

better Senators and in many cases great Senators. KAY BAILEY HUTCHISON is a great Senator. She worked her guts out the whole time she was here. She is still here, but she is going to retire at this time and she has represented Texas well.

All I can say is she has been my friend all this time. When I needed help from her, she was always there. I tried to be there for her when she needed help as well. She has not only been a delightful person to be around but a very intelligent lawyer. She fought for what she believed—most of which I believed in—in a way nobody could truly ever get mad at KAY BAILEY HUTCHISON.

She is a wonderful person, wonderful mother, and we are going to miss her terribly. This is a body where we could use a few more women Senators—maybe a lot more than a few. They are very good people who work very hard and not the least of whom is KAY BAILEY HUTCHISON.

I remember at times when I had difficulties with the BRAC system and difficulties with special NASA problems, and so forth, we always worked together. We could always count on her to come up with intelligent solutions to some of the problems that should not have existed but did.

I have personally appreciated her very much during those times and in so many other ways as we worked together on legislation to help this country and as we worked to represent our respective States. I have so much respect for Texas, the people of Texas, and what they stand for. I have great respect for these Texan Senators who are two of the best we have ever had in the Senate.

Senator HUTCHISON has been an exemplary Senator, not just for women but for all of us. She has also set some standards that I think both women and male Senators are going to have to try to emulate.

I just want say to the Senator that we love her, we appreciate her, and we wish her the very best. We are going to miss her. This is one Senator who will miss her greatly, and I want her to know that. All I can say is God be with her.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased in joining my colleagues in commending and congratulating our distinguished colleague from Texas. Her service in the Senate has truly been outstanding and she has made an impact in our Committee on Appropriations. We have deliberated about the funding of all the Federal agencies and departments of the Federal Government. She has been very careful. She is very serious about her responsibilities, and I am glad to be here today to wish her well in the years ahead and compliment her on a very distinguished career in the Senate.

Mr. LEVIN. Mr. President, Michigan and Texas have much in common, de-

spite the fact they are North vs. South, cowboy boots vs. snowshoes, mesquite vs. pine.

One of the things we have in common is water. Our States are, economically, historically, and culturally tied to great waters: Texas to the Gulf of Mexico, Michigan to the Great Lakes. And this shared interest has afforded me the pleasure of working alongside Senator KAY BAILEY HUTCHISON, a true Texas pioneer.

As the lead cosponsor of the Harbor Maintenance Act, Senator HUTCHISON has been an invaluable ally in the effort to ensure that America's harbors receive the maintenance funding they need to help our economy grow. Her efforts were instrumental in recruiting 37 cosponsors on our bill and in securing language regarding harbor maintenance for the first time in a transportation bill. Her efforts have made a significant difference in the lives of the thousands of American workers whose jobs are directly tied to well-maintained harbors, from the Port of Galveston to the scores of ports dotting Michigan's shoreline.

Senator HUTCHISON has shown important leadership on other transportation issues, such as a more equitable formula for Federal surface transportation funding, and for adequate funding for State maritime academies, including academies in Texas and Michigan, that help meet the needs of our commercial shipping industry as well as the Department of Defense.

She has been an able and dedicated advocate for our Nation's veterans. She pioneered the concept of the home-maker IRA, which helped millions of American women achieve greater retirement security. She has energetically pushed for stronger science and educational programs, including the establishment of a groundbreaking medicine, engineering, and science academy in her State.

We shouldn't be surprised at these and other successes. When she first graduated from the University of Texas Law School, she bumped up against the misguided tendencies of the law firms at the time to dismiss female candidates, no matter how talented. Undaunted, she walked into a local TV station and asked for a job as a reporter and became the State's first female television reporter. She took a detour, but her experience covering politics led to the Texas House of Representatives, the State treasurer's office, and eventually to become the first Texan woman elected to the U.S. Senate.

The Senate will miss her dedication, her quite effectiveness, her ability to seek practical, bipartisan solutions. She has made a habit of making history, and I wish her the best in whatever history-making endeavors she turns to next.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise also to congratulate and thank a

terrific Senator, KAY BAILEY HUTCHISON, and to wish her much success in her further efforts. I know she will provide great leadership in whatever she is doing. It has been wonderful to watch over the years, seeing the pictures of Bailey and Houston and how they have grown, celebrating and going to baby showers. On top of all the other accolades today, Senator HUTCHISON is a devoted and wonderful mother to two beautiful children.

As everyone has said, she is the first and only woman to represent Texas in the Senate and will always have that distinction of opening doors and barriers. I know she agrees with me that once the doors open, we want to make sure more women are able to walk through that door as well.

I wish to congratulate her for all she has done. We have come together to fight for opportunities for women around the world at the Senate Women's Caucus on Burma and other efforts she has led. I am very supportive of adding her name to the spousal IRA law. I think that is a very fitting tribute, and I am hopeful we can get that done as well.

I just want to congratulate her.

I do want to have the opportunity to talk about something else, but I see my friend wanting to say a few words.

Mrs. HUTCHISON. Mr. President, if the Senator would yield for just a moment to let me say thank you to all the wonderful Senators who have spoken and said nice things. It is one of the few times Senators sort of pause and wish someone well, as they are leaving. It has truly been very touching, and I appreciate the kind words of the Senator from Michigan. It has been a distinct pleasure to have colleagues on both sides of the aisle feel we have done so much together. My hope is that as I am going out the door, the collegiality of the Senate will never change.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT—Continued

THE FARM BILL

Ms. STABENOW. Mr. President, I also wish to speak about the importance of passing a farm bill today and thank the Senator from Texas for her support as we passed a strong bipartisan farm bill in the Senate back in June when sent it over to the House of Representatives.

We have had 80 days since the farm bill expired. That is 80 days that farm families and small businesses have been holding their breath and wanting to know what is going to happen in rural America and agriculture across the country. I have not given up, nor have other colleagues here. Certainly, my partner here in the Senate, Senator ROBERTS, and our partners in the House, including Chairman LUCAS and

Ranking Member PETERSON, all stand ready if we can get a positive signal from the House Republican leadership to get this done. There is no doubt in my mind that we can do it. For everyone listening, the issue is not differences in the commodity title, which I have every confidence we can come together on and work out; the question is, as we are seeing efforts being worked on for a larger deficit reduction package, whether the House leadership will think rural America and agriculture are important enough to include. That is the question. It is whether the savings we have achieved in deficit reduction by eliminating unwarranted taxpayer subsidies and creating other efficiencies and tackling waste, fraud, and abuse, whether that is worthy of a priority in the effort that is being worked on. We have continued to point out the fact that the 16 million people across America who work because of agriculture deserve to be a priority.

I thank our leadership and the leadership across the aisle for making it a priority of this Senate back in June. I thank my colleagues on the committee in the House for making it a priority and for passing a bipartisan bill in July. For the life of me—I am appalled continually that the Republican leadership of the U.S. House of Representatives does not consider the security and the livelihood of 16 million people who live in rural America across this country to be a priority.

We are including a final list of things that need to get done. We are not giving up. We are coming back next week, and we are going to be here, and we are ready at any moment to be able to do what we need to do.

Across this aisle, colleagues have worked in good faith in the Senate, and I am very grateful. I appreciate the support of the Presiding Officer in urging that we get this done. We have colleagues on both sides of the aisle who have come together to make tough decisions. We are willing to make some more, but we are not willing to give up on 16 million people who live in rural communities—small towns such as where I grew up in Claire, MI—who are counting on us to do the right thing and to give them the ability to plan, the ability to get help for the disasters they have seen, and the ability to know they can move forward and care for their families.

We have a disaster bill right now on the floor. As chair of the Agriculture Committee, there is no way I am going to allow a disaster amendment without being able to offer an amendment that relates to agriculture disaster which we have fully paid for in the farm bill.

