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Senate

The Senate met at 9 a.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Eternal Lord God, today let Your favor rest upon the Members of our government's legislative branch. Establish the works of their hands and strengthen them to honor You by serving others. Let Your lifegiving spirit move them to feel greater compassion for those in need. Lord, use them to remove barriers that divide us. May they strive to be agents of healing and hope, as they help us all live in greater justice and peace.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 15, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL 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 now move to proceed to Calendar No. 419, S. 3254.

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

The legislative 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 filing deadline for all second-degree amendments to S. 3255, the Sportsmen's Act, is 9:10 a.m. today. At 9:15 a.m., there will be a cloture vote on S. 3255.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

FISCAL CLIFF

Mr. MCCONNELL. Mr. President, with the new year fast approaching, all eyes are on Washington and whether the two parties can come together and

agree on a plan to avoid a massive year-end tax hike. I truly believe we can. I believe the two parties can avoid the so-called fiscal cliff, and in the process I even believe we can agree on a framework for a bipartisan plan to address the even bigger problem of our Nation's fiscal solvency.

But there are clear obstacles to success. If we are going to succeed, if we want to avoid a job-killing tax hike and put the country on a path to solvency, we need to be clear about what the obstacles are.

The first obstacle is a very vocal and very determined group of extremists on the left who are rooting for us to go off the fiscal cliff. They want this to happen. These are the folks the President invited to the White House earlier this week and who seem to have gotten a number of Democrats in the Senate to embrace this reckless idea themselves.

Make no mistake, the goal of these folks is not to do what is best for the middle class. It is not to create jobs. It is not even to balance the books, since the taxes they would hike would not even come close to covering current spending.

What they want is to sock it to those whom they define as rich, regardless of the impact on jobs or the broader economy. That is what motivates this crowd. They are not serious about tackling the Nation's fiscal problems. If we are serious about helping middle-class Americans and helping this economy grow, their radical approach, frankly, should be ignored.

The other obstacle to success is a mindset that says the President of the United States is somehow a bit player in this whole thing, that he is just a bystander sitting around waiting on other people to act. This is a mindset that thinks leadership consists of telling other people to "work it out," while they continue to run a campaign to make sure they cannot.

This is ludicrous. The only way—I repeat—the only way we are going 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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solve this present crisis and get past the political stalemate is for the President himself to lead.

To illustrate the point, let me remind everyone of something that happened just 2 years ago next month—just 2 years ago next month—because it says a lot about the power of Presidential leadership in critical moments such as this. Less than 2 years ago, the President said he was not going to allow tax rates to go up on anyone because, as he put it, you do not raise taxes in the middle of a recession.

So let's leave aside for a second that if it was a good idea then, it is an even better idea now, since the economy is growing even more slowly now than it was in late 2010. Let's leave that aside.

The point is that the moment the President of the United States said those words—the moment he signaled he was OK to keep rates where they were—40 Democrats, including many who had spent the previous decade campaigning against them, got in line and followed his lead.

That is an example of Presidential leadership, and that is just what is needed now. The President is the only person in America—the only 1 out of 315 million—who can sign a bill into law. He is the only one who can lead the members of his own party to do something they would not ordinarily do. But first he needs to decide it is time to put away the talking points and do something good, something really good for the country.

Ronald Reagan understood this, Bill Clinton understood this, and President Obama seemed to understand it, too, in December 2010. So I will say it again. The only way we succeed is if the President steps up and leads. It starts by showing that he is serious about success.

Let's be clear. An opening bid of \$1.6 trillion in new taxes just is not serious. It is more than Simpson-Bowles or any other bipartisan commission has called for. It has been unanimously rejected in the House and Senate. It is twice as much as the White House seemed ready to agree to during last summer's debt ceiling talks and looked at in the context of the spending cuts that are yet to be enacted from the President's other proposals. It amounts to about 20 cents in cuts for every new dollar in tax hikes. In other words, no cuts at all. It is a joke—a joke.

