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Senate

The Senate met at 10 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.

Architect of the universe, before the mountains were formed and the hills were born and the Earth received its frame, You are God. You fill the universe with the mysteries of Your power, and we are in awe of Your handiwork.

Inspire our Senators to unite with You in the great cause of bringing healing to our Nation and world. May they sense Your presence continually, think of You consistently, and trust You constantly, receiving Your divine guidance for the path ahead. Lord, inspire them to think imaginatively about how to do Your will on Earth even as it is done in Heaven. We pray in Your great 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 13, 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 morning business. The Republicans will control the first 30 minutes and the majority will control the second 30 minutes.

We will seek an agreement for the consideration of the nomination of Senator Hagel to be Secretary of Defense during today's session.

In addition, sometime this afternoon, we hope to have a vote on the Kayatta nomination to be a circuit court judge for the First Circuit.

VISION OF FAIRNESS

Mr. REID. Madam President, last night the President of the United States laid out an agenda to strengthen the middle class and expand upon our economic progress. He outlined an agenda that will restore the core value that makes this Nation great: fairness.

Senate Democrats stand ready to work with the President to make this vision—a vision in which every American shares the prosperity as well as the responsibility—a reality. President Obama's agenda calls for commonsense investments in our future, investments which will breathe new life into a struggling middle class, investments which will make America a magnet for

jobs and manufacturing once more, investments which have been deferred for too long due to the worst recession since the Great Depression.

The President's plan will give American manufacturers the support they need to thrive, while ending giveaways to companies that ship jobs overseas. His plan will create jobs building world-class roadways, railways, and bridges which our economy may rely upon tomorrow.

The plan will prepare current and future workers to compete in a global economy by making K-12 schools the best in the world again and college affordable for every graduate. His plan will break our addiction to foreign oil and encourage investments in reliable energy, a change which will be good for the environment and for the economy.

As he said last night, it will be done without adding a single penny to the deficit. These investments in a strong middle class are not just right for our country, they are right for our economy as well. Our efforts to restore prosperity will mean little unless Congress acts immediately to deal with arbitrary, across-the-board spending cuts set to take effect.

If the looming sequester strikes, 70,000 young children would be kicked off Head Start and 10,000 teaching jobs would be at risk. The Small Business Administration will be forced to reduce loan guarantees to small businesses by up to \$540 million. Democrats believe we should replace this harsh austerity with a balanced approach that targets wasteful spending, tax loopholes, and asks the wealthiest among us to contribute a little more to reduce the deficit.

The American people know we can't cut our way to prosperity. They agree. We can't ask the middle class to bear the burden of the entire deficit reduction. Later this week Democrats will release a plan to avert the so-called sequester.

Republicans say they agree the deep cuts they voted for will be damaging to

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



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our economy and to national security. Republicans would rather cut Medicare, education, and medical research than close a single wasteful tax loophole or ask a single millionaire to contribute a little more. The Republicans should stop protecting millionaires, billionaires, and wealthy corporations and start working with us to pass an alternative to these terrible cuts that protect the middle class. We want to start to do something to begin changing this so we protect the middle class. We must not jeopardize the progress of the last 4 years.

Even though our work to restore economic prosperity must continue, we should take pride in the 35 months of private sector job growth and 6.1 million new American jobs. Imagine how many more jobs could be created with just a little cooperation from our Republican colleagues.

Now our friends across the aisle have another opportunity to engage constructively. They have a second chance to work with Democrats to rebuild the middle class by investing in that which in the past has made Americans strong—world-class roads, bridges, dams, peerless schools, industrial factories, and creative entrepreneurs who are the best in the world.

President Ronald Reagan, in his first address of a joint session of Congress, spoke of these building blocks of prosperity. Ronald Reagan said:

Substance and prosperity of our Nation is built by wages brought home from the factories and the mills, the farms, and the shops. They are the services provided in 10,000 corners of America: the interest on the thrift of our people and the returns for their risk-taking. The production of America is the possession of those who build, serve, create, and produce.

He didn't say the substance of our Nation is built on profits gleaned from shipping jobs overseas. He didn't say the prosperity of America is the possession of investment banks or wealthy oil companies alone. Rather, he said, our substance and prosperity are earned in factories, mills, farms, and shops. The rewards belong to all those who build, serve, create, and produce—not only to the few strong enough or rich enough to take for themselves.