So we are willing to do two tracks here if we come together, which I hope we will, on a disaster package. Certainly, people in rural America—farmers, ranchers across this country—have felt the disasters other communities have felt. So I am proud to join with Senator MERKLEY and Senator MCCAS-

KILL and others in putting forward the portions of the farm bill that deal with disaster relief as part of this package which is now moving forward. I hope we will have an opportunity to vote and come together on that, which is so important. That does not negate the need to get a farm bill done or our desire to do that or the fact that we are laser-focused until the last moment we have available on getting it done.

Let me remind my colleagues that farming is the riskiest business in the world. There are a lot of risky things we can do. There are a lot of disasters that have happened.

I was pleased to have the opportunity to join with our colleague from New Jersey, Senator MENENDEZ, last week to visit some of the coastline in New Jersey and to be a part of a group that looked at the devastation there. And there is no question, it is up to our country at times such as these, when people are wiped out, their homes are wiped out, it is our responsibility to come together and to act on behalf of citizens in those States. I strongly support doing that. It is also our responsibility to acknowledge and recognize and help others around the country who have similar disasters.

As I said before, there is no business that is riskier than farming. Thank goodness we have people who are willing to stay in farming and ranching regardless of what happens with the weather. Thank goodness we have a strong crop insurance system in place, and we strengthened that even more, which is incredibly important, in this farm bill. But we have had disasters happen that need to be addressed for those who farm for us.

In the spring we experienced late freezes in Michigan and in New York and in Pennsylvania that wiped out food crops. A lot of small family farms, farms in northern Michigan, were wiped out. In my home State, late freezes and a spring frost caused them to lose practically their entire crop right off the bat. It warmed up, the buds came out, and then they had a deep freeze that killed everything. Our growers produce 75 percent of the U.S. supply of cherries. That is around 270 million pounds. The cherry producers experienced a 98-percent loss.

In our amendment in the disaster bill and in the farm bill, we give them some help because they spent the rest of the crop year this year having to pay to maintain the orchards and the trees, eating the costs and hoping the trees will bounce back next year and produce a crop. So they have all the costs of maintaining everything but no revenue coming in.

Cherry producers were also forced to fight spreading diseases such as cherry leaf spot and bacterial canker, making the trees even more costly to maintain and at risk of loss. They didn't just lose their crop this year; they had to invest a lot of money to save their orchards without having any dollars coming in. We give them some help. It

doesn't cover all the losses but some help to be able to stay in business. We do that through the farm bill.

Apple producers in most areas of Michigan and in New York and in Pennsylvania had about a 40-percent production, so they lost 60 percent. Think about a business losing 60 percent of its income for a year or, in the case of cherries, 98 percent. We have things in place to support them when that happens. That is why we have disaster assistance, and that is why we have other things as well. We have something called the farm bill when things like this happen in agriculture or disaster assistance for agriculture, as we are proposing assistance for.

Also, in the summer we saw record-breaking drought, as we know. We heard story after story about families whose crops were left withering in the fields, entire corn crops devastated in Iowa, and wildfires in Colorado killing 2 people and forcing residents to evacuate over 34,000 homes. Drought and wildfires cost the State of Oklahoma more than \$400 million this year alone according to a report that has just been produced by Oklahoma State University. That includes crops and livestock, property loss from wildfires, and emergency costs.

I have heard so many times from my friend, the distinguished ranking member from Kansas, about what has happened in Kansas. We had the opportunity to be there and to hear from people directly in Kansas. My staff has walked in the field and seen that there is nothing there because of the drought and what it means.

This year represented the worst drought since 1956. That is a disaster. At the height of the drought this summer, over 80 percent of the contiguous United States experienced drought conditions—80 percent. We still have 11 States with exceptional drought conditions and 17 States with severe drought conditions. Seventeen States across the country, in the Northeast, the Midwest, the South, the Great Plains, the Southwest, and on the west coast—every region except the Pacific Northwest has suffered from long-term drought.

Sixty percent of the farms in the United States experienced drought this year, and we saw severe droughts in 57 percent of farmland acres. By the end of this last October, over half of the pastures and ranges in the United States were rated poor to very poor. And 1,692 counties in the country, spread across 36 States, were declared a primary disaster area because of the drought.

By the way, there are a whole lot of issues around weather that we need to be talking about and dealing with, and we need to be doing that in the new year.

So this is what is happening for farmers and ranchers. On May 20 only 3 percent of our corn crop was rated poor or very poor, but by the end of September over 50 percent was rated poor or very

poor. Our cattle inventories were at a 60-year low as farmers and ranchers have had to sell off their breeding stock because they don't have the hay or grazing land to feed them. Low water levels in the Mississippi are affecting grain shipments, threatening to affect shipments early next year as farmers try to plant their crops. We have seen reports that grain is piling up in elevators while farmers try to figure out alternative routes of shipping their products to market.

Hurricane Isaac left hundreds of thousands of acres underwater. Hurricane Isaac caused destruction like nothing we could have imagined. As I said, I saw the damage up close from Hurricane Sandy. Weather disasters have destroyed millions of acres of farmland and affected millions of families in every State and corner of this country.

We are considering a disaster bill today. Well, the farm bill is a disaster bill because it not only has disaster assistance but it creates 5-year certainty for our growers, who deserve it. They deserve to know what is going to be happening. They deserve to know so they can go to the banker and talk about their financing for the coming crop year and be able to plan as well as get immediate help.

I support passing a disaster bill, and agriculture should be a part of this, but it is not enough. We need to do that, and we need to have a 5-year farm bill in order to create the certainty we need.

We have spent so much time focusing on how we move forward with agriculture today and create the right kind of risk management tools for the future. I am very proud of what we have been able to do.

We—the members of the Agriculture Committees—have also been, frankly, the only committee to step up voluntarily and say: We will put money on the table for deficit reduction. We did it during deficit reduction talks. We have done it in the House and the Senate as we have written the farm bills. We are willing to be a part of the solution. We are part of the solution.

One of the things I find very frustrating is that if, in fact, it doesn't get done this year, those who don't want reform, those who want government payments even in good times may very well get another year of government payments that we can't afford and taxpayers should not be paying for. So this really is about reform.

I hear colleagues talking on the other side of the aisle all the time about the things we shouldn't be doing and the things we shouldn't be paying for. Well, I would encourage them to join us in the fight to get a farm bill done to stop an area where we have all agreed we should not be providing government payments in the area of direct payments. I know there are those in the House who want to keep that going as long as possible, but it is not right in an era when we have to make tough

choices for families and every other part of the budget to allow that to happen.

We passed a reform bill. We tackled fraud and abuse in nutrition. We consolidated conservation and saved money. We tackled payments that have been given out for years that don't make sense and that the government can't afford. We listened to farmers to strengthen risk management tools, predominantly crop insurance. With all the weather disasters I have described this year, if we can strengthen crop insurance, we are going to give them a better safety net going forward for whatever comes in the coming year.

So there is a lot on the line. There is a lot on the line for 16 million people who have jobs because of agriculture and the food industry. There is a lot on the line for people who go to the grocery store and eat and want to know food prices are not going to go up, that milk prices are not going to go up. There is a lot on the line for people who just want us to come together and work together. In light of everything going on, we did that kind of a farm bill. They did that in the House in committee.

All the Speaker and the leadership have to do is say: We care about rural America. We care about 16 million people who work every day, who are folks who do their jobs, and when the job has to get done, whether it is early in the morning or late at night, they do it, and they expect us to do the same thing.

There is no excuse—none—that makes any sense not to get a 5-year farm bill done, not to make sure we have the disaster assistance that is needed for farmers and ranchers, and not to get reforms that cut back on taxpayer subsidies we should not be providing, and the deficit reduction that is critically important as we come up to this fiscal cliff.

I wish to thank everyone in this body for working with us to get a bill done of which I think we should all be very proud. We are going to continue to push as we go forward, hoping that at some moment the House Republican leadership will look around at the small towns in their districts and decide they matter and that they will pass a 5-year farm bill.

