

are about this. If it is not worth your time, then it is not worth it for the Senate to stop its action and its business.

The talking filibuster rule says if the majority of the Senators vote to go forward with the debate, but it does not hit the 60-vote level, then if you are the objector, stay on the floor. If it is important enough for you to stop the Senate, stay here or get an ally, a colleague, to stay with you to cover the floor because when you leave we are going to renew the request to go back to that measure. If it is not worth staying on the floor to object, then it is not worth stopping the business of the Senate.

I think that is pretty reasonable. Yes, I would say to the Senator from Kentucky, I would live by that rule in the minority, which would mean I would not object unless it really meant something, unless it were worth my time and the time of the Senate to stop that action.

That is what this is about. How mindless it has been to watch this Senate lurch from one cloture vote to another, from one filibuster to another, 386 times in the last 6 years. What a colossal waste of time and energy and talent.

I am one of those Senators who believes that I came here to debate and vote, even to vote on tough amendments. I think that is part of the job. I often quote a former Congressman and great friend of mine, Mike Synar from Oklahoma, who used to say: If you don't want to fight fires, don't be a firefighter; and if you don't want to vote on controversial issues, don't run for the Senate.

That is what this is about. I agree with him. But for goodness' sake, lurching from one tedious, mind-numbing filibuster to the next is no demonstration of the strength of this Constitution and the value of the Senate.

Yes, we need to change the rules. We need to change the rules so there is more accountability, so that those who would stop the Senate and force a filibuster would at least have the decency and courtesy to stay on the floor and state their case and not believe they can do this in absentia. That is what this is about. I think it is important.

I have a bill called the DREAM Act. Some people have heard of it. I introduced it 11 years ago, I say to the Presiding Officer. I think it is one of the most important things I have ever tried to do. But I have never passed it. I called it two or three times on the floor of the Senate. Every time I got a majority, every time I got a majority, always a bipartisan majority, but it never passed. Why? It was being filibustered. A Republican filibuster required 60 votes. So for 11 years literally millions of young people across the country have had their fate unresolved because of this Senate procedure.

I think at some point a majority of the Senate should speak on this issue and that should decide the law of the

land. The House passed it 3 years ago. We should pass it here too. The filibuster has stopped it over and over.

Let me make one more point. I see two of my colleagues on the Senate floor. The Senator from Kentucky came to the floor and talked about the deficit that we face and the issues that challenge us with the fiscal cliff. I see the Senator from Virginia. Senator WARNER and I have spent more time together in his office sitting around a bowl of popcorn with some Diet Cokes talking about this deficit and what we can do about it than I can even total. I have no idea of how many hundreds of hours we spent together in a bipartisan meeting, four Democratic Senators, four Republican Senators. We have tried to take the Simpson-Bowles Commission, on which I served, and their basic idea and turn it into an agreement that we can enact into a law to avoid the fiscal cliff.

We have come close. We have not closed the deal, I am sorry to say. We have come close. There is a feeling on both sides, as the Simpson-Bowles Commission said:

Everything should be on the table, revenue, taxes—I can say taxes; they can't say that on the other side of the aisle—revenue, taxes. That accounted for 40 percent of deficit reduction in Simpson-Bowles—40 percent. What we are talking about is making sure any deficit reduction package going forward has a substantial portion of revenue and taxes in it. But we cannot tax the wealthiest people in America and balance the budget. I know that is true. There have to be spending cuts. There also have to be changes in entitlement programs.

I happen to agree with the majority leader. Social Security does not add a penny to the deficit—not one penny. It is a separate trust fund. But it only has about 22 years of life left in it. That is pretty good by Washington standards, but we can do better.

I think many of us agree on a bipartisan basis we should make some small changes in Social Security today to guarantee it will be here for 50 years or 75 years. We can do that, but that is a separate debate. The debate on the fiscal cliff is about entitlement programs.

I watched some of my friends on the left, on the Democratic side, say: Don't touch the entitlement programs. They are ignoring the obvious. Medicare untouched, unchanged, unamended, runs out of money in 12 years. I plan on being around for 12 years. A lot of folks who are seniors do too, and a lot of folks who anticipate retirement expect it to be there beyond 12 years. We have to do something. To say we are not going to touch Medicare is to ignore the obvious.

I don't want to go the Paul Ryan voucher route, voucherizing it, making it so expensive seniors cannot pay for it. But if we do not put our best talents together and make Medicare a program that lasts more than 12 years, we are not meeting our obligation to the offices for which we ran.

