

industry create tens of thousands of jobs and spur tens of billions of dollars in investment. And Coloradans have been with me the whole way.

Well, Mr. President, 27 must be a lucky number—because today, I am thrilled to use my time to thank my colleagues for making the extension of the PTC a reality. Earlier this week, Congress came together across party lines to do the right thing to assist our fragile economic recovery.

Throughout my previous efforts here on the floor, I talked a lot about jobs. From Colorado to Kansas, Oregon and Maine and the Carolinas, my remarks always came back to one simple but true statement: the PTC equals jobs.

These are good-paying jobs for hard-working Americans. From gearboxes in Georgia to wind blades in Rhode Island to towers in Colorado, the construction of wind turbines has invigorated an entire supply chain. Factories in the Midwest have been retooled to make steel components that are shipped to places like Iowa, where cutting edge composite materials are used to make state of the art blades for turbines that ultimately create wind farms built with labor from local construction workers. That's thousands of jobs across this country.

Wind generates clean, renewable energy, which helps move our country toward a more secure energy future. This is clean, American energy that does not produce carbon dioxide pollution—and by making it here at home, it helps us become less reliant on foreign nations for our energy security.

These wind farms are also paying dividends to towns and counties across America, benefitting the families who live there and the small businesses that operate there. The tax revenues from wind turbines have allowed communities to build new schools and roads, as well as provide other basic services. These additional sources of income have been especially important during the recent economic downturn, where the budgets of many states and rural communities have been stretched thin. Quite simply, wind energy jobs have a positive ripple effect wherever they are.

I am relieved that after months of uncertainty as to whether or not the PTC would be extended, Congress has finally done the commonsense thing, making sure we did not lose this vital tax credit. Although it was my preference to have Congress act much sooner and prevent the thousands of layoffs that resulted from the uncertainty Congress created, I am pleased that we have finally acted for the good of our constituents.

With the passage of the PTC, the wind industry can get back to doing the important work of moving America toward a clean energy future, a direction that will benefit middle-class American workers and ensure America leads the world in clean energy manufacturing, even as foreign competitors like China work to surpass us.

And the final language passed by Congress will have an immediate and positive impact on the construction of new wind farms. This year, projects will be eligible to take advantage of the PTC if construction begins before the end of 2013, rather than racing to complete the project by the end of the year. This commonsense change in the law will encourage larger, longer-term projects over the course of the next few years as opposed to just in 2013, which is particularly important since Congress did not pass the extension until the very last minute.

I was not alone in this fight. Coloradans motivated me to keep up the battle the entire time. And many of my colleagues—both Republicans and Democrats—joined me. In particular, I would like to thank Senator GRASSLEY of Iowa—the “father of the wind PTC”—for his efforts to get this done.

Senator BAUCUS and Senator BINGAMAN have also been long-time champions of the PTC on the Finance Committee, and were an integral part of the fight to extend it. My good friend and colleague from Colorado Senator BENNET has also been a strong supporter of the PTC, joining me in speeches, letters, and legislation. Senator MORAN of Kansas has been right there with us as well.

And many more members from both sides of the aisle and both sides of the Capitol supported these efforts. The broadly bipartisan and bicameral group was driven by a mutual commitment to creating jobs, simultaneously improving our economy and economic competitiveness while moving us toward a more secure energy future.

Despite the importance of the wind PTC extension, there is still much more work to do. This extension only lasts until the end of 2013. So, although we might want to take a breather, we cannot. Instead, we must begin work today on a path forward that will give the wind industry much-needed certainty over the long term. Without certainty, businesses cannot do the long-term planning that is necessary to robustly grow and add good-paying American jobs. And, this time, we cannot wait until the last minute to do it. We must work together to find a plan that allows this industry to reach maturity and thrive while also being fiscally responsible. Yes, that means a gradual phase-out of the wind PTC in the coming years—but my goal is to get Congress to also work together on comprehensive energy legislation that creates long-term certainty for all energy sources. I strongly believe that any national energy policy we develop should reflect the success Colorado has had as an all-of-the-above energy State.

Again, I want to thank my colleagues who worked alongside me to push the wind PTC extension over the finish line. This is hugely important to maintaining American jobs, manufacturing prowess, and energy security. It's a win for Colorado and it's a win for us all.

## DYSFUNCTION OF THE SENATE

Mr. MERKLEY. Mr. President, I rise today to talk about the dysfunction of the Senate, the rules of this governing body, and what we need to do to change them in order to take on the big challenges we face as a Nation.

