

after representing British soldiers at a massacre in the city of Boston.

Ms. Halligan should not be filibustered because she represented clients with whom some Senators don't always agree.

The bottom line is this: Our country needs excellent judges serving on the Federal bench. If qualified mainstream judicial nominees cannot be considered fairly by the Senate on their merits, then good lawyers are going to stop putting their name in for consideration. Maybe that is the ultimate goal on the other side by some of the Senators who object to Ms. Halligan.

Why would a top-notch lawyer volunteer to go through a long, excruciating judicial confirmation if the lawyer is only going to be filibustered at the end for reasons that don't have a thing to do with their qualifications? We are going to end up with a Federal bench that is either empty or lacks the excellence we should require.

Caitlin Halligan deserves an up-or-down vote on the merits. The Senate made a mistake in denying her that vote in 2011. Let's correct that mistake this week. She has clearly demonstrated she can serve the DC Circuit with distinction. She deserves that chance on the merits.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for 10 minutes and ask that the Chair let me know when 9 minutes has elapsed.

The ACTING PRESIDENT pro tempore. The Chair will do so.

#### SEQUESTRATION

Mr. ALEXANDER. Mr. President, we remember President Lyndon Johnson's courage and skill in passing the Civil Rights Act. We remember President Nixon going to China. We remember President Carter and the Panama Canal treaties. We remember President Reagan fixing Social Security and George H.W. Bush balancing the budget by raising taxes. We remember President Clinton and welfare reform. We remember President George W. Bush tackling immigration reform. If the history books were written today, we would remember President Obama for the sequester.

This is unique in history. This is not the way our Presidents usually conduct themselves. Here we have a policy that was designed to be the worst possible policy, and that may be what our talented, intelligent current President is

remembered for. He is remembered for it because it comes from a process he recommended, he signed into law, that he has known about for the last year, that he has done nothing about except to campaign around the country blaming others for it over the last month, and he seems determined to keep it in law.

Now, for what reason could this be possible?

Well, let's go back to why the President agreed to the sequester. He agreed to it in 2011 after suggesting the process from which it came in order to get \$2.2 trillion in spending reductions so he could get a debt ceiling increase that lasted through the election. And he did it, for the second reason, because he did not want to go against his own party's constituency in tackling the biggest problem our country faces—the biggest problem according to the former Chairman of the Joint Chiefs of Staff, the biggest problem according to the President's own debt commission—the out-of-control automatic spending increases that are in the Federal budget.

So we are left today with a sequester—automatic spending decreases which are the result of the automatic spending increases in entitlements the President is unwilling to confront. We are slashing the part of the budget that is basically under control. It is growing at about the rate of inflation. I am talking about national defense, national parks, National Laboratories, Pell grants, and cancer research. All that is growing at about the rate of inflation. We are slashing that part of the budget because the President does not want to challenge his own party on the part of the budget that is out of control, growing at two or three times the rate of inflation: Medicare, Medicaid, Social Security, and other entitlements.

This is not how our Presidents usually have acted when confronted with a great crisis. When President Johnson dealt with civil rights, he knew he would be terribly unpopular in Texas and throughout the South. When President Nixon went to China, he knew Republican conservatives would be angry with him. President Carter enraged many Americans by his support for the Panama Canal Treaty. President Reagan made many seniors unhappy when he fixed Social Security. George H.W. Bush probably lost the 1992 election when he raised taxes to balance the budget. Bill Clinton was pilloried by his own party when he worked with Republicans to reform welfare. George W. Bush made many radio talk show hosts very unhappy when he tried to change our immigration laws.

Why did they do it? They did it because they were the President of the United States, and that is what presidents do.

Robert Merry, a biographer of President James K. Polk, told me recently that every great crisis in our country has been solved by presidential leader-

ship or not at all. Every great crisis in American history has been solved by presidential leadership or not at all. Yet this president seems determined not to exercise that sort of presidential leadership. So his presidential leadership is a colossal failure, first, because he will not respect this Congress and work with it in a way to get results that all of the presidents I just mentioned did.

