



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159

WASHINGTON, WEDNESDAY, JANUARY 30, 2013

No. 13

House of Representatives

The House was not in session today. Its next meeting will be held on Friday, February 1, 2013, at 11 a.m.

Senate

WEDNESDAY, JANUARY 30, 2013

The Senate met at 9:30 a.m. and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

PRAYER

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

Let us pray.

Gracious Father, Your loving kindness and faithfulness draw us to You, for You deserve our complete trust and allegiance. Thank You for giving us so much more than we deserve in blessings and withholding what we deserve for our transgressions.

Lord, work through our lawmakers today, making them Your partners in solving the problems that confront our Nation. May they do justly, love mercy, and walk humbly with You. Tune their minds to the frequency of Your guidance, surpassing human understanding with the gift of Your knowledge. When trying times provoke doubts and anxieties, remind them that You hold the future in Your hands.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HEIDI HEITKAMP led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HEITKAMP thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam president, following leader remarks, the Senate will be in a period of morning business for 2 hours. The majority will control the first half and the Republicans will control the second half. At 2:30 p.m. Senator KERRY will be recognized to deliver his farewell remarks. We hope to complete action on the debt limit legislation very soon.

MEASURE PLACED ON THE CALENDAR—S. 177

Mr. REID. Madam President, I am told that S. 177 is at the desk and due for a second reading. Is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 177) to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

HONORING SENATOR JOHN KERRY

Mr. REID. Madam President, I rise today to honor JOHN KERRY, our colleague, the senior Senator from Massachusetts. I congratulate Senator KERRY on his confirmation as our Nation's next Secretary of State.

I am pleased he will continue to serve his country in this important role. He will be missed by his Senate colleagues, that is for sure.

Senator KERRY said at his confirmation hearing that the Senate is in his blood, and that is true. As he represents America's interests around the world, his experience as a Senator will serve him and our country well.

For 28 years, Senator KERRY has been a dedicated representative of the people of Massachusetts in the Senate.

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



Printed on recycled paper.

S369

Senator KERRY has also rendered distinguished service to his country in the Navy, to the Commonwealth of Massachusetts as Lieutenant Governor and as Senator, and to the Democratic Party and the people of this country as the 2004 Presidential nominee for the Democratic Party.

He is a brilliant man. He was a debater at Yale and won awards for his skilled oratory over a number of years. That talent has allowed him to speak for freedom and justice at each stage of his career.

Before he graduated college, he was a vocal critic of the Vietnam war. But upon graduation, Senator KERRY volunteered to serve in the U.S. Navy, and serve he did. Later he said he did it because "it was the right thing to do."

Senator KERRY learned the value of service at home. His father was a Foreign Service officer, and his mother was a nurse during World War II. He served two tours as a Navy lieutenant in the jungles and rivers of Vietnam. He was awarded the Silver Star for his gallantry, a Bronze Star for valor also, and three Purple Hearts. But even after his service in the war, his opposition continued.

On April 22, 1971, Senator KERRY became the first Vietnam veteran to testify before Congress about the war when he appeared before the Senate Foreign Relations Committee, which was chaired by the famous Senator William Fulbright—a committee he would later chair. It was a remarkable appearance. He was the first veteran to testify.

He went on to attend Boston College Law School. He worked as a prosecutor in Middlesex County before he was elected Lieutenant Governor in 1982. Just 2 years later he was elected to the U.S. Senate. He has served in the Senate for five terms. He has always been an unflinching advocate for veterans. He helped found the Vietnam Veterans for America and has worked tirelessly to secure treatment for servicemembers dealing with post-traumatic stress.

Senator KERRY has served 6 years on the Senate Intelligence Committee and, remarkably, 28 years on the Foreign Relations Committee. He has been a leading advocate of doing something about global climate change.

Senator KERRY has convened eight major hearings and roundtables on climate change and energy security since taking the gavel as chair of the Foreign Relations Committee, replacing Vice President BIDEN.

It was in the early 1990s that Senator KERRY's brilliant mind and exceptional dedication came to my attention. I had the good fortune of being chosen by Leader Mitchell to be a member of the select committee on MIAs—missing in action—and POWs. It was very controversial at that time. There was a belief by many that there were live Americans either in Cambodia, Laos—maybe in Vietnam. We had not done as much as people thought we should do

about those missing in action, and it was a very volatile period of time in the history of this country.

