

I don't know what the next chapter in his life will be, but knowing the courage and integrity of JOHN WALSH, it will be an important chapter.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mr. WYDEN. I ask unanimous consent to speak as in morning business.

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

Mr. WYDEN. Madam President, my friend Senator THUNE and I are on the floor this afternoon to speak together about the Internet Tax Freedom Act. Before that, I wish to spend a few minutes discussing Senator ROCKEFELLER and his extraordinary accomplishments. I know that Senator THUNE, after he and I have spoken about the Internet Tax Freedom Act, will make some additional remarks. I commend the work of Senator THUNE on charitable contributions. He and I have led the effort to protect charitable donations. Neither of us consider charity efforts as some kind of tax loophole. We consider them a lifeline for the American people.

So I look forward to the remarks of the Senator from South Dakota on several issues.

TRIBUTE TO JAY ROCKEFELLER

With respect to Senator ROCKEFELLER, one of the challenges right now for some of us is to get our arms around the idea that Senator ROCKEFELLER will no longer be serving in the Senate. This is a challenge for me especially because I remember watching Senator ROCKEFELLER's work years before I had entered public life.

Right after I got out of law school, we started the Oregon Gray Panthers. I had a full head of hair and rugged good looks. We were passing around petitions for the wonderful work Senator ROCKEFELLER was doing on behalf of the elderly. He was in the vanguard even then in the health care field. I know the Presiding Officer from the State of Wisconsin has been very interested in this—in ensuring that there are more options for older people, particularly in the long-term care setting.

We were passing petitions around—the Gray Panthers back in those days—urging that Americans and the Senate all rally to Senator ROCKEFELLER's work to ensure that there were more alternatives to nursing home care. It was just the beginning of the effort to create more options for home care for seniors. Now it is an idea we pretty much accept as gospel. But Senator ROCKEFELLER, as has been the case, was way ahead of his time. That is really the time when I began to really be a charter member of what I guess I will

call the Rockefeller grassroots delegation that was sweeping the country for health care reform.

As the Presiding Officer and our colleagues know, Senator ROCKEFELLER's accomplishments in a number of fields have been exceptional. They span a host of issues, from cyber security to reducing violence on television to improving our transportation system and, of course, we have all seen his leadership in reining in some of the excesses of the CIA. He is a very strong supporter of the rank and file—the thousands of individuals who work in the intelligence field who are as patriotic as it is possible to be and do wonderful work to protect our people. Senator ROCKEFELLER has said that as they do that work, they are stronger when there is vigorous congressional oversight, and we are very grateful for his work. I have sat next to him on the Intelligence Committee for many years and have watched his leadership there.

Today, though, as chairman of the Senate Finance Committee, I wish to focus in particular on Senator ROCKEFELLER's work on that committee. I will start by noting that his service on the Finance Committee is really a family legacy. His great grandfather, Nelson Aldrich, the Senator from Rhode Island, not only served on the Finance Committee but is often described as one of the committee's most distinguished chairs. On the committee Senator ROCKEFELLER has exercised similar influence.

JAY ROCKEFELLER has served on the Senate Finance Committee for 28 years—longer than all but 11 other Senators—and his tireless work on the committee has had a profound and positive impact. He has been a leader on maintaining a strong U.S. trade policy, while thinking creatively about Asia long before it became cool. He also has been a great advocate for fairness in the tax system—something I know many of us consider a special priority at this time.

Senator ROCKEFELLER has paid special attention to programs such as the Trade Adjustment Assistance Program, including the health coverage tax credit, the earned-income tax credit, and the child tax credit. That was drawn from recommendations of the National Commission on Children which Senator ROCKEFELLER, as is the case so often, ably chaired.

So I wish to speak about the common denominator in these kinds of efforts. It is really pretty direct because it captures JAY ROCKEFELLER's approach to public service and to life: Reach out to those who don't have power and clout, those who don't have a lot of political influence and political action committees, and lend a hand. Make the difference. Particularly for millions of Americans to whom JAY ROCKEFELLER gave voice, now they have an opportunity—millions of men, women, and children—to enjoy better lives and a more secure future because of JAY ROCKEFELLER's strong moral compass.

