest of the world is moving very quickly to implement their own wind energy projects and to build the wind energy turbines. Let's not let this scenario become a reality. Let's move in the way the Senate Finance Committee has shown us we can move. Let's extend the PTC here in the Senate. I know the House could follow suit.

Simply put, let's just pass the production tax credit as soon as possible. If we are focused on the economy, if we are focused on jobs—it is what we heard from the voters just a short week ago—let's get the production tax credit extended.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

THE FISCAL CLIFF

Mrs. HUTCHISON. Madam President, I think we all know that everybody in America is pretty much talking about the fiscal cliff, and that what will happen at the end of this year will have an enormous impact on the economy of our country and its future. There is no doubt about it. In fact, the nonpartisan Congressional Budget Office projects that the impending tax hikes that will take effect at the end of this year if we don't do something along with the spending cuts called sequestration would plunge us into a recession in the first half of 2013. It would also set off credit downgrades and drive up interest rates on credit cards, mortgages, and personal and government debt. They predict unemployment will rise above 9 percent, and the cuts in spending, half of which will be in the defense sector, certainly is going to leave America vulnerable.

If there is anything Congress and the President are responsible for, it is the national security of our country. We can stop this fiscal cliff.

We can answer the calls of the American people who have said clearly, loudly, and repeatedly: Get together and make things happen.

I am happy to see our distinguished Madam President is sitting in the Chair and agreeing because we know there is common ground. We have seen groups of our Senators, Republicans and Democrats—a Gang of 6, a Gang of 8, the Simpson-Bowles Commission, all of these entities—that were bipartisan in nature and they came up with solutions. Did we agree with 100 percent of what was in those plans? No. But there are nuggets we can start from, and what we have to do is sit down and start.

Republicans are saying tax increases in this economy are not the right for-

mula. We know if we tax 100 percent of every person who makes over \$200,000 it is not going to affect the deficit. It is not going to have the impact I think people expect when they hear: Oh, we will tax the rich, since it will not affect us, and that will solve the deficit problem. It will not. It will have no impact on the deficit.

Who will be hit if these tax increases go into effect—which they automatically will at the end of December if we don't do something? Who will be hit? Well, it is going to hit the middle class, small businesses, family farmers, retirees, and married couples.

If the individual income tax brackets are not extended, the current six brackets will be five brackets. It will revert to pre-2001. The lowest end is the one that is going to go up in percentage the most. The 10-percent bracket will go to 15 percent, and the 15 percent stays at 15 percent. So the people who were paying 10 percent will now go to 15 percent if we don't do something.

The rates of the remaining four brackets will also increase: 25 percent becomes 28, 28 to 31, 33 to 36, and 35 to 39.6, almost 40 percent. On top of that is the individual alternative minimum tax. We have each year extended the tax relief for what we call the AMT, the alternative minimum tax.

The alternative minimum tax was put in place to target a few millionaires. Now, because of inflation and wage increases, it is targeted right at the middle class. Unless that relief is renewed this year, it will boost 2012 taxes for 31 million Americans in the \$30,000 to \$40,000 wage range.

Now, really, do people making \$30,000 or \$40,000 deserve to have a new alternative minimum tax on top of the tax they are going to pay, which will be 25 or 28 percent? I don't think so, Madam President, and it is not what the AMT was meant to target.

The increase in tax rates are going to certainly affect our small businesses. The economic engine of America is small business. The economic engine of America is not big business, although big business is very important, and it is not government. It is small business. Over 60 percent of the jobs created in America are created by small business. Yet they are the ones who are not hiring. They are the ones who see their slim margins of profit getting so much slimmer they are not hiring people because they think the costs are going to be higher because of the new taxes that are impending.

Seventy-five percent of small businesses pay taxes at an individual rate because they are S corporations or are flow-through businesses. So if we look at them and then look at those rate increases, that is going to be an immediate impact on every small business owner who is organized in that way. With over 20 million Americans still looking for work, do we really want to have this kind of economic hit? We need our small businesses to feel confident, and so we need stability.

I have talked to so many small businesspeople in the last month as I have been out talking to people in my home State and in other States. What most of them say comes down to they just need to know what their tax liability is going to be, and they need to know it is going to stay that way for a while. That is how they make their plans. They do not want to hire someone if we are just going to have a 6-month fix or a 1-year fix or a 2-year tax policy. A 2-year tax policy is a nightmare for businesses because they cannot make a long-term plan. They can't have a strategy that puts three more people on the payroll and then have those costs go up at the end of that 2-year period.

It is important we give our businesses stability and that we show we understand they are the economic engine of America and that we want them to succeed and to hire people and give new jobs and get this unemployment rate well below the nearly 8 percent that it is now down into the 6-percent or 5-percent range.

Now, let's talk about the elderly. All of these years I have heard people talking about the importance of saving for retirement, and we have encouraged people to do that. The people who have done that are looking at a huge tax increase.

Madam President, I ask unanimous consent to speak for up to 10 more minutes.