The last point: Medicaid. What is Medicaid? Insurance, health insurance

for the poor. One out of three children in the State of Illinois, their only health insurance is Medicaid. For more than half of the births in Illinois the prenatal care and well-baby care is all paid for by Medicaid. But that is not the majority of what Medicaid is spent on in my State. Sixty percent is spent on the frail elderly and those with mental and physical disabilities who are in institutional settings and they are broke. They have Social Security, Medicare, and Medicaid to keep them alive.

When the Paul Ryan budget suggested cutting 37 percent out of Medicaid, my question to him is, Which group are you going to cut, Paul? The children, the mothers having babies, or the frail elderly?

Yes, we have to look at this program and find ways to save money so it is there when we need it—and we do need it. That needs to be part of this discussion.

I was heartened over the weekend—I will close with this—on a television show with Senator LINDSEY GRAHAM of South Carolina who said publicly: Regardless of this Grover Norquist pledge, my pledge is to the people—I am paraphrasing—my pledge is to the people of America. We are going to solve this problem. We need more on both sides of the aisle to step up in that spirit to avoid this fiscal cliff. We can. With the President's leadership and the cooperation of the Speaker, we can get it done.

For 10 days not much has happened. There has been a big Thanksgiving break, a lot of turkey and stuffing, but now let's get back to business. We are back in session, House and Senate. Let's roll up our sleeves. Let's get it done. We can address this fiscal cliff and set up a plan with the President that is reasonable. We need to do that on a bipartisan basis.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COONS). Under the previous order, leadership time is reserved.

#### ORDER OF PROCEDURE

The PRESIDING OFFICER. Under the previous order, Senators are permitted to speak for up to 10 minutes each.

#### THE SPORTSMEN'S ACT

The PRESIDING OFFICER. For the information of the Senate, the pending business is S. 3525, which the Senate is considering postcloture. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I will take a couple of brief moments. First, let me thank my friend, the Senator from Illinois. No one has spent more time and also, candidly, taken a more courageous position in these discussions around avoiding this fiscal cliff.

For some, for political or other reasons, these are challenging discussions. But no one more than the Senator from Illinois has been willing to put more on the line, has been willing to take more heat and has more represented this whole notion of putting country first on an issue that I think is the defining moment of our time.

I thank my friend, the Senator from Illinois. I appreciate all he has done. I think history will actually show in many ways that the original framework of the so-called Gang of 6—I think it is only in Washington where when people try to work together they are immediately designated as gang members—but particularly the low-income protections the Senator of Illinois made sure we had in our bipartisan agreement that reduced the deficit by more than \$4 trillion will stand as the high water mark. I commend him for his work.

I want to say as a relatively new Senator and one who is still trying to learn the rules and procedures, I also always thought that if someone filibustered a bill they had to stay on the floor and make that case. As someone who was never a legislator before I came to this position, I look forward to working with him and reasonable Members from both sides of the aisle to make sure we have rules reforms so the Senate can get back to doing the people's business and not be involved in procedural matters.

With that, I wish to speak very briefly about the issue before us. It is hunting season in Virginia—I am sure it is in Delaware as well—so it is timely that this current bill is before us. I wish to take a moment to voice my support for the Sportsmen's Act of 2012, a bill I am proud to cosponsor. I applaud the hard work my good friend from Montana, Senator TESTER, has done in moving this bill forward through a number of challenges. He has put so much time and effort into pulling various pieces together, building support, and balancing different interests. I am confident that, with his leadership, we have put together a very strong piece of legislation.

The Sportsmen's Act of 2012 is a compilation of nearly 20 different bipartisan bills that are important to sportsmen and conservation communities across America. It focuses on the conservation of wildlife habitat and improved access for recreational hunting and fishing.

Sportsmen cite the loss of access as the No. 1 reason why they have given up on hunting or fishing. Currently, 35 million acres of public land are either restricted or provide no access. This bill allows the acquisition of more easements and rights of way to improve access to public land for hunting and fishing. The Sportsmen's Act of 2012 increases access to public lands for millions of Americans and Virginians who participate in hunting and fishing and other outdoor recreation, while also supporting the very important conservation of wildlife habitat.

This legislation promotes our recreational hunting, fishing, and shooting heritage. It also continues a number of key initiatives and public-private partnerships to support conservation of fish and wildlife populations.