The New York Times had a very interesting story this Sunday about how President Woodrow Wilson would come down to the President's Room right off the Senate and sit there three days a week with the door open, and he got almost everything he proposed passed, until he went over the heads of Congress around the country about the League of Nations and lost.

Or Senator Howard Baker used to tell the story of how, when Senator Everett Dirksen, the Republican leader, would not go down to the White House and have a drink with President Johnson in 1967, President Johnson showed up with his beagles in the Republican leader's office and said: Everett, if you won't come have a drink with me, I am here to have a drink with you.

I am not here to advocate having drinks, but I am here to suggest that when they disappeared into the back room together for 45 minutes, that played a big role in writing the Civil Rights Act of 1968 because it was written in Everett Dirksen's Republican leader office right down the hall, at the request of the Democratic President of the United States.

And Senator HARKIN—I do not think he will mind me telling the story about the afternoon 20 years ago when he was in his office and he got a telephone call from President George H.W. Bush's office. Would he come down with a few other Congressmen? The President was there for the afternoon. Mrs. Bush was in Texas. They spent an hour together, and the President showed them around. On the way out, Senator HARKIN said to President Bush: Mr. President, I don't want to turn this into a business meeting, but one of your staff members is slowing down the Americans with Disabilities bill. That conversation, Senator HARKIN says, changed things at the White House and helped that bill to pass.

Or Tip O'Neill, going into the Democratic Caucus in the 1980s and being criticized by his fellow caucus members: Why are you spending so much time with Ronald Reagan? Why are you fixing Social Security? He said: Because I like him. Because I like him.

Technology has changed a lot. But human nature has not. And relationships are essential in the Senate, in the White House, in politics, in church, in business, and all of our Presidents have known that you need to show respect to the people with whom you work if you are going to solve difficult problems. That is why I am disappointed by our talented President's unwillingness to work with Congress. There is no reaching out.

It was 18 months before he had his first meeting with the Republican leader one on one. He has known for a year the sequester was coming, but there was no meeting with the Republican or Democratic leaders that I know about until the day it started. It is breaking news when the President makes a telephone call to a Senate leader. And then the President spends his time running around the country taunting and heckling the Members of Congress that he is supposed to work with to get a result. What kind of leadership is that?

I started in 1969 working in congressional relations for a President of the United States. I have worked with or for eight. I have never seen anything like it in my life.

I have been a governor. That is small potatoes compared to being a president. I know that. But I worked with a Democratic legislature, and I guarantee you, if I had taunted them and heckled them and criticized them, I never would have gotten anything passed to improve roads or schools or get the auto industry into Tennessee. Instead, I would meet with them regularly. I would listen to them. I would change my proposals based on what they had to say. I would know they had to go back into their caucuses and still survive. I did not think about ever putting them in an awkward position when we were trying to get something done. I tried to put them in a position to make it easier to get something done. I changed my ideas and I could get a result. During elections we tried to beat each other. Between elections we sought to govern.

This is all made worse by the Democratic leadership of the Senate deliberately bringing business to a halt we have a fiscal crisis, we have not had a budget in 4 years, we did not even pass any appropriations bills last year, there is little respect for committee work, and he has used the gag rule 70 times to cut off amendments from the Republican side of the aisle.

For example, last week, we had several options on our side—I think there were some on the other side—to make the sequester go down a little bit easier, to make it make more common sense, and what did we end up doing? We were here all week, and we ended up voting on two proposals. They were procedural votes, and everybody knew they were political posturing not designed to pass. Why did we not just put it on the floor? There are 100 of us here.

We are all grownups. We worked hard to get here. We have ideas. We might have improved the sequester. We had time to do it. But the Democratic leadership did not allow us to bring it up. So we end up with deliberately bad policy becoming law.