Thank you.

The PRESIDING OFFICER. The Senator from Vermont.

CHAINED CPI

Mr. SANDERS. Mr. President, as we continue to debate how to prevent this so-called fiscal cliff and how to go forward in deficit reduction, my Republican friends, apparently, want the American people to believe that making the wealthiest people in this country pay a few dollars more in taxes would amount to some kind of terrible sacrifice, and they are vigorous and unanimous in opposing the President's initial proposal to do away with all of Bush's tax breaks for people making \$250,000 a year or more. I guess their

new proposal coming out of the House is that only people making \$1 million a year or more would see their tax rates go up.

Let me say a word about hardship and a word about sacrifice and it is not about the problems of millionaires and billionaires who are doing phenomenally well and who are being asked to pay a few dollars more to help us deal with deficit reduction, at a time when their tax rates are at a historically low rate. Let me tell you about sacrifice, and let me tell you about on whom we should not be balancing the budget.

This morning, in the Veterans' Affairs Committee, I held a press conference, which included every major veterans organization in this country, representing millions and millions of veterans, people who have put their lives on the line to defend our country and many of whom have suffered as a result.

The organizations that were there with me to say no to the so-called chained CPI—which would cut benefits for disabled veterans, which would cut benefits for widows and kids who lost their husband or their father in Iraq or Afghanistan and would see a chained CPI cut back on their limited benefits—we had at this press conference the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the Iraq and Afghanistan Veterans of America, the Paralyzed Veterans of America, the Blinded Veterans Association, the Wounded Warrior Project, the Military Order of the Purple Heart, the National Military Family Association, the Vietnam Veterans of America, the National Guard Association, the National Association of Uniformed Services, the Jewish War Veterans, the Military Officers Association of America, AMVETS, the Association of the United States Army, the Commissioned Officers Association of the U.S. Public Health Service, the Naval Enlisted Reserve Association, the United Spinal Association, VetsFirst.

What all of them said—and some of them made this statement far more poignantly than I can—is when we talk about sacrifice, they are there; they have already done it. Some of them have come back from our wars without arms or legs or maybe they have lost their eyesight. They have sacrificed, and it is morally absurd to be equating on one hand the sacrifice of a multimillionaire, asking him to pay a few dollars more in taxes, with asking people who have lost their limbs defending this country to make a sacrifice. That is not equivalent sacrifice.

Let me talk about this so-called chained CPI. I know there are some folks out there—and I think we have had Wall Street CEOs worth hundreds of millions of dollars, who were bailed out by the taxpayers of this country, who have the most extravagant retirement benefits imaginable—they have come to Washington, DC, to tell Congress we should cut Social Security

benefits for disabled veterans, raise taxes on low-income workers.

Let me tell you what this—what some call a tweak—would do. In terms of the chained CPI, more than 3.2 million disabled veterans receive disability compensation from the Veterans' Administration—3.2 million veterans. They would see a reduction—a significant reduction—in their benefits. Under the chained CPI, a disabled veteran who started receiving VA disability benefits at age 30 would have their benefits cut by more than \$1,400 at age 45, \$2,300 at age 55, and \$3,200 at age 65.

Does anybody in their right mind think the American people want to see benefits cut for men and women who sacrificed, who lost limbs defending their country? Are we going to balance the budget on their backs?

I challenge anyone who supports a chained CPI to go to Walter Reed hospital, visit with the men and women who have lost their legs, lost their arms, lost their eyesight as a result of their service in Afghanistan or Iraq. Come Veterans Day and come Memorial Day, all the politicians go out and give speeches of how much we love our veterans. It is great to give a good speech on Memorial Day or Veterans Day but what about standing up for them now?

I know the Wall Street CEOs and the big money lobbyists are descending on Washington trying to protect the wealthy and the powerful. But maybe now is the time—not just Veterans Day, not just Memorial Day—that we stand with veterans, we stand with disabled veterans. They have sacrificed,

and I think it is unseemly, I think it is immoral to be balancing the budget on their backs.

We have also made a commitment to the surviving spouses and children who have lost a loved one in battle by providing them with Dependency Indemnity Compensation benefits that average less than \$17,000 a year. Do my colleagues truly think we should be cutting benefits for surviving spouses who lost their husband in Iraq or Afghanistan?

Further, we have made a promise to every American; that is, that above and beyond benefits for disabled vets, what we have said is a couple things: For those who are older, we have said Social Security will be there for them in their old age, in their time of need or if they become disabled, and we have said those benefits will also keep up with inflation.

Today, over 9 million veterans receive Social Security benefits as part of the tens of millions of Americans who receive Social Security, and more than 770,000 veterans receive Social Security disability benefits.

We are talking now about the “Greatest generation,” the people who saved this country in World War II. I just met last week—and it chokes me up every time I meet these guys—a fellow from Winooski, VT, who was in the Battle of the Bulge, that hugely important battle at the end of World War II to stop the Nazi advance. He was also at Normandy.

Do you truly want to balance the budget on his back?

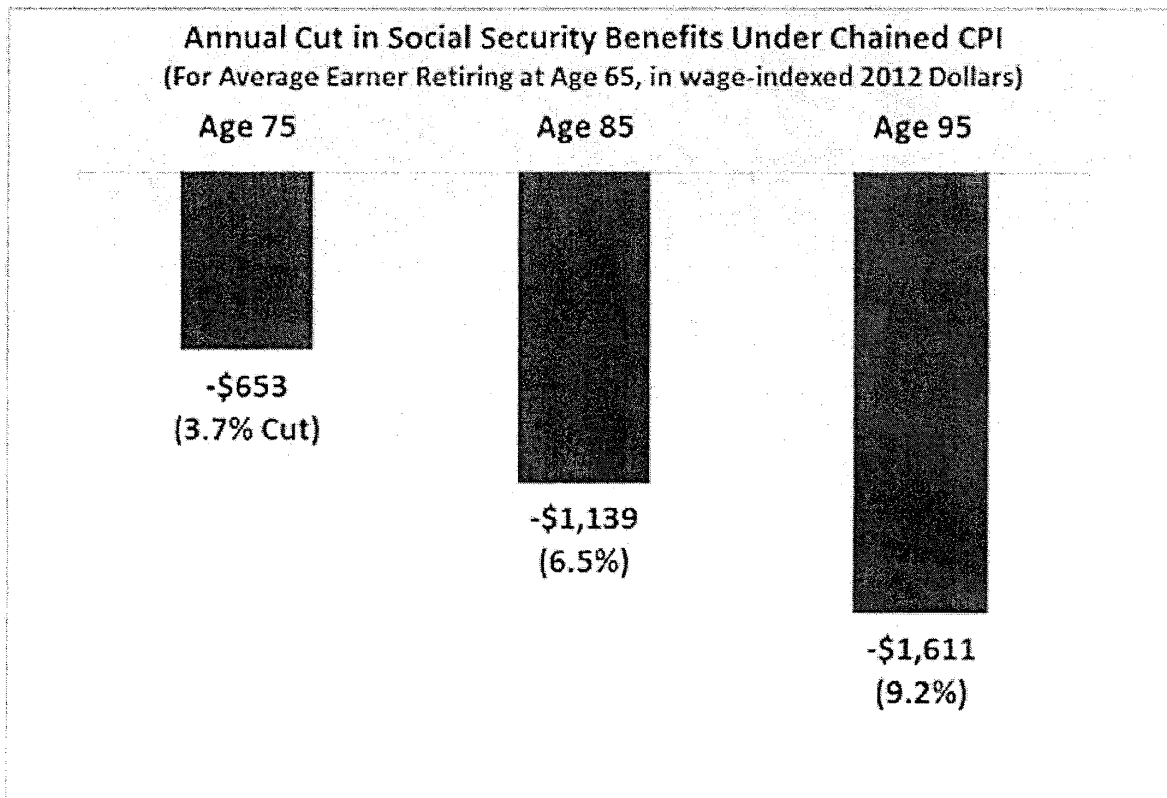
We are talking about the brave men and women who served in Korea, Vietnam, and other conflicts as well.