These last 2 years have created an unprecedented sense among the American people that Congress isn't measuring up to the needs of our time.

This is especially troubling when we are up against tremendous challenges: the most profound jobs crisis in a generation; skyrocketing income inequality; and a tax system that unfairly rewards the wealthy and well-connected over working Americans who are struggling to make ends meet.

But unfortunately, we can't tackle this jobs crisis or the problem of inequality until this body, our revered Senate, restores the ability to debate, deliberate and decide on strategies to take our Nation forward.

I believe that reforming the filibuster is one of the most critical steps we can take to repair the Senate and rebuild confidence in Congress's ability to govern.

When I first came to the Senate, it was 1976. What I saw then could hardly have been farther from the Senate of today. Routine use of the “filibuster”—or to put it differently, a routine use of an objection to a simple majority vote—has turned the U.S. Senate into a supermajority body.

In short, the U.S. Senate, which once claimed to be “the world's greatest deliberative body,” has possibly become “the world's least deliberative body.” The institution of the Senate will not function again until we end the abuse of the filibuster. We must put an end to the silent, secret filibuster that is paralyzing the Senate.

The use of this objection has expanded dramatically in recent decades. What was once used only to block legislation that conflicted with deep, personal principles is now used as a routine political strategy for deliberate paralysis. In the 6 years Lyndon Baines Johnson was majority leader, he dealt with one filibuster. Leader REID during his 6 years as majority leader: 391.

One casualty of the partisan filibuster is executive branch and judicial nominations. The Senate's power to advise and consent, as provided in the Constitution, was never intended to enable the legislators to inflict deep harm on the other branches of government. Yet that is exactly what has happened. Nearly one out of every eleven judgeships is vacant—triple the rate of 8 years ago. Our court systems are severely strained, with 27 vacancies rated as “judicial emergencies” at the end of 2012.

This is deeply damaging, for several reasons. It prevents the legislature from responding to the Nation's pressing problems and severely hampers the executive and judicial branches, which rely on the Senate to confirm their leaders. Because the Senate is unable

to fulfill, on a timely basis, its constitutional responsibility to “advise and consent” to nominations, judge-ships and executive branch management positions simply go unfilled.

Now, you may wonder, if this system is so dysfunctional, why did our Founding Fathers ever design the Senate like this? The answer is that they didn’t. The Founders envisioned the Senate and House passing legislation and confirming nominations by a simple majority, reserving supermajority for special purposes such as constitutional amendments and overriding a veto.

Alexander Hamilton, in fact, foresaw the current state of affairs in the Federalist Papers, observing that a supermajority requirement would have the “tendency to embarrass the operations of government,” and would create “tedious delays, continual negotiation and intrigue, [and] contemptible compromises of the public good.”

As a result of the Senate’s silent filibuster, the Senate failed to pass almost all of the appropriations bills in the last Congress. The number of bills the Senate passes has hit new lows, with fewer than 3 percent of bills introduced in the last Senate ever passing.

That is why yesterday, with my partner, Senator TOM UDALL, I introduced a resolution that will enhance debate and limit obstruction.

Core to these reforms is the “talking filibuster.” A Senator can still object but she or he must be continuously on the floor maintaining a debate on the subject. This still allows Senators to block a simple majority vote on a bill of profound consequence, but they have to spend a lot of time and energy to do so.

This reform would have two major consequences. By requiring time and energy to filibuster, it would strip away filibusters on noncontroversial issues that are currently used just to obstruct and delay, allowing the Senate to debate and decide issues. Second, it puts the filibuster on display before the American people, increasing transparency and accountability. If you filibuster, you must make your case before your colleagues and the public, so they know who is obstructing and what your arguments are, and allow the people to judge if you are a hero or a bum.

Senate dysfunction is compromising the Senate’s ability to respond to major issues facing our Nation. I want to thank Leader REID for reserving the right to not adopt the rules of the previous Congress, so we can have this important debate on the rules of this body when we come back from the State work period.

#### HONORING OUR ARMED FORCES

SERGEANT CLINTON K. RUIZ

Mr. UDALL of New Mexico. Mr. President, just a few weeks ago Americans gathered all across the Nation to commemorate Veterans Day. It is a day that we set aside to remember, and express our gratitude to, the men and

women who have served in our Armed Forces. It is a day to honor the heroes among us, and those who, sadly, have left us.

Today I wish to pay tribute to an American hero, Army SGT Clinton K. Ruiz. Sergeant Ruiz died on October 25 while on patrol in Uruzgan Province, Afghanistan, from injuries sustained from small arms fire. He was just 22 years old. He leaves behind a wife, Kira, and a baby son, Caleb.