It is not too late. There are things the President and we can still do. We could spread the pain across the whole budget. We could spread it across part of the budget. We could give the President more flexibility in making decisions. Or the President could come to

us with his plan, this month, for dealing with the biggest problem facing our country: the out-of-control mandatory spending. He could do what Presidents Johnson and Nixon and Carter and Bush did before him. He could confront it, go against the grain of his party, work with Members of both sides, and get a result. It is not that hard to do. Senator CORKER and I have a proposal to do it. There is the Domenici-Rivlin proposal to do it. There is the Ryan-Wyden proposal to do it.

When part of the budget is growing at two to three times inflation and the rest is growing at about the rate of inflation, it is obvious which part we need to work on.

It may be the President does not like some of us. Well, President Eisenhower had that same feeling about Members of Congress. Someone asked him: Then how do you get along with them? He said: I look first at the office. I respect the office. I do not think about the person who occupies the office.

There are real victims here. In the short term with the sequester, there is cancer research, there are airline travelers, there are many people—the President has let us know about this—who are going to be hurt by this and be inconvenienced. In the long term, if we do not deal with this No. 1 fiscal problem we have, the real victims will be seniors who will not have all of their hospital bills paid in 11 years because the Medicare trustees have told us Medicare will not be able to pay all of them—the Medicare Trust Fund will be out of money—and young Americans will be forever destined to be the debt-paying generation because we and the President did not have the courage to face up to our responsibilities.

So I would say, with respect, it is time for this President to show the kind of Presidential leadership that President Johnson did on civil rights, that President Nixon did on China, that President Carter did on the Panama Canal Treaty, that President Reagan did on Social Security, and that Presidents George H.W. Bush and Clinton and George W. Bush did. Respect the other branches of government. Confront your own party where necessary. Listen to what both have to say and fashion a consensus that most of us can support.

We are one budget agreement away from reasserting our global preeminence and getting the economy moving again. As Robert Merry said: Every great crisis is solved by Presidential leadership or not at all.

It is time, Mr. President, for Presidential leadership.

I ask unanimous consent to have printed in the RECORD the article in the New York Times, from Sunday, entitled “Wilson to Obama: March Forth!”

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

[From The New York Times, Mar. 1, 2013]

WILSON TO OBAMA: MARCH FORTH!

(By A. Scott Berg)

“There has been a change of government,” declared Woodrow Wilson in his first sentence as president of the United States, one hundred years ago this Monday. Until 1937, when the 20th Amendment moved Inauguration Day to late January, chief executives took their oaths of office on March Fourth, a date that sounds like a command.

Nobody heeded this implied imperative more than Wilson: the 28th president enjoyed the most meteoric rise in American history, before or since. In 1910, Wilson was the president of a small men's college in New Jersey—his alma mater, Princeton. In 1912, he won the presidency. (He made a brief stop in between as governor of New Jersey.) Over the next eight years, Wilson advanced the most ambitious agenda of progressive legislation the country had ever seen, what became known as “The New Freedom.” To this day, any president who wants to enact transformative proposals can learn a few lessons from the nation's scholar-president.

With his first important piece of legislation, Wilson showed that he was offering a sharp change in governance. He began his crusade with a thorough revision of the tariff system, an issue that, for decades, had only been discussed. Powerful legislators had long rigged tariffs to buttress monopolies and to favor their own interests, if not their own fortunes.

Wilson, a Democrat, thought an economic overhaul this audacious demanded an equally bold presentation. Not since John Adams's final State of the Union speech, in 1800, had a president addressed a joint session of Congress in person. But Wilson, a former professor of constitutional law (and still the nation's only president with a Ph.D.), knew that he was empowered “from time to time” to “give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient.” And so, on April 8, 1913, five weeks after his inauguration, he appeared before the lawmakers. Even members of Wilson's own party decried the maneuver as an arrogant throne speech.

The man many considered an aloof intellectual explained to Congress that the president of the United States is simply “a human being trying to cooperate with other human beings in a common service.” His presence alone, to say nothing of his eloquent appeal, affixed overwhelming importance to tariff reform. In less than 10 minutes, Wilson articulated his argument and left the Capitol.

