



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, THURSDAY, NOVEMBER 17, 2011

No. 176

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Eternal God, let Your peace that passes understanding be felt on Capitol Hill. Remove distracting priorities from the minds of our Senators, leading them to focus on the things that really matter. Take away disturbing doubts, providing them with certitude regarding Your providential power and purpose. Eradicate false ambition, as You make them content to serve You where they are and as they are.

In a special way, guide the supercommittee in its challenging work. And, Lord, as we enter this season of gratitude, make us truly thankful.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 17, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico 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, the Senate will be in a period of morning business for 1 hour. The Republicans will control the first half and the majority will control the final half. Following morning business, the Senate will begin consideration of S. 1867, the Department of Defense authorization bill.

We expect to receive the conference report to accompany H.R. 2112, the Agriculture, CJS, and Transportation appropriations bill, which also contains the CR, during today's session. The information I have gotten from the House—and it could change—is that it will be late. I spoke to Senator LEVIN earlier today. It appears we will have to be in session to try to work through some of that bill, anyway, tomorrow, so we may not be able to complete the conference report and the continuing resolution today. We will see what develops as the day goes on.

CBO REPORT

Mr. REID. This week, the nonpartisan Congressional Budget Office, known as the watchdog of the Senate, confirmed what Democrats have been saying for months—that the so-called Republican jobs plan isn't much of a plan and it wouldn't create any jobs.

The Congressional Budget Office report analyzed different approaches to spurring economic growth and jobs proposed by both parties. Among the top job creators were Democratic proposals

to extend unemployment benefits and cut middle-class taxes. But when the CBO looked at the GOP plan to eliminate safeguards that protect lives, save money, and shield the environment, it concluded that the idea was a flop. The study concluded that the effects of the changes the Republicans propose would be negligible at best and at worst could actually lower economic growth and slow hiring.

Although their plan would have no positive effect on our economy, the Republicans want to gut the safeguards that saved hundreds of thousands of lives just last year alone. Although their plan could potentially slow economic growth, they want to gut the safeguards that save American companies and consumers \$1.3 trillion each year by increasing productivity and reducing medical bills. Nonpartisan experts agree this is not the road to recovery. They also agree with Democrats that putting money back into the pockets of middle-income families and small businesses with tax credits and refunds and extending unemployment benefits is the most efficient way to get Americans working again to turn our economy around. Families who have more money to spend will pump it back into the economy. Businesses that have more money to spend will hire new workers. At a time where we need to conserve every dollar and get the most bang for the buck, these proposals do more with less.

As we continue to discuss ways to combat high unemployment in the coming months, it would behoove my Republican colleagues to remember that not all proposals are created equally. When we consider our next jobs bill in December, my Republican friends will once again face a choice: We can cling to ideological proposals we know won't work or they can join forces with Democrats to pass proposals we know will create jobs. I hope the Republicans prove to be more interested in getting results than in getting their way.

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



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RECOGNITION OF THE MINORITY LEADER

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

JOB CREATION

Mr. McCONNELL. Over the past few weeks, I have repeatedly come to the floor to highlight the good work Republicans in the House have been doing in identifying jobs legislation on which the two parties can actually agree. At last count, House Republicans had passed 22 jobs bills which were designed not only to incentivize the private sector to create jobs but which were also designed to attract strong bipartisan support. In other words, House Republicans have been designing jobs legislation that could actually pass. They have been legislating with an eye toward making a difference instead of just making a point.

I have been encouraging the Democratic majority here in the Senate to follow the House's lead, take up these bipartisan jobs bills, pass them here in the Senate, and send them to the President for signature. That way we would actually be helping to create jobs, and we would send a message to the American people that we can actually do something many of them think we don't do enough of around here; that is, work together.

This morning, I would like to call on my Democratic colleagues once again to take me up on the offer. Once we get back from Thanksgiving, let's take up these bipartisan bills that have already passed the House, pass them here in the Senate, and send them down to the President for signature. We showed we can do it last week when we worked together to pass Senator BROWN's 3 percent withholding bill and Senator MURRAY's Veterans bill. In fact, yesterday the House passed this legislation 422 to 0, sending it to the White House for the President's signature. So I would like to call on the President this morning to invite Senator BROWN down to the White House for the signing ceremony, which would show the American people that cooperation is, indeed, possible when the Senate focuses on bipartisan job-creation solutions.