Let us be clear what this chained CPI would do because I think there are some people—I guess if someone is a Wall Street CEO guy and is making millions of dollars a year and has a great retirement package, when we are talking about hundreds of dollars a year, that is what they use for lunch. They do not have to worry about keeping their house warm or buying food. That is not within their world view.

Under the chained CPI—we should all understand this is no small tweak; this is not some administrative issue—under the chained CPI, average seniors who retire at age 65 would see their Social Security benefits cut by about \$650 a year when they reach age 75. Again, I understand if someone is a Wall Street CEO, if one is a millionaire, hey, \$650 a year is not a lot of money. But let me tell you, if you are a senior citizen living in Vermont or Minnesota and you have to worry about heating your home, you have to worry about putting gas in your car, you have to worry about prescription drugs, \$650 a year is a lot of money, if you are living on \$15-, \$16-, \$18,000 a year of income, most of that coming from Social Security. So if you retire at age 65, it is about a \$650 cut when you reach age 75, and it is more than \$1,000 a year when you turn 85.

I ask unanimous consent to have printed in the RECORD a chart which talks about annual cuts in Social Security benefits under the chained CPI.

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



Mr. SANDERS. What the chart shows is that at age 75 the cut would be \$653, a 3.7-percent cut; at age 85 it would be \$1,139, a 6.5-percent cut; and at age 95, it would be \$1,611, a 9.2-percent cut.

The rich are getting richer. We have growing wealth and income inequality in America. The wealthiest people in this country are paying the lowest effective tax rate in decades. We are

going to balance the budget on the backs of seniors trying to get by on \$15,000, \$18,000 a year? Is that what this Congress stands for? I certainly hope not.

The fact of the matter is, the current formula for calculating COLAs is not too generous. And whenever I speak in Vermont, I say to seniors—and I speak to them quite often—there are some

folks in Washington who think that your COLA—the formulation and how we reach a COLA for you—is too generous. Do you know what happens. They laugh. They invariably break out in laughter because they know that in the last 3 years, two out of those years they got zero COLA. They know this year they are going to get a 1.7-percent

COLA, which is one of the lowest COLA increases ever.

They also know the current formulation for a COLA does not fully take into account the escalating costs of prescription drugs and health care, which is where most seniors spend their money. They are not spending their money on flat-screen TVs or iPhones or iPads. They are spending their money heating their homes, buying food, paying for prescription drugs, and paying for health care. These costs are going up much faster than general inflation. I think what most economists would tell you is that the current formulation for determining COLAs with Social Security is inadequate, too low, rather than, as the advocates of the chained CPI would suggest, that they are too high.

Furthermore—this has not been widely discussed—moving to a chained CPI would also result in an across-the-board tax increase of more than \$60 billion over the next 10 years that will disproportionately hurt low-income and middle-income families the most. In fact, two-thirds of the tax increase under a chained CPI would impact Americans earning less than \$100,000 a year, and many would be impacted by losing the earned income tax credit and the childcare tax credit.

Maybe I am missing something, but I thought I heard from the White House and here on the floor of the Senate that we are not going to raise taxes for people earning less than \$250,000 a year. Maybe I am wrong. But I thought I heard that many times. Well, if you vote for the chained CPI, in fact you are raising taxes on a whole lot of people, including low-income working families. Under the chained CPI, low-income workers would see their taxes go up by 14½ percent, mainly by cutting the earned income tax credit and the refundable childcare tax credit. So if we are going to keep faith with what we have said here, I say to my Democratic and Republican friends: No tax increases for workers making less than \$250,000 a year. We better reject this chained CPI.

Furthermore, I must tell you that I am disappointed, because I thought I heard a few weeks ago my friends in the White House telling us that Social Security—telling us truthfully, correctly—has nothing to do with deficit reduction, because Social Security is funded by the payroll tax, and that Social Security should be off the table in terms of deficit reduction. I heard that many, many times. So I wonder how Social Security has suddenly gotten back on the table, including a chained CPI, with devastating cuts to seniors and disabled vets.

I think we should deal with Social Security. I think Senator DICK DURBIN made a good point: Let's deal with it. Let's deal with it separately. Let's determine how, in a fair way, we can make Social Security solvent for the next 50 or 75 years without cutting benefits.

I have ideas on that, Senator BEGICH has ideas on that, Senator HARKIN and others. And the Presiding Officer has been thinking about ways that we make Social Security solvent and strong for 75 years without cutting benefits. Let's have that discussion, but not as part of a deficit reduction bill when Social Security has had nothing to do with deficit reduction.

I do not often quote Ronald Reagan, but this is what Ronald Reagan said on October 7, 1984. He was absolutely right. Ronald Reagan:

Social Security has nothing to do with the deficit. Social Security is totally funded by the payroll tax levied on employer and employee. If you reduce the outgo of Social Security, that money would not go into the general fund to reduce the deficit, it would go into the Social Security Trust Fund, so Social Security has nothing to do with planning the budget or erasing or lowering the deficit.

October 7, 1984. Reagan was right. I have to tell you that when Barack Obama was campaigning for President in 2008, he told the AARP on September 6, 2008, that:

John McCain's campaign has suggested that the best answer for the growing pressures on Social Security might be to cut cost of living adjustments or raise the retirement age. Let me be clear. I will do neither.

September 6, 2008. Barack Obama. One of the astounding things about Congress and the inside-the-beltway mentality is how out of touch it is with what the American people are thinking and what the American people are believing. Yesterday there was a poll in the Washington Post. I ask unanimous consent that that poll be printed at the conclusion of my remarks.

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

(See exhibit 1).

MR. SANDERS. What that poll said—I hope my colleagues are listening—this is yesterday in the Washington Post, and this is absolutely consistent with every other poll I have seen—60 percent of the American people believe it would be unacceptable to change the way Social Security benefits are calculated so that benefits increase at a slower rate than they do now in order to strike a budget deal. Only 34 percent would find this acceptable. Sixty percent of the American people believe it would be unacceptable to raise the age of Medicare eligibility, 68 percent of the American people believe it would be unacceptable to cut spending on Medicaid. But 74 percent of the American people said in this poll that they would accept raising taxes on Americans with incomes of over \$250,000 a year. This is consistent with every other poll that is out there. The American people are saying: Wait a minute. The middle class, the working class is hurting. Do not cut Social Security, Medicare, Medicaid. That is what they said yesterday in the poll.

What they also said, at a time when the rich are getting richer, yes, they should be asked to contribute more in taxes. I mentioned earlier that

to the best of my knowledge, every single veterans organization has made it clear that they are strongly opposed to the so-called chained CPI, which would cut benefits for disabled vets.

The AARP and the every other seniors organization, including the groups to protect Social Security, the National Committee to Protect Social Security and Medicare, and others are saying do not cut Social Security benefits. The AFL-CIO has been very vigorous in protecting working families and saying do not cut Social Security, do not cut Medicare, do not cut Medicaid.

Here we are, the American people overwhelmingly want the wealthy to pay more in taxes and not cut Social Security and Medicare and Medicaid, organizations representing tens of millions of people are saying, ask the wealthy to pay more in taxes, not cut Social Security, Medicare, and Medicaid.

What are we talking about here? We are talking about cutting Social Security, Medicare, and Medicaid, and asking the wealthy to pay more but nowhere near as much as they should be asked to pay.

We wonder. We wonder why Congress has a 9-percent favorability rating. I will tell you that my phones today—and I do not think this is an organized effort, by the way—my phones in my office—and you might want to check your offices, but my office phones are bouncing off the hook from people in Vermont and all over this country saying: Do not cut Social Security.

So I would say to the American people, right now a deal is being hatched which would cut Social Security and benefits for disabled veterans, raising taxes on low-income workers. If you think that is a bad idea, you might want to get ahold of your Senator or Member of the House.

