

gone in to interrogate him, they have manacled him, shackled him, and at one point they had him chained to the bed.

This has gone on long enough. If it is against the law to take a gun into Mexico, even though he had already declared it at U.S. Customs, the Mexican authorities could have, when they released his fellow marine to go back into the United States, sent him back into the United States and told him don't bring your great-grandfather's shotgun into Mexico. If that is against Mexican law. But they didn't. They have put a U.S. Marine, who has honorably served his country, in a Mexican jail, and he has been there since last August.

Enough is enough. I called my friend Arturo, the great and well-respected Mexican Ambassador, yesterday and I can't get a return call from the Mexican Ambassador, so I am bringing this to the attention of the Senate so we can further get through to the Mexican Government and indicate to them they have made a bureaucratic mistake.

Obviously, if it is against Mexican law to take a weapon in, then under these circumstances, this young U.S. marine does not deserve the treatment he is getting—holding him in a Mexican jail at the border of the United States for the past 5 months.

I hope cooler heads will prevail. If it requires me speaking on the Senate floor day in and day out to keep this issue alive, I will do so. Clearly, it has been in the press. It has been in the Miami Herald several times, a much more detailed account of his background, his service to the country, and his struggling with PTSD ever since he got home.

Mr. President, I thank the Chair for the opportunity to bring this to the attention of my colleagues, and once again I say to the Mexican Government: Send this marine home. Now that you have a new President installed in Mexico, relations with the United States are especially important and United States citizens who are peaceful in their intent, innocent in their observation of the Mexican laws, where no harm has been done, should be treated respectfully. Send that U.S. marine back to America and back to his family in Miami.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. JOHNSON of South Dakota. Mr. President, I want to express my support for S. 3637, a temporary extension of the Transaction Account Guarantee, or TAG, Program.

The program, which is administered by the FDIC for insured depository in-

stitutions and the NCUA for credit unions, provides unlimited insurance for non-interest-bearing accounts at banks and credit unions. These transaction accounts are used by businesses, local governments, hospitals, and other nonprofit organizations for payroll and other recurring expenses, and this program provides certainty to businesses in uncertain times.

These accounts are also important to our Nation's smallest financial institutions. In fact, 90 percent of community banks with assets under \$10 billion have TAG deposits. This program allows these institutions to serve the banking needs of the small businesses in their communities, keeping deposits local. In my State of South Dakota, I know that the TAG Program is important to banks, credit unions, and small businesses.

Our Nation's economy is certainly in a different place than it was in 2008 at the height of the financial crisis when this program was created, but with concerns about the fiscal cliff in the United States and continued instability in European markets, I believe a temporary extension is needed. Therefore, I believe that a clean 2-year extension makes the most sense and provides the most certainty for business and financial institutions and also provides time to prepare for the end of the program in 2 years.

I wish to note that this legislation has a cost recovery provision that ensures no taxpayer is on the hook for this insurance. Financial institutions pay for the coverage. This is not and never will be a bailout. This is simply additional insurance paid for by the banks to ensure these accounts remain stable.

I thank Leader REID for making this issue a priority in the lameduck session. I also thank Senator SHERROD BROWN for being a great partner for many months on this important topic. The administration has just issued a SAP in support of TAG, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,  
*Washington, DC, December 11, 2012.*  
STATEMENT OF ADMINISTRATION POLICY  
S. 3637—TRANSACTION ACCOUNT GUARANTEE  
PROGRAM TEMPORARY EXTENSION  
(Sen. Reid, D-NV)

The Administration supports Senate passage of S. 3637, which would temporarily extend the unlimited deposit insurance coverage for noninterest-bearing transaction accounts. The Transaction Account Guarantee (TAG) Program played an important role in maintaining financial stability and banking system liquidity for consumers and businesses during the financial crisis. While the Administration supports a temporary extension of the program, it remains committed to actively evaluating the use of this emergency measure created during extraordinary times and a responsible approach to winding

down the program. The Administration looks forward to working with the Congress to move forward other measures that will support small businesses and accelerate the economic recovery.

Mr. JOHNSON of South Dakota. I ask my colleagues to support the extension of TAG.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECESS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Senate recess until 2:15, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:21 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer, (Mr. COONS).

#### TRANSACTION ACCOUNT GUARANTEE PROGRAM EXTENSION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER (Mr. COONS). The Senate will come to order.

The clerk will report the motion to invoke cloture.

