

time at home during the holiday season. I am reminded how blessed I am this holiday season to return home to a rural State, where family values and community traditions run deep. There is no tradition more important to us than how we pass on, from one generation to the next, the workings on a family farm.

I am worried these rural traditions are under attack by Washington, DC. In September, our Department of Labor proposed new rules that would ban youth under the age of 16 from participating in what are many common farm-related tasks such as rounding up cattle on horseback, operating a tractor or cleaning out stalls with a shovel and wheelbarrow. I am sure there are many 15- and 16-year-olds who would be happy not to do that work, but it is important work, and it is a way fathers and sons, mothers and daughters, grandparents, work side by side with family members.

One of the things I care a lot about is agriculture. That matters to us in places such as Kansas because that is the economy of our communities. But I also know it is important for other reasons as well, not just dollars and cents. It is important because it is how, historically, in this country, we passed on our values from one generation to the next. Working side by side with moms and dads and grandparents is the way we pass on character and values and integrity from one generation to the next. It is something that throughout the history of our country has been important across our Nation when every place was a rural part of our Nation.

To most young people growing up on that family farm, jobs are routine, it is a part of their lives. These Department of Labor regulations are going to intrude significantly in that ability. According to the American Farm Bureau Federation, about 98 percent of our country's 2 million farms are family owned. By working alongside those parents and grandparents, important skills and values are learned. The problem we face now is that agriculture is a way of life and the Department of Labor wants to change that.

Until recently, farms jointly owned and operated by multiple family members had discretion over the responsibilities they gave their children on the farm. But this new rule would do away with that freedom. The Department of Labor is proposing to tell farmers and ranchers: We know what is best for your children and what they should and should not be doing.

The Department of Labor is also trying to do away with successful farm safety and training certification programs. In our part of the country and around the Nation, 4-H and FFA county extension offices are very important. They play a critical role in training and certifying young people to safely carry on farm activities. That happens today. But the Department has ignored research that shows such programs improve safety habits of young

people and instead criticizes these training programs for being too locally driven and lacking Federal direction.

One would assume, before making such a drastic change to farm labor rules, the Department would identify reliable evidence and data that show the need for changes, but it is quite the opposite. In fact, the Department of Labor admits it lacks data to justify many of its suggested changes. Furthermore, according to the National Farm Medicine Center, youth-related injuries from farm accidents have declined by nearly 60 percent from 1998 to 2009.

If you ask any farmer or rancher about the importance of safety, they would tell you safety is at the top of their list. It is their children. It is their neighbor's children. They care greatly. But they would also tell you it is critical for the rural way of life to be able to train and encourage the next generation to safely and successfully begin careers in agriculture. If today's young people are not given the chance to learn at a young age what it takes to operate a farm, we put at risk the future of agriculture in our Nation.

If these changes go into effect, not only will the shrinking rural workforce be further reduced and our Nation's youth be deprived of valuable career training opportunities but, most important, a way of life begins to disappear. Our country cannot afford to lose the next generation of farmers and ranchers.

I shared my concerns with the Secretary of Labor several weeks ago, in which we asked for a delay, a longer comment period. The comment period was running through fall harvest across most of the country. The Department of Labor granted a 30-day extension, but that expired December 1, about 2 weeks ago. Parents and communities should be allowed to look after the best interests of their families and citizens. Now that comment period has run. I hope the Department of Labor will take into account the serious concerns by farmers and ranchers, their families, and agribusiness across the country. But just a delay and longer comment period is insufficient. In fact, I am circulating a letter among my colleagues in the Senate that I am asking them to sign, requesting the Department of Labor not proceed to implement these rules. I ask my colleagues to take a look at that letter and please join me.

Local experts should be the ones conducting safety training programs to educate our Nation's young people. The future of agriculture depends on stopping this vast overreach of Executive authority, protecting individual rights.

We know rural America's values are not always the values held in Washington, DC. In the weeks ahead, I will continue to work with my colleagues to make certain this destructive rule does not move forward so we can protect and preserve our values for the next generation of American farmers

and ranchers, values our country so desperately needs.

TRIBUTE TO AARON POPELKA

Mr. MORAN. One of the beneficiaries of growing up on a family farm in Kansas is somebody I would also like to mention briefly this morning. As Members of Congress, we surround ourselves with bright minds and fellow natives of our home States. I have had the privilege of working alongside a young man, Aaron Popelka, as a member of my staff for 6 years. In those years, Aaron has proven himself to be a thoughtful voice in a chaotic Capitol Hill culture. With a bright policy mind, Aaron has advised me on agriculture and energy and trade policy while also serving as my chief council.