Let me conclude by saying, in my view, deficit reduction is a serious issue. We, as you know, have already cut \$1.5 trillion in programs as a result of the agreements in 2010 and 2011, and up to this point the millionaires and billionaires have not contributed one nickel—one nickel—more in taxes. So deficit reduction is a serious issue. I look forward to playing an active role in making sure that we address that serious problem. But I will do everything in my power to make sure we do not balance the budget on the backs of veterans, the elderly, the children, the sick, and the poor, and low-income working people.

(EXHIBIT 1)

PUBLIC WANTS COMPROMISE ON FISCAL CLIFF,
BUT SPECIFICS UNPOPULAR

IN THIS POLL:

With the end of the year approaching, Americans give Obama his highest approval ratings in over a year and key advantages over Republicans in the battle over the so-called 'fiscal cliff.' Still, majorities say both Obama and Republicans are not willing enough to compromise to reach a deal.

POLL QUESTIONS

Q. Do you approve or disapprove of the way Barack Obama is handling his job as president?

APPROVE—54%

DISAPPROVE—42

Q. Do you approve or disapprove of the way Obama is handling the economy?

APPROVE—50%

DISAPPROVE—48

Q. Do you approve or disapprove of the way Obama is handling taxes?

APPROVE—48%

DISAPPROVE—45

Q. Do you approve or disapprove of the way Obama is handling Budget negotiations to avoid the so-called 'fiscal cliff'?

APPROVE—45%

DISAPPROVE—43

Q. Do you think Obama has a mandate to carry out the agenda he presented during the presidential campaign, or should he compromise on the things the Republicans strongly oppose?

OBAMA HAS MANDATE TO CARRY OUT AGENDA—34%

OBAMA SHOULD COMPROMISE—56

Q. Which comes closest to describing the way you feel about the outcome of the 2012 presidential election: enthusiastic, satisfied but not enthusiastic, dissatisfied but not angry or angry?

Enthusiastic—23%; Satisfied but not enthusiastic—31; Dissatisfied but not angry—31; No opinion—2.

Q. Do you approve or disapprove of the way The Democrats in Congress are doing their Job?

APPROVE—39%

DISAPPROVE—56

Q. Do you approve or disapprove of the way The Republicans in Congress are doing their job?

APPROVE—25%

DISAPPROVE—70

Q. Do you approve or disapprove of the way the Republican leaders of Congress are handling budget negotiations to avoid the so-called 'fiscal cliff'?

APPROVE—26%

DISAPPROVE—65

Q. Who do you trust to do a better Job Coping with the main problems the nation faces over the next few years—(Obama) or (the Republicans in Congress)?

Obama—50%; Republicans—35; (VOL) Both equally—1; (VOL) Neither—11; No opinion—3.

Q. Who do you trust to do a better job Handling the economy—(Obama) or (the Republicans in Congress)?

Obama—54%; Republicans in Congress—36; (VOL) Both equally—1; (VOL) Neither—7; No opinion—1.

Q. Who do you trust to do a better job Protecting the middle class—(Obama) or (the Republicans in Congress)?

Obama—58%; Republicans in Congress—32; (VOL) Both equally—1; (VOL) Neither—7; No opinion—3.

Q. Who do you trust to do a better job Handling taxes—(Obama) or (the Republicans in Congress)?

Obama—46%; Republicans in Congress—42; (VOL) Both equally—1; (VOL) Neither—9; No opinion—3.

Q. Who do you trust to do a better job Handling the federal budget deficit—(Obama) or (the Republicans in Congress)?

Obama—45%; Republicans in Congress—41; (VOL) Both equally—2; (VOL) Neither—10; No opinion—3.

Q. Overall, what do you think is the best way to reduce the federal budget deficit—(by cutting federal spending), (by increasing taxes) or by a combination of both?

Cutting federal spending—29%; Increasing taxes—4; Combination of both—65; No opinion—2.

Q. If deficit reduction comes both from (cutting spending) AND from (increasing taxes), should it be more from (cutting spending), or more from (increasing taxes) or should it be half from each?

More from cutting spending—47%; More from increasing taxes—10; Half from each—41; No opinion—2.

Q. In order to strike a budget deal, would you accept Cutting spending on Medicaid, which is the government health insurance program for the poor or is this something you would find unacceptable?

ACCEPT—28%

UNACCEPTABLE—68

Q. In order to strike a budget deal that avoids the so-called 'fiscal cliff', would you accept Cutting military spending or is this something you would find unacceptable?

ACCEPT—42%

UNACCEPTABLE—55

Q. In order to strike a budget deal that avoids the so-called 'fiscal cliff', would you accept Raising taxes on Americans with incomes over 250-thousand dollars a year or is this something you would find unacceptable?

ACCEPT—74%

UNACCEPTABLE—24

Q. In order to strike a budget deal that avoids the so-called 'fiscal cliff', would you accept Raising the age for Medicare coverage from 65 to 67 or is this something you would find unacceptable?

ACCEPT—36%

UNACCEPTABLE—60

Q. In order to strike a budget deal, would you accept Changing the way Social Security benefits are calculated so that benefits increase at a slower rate than they do now or is this something you would find unacceptable?

ACCEPT—34%

UNACCEPTABLE—60

Q. In order to strike a budget deal, would you accept Capping the amount of money people can claim in tax deductions at no more than 50-thousand dollars a year or is this something you would find unacceptable?

ACCEPT—54%

UNACCEPTABLE—36

Q. How likely do you think it is that (Obama) and (Republicans in Congress) will agree on a budget plan that avoids the fiscal cliff?

Very likely—14%; Somewhat likely—38; Somewhat unlikely—26; Very unlikely—19; No opinion—2.

Q. If a budget agreement is not reached, who do you think will be mainly to blame—(the Republicans in Congress) or (Obama)?

Republicans in Congress—47%; Obama—31; (VOL) Both—18; (VOL) Neither—*; No opinion—3.

Q. How concerned are you, if at all, about what may happen to the national economy if Obama and Congress cannot reach a budget agreement?

Very concerned—58%; Somewhat concerned—30; Not too concerned—7; Not concerned at all—3; No opinion—1.

Q. How concerned are you, if at all, about what may happen to your personal finances if Obama and Congress cannot reach a budget agreement?

Very concerned—48%; Somewhat concerned—32; Not too concerned—11; Not concerned at all—10; No opinion—1.

Q. How concerned are you, if at all, about what may happen to the government's ability to operate effectively if Obama and Congress cannot reach a budget agreement?

Very concerned—48%; Somewhat concerned—30; Not too concerned—11; Not concerned at all—9; No opinion—2.

Q. How concerned are you, if at all, about what may happen to the U.S. military if Obama and Congress cannot reach a budget agreement?

Very concerned—44%; Somewhat concerned—31; Not too concerned—14; Not concerned at all—9; No opinion—2.

Q. Has the leadership of the Republican Party been too willing or not willing enough to compromise with Obama on the budget deficit?

Too willing—14%; Not willing enough—76; About right—2; No opinion—8.

Q. Has Obama been too willing or not willing enough to compromise with the leadership of the Republican Party on the budget deficit?

Too willing—28%; Not willing enough—57; About right—5; No opinion—10.

Q. Generally speaking, do you usually think of yourself as . . . ?

Democrat—31%; Republican—24; Independent—38.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. 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. COONS. Mr. President, I ask unanimous consent to speak as in morning business for a period of up to 20 minutes.

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

NEWTOWN, CONNECTICUT TRAGEDY

Mr. COONS. Mr. President, I rise today with a heavy heart. When we first heard of the horrific shooting in Newtown, CT, on Friday, it was impossible for me not to react, not just as a Senator but as a parent, as a father. And as my wife and I spent the weekend reflecting on the heartbreaking loss of 20 innocent children and 6 of their teachers and faculty, as we talked to our own 3 young children about what had happened, we thought about the grief and the anguish for a whole range of different parents deeply touched by this tragic incident.