The next day, Wilson did something even more stunning: he returned. On the second floor of the Capitol—in the North Wing, steps from the Senate chamber—is the most ornate room within an already grand edifice. George Washington had suggested this President's Room, where he and the Senate could conduct their joint business, but it was not built until the 1850s. Even then, the Italianate salon, with its frescoed ceiling and richly colored tiled floor, was seldom used beyond the third day of March every other year, when Congressional sessions ended and the president arrived to sign 11th-hour legislation. Only during Wilson's tenure has the President's Room served the purpose for which it was designed. He frequently worked there three times a week, often with the door open.

Almost every visit Wilson made to the Capitol proved productive. (As president, he appeared before joint sessions of Congress more than two dozen times.) During Wilson's first term, when the president was blessed with majorities in both the House and the

Senate, the policies of the New Freedom led to the creation of the Federal Reserve, the Federal Trade Commission, the Clayton Antitrust Act, the eight-hour workday, child labor laws and workers' compensation. Wilson was also able to appoint the first Jew to the Supreme Court, Louis D. Brandeis.

Even when the president became besieged with troubles, both personal and political—the death of his first wife; the outbreak of World War I; an increasingly Republican legislative branch; agonizing depression until he married a widow named Edith Bolling Galt—Wilson hammered away at his progressive program. In 1916, he won re-election because, as his campaign slogan put it, “He kept us out of war!” A month after his second inauguration, he appeared yet again before Congress, this time, however, to convince the nation that “the world must be made safe for democracy.” This credo became the foundation for the next century of American foreign policy: an obligation to assist all peoples in pursuit of freedom and self-determination.

Suddenly, the United States needed to transform itself from an isolationist nation into a war machine, and Wilson persuaded Congress that dozens of crucial issues (including repressive espionage and sedition acts) required that politics be “adjourned.” Wilson returned again and again to the President's Room, eventually convincing Congress to pass the 19th Amendment: if women could keep the home fires burning amid wartime privation, the president argued, they should be entitled to vote. The journalist Frank I. Cobb called Wilson's control of Congress “the most impressive triumph of mind over matter known to American politics.”

In the 1918 Congressional election—held days before the armistice—Wilson largely abstained from politics, but he did issue a written plea for a Democratic majority. Those who had followed his earlier advice and adjourned politics felt he was pulling a fast one. Republicans captured both houses. With the war over, Wilson left for Paris to broker a peace treaty, one he hoped would include the formation of a League of Nations, where countries could settle disputes peaceably and preemptively. The treaty required Senate approval, and Wilson, who had been away from Washington for more than six months, returned to discover that Republicans had actively, sometimes secretly, built opposition to it—without even knowing what the treaty stipulated.

Recognizing insurmountable resistance on Capitol Hill, even after hosting an unprecedented working meeting of the Senate Foreign Relations Committee at the White House, Wilson attempted an end run around the Senate: he took his case directly to the people. During a 29-city tour, he slowly captured public support. But then he collapsed on a train between Pueblo, Colo., and Wichita, Kan., and had to be rushed back to the White House. Days later he suffered a stroke, which his wife, his physician and a handful of co-conspirators concealed from the world, leaving Mrs. Wilson to decide, in her words, “what was important and what was not.”

In March 1920, having recovered enough to wage a final battle against the Republicans, Wilson could have garnered support for a League of Nations by surrendering minor concessions. But he refused. The treaty failed the Senate by seven votes, and in 1921, the president hobbled out of the White House as the lamest duck in American history, with his ideals intact but his grandest ambition in tatters.

Two months ago, our current president, facing financial cliffs and sequestration and toting an ambitious agenda filled with such incendiary issues as immigration reform and

gun control, spoke of the need to break “the habit of negotiating through crisis.” Wilson knew how to sidestep that problem. He understood that conversation often holds the power to convert, that sustained dialogue is the best means of finding common ground.

