

Act. Our bill would improve the housing market by requiring banks to provide a written response to an short sale offer within 75 days of a request from a homeowner. There are neighborhoods across the country full of empty homes and underwater owners who have legitimate offers, but unresponsive banks, and I commit to Senator BROWN that I will continue to work on this issue in the coming year.

Clearly Senator BROWN has served the people of Massachusetts and the people of the United States well, and he will be missed. I wish the best to him, his wife Gail, and their daughters Ayla and Arianna.

JEFF BINGAMAN

Mr. President, today I rise to recognize one of our most distinguished Senators as he prepares to retire from this body after five terms. Senator JEFF BINGAMAN has earned the reputation of being a strong and effective leader during his time in the Senate. He has achieved what all of us try to achieve as advocates of our States—getting results in Washington while staying closely connected to our constituents who sent us here to represent them. I have admired his intelligence, courage, pragmatism, and willingness to solve problems with bipartisan solutions.

Senator BINGAMAN and I have worked together on many issues and projects, and I have never questioned his steadfast commitment to do what he believes is right for New Mexico and this country. During his 30 years in the Senate he has worked tirelessly on a number of committees, including the Armed Services Committee, the Finance Committee, the Health, Education, Labor, and Pensions Committee, and the Committee on Energy and Natural Resources, which he currently chairs.

While most of my work with JEFF has been on energy issues, working with Senator BINGAMAN on the Senate HELP Committee was also a great pleasure. He has been an excellent partner, for example, on issues that are important to our American Indian, Native Hawaiian, and Alaska Native constituents, who often live in communities that face multiple challenges. There have been many times in the HELP Committee when it has been necessary for me to explain why a proposed solution won't work in Alaska. As I begin to explain about the Federal trust responsibility, or tribal sovereignty, the lack of health care and basic infrastructure, or how difficult it is to get and keep teachers, nurses, and others in those communities, there have been times when I have seen my colleagues think—here we go again, the “It is different in Alaska” speech. But whether we have been discussing education, health care, job creation, or any one of the innumerable challenges Americans face when they live in Indian Country, JEFF BINGAMAN gets it. He and I have been able to speak with our colleagues on both sides of the aisle with one voice about what will

work, what will not work, and why. We can explain the complexities of the Federal trust responsibility and tribal sovereignty as a bipartisan team because whether our constituents live on a reservation in New Mexico or a remote village in Alaska or in one of our larger cities, the challenges they face are often the same, and what will work in other places in America often won't work in our Native communities. That partnership has been so important in making sure that the good work we are trying to do for all Americans works for America's first peoples in every State.

In addition to our work on HELP, our strongest collaboration has been while working together in our leadership roles on the Energy and Natural Resources Committee. Senator BINGAMAN has been tireless in ensuring that our Nation has the energy resources it needs to meet our growing demands well into the 21st century. He was a leader in the development of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, both major blueprints for the expansion of all forms of renewable energy, especially biomass, geothermal, and marine hydrokinetic power. I am happy to have had the chance to work closely with Senator BINGAMAN in those efforts. In 2008 and 2009 we also worked to pass a package of major public land legislation that will be a legacy for the Senator for decades to come.

When Senator BINGAMAN announced he was retiring from the Senate, I took note that he vowed to finish out the remainder of Congress with substantive achievements. Since then, he has affirmed this promise and has again driven productive discussions on several issues that will last beyond his time here, such as his efforts to move forward our Nation's program on spent nuclear fuel. The legislation that he introduced is indicative of months of thoughtful and productive discussions aimed to address the back-end of the nuclear fuel cycle. I congratulate him on constantly moving the conversation forward and putting a marker out there toward reaching an equitable goal.

Senator BINGAMAN should be very proud of his nearly four decades of public service as New Mexico's attorney general and U.S. Senator. From fighting for our energy future to standing with the people of New Mexico through difficult economic times, Senator BINGAMAN has been a trusted leader for the people of his State. He has been a champion for his constituents, a powerful voice for Native American concerns, and a leader on science research and energy tax policy.

