

I think we are going to get it done, but let's just think for a moment. We have taken a couple of votes. They have been pretty good, lopsided votes for us. If we fail in moving this bill after it has such tremendous support, how do we do the tough stuff? How do we do the deficit reduction we need to do? How do we do the tough stuff that comes here? Let's do this. Let's level the playing field. Let's make this responsive to those Main Street businesses who every day struggle and are simply asking for justice. They are simply asking for equity.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, I am going to proceed on my leader time.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator is recognized.

THE SEQUESTER

Mr. MCCONNELL. Mr. President, as a result of the administration's poor planning and, I would argue, political motives, thousands of people were stuck on tarmacs over the last few days. The FAA's mismanagement of this issue is the source of bipartisan frustration. Our goal shouldn't be to score political points on the backs of weary travelers, it should be to fix the problem.

Look, the Obama administration knew about the sequester for months—for months. Yet it gave the traveling public and Congress only 3 days' notice before implementing the furloughs now being blamed for these delays. The FAA Administrator testified before the Commerce and Appropriations Committees last week but made no mention of the magnitude and impact on delays of these furloughs that were just right around the corner.

It seems completely implausible to me he didn't know about them when he was testifying last week. Was the administration hiding the ball from the traveling public? It seems like a fair question.

Frankly, this episode is a perfect illustration of why Republicans sought to give the administration even greater flexibility to ensure they could prioritize essential services. One of the primary areas for which that flexibility was intended was air traffic control. The fact the administration rejected it strongly suggests a political motive is at play.

I would also remind everyone this flexibility was rejected by nearly every Democrat in the Senate, and the President threatened to veto legislation that granted it, holding it hostage to tax hikes instead.

So here is what I would suggest at this point. We are where we are. The Obama administration needs to direct the FAA to review their current spending and use their existing flexibility to keep America moving as smoothly as possible. Ensuring the safe, efficient movement of the traveling public is a much higher priority than the administration's own travel, conferences, and consultants.

Not all government spending is created equally, and so this morning I am calling on the Obama administration and the FAA to be smarter and more transparent about the sequester. That means prioritizing funding to ensure flights are not needlessly delayed or canceled.

If for some reason the President or the FAA do not believe they have the flexibility to address this issue, they should ask Congress for the flexibility they need. Until then, however, they should use the flexibility we all know they do have to ease the burden on passengers.

But let's be clear: We wouldn't even be in this situation if the administration hadn't rejected the flexibility we offered them months ago or if they had done the planning they needed to do in the first place. There is no good reason for these delays.

MARKETPLACE FAIRNESS ACT

Mr. MCCONNELL. Mr. President, this week, the Senate is debating a bill that would authorize States to require retailers to collect taxes on remote sales. I recognize there are a range of views on this bill, and these views don't break along partisan lines nor do they follow, really, along traditional ideological lines. Speaking for myself, however, I intend to oppose the bill, and here is why.

For me, the issue boils down to the fact the legislation we are considering would create an enormous compliance burden for a lot of small businesses out there, making them tax collectors for thousands of far-away jurisdictions. Just as importantly, this legislation would increase the tax burden on Kentuckians. As I have said before, I don't think the people of Kentucky sent me here to help them pay higher taxes.

Brick-and-mortar companies complain about the inequity that exists in current law, where their customers have to pay taxes that online shoppers do not. Frankly, that is a legitimate concern; but by imposing this new Internet tax, States would suddenly be empowered to force online retailers to simultaneously comply with all the different tax codes of all the States in which their customers reside. And that is no small feat.

From what I am told, there are nearly 10,000 State, local, and municipal tax

codes nationwide. While complying with so many codes might not be a big deal for large online retailers, it is actually a huge burden for the little guys. So small business owners are worried, and justifiably so.

I know they are in Kentucky because so many keep writing to share their concerns with me. One small business owner lamented that "small online business owner[s] ha[d] been silenced and pushed to the side" in this debate as larger companies "[press] for the changes to take effect as quickly as possible. The simple matter of the fact is that any business with [fewer] than 100 employees would be completely overwhelmed by applying, keeping, updating, and reporting sales tax for every state and tax zone in the United States."

It is pretty hard to argue with that. Moreover, this is a bill that—once again, as happens all too often in the Senate—hasn't been run through a committee, hasn't been properly vetted, and hasn't yet had the kinks worked out of it.

It is not like there aren't other things that can be done to improve tax compliance for online shoppers—things that don't require us to turn private businesses into tax collectors for remote State governments. Most States impose a use tax, for instance, which requires taxpayers to report how much they have purchased on the Internet. Individual States that are concerned about this issue could choose to enforce their own existing use taxes rather than expect the Federal Government to impose sweeping legislation to empower States to reach across borders to collect taxes.

And let's not forget the fact that the Internet has been such an enormous source of innovation and convenience for our constituents, our country, and our economy—even in these tough economic times. But that is largely because the government has kept its nose out and allowed innovation to flourish.

I won't be supporting this bill. If States decide they need this revenue, they should keep in mind the tremendous burden they will be placing on the little guys who do so much to drive this economy. In my view, the Federal Government should be looking for ways to help, not hurt, these folks. Let's be honest; the big guys can take care of themselves. Let's not make it even harder for the smaller competitors.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

COMMENDING SENATOR HEITKAMP

Mr. HOEVEN. Mr. President, I come to the floor to commend my esteemed colleague from the State of North Dakota, Senator HEITKAMP, on giving her maiden address this morning. She is not only someone I have known for a long time and worked with for a long time but somebody who I think truly brings a spirit of bipartisanship to this