

controversial amendments they were forced to vote on. Mike Synar, who was rather candid in his comments, said: If you don't want to fight fires, don't be a firefighter. If you don't want to vote on controversial amendments, don't run for the House of Representatives. That is what we are here for.

I tend to take the same point of view, maybe because after a few years a Senator votes on everything at least once.

But we have to get back to where we aren't just lurching, as we are now, from one quorum call to another, an empty Senate Chamber, waiting for something to happen. There is a lot out there for us to talk about, and we should. I think the American people would feel a little better about us if we sat down and at least honestly debated an issue and voted with some frequency.

What we are trying to do now is to stop what I consider to be the gross abuse of the filibuster. What we have been through here has destroyed the functionality of the Senate. To think any person can come to the floor and basically bring this place to a halt not just for an hour or a day but maybe 1 week, that goes way beyond what I believe was the intent of creating this body. We wanted to be here in those historic moments of titanic debates over issues that changed the course of history and to reflect and respect the rights of the minority. But now it has become one sad example of obstructionism after another.

I think the Senator from New Mexico is moving in the right direction. I am not sure we will achieve exactly what he wants, but I can say we wouldn't have this conversation unless the Senator from New Mexico and Senator MERKLEY had shown such initiative for years—they have been at this for years, if I am not mistaken—and I do believe it is going to end up in changes to Senate procedure, which I support, that will try to make people stay on the floor.

I have one example. The Senator from New Mexico may remember when a Senator from Kentucky, now retired, Senator Jim Bunning, objected to the extension of unemployment benefits. We wanted to extend them for literally millions of Americans, and he stood up at his desk on the Republican side and said, "I object," and then sat down. That was the end of the story. That was really the end of the debate.

So I went to the floor, and I said: I just want to give notice to the Senator from Kentucky I am going to renew that request every half hour, so you better return to the floor—because he has to object every time. This was late at night.

We mobilized a number of people in the cloakroom, and we came to the floor and we kept it going. Finally, he got up and complained he was missing the University of Kentucky basketball game on television because of this. I thought: Several million people are missing unemployment benefits because of this too.

So that is in the nature of what the Senator is trying to achieve. If there is something important enough to stop the course of the Senate activity, to stop the business of the Senate, then you should be prepared to be on the Senate floor and argue your case and bring your allies with you. If they will join you, then perhaps you will have a debate that is worthy of this body.

Unfortunately, we now have Members who make their objection and leave for dinner or for the weekend or to attend a wedding, which happened once, and you do not see them again, and the Senate waits and waits and waits. That does have to come to an end.

I thank the Senator for his leadership on this important issue. I do not know that we will take it up tomorrow, but I think we will take it up very soon, and we should.

I thank both Senators.

#### REMEMBERING DANIEL K. INOUE

Mr. CONRAD: Mr. President, I want to take a moment to honor the life and career of my colleague and friend, Senator Daniel Inouye, who passed away on Monday, December 17 at the age of 88.

To say that Mr. Inouye lived a full life would be an understatement. A veteran of World War II, Mr. Inouye served his country valiantly in Italy before sustaining an injury that would claim his right arm. The bravery shown by Mr. Inouye during his service to our country later earned him the Bronze Star Medal, a Purple Heart, a Distinguished Service Cross and ultimately, the Medal of Honor, the highest military award.

Mr. Inouye began his political career after graduating from the University of Hawaii. He then obtained a law degree from one of my alma maters, the George Washington University. After first being elected to serve in the Hawaii territorial House of Representatives and later the territorial Senate, Mr. Inouye became the first person from Hawaii elected to the United States House of Representatives after Hawaii became a state in 1959. After serving 3 years in the House, Mr. Inouye was elected to the Senate where he would go on to be elected to serve the people of Hawaii 9 times. In June of 2010, Mr. Inouye was elected to succeed Senator Robert Byrd as President pro tempore of the Senate.