The 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 the motion to proceed to calendar No. 554, S. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

Harry Reid, Joseph I. Lieberman, Jeff Bingaman, Richard Blumenthal, Mark Begich, Jon Tester, Max Baucus, Herb Kohl, Kay R. Hagan, Barbara A. Mikulski, Tim Johnson, Mary L. Landrieu, Kent Conrad, Jeanne Shaheen, Jeff Merkley, Daniel K. Akaka, Mark L. Pryor.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3637, a bill to temporarily extend the transaction account guarantee program, 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUE) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 76, nays 20, as follows:

[Rollcall Vote No. 225 Leg.]

#### YEAS—76

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hoeven	Portman
Blumenthal	Hutchison	Pryor
Blunt	Isakson	Reed
Boozman	Johanns	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Burr	Kohl	Shaheen
Cantwell	Kyl	Snowe
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coats	Lieberman	Udall (NM)
Cochran	Lugar	Vitter
Collins	Manchin	Warner
Conrad	McCain	Webb
Coons	McCaskey	Whitehouse
Cornyn	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Mikulski	

#### NAYS—20

Ayotte	Hatch	Roberts
Barrasso	Heller	Rubio
Coburn	Inhofe	Sessions
Corker	Johnson (WI)	Shelby
Crapo	Lee	Thune
DeMint	Paul	Toomey
Graham	Risch	

#### NOT VOTING—4

Chambliss	Kirk
Inouye	Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 76, the nays are 20. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion to proceed is agreed to.

#### TRANSACTION ACCOUNT GUARANTEE PROGRAM EXTENSION ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3637) to temporarily extend the transaction account guarantee program, and for other purposes.

#### AMENDMENT NO. 3314

Mr. REID. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3314.

The amendment is as follows:

At the end, add the following new section:  
**SEC. \_\_\_\_.**

This Act shall become effective 5 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 3315 TO AMENDMENT NO. 3314

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3315 to amendment No. 3314.

The amendment is as follows:

In the amendment, strike “5 days” and insert “4 days”.

#### MOTION TO COMMIT WITH AMENDMENT NO. 3316

Mr. REID. Mr. President, I have a motion to commit the bill with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill, S. 3637, to the Senate Committee on Banking, Housing, and Urban Affairs, with instructions to report back forthwith with an amendment numbered 3316.

The amendment is as follows:

At the end, add the following new section:  
**SEC. \_\_\_\_.**

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 3317

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3317 to the instructions (amendment No. 3316) of the motion to commit.

The amendment is as follows:

In the amendment, strike “3 days” and insert “2 days”.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

#### AMENDMENT NO. 3318 TO AMENDMENT NO. 3317

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3318 to amendment No. 3317.

The amendment is as follows:

In the amendment, strike “2 days” and insert “1 day”.

#### CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The bill 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. 3637, a bill to temporarily extend the transaction account guarantee program, and for other purposes.

Harry Reid, Debbie Stabenow, Tom Harkin, Jeff Bingaman, Robert Menendez, Tom Udall, Jack Reed, Kay R. Hagan, Tim Johnson, Richard Blumenthal, Bill Nelson, Patrick J. Leahy, Sherrod Brown, Robert P. Casey, Jr., Max Baucus, John F. Kerry, Thomas R. Carper.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER OF BUSINESS

Mr. REID. Mr. President, as provided under the previous order, at 4 p.m. today, the Senate will proceed to executive session to consider Calendar Nos. 762 and 829. For the information of the Senate, we expect at least one rollcall vote on the nomination of John E. Dowdell to be U.S. district judge for the Northern District of Oklahoma and Jesus G. Bernal to be U.S. district judge for the Central District of California at about 4:30 today.

The PRESIDING OFFICER. The Senator from Utah.

#### SENATE RULES CHANGES

Mr. HATCH. Mr. President, some things never change in the Senate. For more than 200 years, our practice of extended debate has been the single most defining characteristic of the Senate. For more than 200 years, extended debate has annoyed the majority and empowered the minority.

What has changed, however, is that the majority today threatens not only to change Senate rules and practice in order to cripple this tradition and consolidate power but to use unprecedented tactics to do it. I urge my colleagues on both sides of the aisle to come together and preserve the fundamental integrity of this body, even if we may disagree about some of the political issues.

I wish to explain to my colleagues why neither the ends nor the means that the majority has been discussing are legitimate. First, there is no debate crisis on the Senate floor, none whatsoever.

In fact, it is easier to end debate today than during most of American history. For more than a century since we had no cloture rule at all, ending debate required unanimous consent. A single Senator could filibuster merely by objecting. From 1917 to 1975, ending debate required a supermajority of two-thirds, higher than the three-fifths required today. As I said a minute ago, extended debate has always annoyed the majority.

Today is no different. Yet we hear the majority claiming there have been hundreds of filibusters, that the rules are being abused, that obstruction is at