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Senate

The Senate met at 10 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Answer us, O God, when we call. Be gracious to us and hear our prayers. Look on our Nation with favor, for Your promises are sure. We thank You that so many of our Nation's founders put their trust in You. Make us worthy of this godly heritage.

Lord, don't be far from us during this challenging season of our national history. As we grapple with the challenges of another fiscal standoff, help us to reaffirm each day our conviction that we are indeed one Nation under Your sovereign authority.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN 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 26, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a

Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN 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. Following leaders' remarks, the Senate will proceed to executive session to consider the nomination of Senator Chuck Hagel to be Secretary of Defense.

At noon today there will be a cloture vote on the Hagel nomination, upon reconsideration. Following that vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

HAGEL NOMINATION AND SEQUESTRATION

Mr. REID. Mr. President, I just indicated the Senate will vote today for a second time to move forward on the nomination of Senator Chuck Hagel, a Republican, serving as Secretary of Defense. Twelve days ago, the Republicans mounted a first-of-its-kind filibuster of Senator Hagel's confirmation. Senator Hagel is the first nominee for Secretary of Defense in the history of our country to have been filibustered. And what has the filibuster gained my Republican colleagues 12 days later? Nothing. Nothing has changed. Twelve days later Senator Hagel's exemplary record of service to his country remains untarnished.

I can still remember going to visit Senator Hagel in his office. I don't remember what we were to discuss, but it was something dealing with Senate business. As I walked into his office, I

saw a picture of two young men on a mechanized vehicle in Vietnam. I asked what that was, and his staff indicated those were the Hagel brothers and their time together serving in Vietnam. They had both been wounded—Senator Chuck Hagel more than once—and Chuck Hagel was also credited with saving his brother's life in Vietnam. And this is the person who is going to be our next Secretary of Defense.

I repeat: His record of service to his country is untarnished. And 12 days later President Obama's support for this qualified nominee is still strong. Twenty days later a majority of Senators still supports his confirmation.

Senate Republicans have delayed for the better part of 2 weeks for one reason: partisanship. At a time when our Nation faces threats abroad—and that is an understatement—the President's nominee for Secretary of Defense deserves a fair and constructive confirmation process. Politically motivated delays send a terrible signal to our allies around the world and they send a terrible signal to the tens of thousands of Americans serving in Afghanistan, other parts of the world, and those valiant people who are serving here in the United States. For the sake of national security, it is time to set aside this partisanship.

In 3 days, across-the-board cuts to the Defense Department are scheduled to take effect. The Pentagon needs a seasoned leader to implement these cuts. Democrats are working hard to avert the worst of these arbitrary cuts—cuts for which an overwhelming majority of Republicans in Congress voted. The so-called sequester was supported by 174 Republicans in the House of Representatives and 28 Republicans here in the Senate—60 percent and 75 percent of the two Republican bodies in this Congress.

We have a balanced proposal to replace those across-the-board cuts for this year with smart spending reductions, which must continue; measures

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



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that would close corporate tax loopholes and wasteful subsidies; and revenue from the very wealthiest among us—Americans making millions of dollars each year.

It is critical Republicans and Democrats come together to find a balanced way to avert these drastic cuts. The consequence of the so-called sequester cuts is real, not only for our national defense but for millions of American families and businesses alike. Three-quarters of a million jobs—750,000 jobs—are at stake. Across the country, tens of thousands of teachers, including thousands who work with disabled children, would be laid off; 70,000 children would be dropped from Head Start; 373,000 adults living with serious mental illnesses and children dealing with severe emotional problems will go untreated.

Airports could close due to a shortage of air traffic controllers and other essential personnel. And lines at airports that do stay open will stretch out the door, as TSA workers are furloughed.

At McCarran Airport in Las Vegas last year more than 40 million people used that airport in coming to visit the bright lights of Las Vegas, the Las Vegas strip and downtown Las Vegas. Those lines are going to get longer, waiting to take off from Las Vegas. That is too bad.

From coast to coast hundreds of thousands of civilian employees from the Department of Defense will face furloughs that will devastate their families and devastate our economy. These cuts will take place.

On Friday, when this kicks in, not everyone is going to see these cuts on Saturday, but they are going to kick in for the people who run these agencies, the people who run the Pentagon. I met with the Chairman of the Joint Chiefs of Staff before we left for our break. These cuts are going to take place. They are going to be felt in Defense more quickly because the civilian agencies have not rehired the people they could have, and they have done other things because of the essential nature of what the military does. They haven't done that, so the cuts in the military are going to kick in more quickly. The other cuts are not going to come immediately, but as the weeks move on, we will see more and more people who have been hurt in the non-defense fields. The effects are cumulative and they are going to hurt and hurt badly.