Throughout his political career, Senator Inouye was first and foremost a servant of the people of Hawaii. He has served them in Congress ever since Hawaii was admitted to the Union. After over five decades of service, it is no wonder that Dan's mark can be seen all across the islands. I was proud to serve with Senator Inouye on the Indian Affairs Committee, where he was a voice for the Native Hawaiian population. Throughout his career, he worked tirelessly to ensure that Native Hawaiians had access to education, healthcare, and jobs. One of his achievements was

the Native American Languages Act, which has helped Native people preserve and practice their tribal languages. In particular, during my first term in the Senate, Senator Inouye worked with me in the committee to pass legislation providing compensation for two Indian tribes in my State that were impacted by the construction of the dams along the Missouri River. That effort provided a critical source of funding for the tribes to restore their economic base.

Senator Inouye also fought hard to defend Hawaii's natural beauty. Because of his efforts, thousands of additional acres have been added to national parks, wildlife refuges, and nature preserves. It would be hard to imagine what Hawaii would be like today without Senator Inouye's leadership and effective representation. His love for the people of Hawaii was on his mind and in his heart even at the end, when the last word he spoke was "Aloha."

In his role as chairman of the Appropriations Committee, Mr. Inouye fought for aid for my home State of North Dakota after devastating, record breaking flood waters decimated the community of Minot in 2011. Mr. Inouye used his power to ensure that the residents of Minot received critical aid to help them rebuild their lives.

Mr. Inouye is survived by his wife, Irene Hirano; his son, Ken; and granddaughter, Maggie. His service to his country is second to none, the loss of Mr. Inouye will be greatly missed in his home State of Hawaii and here in the Senate.

#### RESOLVING SPENDING ISSUES

Mr. KERRY: Mr. President, earlier this week I supported this agreement to avoid unacceptable tax increases on the middle-class, and to at last begin to undo the damage to our fiscal standing that began 11 years ago when President Bush signed into law unaffordable tax cuts for the wealthiest Americans. Make no mistake; that unfair and unaffordable tax policy has been the biggest driver of the fiscal mess and the complete ideological rigidity of congressional Republicans on the issue of tax policy has been the biggest obstacle to cleaning up that mess. That House Republicans remained intransigent even after the stroke of midnight on New Year's Eve just shows in very stark terms the dimensions of that problem.

In contrast, the Senate acted in an overwhelmingly bipartisan way to make the best out of a bad situation. This, at least, sends a good message to the country that there's hope that Washington can function.

But the fact that even against the ultimate drop-dead, high stakes deadline, so little common ground could be found itself underscores the dangerous situation we have found ourselves in these last years. This may have been the best that could have been accomplished at

this late hour, but it was not the best we could have done for our country or our economy.

We all knew from day one there was universal agreement about the need to protect 98 percent of American taxpayers and 97 percent of American small businesses from a tax increase. Now, having done that, I hope this removes, once and for all, the key obstacle that has stood in the way of our ability to seriously tackle our longterm fiscal problems.

Nonetheless, taking into account the actions we took in this bill—which are significant for the working families in this country—we still face a budget woefully out of balance that will threaten our Nation's future prosperity if Congress and the Administration do not get more serious about genuinely addressing these issues.

This should not come as news to anyone. The message we received over and over from budget experts, businesses, global investors, financial markets and others has been loud, clear, and consistent.

We continue to face unprecedented economic challenges, both domestically and globally. How we respond will determine if the United States can continue to claim our position of leadership in the world or whether we will have to cede that spot to someone else.

Just a couple of reminders:

Federal debt held by the public currently exceeds 70 percent of the Nation's gross domestic product, GDP, a percentage not seen since 1950. If we keep going in this direction we are looking at significant longterm damage to both the government's finances and the broader economy. The more of our resources that have to go toward higher interest payments, the more difficult it is to invest in our most urgent priorities like education, research, and infrastructure to fuel growth and prosperity. The more constrained we are in terms of Federal dollars, the less able policymakers will be to respond to unexpected challenges, such as economic downturns, natural disasters, or financial crises and the less attractive we are as a place for global investment.

