

too many issues. Yes, the public understood somewhat the gridlock on the fiscal cliff. They don't understand the gridlock on that bill that affected that family with a child with a disability. They don't understand why that bill couldn't make it to the floor of the Senate. We understand that. What the Senator from New Mexico is doing is taking action so we can be held accountable and do our work in the most efficient way. I am proud to join him in these efforts and I urge all my colleagues to do everything we can in the next 24 hours so we can get progress made.

Look, we all know we are not going to get everything we want. This institution doesn't work that quickly, but let's make progress, and I think we can make progress in the 113th Congress.

I thank the Presiding Officer and I thank the Senator from New Mexico for their leadership.

Mr. UDALL of New Mexico. I thank the Senator from Maryland for his sincere effort to pursue bipartisan rules reform because I think, if we all work together, we can make the Senate a much better place.

I am reminded, when we have these discussions about the great traditions of the Senate, of two periods of time when the Senate truly stepped to the plate. We had crucial national issues facing us then and they were issues of war and peace. They were issues of terrible environmental destruction. The fact is the Senate, in its best traditions, stepped forward and acted and moved forward. One of those great traditions of the Senate acting occurred in the 40 years before the Civil War. People may not know it, but it was the Senate and the legislation that was passed through the Senate and signed by the President that for 40 years held the Union together. They held the country together, and they didn't let the country get into Civil War. It was people such as Webster and Calhoun and all the Senators at the time focusing on what the issues were. Whether it was the Missouri Compromise or some other issue that had to do with slavery, they found the common ground, and they held the Union together and they did it for 40 years.

That, my friends, is in the best traditions of the Senate, thinking and figuring out where the common ground is. We can't do that. We can't carry out that tradition unless we can get bills on the floor and we can amend them and have debate and then eventually get to a majority. Of course, we want the minority to be able to be heard, offer amendments, but the crucial fact is, at the end of the day, unless there is such a strong minority in terms of its activity, we get to a majority vote.

The other period of time where the Senate was in its glory days was in the 1960s and 1970s and we had huge national problems in terms of civil rights. We had lynchings going on, we had discrimination going on, including housing discrimination, discrimination in

public accommodations, and there was a big push to try to get rid of that in our society. It was the Senate that stepped forward and crafted civil rights legislation that allowed us to move forward.

Many people will remember in the 1970s, the glory days of the Senate, when we had environmental destruction, rivers catching on fire. The Wilderness Act, the Clean Water Act, the Clean Air Act, all those pieces of legislation were crafted in the Senate by people such as Senator Ed Muskie and Senator Stafford and others. They were Democrats and Republicans working with each other, but it was because we could get the legislation on the floor and work on it and amend it and move it forward and allow the deliberative process to work.

I submit the Senate has been at these two periods—and I am sure scholars and our Senate Historian and others can point out other periods—but these two periods struck me: the period of the 40 years before the Civil War when the Senate, in its deliberative way, held the Union together for 40 years and in the 1960s and 1970s when we addressed civil rights, environmental legislation, and many of the other big national issues we were facing.

So here we are as a country with the need for having a national energy policy, for dealing with issues such as climate change, protecting middle-class families, and trying to make sure we have job growth and economic development; doing everything we can to bring down the cost of health care but making sure our citizens have high-quality health care.

We face tremendous issues, and the Senate, in many cases, has been unable to act. We have been unable to act because the rules are being abused. This filibuster is not out in the open. It is secret, it is silent, and we have the opportunity to act on the first legislative day.

So on that first legislative day, I will offer a motion. It is a very simple motion my predecessor, Clinton Anderson, offered. He offered it for the 25 years he was in the Senate. On the first legislative day he would offer a motion. He would move to adopt the rules of the Congress—for him, whatever it was. So this motion dealing with tomorrow: move to adopt the rules for the 113th Congress and then we focus on it. We focus on what those rules should be.

I know our Republican friends realize, I know they understand the dysfunction and hopefully they will find a way to join with us to make the Senate a better place.

EXTENSION OF MORNING BUSINESS

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that morning business be extended until 5 p.m., with all other provisions remaining in effect.