This bipartisan bill is consistent with my long-term personal and policy commitment to provide more opportunities for outdoor recreation, to restore critical landscapes, and to support a robust outdoor economy.

It is also important to note that in the midst of our important debate about getting our fiscal house in order, this bill does not add one cent to the deficit. This CBO has concluded that it actually saves \$5 million over 10 years.

Finally, and perhaps more telling than anything else, is the amount of support this bill has garnered from outside groups. Over 50 national conservation and wildlife groups support the bill. The National Wildlife Federation supports it, the NRA supports it, and President Obama supports it. That shows the breadth of support this legislation has. With such a broad spectrum of support, passing this bill should be a no-brainer.

I urge my colleagues to join me in another strong show of support for our sportsmen by voting yes on final passage.

Thank you, Mr. President. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### BUDGET ACT VIOLATION

Mr. SESSIONS. Mr. President, I wish to speak about the budget portion of this bill. I share Senator WARNER's support for the bill. I believe fundamentally it is a good series of policy initiatives that will help sportsmen in the long run. However, I am the ranking member of the Budget Committee and this bill violates the deemed spending levels agreed to in the Budget Control Act. Senator WARNER is a member of the Budget Committee. Senator WARNER is a member of the Gang of Six that is working so hard to develop a plan that we are supposed to trust will be executed if their plan were to be effected. It doesn't look as if they are making a lot of progress, but who knows? I salute their effort.

The question is, if we lay out a plan to address our fiscal issues, will we adhere to it? Will we follow it? So I am a little bit taken aback that my colleagues seem oblivious to the idea and the concern that, plainly, the Sportsmen's Act legislation violates the Budget Act. The staff of Senator KENT CONRAD—our Democratic chairman of the Budget Committee, who is retiring—has concluded and certified that it violates the budget because it spends more money than we agreed to spend on this item 15 months ago when the Budget Control Act was passed in order to raise the debt ceiling in America.

I wish to tell my colleagues that I worry about things around here and

about what kinds of agreements may be reached in the middle of the night—Christmas Eve, December 31st—to fix the fiscal cliff. We will hear: Don't worry, we have taken care of it. That is what they said when they passed the Budget Control Act August a year ago. I didn't feel good about it then, although it made some progress and it did have some limits on spending in various areas. So we did pass the Budget Control Act, and this will be the fourth time in 15 months we have had a bill on the floor that violates it.

Senator DURBIN earlier talked about the Simpson-Bowles Commission on which he served. Forty Percent of the revenue they raised was taxes. They said it was about 3-to-1 spending cuts to revenue increases when they were telling us about it. As I recall, they said it was 3-to-1 in spending cuts for every dollar in tax increases. But my Budget Committee staff and I looked at it, and I think it is closer to 1-to-1: \$1 of spending cuts for every \$1 in tax increases.

It was a tax-and-spend bill, really. I wish it were better. It wasn't as good as people suggested. At some point before the election President Obama suggested we should have \$1 in tax increases for every \$4 in spending cuts. Now we see that Simpson-Bowles proposed a ration of almost 1-to-1: \$1 in tax increases for every \$1 in spending cuts.

I am going to put out a statement today, but I wanted to correct something Senator REID said and Senator DURBIN said Sunday on the talk interview programs. Senator DURBIN said Social Security does not add 1 penny to the debt—not a penny. I think that is pretty close to a direct quote. But that is not correct. Social Security is already in a situation where the amount of revenue from people's withholding is less than the amount of money being paid out to the recipients. We have now spent \$27 billion more than we have collected in payroll taxes in the last 2 years. So where does the money come from? It is borrowed by the United States Treasury to pay for Social Security spending. Why? Because the U.S. Treasury borrowed the money. They took the surpluses that had been in existence until 2 years ago and spent them. But the Social Security trustees asked for the money they loaned the Treasury, in order to pay our retirees. They have debt instruments to establish the debt that they loaned to the Treasury. They didn't give it to the Treasury. It was the money of the Social Security recipients. That is whose money it was. So it was loaned to the government, their debt instruments showing the debt, and the Treasury pays the interest to the Social Security trustees. Now, for the first time, instead of having a surplus, which the Treasury can spend and buy votes with, we have a deficit, and boy, it is just beginning. It is already on a path to surge out of control and threaten the future of Social Security. How does the