Let's continue to build off that momentum and do more. Many of the bipartisan House-passed bills already have companion or similar legislation here in the Senate. There is no reason we can't start to take them up as soon as we get back. There is a lot we could do.

Yesterday, I highlighted a bill by Senator COLLINS, the EPA Regulatory Relief Act. It has strong support from both Republicans and Democrats right here in the Senate, including 12 Democratic cosponsors. Let's pass it. The House-passed version of this bill passed overwhelmingly. It got more than 40 Democratic votes. It is supported by more than 300 business groups, includ-

ing the American Forest and Paper Association, the National Association of Manufacturing, the U.S. Chamber of Commerce, the National Federation of Independent Business, and the Business Roundtable. According to one estimate, this bill could save more than 200,000 jobs and provide greater certainty for businesses that are asking us for it. The EPA has asked for more time. Both parties support it. Let's pass it.

Once we pass that bill, we should take up the four other bipartisan House-passed bills I highlighted last week. These four bills would help businesses raise capital, expand their businesses, and create more jobs. They all passed with bipartisan support over in the House. We have bipartisan companion or similar legislation right here in the Senate. What is the holdup? Let's pass these bills too.

There is the Small Company Capital Formation Act, cosponsored by Senators TESTER and TOOMEY. Its companion legislation got 183 Democratic votes in the House. Let's pass it.

There is the Community Bank Resource Improvement Act, cosponsored by Senators HUTCHISON and PRYOR. Its companion legislation in the House got 184 Democrats. Let's take it up and pass it.

There is the Private Company Flexibility and Growth Act, cosponsored by Senators TOOMEY and CARPER. Let's pass it.

There is the Democratizing Access to Capital Act, sponsored by Senator SCOTT BROWN. A similar bill in the House passed with 407 votes, including 169 from Democrats. Let's pass it.

There is the Access to Capital for Job Creators Act, cosponsored by Senator THUNE. It passed the House with 413 votes, including 175 Democrats. Let's pass it.

And we shouldn't stop there. As I see it, there is no reason we shouldn't take up every one of these bipartisan bills that have already passed the House once we get back and pass them, one by one. They all passed the House on a bipartisan basis. They all help the private sector create jobs. There is no good reason we shouldn't take up all these bills and pass them right here in the Senate because if we can't pass jobs legislation on which we all agree, then what are we going to pass? This should be a layup.

The Republican House has done its job. It is time for the Senate to act. Let's do what the American people expect us to do. Let's take up these jobs bills when we return, pass them, and send them down to the President for signature. Let's do the work we were sent here to do.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

THE FINANCIAL FUTURE

Mr. SESSIONS. Mr. President, once again we find ourselves in a too familiar position. Secret meetings over the financial future of our country are being held as we head toward the final hours—really final minutes as has been the pattern around here—of an agreement that will be produced for us and expected to be passed by a committee of 12. It is less than a week until the deadline and no language has been made public.

The American people should be able to make their voice heard before the committee votes because the truth is, once that vote happens there will be no opportunity to change their product. It will be up or down, the train will have left the station. The bill will, hopefully, be a good bill that can pass but we will not have any opportunity to amend it.

That is not the way Congress was set up to work. I happened to catch, this morning, a statement by former Secretary of Defense under President Bush and President Obama, Robert Gates. This is a statement he made in an interview:

I think, frankly, the creation of this supercommittee was a complete abdication of responsibility on the part of Congress. It basically says, "This is too hard for us. Give us a BRAC. Give us a package where all I have to do is vote it up or vote it down and I don't have to take any personal responsibility for the tough decisions." So now we are left with this Sword of Damocles hanging over the government, hanging over defense, and if these cuts are automatically made, I think the results for our national security will be a catastrophe.

That is what the former Secretary of Defense said recently.

Admiral Mullen, when asked about this in response to a question I asked him at the Armed Services Committee—the then-Chairman of the Joint Chiefs said, if this sequester takes place:

It has a good chance of breaking us and putting us in a position of not keeping faith with this all volunteer force that has fought two wars. . . . It will impose a heavy penalty on developing equipment for the future, and it will hollow us out.

One of the reasons I am here this morning is to issue a warning and call attention to some matters that I believe are important. People will make many promises about what this deal will be about if it passes and they reach an agreement. Hopefully they will reach an agreement that is one that can be honestly defended and we