The first, of course, are the parents who lost their precious innocent children, their 6- and 7-year-olds in the massacre at Sandy Hook Elementary School last Friday. Joel and JoAnn Bacon lost their precocious, outgoing, red-haired daughter Charlotte, just 6 years old. JoAnn had recently bought Charlotte a new holiday dress in her favorite color—pink—and a pair of white boots. Charlotte had begged and begged to wear her new outfit early, and on Friday, December 14, the last day of Charlotte's young life, her mother JoAnn agreed.

Steve and Rebecca Kowalski lost their active and athletic 7-year-old son Chase. Just 2 days before the shooting, Chase's next-door neighbor had asked him what he wanted for Christmas, and I understand he pointed to his two missing front teeth.

Any of us who have had the special blessing and joy of raising young children, especially at holiday time, can

only imagine the unbearable sorrow of these families who now and forever will have a child-sized hole in their hearts and their lives.

We offer you whatever small measure of comfort we can in knowing that you are not alone, that all across this country and around the world people pray for your healing, and we all hope that with time you and your families can come to understand and live through the grief of this moment.

We also think of other parents, parents who years before raised their young adult children to give back to their community and the next generation—young adults who chose to become teachers. In addition to the heroics of school principal Dawn Hochsprung, school psychologist Mary Sherlach, and teacher Anne Marie Murphy, a mother of four herself, three other very young teachers gave their lives to protect the students in their care: Lauren Rousseau, a 30-year-old substitute teacher; Victoria Soto, a heroic 27-year-old teacher; and Rachel Davino, a 29-year-old whose boyfriend was planning to propose on Christmas Eve. Their parents too, their families are in our prayers.

Also in our hearts today are the families of the courageous first responders who rushed toward danger as everyone else rushed away. In any emergency, Mr. President, as you know, being a former attorney general, our law enforcement officers face unknown danger with extraordinary courage. At Sandy Hook Elementary, police officers rushed to the site knowing full well that an armed gunman awaited them. What they found was unimaginable. Thank God they arrived as quickly as they did or the carnage might have been worse. But we need but reflect for a moment on what those police officers and firefighters and folks from the ME's office ultimately found—unspeakable carnage. These heroes could not react as parents, as community members. They had to choke back their own grief and horror to carry out their professional responsibilities to catalogue, investigate, and document every detail of this tragic scene so that justice could be done and lessons learned. The scars of those long hours on a crime scene like this last a lifetime, and first responders all across this country in situations such as this bear them with honor and dignity and without complaint.

This tragedy, of course, also has ripple effects far beyond Sandy Hook and far beyond Newtown, CT. All over this country there are parents whose children struggle with mental illness, with mental health challenges, who don't have the resources they need to cope. My office has had many calls from worried parents since Friday's shootings, worried for many reasons, but one that stood out for me was a dad from Newark, DE, whose own child is struggling with mental illness and who is working hard to try to find the resources to ensure appropriate care so that he won't

someday be watching the television with horror as the tragic actions of his child unfold.

We think of the story also shared online of the mother in Idaho, terrified her own son has the capacity to kill someday and yet without the ability to give him the intensive medical care, treatment, and intervention she believes he needs.

Across this country, mental health care is a growing challenge for us. Between 2009 and 2011, States cut more than \$2 billion from community mental health services. Two-thirds of States have significantly slashed funding in these difficult economic times, leaving parents seeking help for their mentally ill children often with nowhere to turn.

We must do better for all these parents—the parents who lost their children at Sandy Hook Elementary, the parents who lost their children who were teachers and faculty, the families of those who were first responders, and families who struggle with children with mental illness and mental health problems.

But, frankly, this week I also think about parents all over our country who have lost their children, just as precious and just as innocent as those at Sandy Hook, to gun violence, outside the media spotlight. The truth is gun violence knows no boundaries of race or class, but our national response at times seems to.

There were 41 murders in Delaware alone last year, 28 of them where guns were used as the murder weapon.

Sixteen-year-old Alexander Kamara was playing in a soccer tournament at Eden Park in my hometown of Wilmington this summer when he was shot and killed in execution style.

Dominique Helm, age 19, was standing with his teenage cousins on the steps of his Brandywine Village rowhouse last September when a gunman opened fire. He stumbled through the doorway and died in his living room as his mother Nicole ran to him.

Stories like this are tragically, appallingly, common across our country every day. Every day, 34 Americans are murdered with a gun. It happens in our streets and in our neighborhoods. It happens in movie theaters in Aurora, CO, and houses of worship at Oak Creek, WI. It happens in high schools in Littleton, CO, and at a college campus in Blacksburg, VA. It happens outside a supermarket in Tucson, AZ, where one of the six people killed was 9-year-old Christina Taylor Green—a child herself born on 9/11, imbued with a sense of hope and a call to public service, who wanted to meet her Congresswoman Gabbie Giffords in order to learn more about public service.

They say nearly 40 percent of Americans know someone directly who has been a victim of gun violence. In Christina's case, her father was my high school classmate back in Delaware. Gun violence touches families, communities, and neighborhoods all over this country.

So what do we owe these parents? What can we offer their families besides our thoughts and prayers? I believe we must fulfill our central responsibility of protecting the safety of our children and our communities, while also preserving the individual liberties guaranteed in our Constitution.

On Sunday night, we watched President Obama speak to a community reeling in shock and grief, for the fourth time in his time as President. He asked us as a Nation whether we are doing enough to protect our children, and he gave us the painfully honest answer that we did not give ourselves after Fort Hood, after Tucson, after Aurora. He said, No, we are not. We are not doing enough to protect our own children.

Horrible crimes like these have a very complex web of causes—including, of course, mental illness. This complexity presents us with a complicated challenge. But the reality is the United States has the highest rate of gun deaths in the industrialized world, nearly 20 times higher than comparable nations.

In my view, this calls out for a comprehensive approach, for a thorough and searching examination of the causes of this uniquely American crisis. I believe it requires action by this Congress and our President.

I have received calls and letters, e-mails and Facebook posts, from Delawareans around the State, Republicans and Democrats, doctors and teachers, parents and children. They have shared with me their grief and their ideas, and they have called for action.

The United States has a long and proud tradition of independence, of protecting ourselves, of exercising our right to self-determination, of hunting and of a sporting tradition that is enshrined in our second amendment. And we have to recognize the importance—the legitimacy—of the concerns of gun owners to know that in the debate that can and will and should unfold in this Chamber we will respect their right to bear arms and that we will respect and honor this most important part of America's fabric. But every constitutionally protected right has its boundaries, its limitations.

I am troubled in particular by the thread that ties together too many of these tragic mass shootings: that the perpetrator had clear mental health problems, unaddressed, untreated mental illness challenges, and used military-style weapons and clips that have no place in everyday civilian life.

Several of my colleagues have already come forward with proposals—Senators MANCHIN, LAUTENBERG, WARNER, FEINSTEIN, and others, and I will touch on a few.

I believe reinstating the ban on high-capacity magazines, focusing on ammunition and on the outrageously devastating impact of military clips and military ammunition particularly on children across all these instances—I

think we should focus on that, and reinstate the ban on high-capacity magazines in the next Congress.

In addition, Senator LIEBERMAN just the other day on the floor—and he has been joined by Senator ROCKEFELLER—has called for a study to gain a better understanding of the linked issues of mental health, mass shootings, and the desensitization of violence in our culture. President Obama has picked that up and carried it forward, and is proposing a new commission which the Vice President—Delaware's own JOE BIDEN—will be chairing. It is my hope that out of this important work we can find a path forward that marries the crying need to deal with mental health issues with cultural concerns about violence and desensitization with responsible limitations on the excessive use of military-style weapons and clips.

Last, in my view, we can and must do more to keep guns out of the hands of those with a history of violent crime or demonstrated mental illness. Our database system is broken and has to be repaired.