As we face the tragedy of this brave young soldier’s death, it is important too that we remember his life. Sergeant Ruiz’s journey on this Earth ended far too soon, but his memory among those whose lives he touched, and in a nation’s gratitude, will endure.

Clinton Ruiz was born on March 14, 1990. He graduated from Murrieta Valley High School in Murrieta, CA, and enlisted with the Army in 2009. He was assigned to A Company, 9th Military Information Support Battalion, 8th Military Information Support Group. Sergeant Ruiz was deployed to Afghanistan in September.

In the decade that our military has been fighting in Afghanistan, thousands of our fellow citizens have volunteered to serve. These courageous men and women risk their own safety to protect the safety of others. They leave their homes and their loved ones to defend the freedoms that we hold dear. Over 2,000 of these heroes have paid the ultimate price, for our freedoms, in Afghanistan.

Words cannot lessen the sorrow of the loved ones who grieve for Sergeant Ruiz now. Words cannot fully express the gratitude our Nation owes this valiant soldier. We can only remember, indeed we must never forget, the sacrifice that SGT Clinton Ruiz made in service to our country.

President Kennedy said that “stories of past courage . . . can teach, they can offer hope, they can provide inspiration. But, they cannot supply courage itself. For this, each man must look into his own soul.” Sergeant Clinton Ruiz had such courage. In the face of great danger, at great risk to himself, he went where his country sent him. He was awarded the Bronze Star and the Purple Heart. He kept the promise he had made to serve. Our Nation is forever in his debt.

Sergeant Ruiz loved his family. He loved his country. He made the ultimate sacrifice defending it. To Sergeant Ruiz’s family, I offer my deepest sympathies. We honor Sergeant Ruiz’s courage. We remember his sacrifice. And we mourn your loss.

#### ADDITIONAL STATEMENTS

##### REMEMBERING BEN EISEMAN, MD

• Mr. UDALL of Colorado. Mr. President, today I wish to pay tribute to Dr. Ben Eiseman, a world-renowned surgeon, a true American and a great

friend of mine. Dr. Eiseman was an accomplished man in every sense of the word and is survived by his wife of 67 years, his four children and five grandchildren.

Dr. Eiseman was an incredibly intelligent individual and an avid self-learner. He graduated from Yale University in 1939 and went on to receive his Medical Degree from Harvard University in 1943. Dr. Eiseman possessed extraordinary scientific ingenuity that led him to discover an astonishing number of medical complications and cures.

In addition to these discoveries, Dr. Eiseman also authored and coauthored over 450 scientific papers, was principal editor of seven books on general surgery and was a retired Rear Admiral in the U.S. Navy Reserves—he was very proud of his service to his country. Whenever I mentioned Dr. Eiseman to other surgeons, whether they live in another State or another country, he or she would instantly know his name.

I worked with Dr. Eiseman during my time as Executive Director of the Colorado Outward Bound School. At that time he was chairman of the Board of Trustees, and he was a major influence in my life, an incredible friend, and a wise mentor. One of the reasons Dr. Eiseman and I were so close had much to do with our shared love for the great outdoors. He was one of the few people I knew who had climbed all of the mountains in Colorado over 14,000 feet.

I recall a time almost three decades ago—while I was still with Outward Bound—when Dr. Eiseman accompanied me on a winter climbing trip for advanced climbers. He was always asking us to think through each and every step. In asking the right questions and challenging us along the way, he made me a stronger leader.

One reason we all respected Dr. Eiseman was because we all admired his unassuming ruggedness. On this trip, where it was at least 10 degrees below zero, none of us were surprised as Dr. Eiseman walked around comfortably in his Converse high-tops while the rest of us muddled around, freezing in our high-tech, insulated boots. When it was time to rest for the night, most of the team rolled out their latest and greatest sleeping bags, while Dr. Eiseman pulled out the equivalent of a lawn chair cushion to curl up on for the night. Always the task master, Dr. Eiseman was the first one up in the morning to make sure that everyone, including myself, was thoroughly prepared to take on whatever was in store for us each day. It was just the way he was tough, rugged and focused.

Dr. Eiseman inspired me by the way he commanded respect from all who interacted with him. Sure, he was seen as intimidating by some, but for those who knew him, they were treated to his wonderful sense of humor. He was a dedicated community leader, outdoorsman, and patriot.

I am deeply saddened by the loss of my friend Ben Eiseman, but I know