Today, President Obama and Congress agree that the national debt poses lethal threats to future generations, and so they should declare war on that enemy and adjourn politics, at least until it has been subdued. The two sides should convene in the President's Room, at the table beneath the frescoes named “Legislation” and “Executive Authority,” each prepared to leave something on it. And then they should return the next day, and maybe the day after that. Perhaps the senior senator from Kentucky could offer a bottle of his state's smoothest bourbon, and the president could provide the branch water. All sides should remember Wilson and the single factor that determines the country's glorious successes or crushing failures: cooperation.

March forth!

Mr. ALEXANDER. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

#### TEXAS INDEPENDENCE DAY

Mr. CORNYN. Mr. President, I rise to commemorate a very special day in history—a day that inspires pride and gratitude in the hearts of the people of the great State of Texas. I rise today to commemorate Texas Independence Day, which was actually this last Saturday, March 2.

I will read a letter that was written 177 years ago from behind the walls of an old Spanish mission known as the Alamo—a letter written by a young lieutenant colonel in the Texas Army, William Barret Travis. In doing so I carry on a tradition that was started by the late John Tower, who represented Texas in this body for more than two decades. This tradition was later carried on by his successor, Senator Phil Gramm, and then by our recently retired colleague, Senator Kay Bailey Hutchison. It is a tremendous honor that this privilege has now fallen to me.

On February 23, 1846, with his position under siege and outnumbered by nearly 10 to 1 by the forces of Mexican dictator Antonio Lopez de Santa Anna, Travis penned the following letter, “To the People of Texas and All Americans in the World:”

Fellow citizens & compatriots—

I am besieged by a thousand or more of the Mexicans under Santa Anna.

I have sustained a continual Bombardment and cannonade for 24 hours and have not lost a man.

The enemy has demanded a surrender at discretion. Otherwise, the garrison are to be put to the sword, if the fort is taken.

I have answered the demand with a cannon shot, and our flag still waves proudly from the walls.

I shall never surrender or retreat.

Then, I call on you in the name of Liberty, of patriotism and everything dear to the American character, to come to our aid, with all dispatch.

The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days.

If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country.

Victory or Death.

Signed:

William Barret Travis.

As we all know, in the battle that ensued, 189 defenders of the Alamo lost their lives. But they did not die in vain. The Battle of the Alamo bought the precious time for the Texas Revolutionaries, allowing Sam Houston to maneuver his army into position for a decisive victory at the Battle of San Jacinto. With this victory, Texas became a sovereign and independent republic. For 9 years, the Republic of Texas thrived as an independent nation. Then, in 1845, it agreed to join the United States as the 28th State.

Many of the Texas patriots who fought in the revolution went on to serve in the U.S. Congress. I am honored to hold the seat once occupied by Sam Houston. More broadly, I am honored to have the opportunity to serve 26 million Texans because of the sacrifices made by these brave men 177 years ago.

May we always remember their sacrifices and their courage. And may God continue to bless Texas and these United States.

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

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### IMMIGRATION

Mr. COATS. Mr. President, last week, U.S. Immigration and Customs Enforcement—also known as ICE—initiated a precipitous action to reduce the population of the illegal immigrants detained by the U.S. Government for, they said, “budgetary reasons.”

Let me quote ICE spokesperson Gillian Christensen, who stated, “As fiscal uncertainty remains over the continuing resolution and the possible sequestration, ICE has reviewed its detained population to ensure detention levels stay within ICE's current budget.” So the result was a release of a significant number of detained illegal immigrants and blaming it on the sequester's imminent budget cuts last week, when it appears ICE mismanaged its resources.

That is unacceptable. This was an unnecessary action. It has the potential to put communities at risk. It is ineffective, inefficient, and irresponsible government.

Let's be clear about something else that ICE points to as a reason for this action, “fiscal uncertainty.” Fiscal uncertainty is what has defined our economy over the past 4 years because this government cannot get its act together. This government has failed to