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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 11, 2012, at 12 p.m.

Senate

MONDAY, DECEMBER 10, 2012

The Senate met at 2 p.m. and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

PRAYER

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

Let us pray.

Almighty and everlasting God, who forgives the sins of the penitent, create in us contrite hearts and renew a right spirit within us. Give our Senators this day, O God, peace with You that banishes fear. Help them to believe in Your power so they may be certain You are able to do for them more than they can ask or imagine. When the tasks are beyond their powers and duty calls for more than they have to give, may they find their strength in You. Make them willing to do what is painful in the short term to avoid even greater pain in the long term. Lord, give them confidence that You will protect them in the future even as You have sustained them in the past.

We pray in your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY 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. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 10, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. LEAHY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

LONGEST SERVING SENATOR FROM VERMONT

Mr. REID. Mr. President, first of all, it is very unusual to have one of the most senior Members of the Senate presiding and especially at this time of the day. I would say to my friend, this is how the Senator has conducted himself all the time he has been in the Senate. We had a little emergency here today. The Senator who was expected to be here was unable to make it due to the fog we have around the eastern part of the United States, and so the Senator from Vermont agreed to preside.

I say to everyone, the people of Vermont are so fortunate to have the

longest serving Senator from Vermont, a man of such quality. Those of us who work with the chairman of the Judiciary Committee, Senator LEAHY of Vermont, consider it an honor to be able to talk to him—speaking for myself, but I am sure we all feel this way—and to learn from him. I am the majority leader in the Senate, but I talk to my friend from Vermont often to get ideas as to how we handle the difficult issues of the day.

For me, as a person, I will always remember, as long as I am on this Earth, the kindness Senator LEAHY and his lovely wife Marcelle extended to my wife. As most of my colleagues know, she was in a violent car accident. Her neck was broken in a couple places and her back was broken and so she had a lot of surgery. When that was over, she learned she had breast cancer, and so she has been fighting that. Marcelle, who is a nurse, has been so thoughtful and kind to my wife, calling her often to help her work through the sickness that comes with breast cancer. So this is an opportunity for me to say something about my friend from Vermont.

I can still remember the first day we met, the first night we met in Florida. He was running for reelection and I was running for the Senate. I want the RECORD spread with the fact that I have so much confidence and appreciation for this good man who, on a minute's notice, came over to make the Senate work again. I thank our Acting President pro tempore very much.

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



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SCHEDULE

Mr. REID. Mr. President, there will be a period of morning business until 5 p.m. today. At 5 p.m., the Senate will resume consideration of the motion to proceed to S. 3637.

What has happened—and the reason the Senator from Vermont is in the Chair—is airports in parts of the country are closed because of the fog, especially in Washington, DC. As a result, even people coming from the West weren't able to leave. The Sun might have been shining brightly there, but airplanes scheduled to come here couldn't be given a time to land. So we will have people who will not be here for our scheduled vote this evening, so we will reschedule that vote for tomorrow.

ORDER OF PROCEDURE

I ask unanimous consent that the cloture vote on the motion to proceed to S. 3637 be postponed to occur at 2:15 p.m. tomorrow, Tuesday, December 11; further, that if cloture is invoked on the motion to proceed, the motion to proceed be agreed to and the majority leader be recognized.

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

MEASURE PLACED ON THE
CALENDAR—S. 3664

Mr. REID. Mr. President, I ask for a second reading of S. 3664.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3664) to provide for debt limit extensions.

Mr. REID. I object to any further proceedings with respect to this legislation at this time.

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

THE ECONOMY

Mr. REID. Mr. President, last week the country received more good economic news. The private sector created 150,000 jobs—these are new jobs—and once again the unemployment rate fell. Unemployment is now at its lowest rate since December 2008. While too many families across the Nation are still struggling, especially in Nevada, there is no doubt our economy is headed in the right direction.

America is poised for a rebound this year if a few good things happen. The last thing we can afford is yet another crisis manufactured by Republicans in Congress just as the economy finally gains some momentum. If Republicans force a \$2,200 tax increase on 98 percent of American families and 97 percent of small businesses to protect the richest of the rich, the economy will suffer greatly.

If Republicans again threaten default on the full faith and credit of the

United States, the economy will suffer. We have seen the terrible impact of these contrived emergencies before. When Republicans threatened to shut down the government and force a default on the Nation's debt, the economy stumbled and middle-class families were in a state of peril. Who paid the price? Middle-class families.