It is time to return to those roots. It is time to remember fairness is not just a principle for which to strive but a powerful engine of growth and prosperity for all Americans.

RECOGNITION OF THE MINORITY LEADER

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

STATE OF THE UNION

Mr. MCCONNELL. I would like to say a word about last night's State of the Union. To me, at least, the occasion cried out for bold and courageous leadership from a reelected President who

has run his last campaign. It called for a President who was willing to stare down America's challenges, reject the easy choices, and step outside his political comfort zone to unite a deeply divided public behind a common goal.

Sadly, history will record no such moment. An opportunity to bring together the country instead became another retreat of lip service and liberalism.

For a Democratic President entering his second term, it was simply unequal to the moment. Following 4 years of this President's unwillingness to challenge liberal dogma, we have more of the same. The President spoke about energy infrastructure but didn't even mention the Keystone Pipeline. He chose the Nation's biggest stage to promote something that is inefficient and costly, such as solar panels, instead of something that is proven, reliable, and domestically produced, such as coal.

He advocated tax reform but mostly as a way to increase the size of government, not as a way to increase our competitiveness. He spoke of workers' minimum wages instead of their maximum potential.

In short, with the exception of his impressive delivery and trademark style, last night's speech was pedestrian, liberal boilerplate that any Democratic lawmaker could have given at any time in recent memory. Gun control, cap and trade, tax increases, and spending programs are exactly what we have come to expect from a liberal President who seems perfectly content to preside over a divided country and a stagnant economy.

Of course, everyone recognizes the President is a very good campaigner. We all acknowledge his skill in that area. He will be doing more of that today down in North Carolina.

A State of the Union Address should be about something bigger. Instead of dividing Americans, it should unite them. Instead of inflaming passions, it should show what is possible when the two parties actually work together.

I am glad he mentioned things such as expanding trade opportunities with Asia and Europe. That is an area where we can cooperate, and I look forward to working with colleagues from both parties to do just that.

Overall, I am disappointed. I am especially disappointed he chose not to seriously address the transcendent issue of our time, which is finding a way to control our spiraling debt before it controls us. If we don't do that, we will not be able to leave our children the kind of country our parents left us; that is, a goal all of us should share.

Take the Obama sequester as just one example. The President had a chance last night to offer a thoughtful alternative to his sequester, one that could reduce spending in a smarter way. That is what Republicans have been calling for all along, and it is the kind of thing the House has already voted to do not once but twice. We

want to work with him to actually make that happen.

Instead we just heard gimmicks and tax hikes, just one more plan from the President that is designed to fail so he can blame others when it does fail. It is too bad for the country. It truly is.

The American people, in their collective judgment, decided to send divided government to Washington. I am sure the President wishes that weren't so, but it is the reality, and Americans look to him to use forums such as the State of the Union to bring people together and get things done with the government we have, not the one the President wishes he had. That is what Ronald Reagan did, and he accomplished great things. President Clinton was able to get quite a bit done with divided government too.

Why is it this President can't seem to demonstrate the same kind of leadership? He says he wants balance—balance. His approach so far has been anything but. Just as "investment" has become a Washington code word for more spending, "balance" has now become a code word for my way or the highway.

Remember, the President already received the additional revenue he wanted in January. He didn't agree to a single cut in spending then, just revenue. Obviously, the balanced thing to do now would be to look at cuts. Last night the President didn't propose any real cuts; he just demanded more and more taxes. With a \$16 trillion debt, he actually called for more spending too, although he didn't say how he would pay for it or even how much it would cost. Pretend, for a moment, the Republicans agreed to go along with all those taxes and all that spending. What do you think he would demand the next time and the time after that? Of course, more taxes and more spending. And we all know Washington uses tax increases to fund even more spending on things such as robosquirrels and Solyndra, not to reduce the deficit. That is what history shows us. It is how we got in this mess in the first place.

So we are not going to play the Washington game. The stakes for American families are too high to keep taking the easy way out, with more taxes and more wasteful spending. Republicans believe taking on this massive burden of debt should be more important in this town than winning the next election. That is why we need commonsense reforms, such as a balanced budget amendment. All Republicans support it, and Democrats should too. But we won't get anywhere as a nation if the President refuses to lead. We just can't. So the question is, Will he lead or will he continue this endless campaign?

I want to end on a positive note, so I would like to point out that there were areas of agreement last night, and I particularly appreciated the President's reference to Burma. And Senator RUBIO did a great job with the Republican address. I hope the President