Our population is changing. The aging of the baby boom generation presents enormous challenges—none of which can be solved in a political environment where one side turns tax cuts for the very wealthy into a holy grail of American politics.

Finally, we must reverse the troubling trend of increased income inequality in this country. For too long, those at the top of the income scale have prospered while everyone else struggled or fell behind. This is not sustainable.

These are big, important issues, not just for our Federal budget, but for our very quality of life.

The decisions we make—or fail to make—in this decade on new energy sources, on education, infrastructure, technology, and research, all of which are going to produce the jobs of the fu-

ture, and our decisions on deficits and entitlements will without doubt determine whether the United States will continue to lead the world or be left to follow in the wake of others, on the way to decline, less prosperous in our own land and less secure in the world.

We tried to tackle these problems several times over the last few years—including on the Joint Select Committee on Deficit Reduction on which I served. Each time, the ideology of tax cuts for the wealthiest, supply side economics, and Grover Norquist tax orthodoxy got in the way of good policy and doomed the best possible outcomes.

Now, staring at the edge of the so-called fiscal cliff, we had another chance to demonstrate to the American people and to the world, we are capable of focusing on the future and solving big problems. Unfortunately, again, while for now we may avert the fiscal cliff, this is another tragic missed opportunity in solving the big challenges in a way that is fair.

One more time, we had the chance to prove our fiscal discipline was a prize well worth achieving, to make our country a safe haven for investment and to earn back a modicum of respect for Congress from the American people. In the end, this agreement does not do all of what voters sent us here for—we didn't make difficult and sober choices about taxes and spending priorities that would have restored the full measure of fairness and started to put America's fiscal house in order.

The problems we confront certainly do not go away because we were able to cobble something together. In fact, these problems very well could be compounded because the more we delay the tough choices that are truly needed, the more severe those steps will have to be in order to have any impact at all.

I am disappointed that this bill did not lay out a path or process for fundamental tax reform, which is desperately needed. Our individual tax code still is skewed in favor of the already wealthy and further widens the chasm between rich and poor. Our corporate tax code is not keeping pace and will continue to threaten the ability of U.S. businesses to compete and U.S. workers to prosper in a 21st century global economy.

I am equally frustrated that this package did not establish the needed framework for how we should strengthen our entitlement programs by looking for reasonable ways to reduce their costs, just as we did in the Affordable Care Act. It is critical we start taking real steps now to protect these programs in ways that are fair and which guarantee that we keep the promises we made to seniors when they were created.

I'm relieved that the agreement averts a 27 percent cut in Medicare physician payments for 2013 so that seniors will continue to have access to their doctors. But a one-year fix falls far short of a permanent solution, which I have long supported.

Every Medicare expert knows that Medicare's Sustainable Growth Rate (SGR) formula is irreparably flawed and needs to be repealed. I continue to believe that Congress should permanently repeal the SGR and offset the cost with savings from capping a portion of the spending for Overseas Contingency Operations, OCO, below amounts in the Congressional Budget Office, CBO, baseline.

This latest Medicare physician payment fix comes at a great cost to the health care industry in Massachusetts including our hospitals, dialysis providers and manufacturers, Medicare Advantage plans, and medical imaging manufacturers and world-class physicians who rely on this life-saving equipment.

For example, the agreement offsets the cost of SGR fix with about \$15 billion in hospital cuts including: \$10.5 billion in coding adjustments, \$4.2 billion in Medicaid Disproportionate Share Hospital, DSH, payments, and \$300 million from reducing payments for stereotactic radiosurgery services. I am concerned that continued cuts to our hospitals will ultimately jeopardize beneficiaries' ability to access care.