Look, people I talk to across Kentucky do not want any more political fights. They would like to see us get somewhere. They want the two parties to work together to find a solution to our fiscal problems, and that is just what we are proposing. Yesterday, the President said he had an open mind when it came to finding a solution to those things. He said he is happy to listen to other people's ideas. I think that is a good sign.

If the President has an open mind, maybe he will see that Republicans are the ones who have expressed a willingness to step out of our comfort zone if

it actually leads to a solution. We do not happen to think the government needs more revenue. The government spends too much as it is. But if Democrats are willing to reduce spending and strengthen entitlement programs, which we all know are on an unsustainable path that threatens their own long-term viability and the economic well-being of our children and grandchildren, then we will be there.

What we will not do is raise tax rates and kiss goodbye more than 700,000 good jobs in the process. What we will not do is embrace a tax policy that disincentivizes saving and work. What we will not do is agree to revenue in exchange for reforms that we know will not ever happen. That is not a good deal for anybody, certainly not the middle class, which the President says he has a mandate to protect.

If the President wants to help the middle class, he will accept a basic outline that Speaker BOEHNER proposed last week and convince his fellow Democrats to do the same. Ignore the reckless voice of those on the far left who are calling for fiscal calamity. Ignore the extremists who want to cover their eyes and do nothing to protect and strengthen entitlement programs for the future and propose a plan that both sides can actually accept.

That is how we get out of this. That is how we succeed. The scope of this challenge calls for Presidential leadership. That is what the American people should be able to expect. That is all Republicans are calling for. It is the President's turn to propose a specific plan that brings both parties together. That is what Presidents are elected to do. That is what he pledged to do. It is precisely the sort of leadership we need.

I yield the floor.

RESERVATION OF LEADER TIME

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

SPORTSMEN'S ACT OF 2012— Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 3525) to protect and enhance opportunities for recreational hunting, fishing and shooting, and for other purposes.

Pending:

Reid (for Tester) amendment No. 2875, in the nature of a substitute.

Reid amendment No. 2876 (to amendment No. 2875), to change the enactment date.

Reid amendment No. 2877 (to amendment No. 2876), of a perfecting nature.

Reid amendment No. 2878 (to the language proposed to be stricken by amendment No. 2875), to change the enactment date.

Reid amendment No. 2879 (to amendment No. 2878), of a perfecting nature.

Reid motion to commit the bill to the Committee on Energy and Natural Resources, with instructions, Reid amendment No. 2880, to change the enactment date.

Reid amendment No. 2881 (to (the instructions) amendment No. 2880), of a perfecting nature.

Reid amendment No. 2882 (to amendment No. 2881), of a perfecting nature.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Harry Reid, Jon Tester, Kent Conrad, Joe Manchin III, Jeff Bingaman, John D. Rockefeller IV, Benjamin L. Cardin, Ben Nelson, Max Baucus, Jeanne Shaheen, Mark Pryor, Christopher A. Coons, Al Franken, Amy Klobuchar, Jim Webb, Mark R. Warner, Michael F. Bennet.

The ACTING PRESIDENT pro tempore. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, shooting, and for other purposes shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The yeas and nays resulted—yeas 84, nays 12, as follows:

[Rollcall Vote No. 203 Leg.]

YEAS—84

Akaka	Feinstein	Mikulski
Alexander	Franken	Moran
Ayotte	Gillibrand	Murkowski
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Portman
Bingaman	Hatch	Pryor
Blumenthal	Heller	Reid
Blunt	Hoeven	Risch
Boozman	Hutchison	Roberts
Brown (MA)	Inhofe	Rubio
Brown (OH)	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (SD)	Shaheen
Cardin	Johnson (WI)	Shelby
Carper	Klobuchar	Snowe
Casey	Kohl	Stabenow
Chambliss	Landrieu	Tester
Coats	Leahy	Thune
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Vitter
Coons	Manchin	Warner
Corker	McCain	Webb
Crapo	McCaskey	Whitehouse
Durbin	McConnell	Wicker
Enzi	Merkley	Wyden