Republicans face a real difficult choice in Congress. Will they cooperate with Democrats and put the country on a path to provide certainty for families and investors? As my friend the senior Senator from Missouri said, the Speaker has a chance to do some good things, but he also has a problem because he has to decide whether he is going to work to save his speakership or the country.

Will they cooperate with Democrats or will they force us to lurch from one crisis to the next in 2013 as they did in 2011 and 2012? We need long-term solutions, not temporary fixes to problems that dragged down the economic recovery over the past 2 years.

The House should take up the Senate-passed middle-class tax cut which provides lasting security for families and businesses making less than \$250,000 a year. The number of Republicans calling on the Speaker to allow a vote to give middle-class families confidence their taxes will not go up has grown. Speaker BOEHNER could end this suspense with just one vote.

Over the weekend, the junior Senator from Tennessee, Mr. CORKER, joined a number of Senate Republicans and more than one dozen House Republicans in calling for that vote. Senator CORKER, admitting Republicans have little leverage in this faceoff, said: "I actually am beginning to believe that is the best route for us to take."

Democrats agree sending the Senate-passed tax cut to President Obama's desk is the quickest and most sensible way out of this crisis. But avoiding the fiscal cliff is no excuse for Republicans to replace this artificial crisis with another one.

Congress should also pass Senator MCCONNELL's proposal to end periodic standoffs over the debt ceiling. His plan would give President Obama the authority to avoid default on the Nation's bills without a protracted fight. Senate Democrats are ready to vote on the minority leader's sensible suggestion at any time, but first Senator MCCONNELL needs to stop filibustering his own legislation.

Right now, Speaker BOEHNER and Minority Leader MCCONNELL are the only ones standing between Congress and compromise. It is time for them to prove to American families they are more interested in protecting the middle class than pleasing the tea party.

TRIBUTE TO DEPARTING
SENATORS

BEN NELSON

Mr. REID. Mr. President, I rise to honor our colleague the senior Senator

from Nebraska, BEN NELSON, upon his retirement from the Senate. This will become effective after the first of the year.

For 12 years, BEN has been a valued member of the Democratic caucus and an exemplary Senator for Nebraska and the country. But his life in public service dates back to his youth. He spent his college days serving his Nebraska community in another way—as a lay minister. But eventually he chose law over ministry and went to law school. He attended law school at the University of Nebraska, where he got his bachelor's and master's degrees.

He spent many years practicing insurance law. He served as director of the Nebraska Department of Insurance and as president of the Central National Insurance Group. Then, in 1990, he was elected Governor of Nebraska. Four years later, he was reelected—with almost 75 percent of the vote—to become the first Nebraska Governor in 20 years to win a second term. So it was not a surprise when he ran for the Senate in 2000. He won, even though President Bush took Nebraska handily.

It is easy to see BEN NELSON truly possesses the same independent spirit as his Nebraska constituents. He served his constituents with distinction in the Senate and, of course, when he was Governor and as insurance commissioner. He has always provided a strong voice for fiscal responsibility, and he has been terrific for the State's energy industry, agricultural sector, and even tourism.

Similar to many of his Nebraska constituents, Ben is an avid hunter, fisher, and outdoorsman.

As a sidelight, one of the things we learn as kids—and as we get older it is something we must adhere to—is that one should not be envious. Envy isn't something that is very becoming of human beings, especially in an adult. But I think if the truth were known, many Senators would be very envious, as I am—and I would even think the Acting President pro tempore would be—about that hair of BEN NELSON's. I mean that is a mop of real hair.

It is often people call his office and they believe he has a toupee, but it is his hair. He will pull it for you anytime just to show you it is real. I mean he has hair like a 15-year-old. So I have to acknowledge I am a little envious of his hair, and I think, if the truth were known, maybe others are as well.

My wife has said on many occasions—and she tells me this all the time—how handsome PAT LEAHY is and she is so glad he doesn't do a comb-over.

Anyway, BEN NELSON is an avid hunter, fisher, and outdoorsman. He has bagged pheasants and turkey, and one time, to the consternation of all of us, he decided he was going to take Senator SCHUMER from New York hunting for pheasants. He did that. Everybody survived it alive, and BEN NELSON still boasts about that; that he was able to bring SCHUMER back all in one piece. More important, the people who went