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

Mrs. HUTCHISON. These are people who have done the right thing. They have saved. They have tried to make sure they didn't need any kind of government handout. They have earned Social Security—and that is not a government handout—and they want to know they can make it living the lifestyle they want to live because they have saved. But here we are talking about raising their taxes on the dividends of any stock they might have invested or might have been in their company 401(k) plan, and we are talking about raising the capital gains rate.

In fact, the dividends rate could be as much as 39.6 percent. Nearly forty percent on dividends is going to kill a plan for retirement, and it is just not right to change the rules when we have had a lower dividend tax rate or capital gains tax rate for people who have done the right thing and saved for their own security. That is what will make a strong economy, and for our retirees to be able to get the rest they deserve.

What about married couples? One of my longstanding priorities in the Senate has been to make sure we have a level playing field on deductions of State and local taxes. Some States have income taxes, some States have sales taxes, some have both, and a few have neither. But for those who have both, we give them the choice of a sales tax deduction or income tax deduction. That means on their Federal income

tax they don't pay taxes on the taxes they pay. If they are paying a State income tax or a State sales tax, they should be able to deduct at least one of those because there is no reason to be taxed on taxes. The sales tax deduction expired at the end of last year. If we don't renew it, the people who have sales taxes and no income tax are going to be severely disadvantaged.

In my home State of Texas, that makes at least a \$500 difference to every person who takes those deductions. That can be a lot for 2 million Texans who claim this deduction, to have an average of \$500 they are paying on taxes. So it is not a level playing field if we don't renew that extension. There are eight States that have no income tax, and they do have sales taxes. So I am hoping we will have that kind of parity in taxation, which we must do by the end of the year to allow that equity to take hold.

A second priority of mine is the marriage penalty. I passed the original amendment that would double the standard deduction for married couples. This has been a hugely popular tax deduction because in the past, when two single people got married, they would go into the higher bracket, and they would not get a double standard deduction. Prior to 2001, 25 million couples paid a penalty for being married, and the average cost to them was \$1,400. As an example, if a Houston policeman, with a taxable income of \$50,000, is marrying a data entry clerk who makes \$30,000, they are going to have a tax increase of about \$800 a year because the marriage penalty will come back at the end of this year.

We enacted relief in 2001. It was my amendment. And I hope we will not leave here December 31 of this year without renewing the marriage penalty tax relief. It will mean \$800 for married couples, as an average, and, for sure, that is something they deserve when they get married. They shouldn't have to pay more for their decision to get married. So if we don't extend the tax cuts that are in place right now, at the end of this year we are going to see tax relief for the middle class, small businesses, family farms, retirees, and families go away. That relief will go away, and all of their taxes are going to go up. That is not even counting the surcharges that are going to take effect January 1 of next year in the health care law on dividends and capital gains.

So if the dividend rate goes back up to 20 percent, it is going to be 23.8 percent. If someone is in the 39.6-percent bracket, it is going to be 43.4 percent. So it is something we must deal with.

The other side of the equation is spending. Madam President, we must do something about the \$1 trillion deficits we have had year after year after year that have made this debt go up from \$10.6 trillion 4 years ago to \$16.2 trillion today. We are about to hit our debt limit, and that means we are going to have to increase the debt that

is already a wet blanket on this economy.

So, Madam President, we must come together.

We can do it. We can cut spending. We can address entitlement reform that will bring our entitlements into an actuarial soundness. Social Security and Medicare have already sustained enormous cuts in the health care plan that was adopted 2 years ago, and we can't sustain either of those programs if we continue to go in the direction we have been going.

So rather than the sequestration—which is going to take more than \$1 trillion out of federal programs, half of which is going to come from defense—we have got to do something about it now.

We have a 10-year plan that could cut the deficits. But we have got to do more. We have got to enact the next step in budget cuts, and it has got to include entitlement reform, in my opinion. I know there are disagreements about that, but that is the argument and the discussion we need to have. It is our responsibility.

We should be using this time—today, tomorrow, this week—to start putting together a framework of discussions, because we will be in session from the end of November probably up until right before Christmas, and the American people deserve to have a solution, something that assures small business that they can count on a tax structure that is fair, that can allow them to make a reasonable profit, and allow them to hire more people.

We have got to cut spending so we can manage this government in a responsible way without it encroaching on the vibrancy of our economy. That is our challenge. I hope this Congress is up to it.

Madam President, I yield the floor.

CYBERSECURITY ACT OF 2012

The PRESIDING OFFICER. Under the previous order, the motion to proceed to the motion to reconsider the vote by which cloture was not invoked on S. 3414, the Cybersecurity Act of 2012, is agreed to, the motion to reconsider is agreed to, and there is up to 60 minutes of debate equally divided between the two leaders or their designees.

The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Madam President, I want to begin by thanking the majority leader, Senator REID, for being as steadfast as he has been in pursuit of a law that will protect America from what I think most security experts would say today, surprisingly, is the most serious threat to our security and to our economy, which is from cyber attack and cyber theft.

The majority leader, with the authority he has over our schedule, has now pulled up the Cybersecurity Act of 2012, S. 3414, for reconsideration; that is