At Virginia Tech, 32 students and professors were murdered by a young man who got a gun he should have been prohibited from buying. A court had already ruled he was mentally ill and posed an imminent danger, but these findings simply weren't reported to the FBI's gun background check system. That is a travesty. The parents of those 32 murdered in Blacksburg, VA should be crying out for justice.

We should ensure that no gun sold in this country is sold to someone we know to be dangerous or who poses a direct threat to innocent Americans' lives. Today, an estimated 40 percent of all gun sales—some 6 million weapons a year—are sold by unlicensed dealers who aren't required to conduct any criminal background check under Federal law. This is how 12 students and 1 teacher were murdered at Columbine High School in Colorado, with guns bought from an unlicensed seller—no paperwork, no questions asked.

It is my hope, it is my prayer, that we will work to address this and many other complex but important issues in the coming weeks and months, and that we will consider all these proposals carefully and reach a balanced but effective solution.

I will apply the test of balance to find ways that we can continue to respect our traditions and protect constitutional liberties while still advancing our moral requirement to keep our kids and our communities safe.

As parents, we can't help but react with horror at the slaughter of innocent children in their classrooms. We all have to take time first to grieve with our families and our communities; but as policymakers, we also have a calling to react to the facts as we see them. And in this regard a reaction will have three stages: We need to reflect, we need to debate, and then we need to act.

The reflection and the debate have already begun. The action is still to

come. I look forward to working with the Presiding Officer and my colleagues in the weeks and months ahead to ensure that this time we act. The victims of Newtown, CT, deserve nothing less.

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. LEAHY. 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. LEAHY. Mr. President, I know we have Senators who have talked about bringing amendments to the floor. I know the distinguished majority leader is trying to get a finite list and a time to vote on them. I hope that can be done. I hope Senators who have amendments will bring them up, debate them, and vote them up or down so we can get on with this bill.

If you are a person whose home has been devastated or your children's school has been destroyed in this storm or your business is only a pile of rubble—those people really find it pretty difficult to see us, whether it is the U.S. Senate or the other body, standing around saying we may have amendments, we may not have amendments, we may have something that is not germane to what we have here but we want to make a message amendment. They are saying: We are Americans—we are Americans and we are suffering. Do something for us, just as this body always has. Whether the disaster has been in the Midwest, the West, the Northeast, the Southeast, or the South, we have come together for our fellow Americans.

Time is running out, and we should get moving. I urge Senators, bring your amendments. If you really think they have merit, if you really think they have anything to do with this disaster relief, if you really think they are going to be able to help, bring them in and let's vote them up, vote them down. But let's not just sit here thinking that maybe we can wait longer.

We get paid our salaries. I don't know of any Senator who has lost his or her home, certainly not his or her business. They are still here, and they still get paid every couple of weeks. That is not the case for hundreds of thousands of people. Let's start acting to take care of them.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE FISCAL CLIFF

Mr. HATCH. Mr. President, I rise today to discuss the ongoing situation

with the so-called fiscal cliff. To millions of Americans, what's happening here in Washington must be a mystery.

In less than 2 weeks, almost every single taxpaying citizen will face a massive tax hike if we don't act. For weeks now, the Speaker of the House, JOHN BOEHNER, has been trying to get this President to come up with a fair, reasonable and balanced solution so we don't go over this cliff.

The President, thinking he has some sort of mandate after his reelection, has been less than reasonable. In fact, this President has proposed more and more spending, and more and more tax hikes in his proposals to the Speaker, while the Speaker is trying to stop these tax hikes and deal with our over \$16 trillion debt. The President just can't take yes for an answer. He must think that if he keeps slow-walking these proposals that Republicans will get the blame—and members of his administration have even revealed that they would be more than happy if we went over the cliff.

What kind of cruel Christmas gift is that?

After the Speaker and the President exchanged offers this week, House Republicans are looking at having votes on two competing pieces of legislation as early as tomorrow. The first is legislation that passed this body over the summer—deeply-flawed legislation that every Democrat in this body supported.

I should note that I put forward a more common-sense alternative that would have extended all the current tax policy for 1 year during which time we could undertake a comprehensive overhaul of our bloated, broken tax code. I think I characterized it as putting it over for 1 year and dedicating that year to tax reform, which we all know needs to be done.

The second piece of legislation that the House will vote on is legislation that Speaker BOEHNER has called "Plan B"—a more limited piece of legislation that extends almost all the current tax policy as is in the law today.

I understand that this "Plan B" is a plan of necessity. And while I understand that the Speaker continues to negotiate with the President to try and reach an agreement, the Speaker has put this forward to force action from this intransigent White House.

What does the Speaker's plan do?

The Speaker's plan would provide seamless permanent tax relief for American taxpayers who earn less than \$1 million. For taxpayers earning above \$1 million, the statutory rates on ordinary and capital gain income would be set at the level President Obama and Congressional Democrats have insisted on.

My preference is clear. I have legislation that this body voted on in August that shows what I believe is the better path.

I oppose tax increases very strongly and have said over and over that we should not be touching tax rates. But I

also understand, given the reality before us, that the Speaker has to move forward with a plan to force action.

Is it perfect from my perspective? No, but we cannot let the perfect be the enemy of the good.

The Speaker, in my view, is the only person in these negotiations trying to find a resolution. I commend him—I admire him—I back him—and I know he is working hard discussing this legislation with the members of the House Republican Conference as they move towards a vote.

I hope they support this plan. However, it turns out, if I was a member of the House, I would.

But I am a Member of the Senate and this leads me to ask: after the House passes “Plan B” and defeats the Senate Democrats’ tax bill, what is it that Senate Democrats want to do?

The House will presumably send its bill to the Senate. Senator REID and the White House have already said it is dead on arrival in the Senate. I find that very curious indeed since so many Democrats seem to have wanted exactly what the Speaker is giving them. Then they complain that the Speaker’s plan isn’t “balanced,” despite the fact that the President in a proposal was calling on more stimulus spending and for the continuation of so-called temporary stimulus tax provisions that the President now somehow wants to make permanent.

So I would say to my friends on the other side of the aisle, what is it exactly that you want to do?

What is it that Senate Democrats and the White House want?

We are all waiting.

The American people are waiting.

Enough of the games. Put your money where your mouth is, and tell us what you think is better than what Speaker BOEHNER is ultimately going to put forward.

If I were in the House, I would be supporting Speaker BOEHNER. Frankly, I do support Speaker BOEHNER.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

AMENDMENT NO. 3367, AS MODIFIED

Mr. MERKLEY. Mr. President, I ask for the regular order with respect to my amendment, No. 3367.

The PRESIDING OFFICER. The amendment is now pending.

Mr. MERKLEY. I have a modification at the desk. I ask that my amendment be so modified.

The PRESIDING OFFICER. The amendment is so modified.

The amendment is as follows:

At the end of title I, add the following:

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. (a) Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) is amended—

(1) in subsection (c)(1), by striking “The Secretary shall use such sums as are necessary from the Trust Fund” and inserting “Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012”;

(2) in subsection (d)(2), by striking “The Secretary shall use such sums as are nec-

essary from the Trust Fund” and inserting “Of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012”;

(3) in subsection (e)(1)—

(A) by striking “The Secretary” and inserting “Of the funds of the Commodity Credit Corporation, the Secretary”; and

(B) by striking “per year from the Trust Fund” and inserting “for fiscal year 2012”;

(4) in subsection (f)(2)(A), by striking “the Secretary shall use such sums as are necessary from the Trust Fund” and inserting “of the funds of the Commodity Credit Corporation, the Secretary shall use such sums as are necessary for fiscal year 2012”; and

(5) in subsection (i), by striking “September 30, 2011” and inserting “September 30, 2012 (except in the case of subsection (b), which shall be September 30, 2011)”.