Now, as I touched on at the beginning of my comments, my first experience in watching JAY ROCKEFELLER—I am of the view that health care is the area where Senator ROCKEFELLER's legacy is going to be especially important. In a sense, JAY ROCKEFELLER always captured the notion that if you and your loved ones don't have their health, it is pretty hard to do anything else. In other words, if you aren't feeling well, if you are facing a chronic illness, how do you jump up and enjoy the wonderful outdoors of Oregon, Wisconsin, and West Virginia? So JAY ROCKEFELLER always said that health care was a special priority for him, and we see it in a whole host of accomplishments.

JAY ROCKEFELLER has been a leader in the fight against Alzheimer's and other neurological conditions. He was a powerful and persistent voice, particularly in advocating for low-income Americans in the Affordable Care Act. I am especially pleased to note that Senator ROCKEFELLER, along with my colleague and partner on the Finance Committee Senator HATCH, really played the key role in creating the Children's Health Insurance Program. This is a program I hope not only will be extended but also strengthened in the next Congress. As many Members of this body know, JAY ROCKEFELLER's work to protect and expand Medicaid is without equal.

Over the past half century, we can count on one hand the Senators who have done an extraordinary amount to improve the health care of America, and when we look at that handful of Senators, JAY ROCKEFELLER is right at the top.

I started with a personal comment about JAY ROCKEFELLER, and I wish to end with one. When Chairman Baucus chose to take the Ambassador position in China, where he is doing a fine job, JAY ROCKEFELLER was next in line to replace Chairman Baucus. Make no mistake about it, JAY ROCKEFELLER would have been an outstanding chairman of the Senate Finance Committee. But his decision to decline that opportunity and to continue his work on the Senate commerce committee allowed me to accept the position as the chairman of the Finance Committee and the responsibility that has gone along with it. That kind of approach was really characteristic of JAY ROCKEFELLER—not wanting to push himself out front. As I have indicated, I told him I think he would have been a superb chairman of the Senate Finance Committee. But I wish to note on the personal side, as I started on the personal side, my thanks to JAY ROCKEFELLER.

So I close simply by saying that now, as the chairman of the Finance Committee and in the years ahead, my goal—when we take up issues such as health care, tax fairness, and a trade policy that lets us tap global markets but works for the middle class worker—and I think it is the goal of other members of the Senate Finance Committee—it is our goal in the days ahead

to live up to the high standard that Senator JAY ROCKEFELLER has set.

With that, I yield the floor on my remarks about Senator ROCKEFELLER.

INTERNET TAX FREEDOM ACT

Now, for a few minutes, Senator THUNE and I are going to talk about the Internet Tax Freedom Act and our involvement in it. The story about the Internet Tax Freedom Act really starts in the 1990s. This was a period when I think policymakers were starting to think about how we lay out a framework for addressing the various challenges to ensure that the Internet would tap its full potential. We wanted to ensure that the Internet would tap its full potential for innovation, for commerce, for learning, for health care. I want to make it clear, we weren't talking about inventing the Internet. What we were talking about was laying out a set of policies to ensure it would be possible for our country and for persons all around the world to tap the full potential of the Net.

I got my start with the former Congressman from California, Chris Cox, when we were looking at the challenge of what would happen if a Web site or a blog was held liable for something that was posted on the Web. The two of us, much like Senator THUNE and I have done over the years on the Internet Tax Freedom Act, tried to really unspool all the implications. It became very clear back in the 1990s that if a Web site or a blog was held liable for something that was posted on the site, nobody would ever go out and invest in what we now know to be the social media because the last thing they would do is put their money into something where they would be hit and hammered with all kinds of litigation and lawsuits. Our former colleague Chris Cox and I wrote the laws that ensured that a Web site would not be held secondarily liable. In fact, at that time, all this was so new that our approach, which relied on voluntary filters and the like to deal with smut, and another approach that was more of an old-fashioned censorship approach—both—went to the Supreme Court, and the Supreme Court upheld our approach and struck down the other.