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

RULES CHANGES

Mr. UDALL of New Mexico. I will finish by thanking my friend, a very close colleague on this particular issue, the Senator from Oregon. I know he has worked diligently on framing the talking filibuster, trying to bring it open, and make it the public process that will work for the whole Senate. He has been a key player in all the other rules reform, especially those two packages we put forward in the last Congress. I thank the Senator from Oregon and I thank the Senator from Maryland.

I now see on the floor the Senator from Illinois, who also has been here for a significant period of time. He has watched the rules operate, and I think he believes there has been a lot of abuse and we need to get down to the business of reforming these rules in a way that is going to work for the minority, because we know we will be in the minority sometime and work for the majority, so we can do the work of the American people.

I yield for the Senator from Illinois.

Mr. DURBIN. I thank the Senator from New Mexico and the Presiding Officer, the Senator from Oregon, for their leadership in talking about rules reform. They are relatively new to the Senate. I have been here a few years and I have seen a dramatic change, and it is not for the better.

I can recall when I came here fresh from the House of Representatives, as the Senator from New Mexico did, and I had my first amendment on the floor. A lady named Lula, who was the floor manager on the Democratic side, came up to help me, this brandnew freshman, with this first amendment. She said to me: So let me explain that you have 1 hour and then the Senator on the Republican side will have 1 hour.

I said: Well, is that equally divided?

She said: No, you have an hour.

To say to a Member of the House "you have an hour" is just unthinkable. You get an hour for a special order at 11 o'clock at night; otherwise, 60 seconds is considered to be a luxury in the House. I didn't know what to do with an hour and I certainly didn't use it all. But it is an example of a time when amendments came to the floor with real debate, and there was a Senator from South Carolina who opposed my amendment on the floor as well.

I can also remember coming to the floor and offering amendments literally on the spur of the moment on something I thought was worthy. I didn't always win, but that wasn't the point. I wanted to have debate and then a vote and it happened. Now that is almost unheard of. We go through these vote-athons, where we have these long series of amendments with 60 seconds of debate before the vote. It troubles me because that isn't what the Senate is supposed to be about.

I had a friend of mine in the House—the Senator from New Mexico probably heard of him—Mike Synar of Oklahoma. Mike Synar used to listen to Members of the House of Representatives whining and crying about the

controversial amendments they were forced to vote on. Mike Synar, who was rather candid in his comments, said: If you don't want to fight fires, don't be a firefighter. If you don't want to vote on controversial amendments, don't run for the House of Representatives. That is what we are here for.

I tend to take the same point of view, maybe because after a few years a Senator votes on everything at least once.

But we have to get back to where we aren't just lurching, as we are now, from one quorum call to another, an empty Senate Chamber, waiting for something to happen. There is a lot out there for us to talk about, and we should. I think the American people would feel a little better about us if we sat down and at least honestly debated an issue and voted with some frequency.

What we are trying to do now is to stop what I consider to be the gross abuse of the filibuster. What we have been through here has destroyed the functionality of the Senate. To think any person can come to the floor and basically bring this place to a halt not just for an hour or a day but maybe 1 week, that goes way beyond what I believe was the intent of creating this body. We wanted to be here in those historic moments of titanic debates over issues that changed the course of history and to reflect and respect the rights of the minority. But now it has become one sad example of obstructionism after another.

I think the Senator from New Mexico is moving in the right direction. I am not sure we will achieve exactly what he wants, but I can say we wouldn't have this conversation unless the Senator from New Mexico and Senator MERLEY had shown such initiative for years—they have been at this for years, if I am not mistaken—and I do believe it is going to end up in changes to Senate procedure, which I support, that will try to make people stay on the floor.

I have one example. The Senator from New Mexico may remember when a Senator from Kentucky, now retired, Senator Jim Bunning, objected to the extension of unemployment benefits. We wanted to extend them for literally millions of Americans, and he stood up at his desk on the Republican side and said, "I object," and then sat down. That was the end of the story. That was really the end of the debate.

So I went to the floor, and I said: I just want to give notice to the Senator from Kentucky I am going to renew that request every half hour, so you better return to the floor—because he has to object every time. This was late at night.

We mobilized a number of people in the cloakroom, and we came to the floor and we kept it going. Finally, he got up and complained he was missing the University of Kentucky basketball game on television because of this. I thought: Several million people are missing unemployment benefits because of this too.

