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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Lord, You provide for us light and salvation; whom shall we fear? You provide strength for our lives; of whom shall we be afraid?

Provide our lawmakers this day boundless energy to accomplish Your purposes. Lift them over the hurdles of fear and panic as You energize them with kindness, peace, and patience. Lord, astound them with the many ways You can help them find solutions to the problems that beset our land. Help them to consider any indecision that may bring catastrophic consequences. May the tone and tenor of their words and deeds this day build bridges of cooperation for the good of our Nation and world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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, December 12, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business until 2 p.m. today. The Republicans will control the first 30 minutes and the majority the final 30 minutes.

The time from 11:30 until 2 p.m. will be for remarks by our retiring Senators.

Following morning business, we will resume consideration of S. 3637, the TAG extension legislation. The filing deadline for first-degree amendments to that legislation is 1 p.m. today.

FISCAL CLIFF

Mr. REID. Madam President, the headline news for the last many weeks has been the fiscal cliff. In speaking to the President 6 months before the election, a few weeks before the election, a few days before the election and immediately after the election, he indicated we needed to get our financial house in order, and that his goal—to do just that.

But to do that, and because of past experiences, he laid out what he wanted, and it is very simple: The rates for those who have been blessed with economic security in this country will have to be a little higher and middle-class Americans will keep the same tax

structure they have had for the last many years. He will not raise taxes on the middle class, but those people who have done well will have to pay a little bit more. The American people think this is the way it should be.

Now just a little bit of history. I have said this before, but I will go into a little more detail today. When I first became the leader, I took a trip with a number of Senators to South America, countries that we American Senators had never been to, such as Bolivia. It was a wonderful trip. It was great for our country and good for the Senators to learn more about that most important part of the world to America.

I was very fixed on who I wanted to go on that trip with me, but the two I asked to go were Judd Gregg of New Hampshire, who had been chairman of the Budget Committee, and KENT CONRAD, who was the chairman of the Budget Committee at the time. Those two fine Senators spent about 18 hours seated side by side, both having tablets to write on, and they were working on the No. 1 issue they thought important for this country, which was what we should do about the future of our country economically. They came up with an idea that was very good. It had worked before on closing military bases.

We had military bases that we had been trying to close since World War I, and we couldn't do it. We didn't have the political will to do it. So we had a base closing commission. With the base closing commission we said: OK, we are going to have a commission that will work on this and they will report back to us. There will be no filibusters, no amendments, just an up-or-down vote. We did that. We had two rounds of those, and we closed scores of bases and saved the country hundreds of billions of dollars.

That is what Judd Gregg and KENT CONRAD patterned their legislation on. They would have an appointed commission that would report back to us, no

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



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amendments, no filibusters. I thought it was novel, a great idea. So the legislation was drafted and I brought it to the Senate floor. Seven Republicans who had cosponsored the legislation wouldn't vote for it. We couldn't get 60 votes to bring it to the floor. So a number of us asked President Obama if he would do a commission and he did. It was the Bowles-Simpson Commission.

The Bowles-Simpson Commission didn't have the potential the Judd Gregg-KENT CONRAD work had, because although they would send us something here, we could amend it and filibuster it. But we didn't have to worry about that, because we couldn't get enough votes from the commissioners to do that. So that was a failure.

Then President Obama entered into negotiations with the Speaker and they had talks that went on for weeks. They failed. They had another round of talks. That failed. JOE BIDEN, our Vice President, met with the majority leader of the House of Representatives, the Republican ERIC CANTOR. CANTOR walked out of those meetings.

After all that, there was an agreement made here that we would have a supercommittee. It would work under the same terms and conditions as the program Judd Gregg and KENT CONRAD came up with. The supercommittee would have 3 members appointed by me, Senator MCCONNELL, the Speaker, and Leader PELOSI—12 in all. Then we would bring their work to the floor, with no amendments, no filibusters. About a week before they were ready—they had to report by statute—I got a letter signed by virtually every Republican Senator saying: No revenue.

So the President is not going to fall for that again. Because every time we have done this—and I just went over what has happened, and we can add to that the Gang of Six, the Gang of Eight, and other well-intentioned Senators—never, ever could they agree on revenue. So the President is not going to fall for that again. He is not going to do that again.

It is as though we are going to have a card game and they say, you show us all your cards and then we will show you ours. But when it comes time to show the cards of the person you are playing against—nope. It reminds me of the "Charlie Brown" cartoon. How many times is Charlie Brown going to try to kick that football? Because we know every time he approaches that football it will be taken away from him. He can't do it. That is what has happened here, and we are not going to fall for that again.