(b) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

SEC. 102. (a) Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—

“(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a non-insured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

“(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

“(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

“(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the ‘Agency’).”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “and” after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following:

“(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and”; and

(ii) in subparagraph (B)—

(I) by inserting “(except ferns)” after “floricultural”; and

(II) by inserting “(except ferns)” after “ornamental nursery”; and

(III) by striking “(including ornamental fish)” and inserting “(including ornamental fish, but excluding tropical fish)”;

(2) in subsection (d), by striking “The Secretary” and inserting “Subject to subsection (1), the Secretary”;

(3) in subsection (k)(1)—

(A) in subparagraph (A), by striking “\$250” and inserting “\$260”; and

(B) in subparagraph (B)—

(i) by striking “\$750” and inserting “\$780”; and

(ii) by striking “\$1,875” and inserting “\$1,950”; and

(4) by adding at the end the following:

“(1) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

“(1) IN GENERAL.—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent, computed by multiplying—

“(A) the quantity that is less than 50 to 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

“(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

“(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

“(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

“(I) harvested;

“(II) planted but not harvested; or

“(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

“(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

“(2) PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

“(A) the service fee required by subsection (k); and

“(B) a premium for the applicable crop year that is equal to—

“(i) the product obtained by multiplying—

“(I) the number of acres devoted to the eligible crop;

“(II) the yield, as determined by the Secretary under subsection (e);

“(III) the coverage level elected by the producer;

“(IV) the average market price, as determined by the Secretary; and

“(ii) 5.25-percent premium fee.

“(3) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

“(4) ADDITIONAL AVAILABILITY.—

“(A) IN GENERAL.—As soon as practicable, the Secretary shall make assistance available to producers of an otherwise eligible crop described in subsection (a)(2) that suffered losses—

“(i) to a 2012 annual fruit crop grown on a bush or tree; and

“(ii) in a county covered by a declaration by the Secretary of a natural disaster for production losses due to a freeze or frost.

“(B) ASSISTANCE.—The Secretary shall make assistance available under subparagraph (A) in an amount equivalent to assistance available under paragraph (1), less any fees not previously paid under paragraph (2).

(b)(1) Effective October 1, 2017, subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) are repealed.

(2) Effective October 1, 2017, section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall be applied and administered as if subsection (a) and the amendments made by subsection (a) (other than the amendments made by clauses (i)(I) and (ii) of subsection (a)(1)(B)) had not been enacted.

(c) This section is designated by Congress as being for an emergency requirement pursuant to—

(1) section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); and

(2) section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

Mr. MERKLEY. I also ask unanimous consent to add Senator FRANKEN, Senator TIM JOHNSON, and Senator TOM UDALL as cosponsors to the amendment.

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

Mr. MERKLEY. Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, it is my understanding that at 4 o'clock, Senator DURBIN from Illinois will be speaking. I ask unanimous consent that I be allowed to speak at the conclusion of his remarks, at or around 4:15.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Arizona is recognized.

FAREWELL TO THE SENATE

Mr. KYL. Mr. President, I am deeply honored to have served for 18 years as Arizona's 10th Senator and for four terms in the House of Representatives before that. Now it is time to move on. My successor, Senator-elect JEFF FLAKE, is a good and honorable public servant who will work hard on behalf of our great State of Arizona, and my colleague JOHN MCCAIN will continue his long and dedicated public service as well. I appreciate the remarks he delivered here yesterday.

I say thank you to my colleagues for your friendship. It has been a privilege working with so many of you on both sides of the aisle. While it is true that Washington would benefit from more civility, the Senate behind the scenes is an extraordinarily collegial institution, and I will certainly miss that aspect of the job.

I also thank my staff, past and present, for working so many long hours and for spending so much time analyzing the issues that will determine America's future.

Farewell speeches offer the opportunity to reminisce about the past. I actually do not believe that would be the best use of either your time or mine. Instead, I am going to comment on some of the biggest public policy changes America faces and recommend principles to guide the way forward.

I was first elected to public office when the Reagan revolution was in full swing. Maximizing freedom guided the policies of that era, with tremendous success. My goal as a public servant has been to advance and maintain a consensus in favor of the so-called three legs of the Reagan public policy stool.

One, dynamic, growth-oriented economics; two, the social values that make limited government possible; and three, a national security commitment that emphasizes a strong and sovereign America. In each of the three areas, maximizing freedom and the positive results that flow from that is the goal.

Let's turn first to economic freedom. The Reagan years showed us that expanding economic freedom should be the North Star, the guiding light of U.S. policy because it is the best way to achieve sustained and broad-based prosperity for all. Free markets, low taxes, and limited government allow citizens to use their talents and resources in whatever way they choose and keep more of the fruits of their labor.

I encourage people to invest, work, start businesses, and hire others. In other words, free markets promote economic well-being for all. Cutting taxes at the margins; that is, reducing the rate of tax on the next \$1 earned, encourages growth. Raising taxes can have the opposite effect. Nobel economist Edward Prescott of Arizona has found that higher marginal tax rates are the reason Europeans work one-third fewer hours than Americans.

When marginal rates are lower, prosperity flows to other sectors of society, allowing businesses to create jobs and new products, compete for workers, raise wages, invest their profits, which then can be lent to other entrepreneurs. Everyone gains in a free economy. As John F. Kennedy put it, a rising tide lifts all boats.

Look at what free enterprise has achieved. After President Reagan dramatically lowered tax rates and trimmed regulation, income increased in every quintile. Millions of new private sector jobs were created and the stock market soared, tripling in value over 8 years. The lower tax rates, reduced regulatory burden produced a more robust economy and a more robust economy meant more revenue for government. Similar results attended the tax rate reductions during the Presidency of George W. Bush.

In recent years, many policymakers have forgotten these lessons. Since 2008, America's score in the Index of Economic Freedom has declined significantly to the point that we are no longer considered a free economy but, rather, a mostly free economy. That is what happens when we dramatically increase government spending and regulations. Now we are on the verge of a massive tax increase which could undermine small businesses and stifle economic growth America badly needs.

Policymakers must focus on the basic laws of economic input. A faulty

view has gained traction in recent years that consumption fueled by government spending actually creates economic growth. It doesn't. It just moves money around by taking from people who produced it and could productively spend or reinvest it and giving it to government to spend. Consumption is the wrong target.

People only change their spending habits when they know they will have greater consistent income over time; for example, when they receive a raise at work or get a permanent tax cut. That is why temporary stimulus tax gimmicks don't work.

If the problem with the economy is supposedly a lack of consumption, the government cannot solve that problem by spending for us. After all, it is our tax money that is being taken out of the economy and spent. When government borrows, it will eventually have to tax the people to pay back what it has borrowed. There is no free lunch. For the government to spend, taxpayers have to give up wealth they could have spent or invested. Keynesian demand-side economics assumes the government is more efficient at spending our money than we are. That assumption has proved to be incorrect time and again.

Wise policymakers will find the right balance between the need for more tax revenue and the need for more economic freedom. They will remember there is no fixed economic pie that legislators should try to divide. They will remember that labor, capital, and technology are the real factors that drive long-term economic growth, not government spending. They will stop shackling would-be entrepreneurs and job creators with ever more burdensome regulations.

Here is some more good news about growth-based free enterprise. It is the most moral economic system ever devised for three reasons. First, it is premised on the truth that success only comes by supplying something to others that they need or want. In the bargain, both sides benefit. Second, this system has produced incredible wealth around the world, lifting millions out of poverty. No economic system can come close in helping that many people. So it is the most moral economic system in providing material benefits, but that is only part of the story.

Free enterprise provides more than increased income and material prosperity. Those things help, but they are not what make humans thrive. The key determinant of lasting happiness and satisfaction is what American Enterprise Institute president Arthur Brooks has called earned success. People are happiest when they do something they are good at, when they create value in the lives of others, and genuinely earn their income regardless of how much it is.

Brooks put it very well in his book "The Battle," and I quote:

Earned success gives people a sense of meaning about their lives. And meaning also