Today, if you talk to many people in the social media, they cite that law as really being the key that unleashed modern investment in the social media because if you ran a Web site or a blog, you knew you wouldn't be held secondarily liable for something you couldn't control. I think it is fair to say that Congressman Cox and I, we were intoxicated about the fact that we had written this law, upheld by the Supreme Court, and we thought about what ought to go next in terms of trying to lay out a framework, as I indicated, to tap the full potential of the Net. Early on in our discussions, we came across a situation with respect to taxing the Internet that was particularly troubling. What we found was that if someone bought a subscription

to a newspaper and they bought the online edition, they got hit with a big tax. But if they bought the offline edition—what we call now the snail-mail edition—they didn't get taxed. Congressman Cox and I said then that this is not going to help promote innovation. That is not going to allow the Internet to grow. It is just plain discrimination. It is discriminating against the Internet. It is singling the Internet out. You have to pay taxes for the online edition of the publication but you don't have to pay a tax if you buy the snail-mail edition. We wrote the Internet Tax Freedom Act to protect the openness and viability of the Net for the platform for commerce speech and the exchange of ideas.

As both Senator THUNE and I have seen over our years of working together on this, this has become important to the millions of American citizens and businesses who depend on the Net. I think it would be fair to say—Senator THUNE and I discussed this—it is likely the Internet would be subject to the same level of punitive taxation that is currently inflicted on wireless services without the legislation we wrote. Without the Internet Tax Freedom Act, access to information in America would no longer be tax-free—access to online communication would no longer be tax-free. Access to the global marketplace so crucial to America's economic future would no longer be tax-free. The cost to consumers could be hundreds of dollar a year per household, which certainly is a burden to many working-class families who right now are walking on an economic tightrope trying to balance the food against the fuel and the fuel against the college costs and all of the challenges we know for working-class families in Wisconsin, Oregon, and across the country.

Senator THUNE and I have been working together on this issue for a number of years. I want to thank him for our partnership over the years. Now we have gotten a bit of seniority. We chaired a subcommittee on the Finance Committee, and we really see these issues as central to economic competitiveness.

This is what we need to grow and prosper with more good-paying, high-skill and high-wage jobs for middle-class people. That is why we have introduced together legislation that would really set our tax policy in this part of the economy into the 21st century. That is the Digital Goods and Services Tax Fairness Act. This legislation ensures the digital goods will continue to be treated fairly, consistently, and predictably across State lines, just as their nondigital competitors. Because the Internet Tax Freedom Act has been temporary, Senator THUNE and I authored new legislation to make the Net tax-free permanently. Our bill is cosponsored by more than half of our Senate colleagues.

Most importantly—and this is why I think we are on the ascent in terms of

support for our cause—the House passed a permanent bill in July putting the ball in the Chamber's court here. This body could take up and pass our permanent legislation—the permanent legislation Senator THUNE and I have authored—on a permanent basis if it chose to do so. But because the Congress has become too reliant—we certainly have seen this in a number of areas on stop-and-go government—it was necessary to once again pass a yearlong extension as part of a larger bill. The extension, in my view, is certainly a positive step. But in my view, it is clearly time. In fact, it is long overdue to enact a permanent law, to guarantee the certainty and predictability to all who are seeking to innovate online, to the people in a garage, whether it is in Wisconsin, Oregon or anywhere else, and to have some sense of what the ground rules are going to be.

That is what I sought to be a part of in the 1990s. That is why I am so grateful for Senator THUNE's leadership, because he has been a partner in this cause now for many years on the Finance Committee. Our view is that a permanent law in this area would be hugely valuable to innovation, to the small businesses, and to the people who have a good idea, because it would provide them a new measure of certainty and predictability when they are looking at what is coming out of Washington, DC.

We have temporary measures, and we have measures that last a few weeks. Senator THUNE and I want to get away from that.

I am very hopeful that next year a permanent version of the Internet Tax Freedom Act will be enacted. Senator THUNE and I are going to continue to work together on a bipartisan basis until that is done.

With that, I yield the floor for my partner from South Dakota and thank him for all his leadership.

The PRESIDING OFFICER. The Senator from South Dakota.

TRIBUTE TO JAY ROCKEFELLER

Mr. THUNE. I thank my colleague from Oregon Senator WYDEN for his continued leadership on this issue. I want to echo what he said about Senator ROCKEFELLER.

I had the opportunity to serve as his ranking Republican on the Senate commerce committee and really enjoyed serving with him during his chairmanship and learned a lot. He is someone who has great experience here—36 years in the Senate. I have been here now for 10. So I have a lot to learn from people like Senator ROCKEFELLER.

We did some good things together. We just recently got through the Senate the cyber security bill that the commerce committee passed earlier this year and the satellite television reauthorization this year, which ended up being—it is always somewhat controversial to move that legislation, but we were successful in getting that ultimately enacted this year. We moved