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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, November 27, 2012, at 2 p.m.

Senate

MONDAY, NOVEMBER 26, 2012

The Senate met at 2 p.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.

Almighty God, You give light to those who are in darkness. Shine Your light in this Chamber so that our lawmakers may do Your will. As they search for common ground, guide their feet into the way of peace. Lord, give our Senators a heightened sense of the special role You have for them to play in the unfolding drama of American history. Use them this day for Your glory.

Lord, we ask that You would comfort the families who lost loved ones in the tragic west Texas train collision.

We pray in Your sacred 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 26, 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.

Mr. REID. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

SCHEDULE

Mr. REID. Mr. President, at 5:30 today, all postcloture time on S. 3525, the Sportsmen's Act, will have expired. There will be two rollcall votes at that time. The first vote will be on a motion to waive the Budget Act. The second will be on passage of the bill, as amended.

COMPROMISE

Mr. REID. Mr. President, in the weeks since our country voted to return President Obama to the White House and a Democratic majority in the Senate, I have spoken often about compromise. I remain optimistic that when it comes to our economy, when it comes to protecting middle-class families from a whopping tax hike come January 1, Republicans and Democrats will be able to find common ground.

President Dwight Eisenhower, a Republican, once said:

People talk about the middle of the road as though it were unacceptable. . . . There have to be compromises. The middle of the road is all of the usable surface.

So said Dwight Eisenhower. Too often Republicans and Democrats in Washington face off from our entrenched positions, never realizing the solutions to this country's problems rest not on one side of the aisle or the other but somewhere in the middle.

However, as we continue negotiating a responsible path forward, I remind everyone within the sound of my voice of one fact: This Congress is already one vote away from avoiding the fiscal cliff for middle-class families and small businesses. We could solve the greatest economic emergency facing the Nation today if only the House would consider the Senate-passed bill freezing tax rates for 98 percent of American families and 97 percent of small businesses.

As Thomas Jefferson said, "We should not put off tomorrow what we can do today." Our legislation would give economic certainty to the middle class, protect important tax deductions for families and businesses, and restore

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



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balance by asking the most fortunate among us to pay a little extra to reduce the debt.

It is also the only bill with a chance of being signed into law by President Obama. I was dismayed to hear Speaker BOEHNER once again urge the Senate to take up the House-passed bill extending more tax breaks for millionaires and billionaires. The Senate has already considered that bill. We rejected it on a bipartisan basis.

So for the Speaker to say, bring it up, we already have. It was voted down in this Congress. The Senate has spoken. President Obama has spoken. He has promised he will not sign any bill that mortgages our future to pay for handouts for the wealthiest 2 percent of Americans.

I only hope the House Republicans have been listening. I also hope my colleagues, Republican and Democratic Members of the House and the Senate, used the Thanksgiving break not only to give thanks but also to reflect on the monumental tasks ahead. I hope they took time to reflect, too, on the effort it will take to complete these tasks.

As President Eisenhower said, there will have to be compromises, and seeking the middle of the road is not just acceptable, it is the only way forward.

ORDER OF BUSINESS

Mr. President, let me say a few words about the schedule. Discussions continue on the Defense authorization bill. I just finished a conversation with the chairman of the committee, Senator LEVIN. Republican Senators have been having disagreements among themselves on what they want to do on the Defense bill. Thus, while these discussions are going on, I intend to move to proceed to the Carcieri decision affecting Native Americans. I will file cloture on the motion to proceed on the motion to invoke cloture on Wednesday.

Tomorrow, I intend to move to proceed to executive session to consider the disability treaty. We will seek a reasonable agreement on amendments to this matter. If on Wednesday cloture is not invoked on the Carcieri matter, I would intend to figure out some way, with the help of Senator MCCAIN and others on the other side, to return to the Defense bill under the tentative agreements we have had on that before. It is up to Senator LEVIN and Senator MCCAIN to figure out a way forward on that. I am willing to work with them as to what is reasonable this late in the game.