I saw him with patience, with wisdom, serve as chairman of that select committee. As I have indicated, it was a difficult assignment, an important assignment, and he handled it—as he has done everything I have watched him do—thoughtfully and with integrity.

Since coming to the Senate I have been fortunate to be invited to his home for lengthy but fascinating foreign policy discussions with Senate colleagues and foreign policy experts. In recent years, Senator KERRY was also instrumental in securing passage of the New START treaty with Russia, which is helping to reduce the danger of nuclear proliferation.

He has served as an unofficial envoy for President Obama to Afghanistan, Sudan, Pakistan, and some countries probably none of us even know where he went. There were many times he came to me and said: I have to go, and he tells me where he is going, and there was nothing in the newspapers about where he had gone. But he is a great evaluator of people, and because of that, the President has trusted him and has sent him on all these missions. Now he will do that as Secretary of State.

He has authored numerous pieces of legislation to prevent the global spread of HIV/AIDS. He has also played a central role in crafting American policy in Iraq and Afghanistan, the war on terror. I can remember one very difficult time when he spent days and days, principally with President Karzai, working out a difficult issue following the elections they had there. He has been focused on the Middle East peace process and Israel's security for his entire time as a member of that committee, the Foreign Relations Committee.

For more than 30 years, Senator KERRY has been a powerful voice for his constituents in Massachusetts as well as an engaged citizen of the world. Throughout those years, JOHN has matched his unflinching passion for democratic values with forward-thinking actions to advance those values.

No one is better qualified than JOHN KERRY to continue the exceptional work of Secretary of State Hillary Clinton. While we are saddened to lose his leadership in the Senate, we saw yesterday the support he has, where virtually every Senator voted to support him as the next Secretary of State. I wish him well as he embarks on this next challenge, and I am confident he will meet the challenge.

RECOGNITION OF THE MINORITY LEADER

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

SPENDING REFORM

Mr. McCONNELL. Madam President, a few weeks ago, President Obama reportedly said America does not have a spending problem. Well, of course, we know that is not accurate. This is completely at odds with what independent experts tell us and what is perfectly apparent to anybody who is alert. Last week, I brought this chart behind me to the floor to illustrate the point.

As everyone knows, we are running trillion-dollar annual deficits. What this chart shows is that the gap between government spending and revenue just keeps getting wider and wider and wider. So let's take a look at it.

The occupant of the chair is relatively new to the Senate but not new to the facts. The green area here represents both historic and projected tax revenue. The dark blue area—as you can see, the really kind of flat lines out here to 2040—is the new revenue the President received at the end of the year as a result of operation of the law. The tax rates sunsetted, expired at midnight on New Year's Eve. The Congress then wisely continued the current tax rates for 99 percent of Americans, made those rates permanent so we would not have another event like New Year's Eve where we came to an abrupt conclusion. Most importantly, for States such as the State of the occupant of the chair and my own, a \$5 million per person exemption on the death tax was made permanent and indexed to inflation.

The President wanted more revenue than that and continues to talk about more revenue. So if we take all the revenue the President said he wants to get, over and above the revenue he got as a result of the law expiring—that is this dark blue area—if we gave him every bit of new tax revenue he wanted over and above that, we would have this light blue area like this.

So we can see, colleagues, that even if the President got all the revenue he wanted, it only produces this much in a pretty flat line going way out into the future.

So, clearly, what one can conclude from this—whether you think the revenue the President got is enough or you think the President ought to have as much revenue as he wants—factually, it does not solve the problem. It does not solve the problem because we do not have this problem because we tax too little; we have it because we spend way too much because the red area is the spending trajectory.

So it is perfectly obvious for anybody who is not going to ignore the facts that this is not a revenue problem; this is a spending problem. And until we solve this problem, we cannot leave behind for our children and our grandchildren the kind of country our parents left behind for us.

This, my colleagues, is the Europeanization of America. This is the pathway to Greece and Italy and Spain, and maybe now even France as