The agreement also lowers Medicare reimbursement for medical imaging by \$800 million, leading doctors to hold on to their old equipment longer and preventing patients from accessing the newest technologies that are better at finding early-stage diseases. I have long opposed this policy which is particularly difficult for Massachusetts because we have thousands of jobs directly tied to medical imaging technology.

Additionally, I'm particularly concerned that Medicare payment reductions for dialysis services could undermine kidney care at dialysis treatment centers across the state as providers are adjusting to a new Medicare payment system.

This package also fails to resolve potential problems with the looming cuts of sequestration because it does not include more deliberate spending decisions. We have only avoided sequestration temporarily. I hope the Senate will consider legislation to reduce wasteful and unnecessary federal spending as soon as possible. There is room to make appropriate changes in federal spending.

But let us be clear that there's a big difference between wasteful spending and necessary investment. Cutting critical areas of public investment, like education, transportation, and scientific research is precisely the wrong way to promote long-term economic growth and is in fact counterproductive to longterm deficit reduction because it's the enemy of growth which produces revenue. As we look at the next round of budget discussions, we must ensure that these long-term investments are expanded and not indiscriminately hit by short-term across the board spending cuts. There are better ways to spend our scarce Federal

dollars, and we all should be willing to have those honest conversations.

Finally, I am particularly concerned that we may again see our Nation's credit rating used for political leverage when we return to the unfinished business of how to fund the Federal government for the next fiscal year or two.

Despite how it looked from the outside, the process of getting us to agree on a package of tax cuts and delays in spending reductions was the easy part. The most difficult issues remain. Our Nation needs 100 Senators and 435 Representatives who face the facts and find a way to work not just on their side, but side by side.

We still have a lot of work to do to resolve our differences and face our Federal spending issues.

#### TRIBUTES TO DEPARTING SENATORS

OLYMPIA SNOWE and KAY BAILEY HUTCHISON

Mrs. BOXER. Mr. President, I rise today to pay tribute to my colleagues, Senators KAY BAILEY HUTCHISON and OLYMPIA SNOWE.

We have served together in the Senate for two decades and I will dearly miss their grace and their friendship. I know that whatever the next chapter brings, both Senator HUTCHISON and Senator SNOWE will leave a lasting and important legacy.

Both of these Senators are true pioneers. When she first entered Congress, Senator SNOWE was the youngest Republican woman ever to serve in the House of Representatives. Senator HUTCHISON graduated law school in 1967 as one of only 5 women in a class of 445 men. When she arrived in the Senate in 1993, she became the first woman to represent Texas in this Chamber.

Throughout her career, Senator SNOWE has been a strong advocate for the people of Maine. Whether they were children, families, consumers, or small business owners—the people of Maine knew they had a great champion in Senator SNOWE.

Senator SNOWE always worked across party lines to get things done for the American people. During her time in the House, she worked with Senator MIKULSKI to lead the fight to end the exclusion of women in health trials at the National Institutes of Health. She worked with Senator ROCKEFELLER to help bring the internet to America's libraries and classrooms. She worked with Senator Ted Kennedy to pass the Genetic Nondiscrimination Act.

Senator SNOWE and I worked together on many, many bills over the years, but I will especially remember our work on the passengers' bill of rights to provide basic protections for airline passengers. I will also remember the many times we fought together to ensure equality for women around the world.

Senator SNOWE was a true leader and her presence in the Senate will be greatly missed.

Senator HUTCHISON was a strong and passionate voice for the issues important to her beloved State of Texas.

She played an critical role in so many of the important issues facing our country over the years, from her work ensuring the safety of our Nation as a senior member of the Senate Armed Services Committee to her leadership on the Senate Commerce Committee.

We worked together to promote safety and security for Afghan women and girls, and she played such a key role last during consideration of the transportation bill. I am so grateful for Senator HUTCHISON's bipartisan efforts to preserve and protect our critical transportation infrastructure.

Senator HUTCHISON has always noted that we women Senators have repeatedly come together across party lines to achieve action on women's issues: things like pay inequality and creating tax-free individual retirement accounts for spouses who work at home.