RECOGNITION OF THE MINORITY LEADER

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

REAL AND LASTING REFORMS

Mr. McCONNELL. Mr. President, as most Americans know by now, the next

few weeks are critically important in the life of our Nation. Unless the President leads and Congress acts, the combination of automatic tax hikes and spending cuts will go into effect that could have a devastating effect on our national defense and on an already painfully slow economy.

What is more, the Nation's finances are teetering on the edge, threatening even greater hardship for literally millions unless we bring Federal spending into balance. The question is, What are we going to do about all of this? How do we face up to the fiscal irresponsibility and can kicking that got us here and finally do what is right for the country?

I do not think it is a secret that for our part the Republicans have shown a clear willingness to make tough choices in order to find a solution to the trillion-dollar deficits of the last 4 years. We have been open to revenue by closing loopholes, as long as it is tied to spending cuts and pro-growth tax reform that broadens the base and lowers rates.

This is the model laid out by the Bowles-Simpson Commission, and it is a model both parties should step forward and embrace. Without compromising our principles, we have put skin in the game and recognition of that while Democrats do not run this town, neither do we. We have been responsible even as we have remained firm on this point: No tax increases now for promised spending cuts that will not materialize later. The American people have seen that game before and they will not be fooled again.

The only balanced approach is one that includes real and lasting reforms. So Republicans have stepped out of our comfort zone. We have been clear about what we will do and what we will not. Yet we remain at an impasse, leading us to ask why. Because a vocal minority on the hard left continues to argue to leaders of their party, from the President on down, that Democrats in Washington should do absolutely nothing about short-term or long-term spending problems.

This is the "Thelma and Louise" crowd, the ones who dream about higher taxes and the bigger government it will pay for, regardless of the impact on jobs or the economy or America's standing in the world. These are the ones who recklessly ignore the fact that we cannot continue running trillion-dollar deficits every year and throw a tantrum if somebody suggests that maybe the taxpayers should not keep subsidizing every last program Washington ever dreamed up.

Their reckless and ideological approach threatens our very future. Anyone who is serious about solving the problems we face should ignore all that, starting with the President. The election is over, but the economy and fiscal problems of the past several years have only gotten worse. It is time for the President to present a plan that rises above these reckless

and radical voices on the hard left, that goes beyond the talking points of the campaign trail, and that has a realistic chance of passing the Congress. The time, in other words, for campaigning is over. It is time for the President to lead.

A little over 1 week ago, I attended a meeting with the President down at the White House. It was positive and productive and afterward I was confident that all sides were eager to figure out a solution to the present challenges that respects our respective principles. But as I have said repeatedly, the only person in America who can make or break it is the President himself.

He is the only one who can lead his party to do something they would not ordinarily do, to do what is actually needed now. That is why he is the one who has to present a plan for success. So we will continue to wait on the President and hope he has what it takes to bring people together and forge a compromise. If he does, we will get there. If he does not, we will not. It is that simple.

CHANGING SENATE RULES

Mr. McCONNELL. Mr. President, I would like to turn to another issue that does not grab as many headlines as these others we have been focused on these last few days but which is critically important since it relates to the mortal threat that has been quietly gathering against one of the most cherished safeguards of our government.

I am referring to the latest effort by some on the other side, most of whom have never served a day in the minority, to force a change in Senate rules at the beginning of the new year that would fundamentally change the character of the Senate. This is no exaggeration.

What these Democrats have in mind is a fundamental change to the way the Senate operates for the purpose of consolidating their own power and further marginalizing the minority voice the Senate was built to protect.

In the name of efficiency, their plan is to use a heavy-handed tactic that would poison party relations even more. In the name of efficiency, they would prevent the very possibility of compromise and threaten to make the disputes of the past few years mere pillow fights. To understand why, let me explain in a little more detail what is being proposed.

What this small group of primarily Senate sophomores is now proposing is that when the Senate gavel in at the beginning of the new Congress, a bare majority of Senators can disregard the rule that says changes to the Senate rules can only be approved on the same broad bipartisan basis we reserve for approving treaties and overriding Presidential vetoes, a supermajority plus.

Lyndon Johnson once said of the 67-vote threshold for changes to the rules that it "preserves indisputably the