He has been unfailingly and personally considerate to me, and I extend my gratitude for his service and thank him for his gracious aid on issues of concern to me and my home State. I wish him and his family good health and best wishes in the future and great happiness in whatever he and Anne

now decide to do. The Senate has been a better place due to his civilized manner, his wit, and his intelligent solutions for the Nation's problems. We will miss Senator BINGAMAN's presence here in the Senate.

HERB KOHL

Mr. President, I come to the floor to recognize Senator KOHL as he prepares to retire after 24 years in the U.S. Senate.

Senator KOHL was born and raised in Wisconsin, the State he tirelessly represents to this day. He attended public school in Milwaukee and at the University of Wisconsin-Madison before obtaining his MBA from Harvard University in 1958. His business ventures proved incredibly successful and he was acting President of Kohl's grocery and department stores for nearly a decade. In 1988, he took his business and education experience to the U.S. Senate.

I have had the pleasure of serving with Senator KOHL on the Appropriations Committee for the past 4 years. His bipartisan cooperation is outstanding and together we have worked on numerous hearings and bills. He has been an asset on the committee and we will miss his dedication, intuition, and eagerness to work with others to find solutions.

As a mother of two and former PTA member, I also appreciate Senator KOHL's zeal in advocating children's issues. He authored legislation to expand the school breakfast program, strengthened child nutrition programs, and has worked to meet the growing demand for child care. His work on the Appropriations Committee ensured the continuation of important programs such as the Boys and Girls Club and the Families and Schools Together Program. This hard work did not go unrecognized. In 2010, Senator KOHL received the Best of Congress Award from Working Mother Magazine and Corporate Voices for Working Families. I will always admire Senator KOHL for his hard work on behalf of families and children across the U.S.

Senator KOHL's charitable endeavors will also remain an important part of his legacy. In 1990, he established the HERB KOHL Educational Foundation Achievement Award Program. This program provides annual grants to 200 graduating high school seniors, 100 Wisconsin teachers, and 100 schools in his home State.

I cannot thank Senator KOHL enough for his service over the past few decades. I am honored to have worked by his side and wish him the best.

#### MESSAGE FROM THE HOUSE

ENROLLED BILLS AND JOINT RESOLUTION  
SIGNED

At 2:39 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 925. An act to designate Mt. Andrea Lawrence.

H.R. 1339. An act to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States.

H.R. 1845. An act to provide a demonstration project providing Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

H.R. 2338. An act to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office".

H.R. 3869. An act to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the "Sidney 'Sid' Sanders McMath Post Office Building".

H.R. 3892. An act to designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the "Lance Corporal Victor A. Dew Post Office".

H.R. 4053. An act to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending.

H.R. 4310. An act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 4389. An act to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the "Cecil E. Bolt Post Office".

H.R. 5859. An act to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

H.R. 5949. An act to extend FISA Amendments Act of 2008 for five years.

H.R. 6260. An act to designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the "Lieutenant Kenneth M. Ballard Memorial Post Office".

H.R. 6379. An act to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the "Representative Curtis B. Inabinett, Sr. Post Office".

H.R. 6587. An act to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the "Postal Inspector Terry Asbury Post Office Building".

H.R. 6671. An act to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

S.J. Res. 49. Joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

The enrolled bills, except [S. 925, H.R. 1339, H.R. 1845, H.R. 2338, H.R. 3869, H.R. 3892, H.R. 4053, H.R. 4389, H.R. 5859, H.R. 6260, H.R. 6379, H.R. 6587, H.R. 6671, and S.J. Res. 49] were subsequently signed by the President pro tempore (Mr. LEAHY).