I will miss my colleagues, both on the Senate floor and at our monthly women Senators dinners.

I wish them both well in all their future endeavors.

KENT CONRAD

Mr. President, I rise today to pay tribute to my colleague, Senator KENT CONRAD, whom I have been fortunate to call a colleague and a friend. I have served with KENT for 20 years and my husband Stewart and I have valued the friendship of his and his wonderful wife Lucy Calautti.

From helping North Dakota recover from devastating natural disasters to promoting North Dakota agriculture as a key member of the Senate Agriculture Committee, KENT CONRAD has been a leader for North Dakota for more than 30 years.

No Senator knows budget and economic issues better than Senator CONRAD and he used his knowledge to great effect as chairman of the Senate Budget Committee. His exacting and precise assessments of our Nation's fiscal health added wisdom and maturity to a debate that was often difficult and divisive. His many budget charts alone are famous in the Senate—in fact, he uses even more charts on the floor than I do, which is saying something.

He refers to his policymaking approach as “extreme moderation”—an approach that perfectly sums up Senator CONRAD's philosophy and demeanor. Senator CONRAD is one of our most respected members, for his steady temperament, his open mind, and his willingness to reach across the aisle in search of policy solutions.

The Senate is losing a powerful voice, and great friend to us all in KENT CONRAD.

#### NOMINATION OF JOSHUA WRIGHT

Mrs. BOXER. Mr. President, I rise to register my concerns with the confirmation of Dr. Joshua Wright to be a Commissioner of the Federal Trade Commission, FTC.

The FTC's mission is to “prevent business practices that are anti-

competitive or deceptive or unfair to consumers and to enhance informed consumer choice and public understanding of the competitive process.”

Yet throughout his career, Dr. Wright has shown a disdain for this mission, and the government's involvement in protecting consumers.

As one example, Dr. Wright wrote that one government consumer protection agency's agenda was “aggressive and dangerous” and that its “existence is likely to do more harm than good for consumers.”

He has also sharply criticized the FTC, arguing it has been hampered by “a history and pattern of appointments evidencing a systematic failure to meet . . . expectations.”

Many consumer groups are also concerned about his confirmation to the FTC, noting that his antiregulation philosophy is far outside of the mainstream and runs counter to the mission of the FTC as an enforcement agency designed to protect consumers.

Dr. Wright was selected by Republican congressional leadership to fill a Republican position on the FTC, as required by statute. For this reason I did not block his confirmation, but I will be closely monitoring his activities at the FTC.

#### TRIBUTE TO DR. WAYNE SOUTHWICK

Mr. BARRASSO. Mr. President, today I wish to pay tribute to an outstanding orthopaedic surgeon, mentor and friend. Dr. Wayne Southwick has had a remarkable career. The author of over 100 peer reviewed journal articles, he has also received numerous awards for his work as a professor and chief of orthopaedic surgery at Yale University's School of Medicine. I had the privilege of learning from Dr. Southwick during my time at Yale. Dr. Southwick's unending dedication to educating the next generation of physicians has had a lasting impact on the medical profession.

Dr. Wayne Orin Southwick was born on February 6, 1923 in Lincoln, NE. He grew up in Friend, the same small town where his grandfather settled, just before Nebraska was admitted to the Union. Dr. Southwick attended high school in Friend, before entering the University of Nebraska, where he earned a B.A. in 1945 and an M.D. in 1947. During his time at the University of Nebraska, Dr. Southwick married the love of his life, Jessie Ann Seacrest.

While the vast majority of my remarks will focus on Dr. Southwick's professional accomplishments, I know that what he is most proud of is his loving family. Together, Wayne and Ann raised three children, Fred, Steven and Marcia. Steven has followed in his father's footsteps as a physician and professor of psychiatry at Yale. Wayne would be the first person to admit that all of his accomplishments would not have been possible without the support of his wife and children.