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Senate

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

Almighty God, king of kings and governor of all things, thank You for this opportunity to boldly approach Your throne of grace. It is at Your throne, God, that we obtain mercy to sustain us throughout the challenging seasons of living.

Lord, we build this moment of prayer into our day, aware of our need of You. Be for our lawmakers their shelter in the time of storm. Lord, prepare them to meet whatever difficulties that may lurk in life's shadows, as they seek to cultivate an experiential relationship with You. Give them the wisdom to persevere through tough times and never, ever give up.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, 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 3, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Following leader remarks, if any, the Senate will resume consideration of the National Defense Authorization Act. The filing deadline for second-degree amendments is 4 o'clock today.

At 5 p.m., the Senate will proceed to executive session to consider the nomination of Paul William Grimm to be United States District Judge for the District of Maryland. At 5:30 p.m., there will be two rollcall votes: first on confirmation of the Grimm nomination, and then on the motion to invoke cloture on S. 3254, the Defense bill I just spoke about.

Mr. President, significant progress has been made on this legislation. The two managers of the bill, as I indicated, know how this place works, and they worked extremely hard to clear a lot of amendments. We soon will be approaching 100 amendments that have been dealt with in this legislation. In fact, for all I know, they could have already done it since this morning, so I think we have made great progress. I know there is more progress that can be made by their continuing to work on this.

NEGOTIATION

Mr. REID. Mr. President, before I came to Congress I was a lawyer. I tried lots of cases, more than 100 cases to juries. My greatest victories, though, weren't the cases that we spent in a courtroom and worked on in a courtroom. My greatest victories were the cases that never saw the inside of a courtroom.

As English poet George Herbert said, "A lean compromise is better than a fat lawsuit," and that is true. It is always better to settle than to fight. I have done my fair share over the years of negotiating, both as a lawyer and as a Senator and as a Member of the House. I have a bit of negotiating advice for Republican leaders: You are doing it wrong. Generally during a negotiation, each side brings an offer or demand to the table. That is how it has always worked. Then the two sides sit down and find middle ground. It is not always easy and it is rarely fun. True compromise means no one gets everything they want, but unless both sides come to the negotiating table with an offer, you can't even begin the negotiation. In fact, unless both sides come to the table with an offer, there is no negotiation.

Over the last week, Republican leaders from both Chambers have complained that Democrats put forward a proposal for resolving the fiscal cliff that reflected our priorities—our priorities. What did they expect?

Our proposal is simple. We want to end unnecessary tax breaks for the richest of the rich and provide security for everyone making less than \$250,000 a year. No one should be surprised at President Obama's offer. It is exactly what he has said he supports time and time again. For months now, it is what I have said I support. I have said it time and time again. It is what Democratic Senators campaigned on across the country this election cycle. This plan would protect 98 percent of American families and 97 percent of small

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



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