The American people aren't going to be under the illusion the Republicans will, sometime in the future, come up with revenue. They are either going to agree to raising the rates or we are going over the cliff. How many times do we have to go through this drill to know it is an unfair game? So President Obama is not going to fall for that again. He has been very, very clear.

I heard Leader PELOSI say on the news this morning she has hopes

Speaker BOEHNER will come around. I hope that, in fact, is the case. But to this point there hasn't been a lot of progress, and I am very disappointed.

TRIBUTES TO DEPARTING SENATORS

JOE LIEBERMAN

Mr. REID. Madam President, I want to talk this morning about JOE LIEBERMAN.

The very modest apartment, with no hot water, where JOSEPH LIEBERMAN was raised has long since been demolished, but the values he learned in that little apartment—in the flat above his grandparents' house—are still there. They are the same values of devotion and public service that have driven him not only to overcome humble beginnings but to serve the country for 24 years here in the U.S. Senate.

Two years ago, on the day he announced his retirement from the Senate, JOE LIEBERMAN described his rise from cold-water flat to Congress as follows:

My four grandparents . . . came to America seeking freedom and they found it. They came to America hoping for opportunities and they got them. But even they could not have dreamed that their grandson would end up a U.S. Senator.

JOE was always a natural-born leader. He was president of his high school graduating class. He got undergraduate and law degrees from Yale—one of the most prestigious universities in the world—where he was chairman of the Yale Daily News.

He was a civil rights activist early on as a young man. He was inspired, as many of us were, by the words of John Kennedy. JOE defeated an incumbent to win a seat in the Connecticut State Senate, where he served for 10 years, including 6 as the majority leader of the Connecticut State Legislature.

After returning to private practice for 2 years, he served as the first full-time Connecticut attorney general. It was during his years as attorney general that he met the love of his life, Hadassah. Today, they have 4 children and 12 grandchildren.

In 1988, he again took on one of the giants of politics in the State of Connecticut in a race no one thought he could win, but he did. He defeated an incumbent U.S. Senator, and for the last 24 years he has served the people of Connecticut and this country with honor and distinction.

I was pleased to have had an opportunity to support Senator LIEBERMAN's historic candidacy for Vice President in 2000. JOE was the first Jewish major party candidate for Vice President.

Senator LIEBERMAN is a devout and observant Jew. He has even written a book about the importance of keeping the Sabbath as a day of rest. I read the book. I was so impressed with that book. Our Sabbaths may be on different days, but the solemnity of the Sabbath is important to both of us. I was so impressed by that book I bought

20 of them and sent them to my friends and my family, who I thought would gain a great deal by learning from this book that JOE had written.

JOE LIEBERMAN says his faith is the basis for his strong desire to serve the State of Connecticut and our country. During his four terms representing Connecticut in the Senate, JOE LIEBERMAN played a key role in drafting and passing many different pieces of legislation, including the 1990 Clean Air Act amendments, which have literally saved lives by eliminating harmful smog, acid rain, and other toxins in our air and water. He has been chairman of the very important Homeland Security and Governmental Affairs Committee. He is a powerful voice on security issues, and he has been exemplary in working on a bipartisan basis with Senator SUSAN COLLINS, who has been the ranking member of that committee.

JOE led the charge to create the 9/11 commission and to implement its recommendations. He was a leading voice for the creation of that department, Homeland Security, which we now look to for keeping this country safe.

As a member of the Senate Armed Services Committee, Senator LIEBERMAN was a strong advocate for repeal of the discriminatory don't ask, don't tell policy that unjustly forced gay and lesbian servicemembers into the closet. He fought to ensure our military is the best prepared and best equipped fighting force in the world. We have much in common. We don't always agree on policy issues, but we do 90 percent of the time. Regardless of the few differences we have, I have never, ever doubted JOE LIEBERMAN's principles or his patriotism, and I respect his independent streak as it stems from strong convictions. JOE said it best himself:

I have not always fit comfortably into conventional political boxes. Maybe you've noticed that. Democrat, Republican, liberal, conservative. Because I've always thought my first responsibility is not to serve a political party, but to serve my constituents, my state and my country. . . . Whatever the partisan or policy differences that divide us, they are much less important than the shared values and dreams that unite us.

I have watched up close. He has been a wonderful Member of the Democratic caucus. I so admire and respect him. I agree with Senator LIEBERMAN's values. He has been an asset to the Democratic caucus and our country. I am pleased to have shared the dream of serving in the Senate with such an extraordinary man and exceptional Senator. I congratulate JOE and Hadassah on their years of dedicated service because they have worked together. I wish them both happiness.

The ACTING PRESIDENT pro tempore. The Republican leader.

THE FISCAL CLIFF

Mr. MCCONNELL. Madam President, yesterday I came to the floor to point out something that shouldn't need repeating but does: Any agreement on