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## MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 459. To require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MANCHIN:

S. 3714. A bill to alleviate the fiscal cliff, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 3715. A bill to extend the limited anti-trust exemption contained in the Pandemic and All-Hazards Preparedness Act; considered and passed.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MANCHIN:

S. 3714. A bill to alleviate the fiscal cliff, and for other purposes; to the Committee on Finance.

Mr. MANCHIN. Mr. President, I rise today frustrated, embarrassed, and angry. It is absolutely inexcusable that all of us find ourselves in this place at this time standing on the floor of the Senate in front of the American people, hours before we plunge off the fiscal cliff, with no plan and no apparent hope, but here we are, and we have to do something.

If we are as determined to go over the cliff as we seem, we have to do something to soften the landing because at the bottom of the fiscal cliff are immediate and massive tax increases, deep and indiscriminate spending cuts, and the risk of another recession. So, as we come down on the final hours, we have two choices—to do nothing and cause an unbelievable amount of hardship for our fellow Americans or to do something to reduce the suffering inflicted on our citizens by an inflexible political system.

I choose to do something. Today I am introducing the CALM Act, which stands for the Cliff Alleviation at the Last Minute Act. The CALM Act will do three important things: It will soften the financial blow of the fiscal cliff, it will calm our financial markets, and it gives us the certainty of a plan now but allows us, if we ever find the courage, to pursue the fiscal grand bargain that has eluded us so far. Make no mistake, the financial markets are watching us, and they are getting more nervous by the hour. We need to reassure them that we are capable of making big financial decisions.

This bill, the CALM Act, is not something I am excited about or proud to offer. This is not a great plan, but it is merely a better plan than going over the cliff. It should never have come to

this. We have known for more than a year that this day was coming. For more than a year, I have asked Congress for a big fix to our Nation's fiscal challenges. I pushed strongly for the Simpson-Bowles framework for deficit reduction. Yet here we are, no closer to a sensible decision on how to bring our \$1.1 trillion budget deficit and our \$16.1 trillion public debt under control.

Guess what. Time is up. No more games. No more excuses. No more kicking the can down the road. We have to act, and we have to act in a way that puts our fiscal house in order, reassures the financial markets, and puts the people ahead of politics. We have to deal with these tax increases and spending cuts in a humane and tolerable way. The CALM Act does all of that. Just look at what happens to people in need if we go over the cliff and just do nothing. On New Year's Day the lowest income tax rate will jump from 10 percent back to the Clinton-era rate of 15 percent. That is a pretty big financial bite for people in West Virginia, and I know in Ohio, too, sir. These are people who are struggling right now.

Instead of an overnight tax hike of 5 percent, the CALM Act smoothes the transition by phasing in increases over 3 years. So instead of a 5-percent increase, the 10-percent bracket would only go to 11.6 percent the first year. The CALM Act does the same with the other tax rates, phasing them in over 3 years under the same proportions.

The CALM Act also puts the Senate on record in support of comprehensive overhaul of our tax system. We can still work toward a big fix like the Simpson-Bowles framework. If we can do that next year, we could stop the full increase from ever occurring.

Another important feature of the CALM Act is the way it treats sequestration. Again, if we go over the cliff and do nothing, nearly every government program will be hit with the same percentage cut, and that includes social services, education, research, and infrastructure. Those are all the things we need to grow our fragile economy.

The CALM Act gives the Office of Management and Budget discretion and flexibility to recommend what programs, agencies, and accounts to cut. If OMB fails to do the job, then the sequestration across-the-board cuts kick back in. Of course, the final word rests with Congress. OMB's decision can be overridden by a joint resolution.

Every provision of the CALM Act is familiar to the Senate. In fact, at one time or another nearly every feature of this plan has been offered by both Republicans and Democrats, including President Obama and Speaker BOEHNER. All I have done is pull them together to offer them as a compassionate alternative to what happens if we go over the fiscal cliff.

It is true that from the very beginning I have favored a comprehensive solution to put our fiscal house in