We want to work with the Republicans to come to a balanced, responsible way to reduce the impact of this sequester, but my Republican colleagues are standing in the way of a solution. They only want cuts and more cuts. They are willing to sacrifice 750,000 American jobs rather than ask multimillionaires to pay a penny more.

Mr. President, 56 percent—almost 60 percent—of the Republicans around the country support this balanced approach we have. Republicans, I repeat,

around the country support this, in addition to the Independents and the Democrats. The only Republicans in America who don't support this balanced approach are the Republicans who serve here in Congress—in the Senate and in the House.

Three-quarters of Americans, I repeat, including almost 60 percent of Republicans, are crying out for a balanced approach. With only 3 days left to protect American families and our economic recovery from this latest crisis, it is time for Republicans to work toward a solution instead of being part of the problem.

RECOGNITION OF THE MINORITY LEADER

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

THE SEQUESTER

Mr. McCONNELL. Mr. President, I wish to say a word about the sequester.

The President's top aides proposed this sequester as a way to help the White House avoid a debt limit debate during last year's campaign. In essence, the deal we struck was that in exchange for avoiding a second vote before the election, the debt limit would be paired with spending cuts only—spending cuts only—and would not involve a tax increase.

The President had more than a year and a half to revisit his proposal and to work with us to prevent it. He obviously thought his time and energies would be better spent elsewhere. In fact, I note that today he is off campaigning again in Virginia instead of working with us to resolve the issue.

So here we are. Here we are. The President has been running around acting as though the world is going to end because Congress might actually follow through on an idea he proposed—he proposed—and signed into law, all the while pretending he is somehow powerless to stop it. Well, it is time to put the record straight. As someone who was personally involved in the 2011 budget talks, I think I am in a pretty good position to do that.

On the question of who came up with the idea in the first place, it originated, as I noted, in the White House. I was less than 100 yards from this very spot when Vice President BIDEN called me at my desk to lay it out. He explained the sequester in exquisite detail. And then, as has been reported, the administration stubbornly stuck by those details throughout the negotiations, refusing any effort by Republicans to adjust the design in any meaningful way.

More important than who came up with the idea of the sequester, however, is the fact the bipartisan agreement that included it, and that brought us to this point, envisioned \$2.1 trillion in spending cuts. That is what we voted for in August of 2011.

Democrats and Republicans agreed to \$2.1 trillion in spending reductions as part of the 2011 Budget Control Act.

So we can all go back and talk about what might have been or what the President wanted or what he now wants, but let us be clear about the facts. Those cuts were to come in two steps: First, through an immediate \$900 billion spending reduction in the form of budget caps, and then by an additional \$1.2 trillion in cuts to be achieved in one of two ways, either by the so-called supercommittee or, if that failed, through the President's sequester proposal, meaning automatic spending cuts to both domestic and defense programs.

While the President tried repeatedly to make tax hikes a part of the backup plan, he ultimately gave up on that in exchange for avoiding a second vote on the debt limit before his election. The President made a deliberate decision to give up on getting any tax hikes or revenue enhancements, or whatever the White House wants to call it, as part of negotiations over the sequester mechanism. He made the calculation that avoiding a second vote on the debt limit before the election was more important.

So any effort to bring taxes into the picture now is a ploy to move the goalpost, as the primary chronicler of this whole episode, Bob Woodward, has noted.

Of course, the White House has tried to refute those historical facts, but it hasn't gotten anywhere because we know what happened.

As the chairman of the Finance Committee helpfully reminded us last week, “The President is part of the sequester” because “the White House recommended it . . . and so now we’re feeling the effects of it.”

So it is time for the administration to at least accept reality so we can all move forward and focus on what the White House is actually doing right now. It is asking the American people for permission to break its word on spending.

Look, we reached an agreement to cut \$2.1 trillion in government spending over 10 years, and we intend to keep our word. Should these cuts be implemented in a smarter way? You bet. But the President and his Cabinet Secretaries had a year and a half to think about that. They just can't show up now at the last minute and expect the American people to bail them out of their own lack of responsibility.

We can either secure these reductions more intelligently or we can do it the President's way with across-the-board cuts. But one thing Americans simply will not accept is another tax increase to replace spending reductions to which we already agreed.

It was my hope that the supercommittee would succeed. The Senators I appointed took their assignments very seriously. They put real skin in the game because they wanted it to work. They didn't like the sequester idea either. Had the President engaged in a