So that is in the nature of what the Senator is trying to achieve. If there is something important enough to stop the course of the Senate activity, to stop the business of the Senate, then you should be prepared to be on the Senate floor and argue your case and bring your allies with you. If they will join you, then perhaps you will have a debate that is worthy of this body.

Unfortunately, we now have Members who make their objection and leave for dinner or for the weekend or to attend a wedding, which happened once, and you do not see them again, and the Senate waits and waits and waits. That does have to come to an end.

I thank the Senator for his leadership on this important issue. I do not know that we will take it up tomorrow, but I think we will take it up very soon, and we should.

I thank both Senators.

REMEMBERING DANIEL K. INOUE

Mr. CONRAD: Mr. President, I want to take a moment to honor the life and career of my colleague and friend, Senator Daniel Inouye, who passed away on Monday, December 17 at the age of 88.

To say that Mr. Inouye lived a full life would be an understatement. A veteran of World War II, Mr. Inouye served his country valiantly in Italy before sustaining an injury that would claim his right arm. The bravery shown by Mr. Inouye during his service to our country later earned him the Bronze Star Medal, a Purple Heart, a Distinguished Service Cross and ultimately, the Medal of Honor, the highest military award.

Mr. Inouye began his political career after graduating from the University of Hawaii. He then obtained a law degree from one of my alma maters, the George Washington University. After first being elected to serve in the Hawaii territorial House of Representatives and later the territorial Senate, Mr. Inouye became the first person from Hawaii elected to the United States House of Representatives after Hawaii became a state in 1959. After serving 3 years in the House, Mr. Inouye was elected to the Senate where he would go on to be elected to serve the people of Hawaii 9 times. In June of 2010, Mr. Inouye was elected to succeed Senator Robert Byrd as President pro tempore of the Senate.

Throughout his political career, Senator Inouye was first and foremost a servant of the people of Hawaii. He has served them in Congress ever since Hawaii was admitted to the Union. After over five decades of service, it is no wonder that Dan's mark can be seen all across the islands. I was proud to serve with Senator Inouye on the Indian Affairs Committee, where he was a voice for the Native Hawaiian population. Throughout his career, he worked tirelessly to ensure that Native Hawaiians had access to education, healthcare, and jobs. One of his achievements was

the Native American Languages Act, which has helped Native people preserve and practice their tribal languages. In particular, during my first term in the Senate, Senator Inouye worked with me in the committee to pass legislation providing compensation for two Indian tribes in my State that were impacted by the construction of the dams along the Missouri River. That effort provided a critical source of funding for the tribes to restore their economic base.

Senator Inouye also fought hard to defend Hawaii's natural beauty. Because of his efforts, thousands of additional acres have been added to national parks, wildlife refuges, and nature preserves. It would be hard to imagine what Hawaii would be like today without Senator Inouye's leadership and effective representation. His love for the people of Hawaii was on his mind and in his heart even at the end, when the last word he spoke was "Aloha."

In his role as chairman of the Appropriations Committee, Mr. Inouye fought for aid for my home State of North Dakota after devastating, record breaking flood waters decimated the community of Minot in 2011. Mr. Inouye used his power to ensure that the residents of Minot received critical aid to help them rebuild their lives.

Mr. Inouye is survived by his wife, Irene Hirano; his son, Ken; and granddaughter, Maggie. His service to his country is second to none, the loss of Mr. Inouye will be greatly missed in his home State of Hawaii and here in the Senate.

RESOLVING SPENDING ISSUES

Mr. KERRY: Mr. President, earlier this week I supported this agreement to avoid unacceptable tax increases on the middle-class, and to at last begin to undo the damage to our fiscal standing that began 11 years ago when President Bush signed into law unaffordable tax cuts for the wealthiest Americans. Make no mistake; that unfair and unaffordable tax policy has been the biggest driver of the fiscal mess and the complete ideological rigidity of congressional Republicans on the issue of tax policy has been the biggest obstacle to cleaning up that mess. That House Republicans remained intransigent even after the stroke of midnight on New Year's Eve just shows in very stark terms the dimensions of that problem.

In contrast, the Senate acted in an overwhelmingly bipartisan way to make the best out of a bad situation. This, at least, sends a good message to the country that there's hope that Washington can function.

But the fact that even against the ultimate drop-dead, high stakes deadline, so little common ground could be found itself underscores the dangerous situation we have found ourselves in these last years. This may have been the best that could have been accomplished at