A native of Munden, KS, Aaron brought with him a commonsense approach to the way he conducted his duties on behalf of our State. Aaron will continue his duties on behalf of Kansans but in a different fashion. Aaron has accepted a position back home in Kansas and will leave my staff at end of the year. The lure of returning home to Kansas is powerful. Over the years, I have lost valued members of my staff, much like the rest of you. However, I appreciate the fact that while their departure from Washington DC is not pleasing to me, more often than not they return home to Kansas and the result is a benefit to our home State.

I am thankful for having had Aaron as a member of my staff. I am thankful for the faithful service he has provided to my fellow citizens in our home State. But I am most thankful for his friendship and I look forward to our paths crossing again back home.

Aaron, best of luck to you and God bless you and your family.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. COATS. 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. COATS. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

HINDERING JOB CREATION

Mr. COATS. Mr. President, the holiday season is coming upon us, a period of celebration and joy. But as we prepare to spend time with our friends and our families in the coming weeks, it is important to remember during this holiday season there are many families out there across this country who are hurting.

As I visit with Hoosiers, I hear concern in the voices of parents trying to

make their mortgage payment, the manufacturer trying to find work, and a business owner trying to make payroll. Too many Hoosier families have a parent unemployed or underemployed, some working two or three jobs just to scrape by. For nearly 3 years we have been hearing the President talk about how this Nation needs good-paying jobs for people. The President has spoken on this on numerous occasions. In his inaugural address in 2009, he said:

There is work to be done. The state of our economy calls for action, bold and swift. And we will act, not only to create new jobs, but to lay a new foundation for growth.

More than a year later in June 2010, the President said: "Our top priority is to recover and rebuild from a recession that has touched the lives of nearly every American." Two months ago, the President said: "Everywhere I go, they tell me they want action on jobs."

Despite the rhetoric, what we have and what we are dealing with is a series of regulations and policies coming out of the White House that are denying Americans the opportunity to have jobs and preventing job creators from hiring. This is a result of regulations that are hampering businesses as well as policies here that we have or have not enacted that would encourage job growth and economic opportunities.

For nearly 34 consecutive months unemployment has been hovering around the 9-percent level although we all know the real unemployment number is much higher than that. There are people who have given up looking and they're no longer counted. There are people who are working at pay levels and talent levels far below their abilities. And so the underemployment number, combined with the unemployment number, is very significant and much higher than the official number reflects.

For months I have been on this floor talking about a whole number of initiatives I thought was necessary to spur our economy and get us moving forward again. Comprehensive tax reform is something Senator WYDEN and I have engaged in on a bipartisan basis and we've been talking about it all year, yet here we are at the end of the session and we are not going to be able to accomplish that this year. We'll give it a run next year, and hopefully we can make some progress on that. There is almost a unanimous consensus that comprehensive tax reform needs to take place. Yet we have now spent a year talking about it but not doing it. We also know that issues such as entitlement reform and reducing the out-of-control spending here are necessary to put us on more solid footing, and despite the valiant efforts and hard work of many in this Chamber, Republicans and Democrats, we've been unable to accomplish and succeed. Much of this difficulty, frankly, has been because the White House refusing to demonstrate leadership. The President has not stepped up and engaged in fulfilling the very things he said are the most important things we need to do.

Let me cite two examples. The first one is still under discussion and, hopefully, will be part of what we are able to accomplish before we finish here either late this weekend or into next week, and that is the Keystone XL Pipeline. By delaying a decision for a year, the President essentially is saying we are denying 20,000 or more individuals from gaining work. The president is blocking jobs and preventing Americans from building this much-needed pipeline which is so important for the future of this country. We talk about our dependence on Middle East oil and the blood and treasure we have had to spend to keep those sea lanes open and that oil flowing to the United States, and yet the President denies us the opportunity to mine our own domestic energy sources and to use sources that come from Canada or off our shores.

The Keystone XL Pipeline is a project that if constructed will bring a minimum of about 750 million barrels of oil to this country for refining purposes. It will provide an estimated 20,000 new jobs directly and support hundreds of thousands of jobs in coming years indirectly. My State alone, Indiana, has indicated that at least 100 Indiana companies would benefit from the pipeline. This project has bipartisan support as well.

Twenty-two House Democrats wrote a letter to President Obama and said that it is in our national interests to have a Presidential permit issued for Keystone as soon as possible. That's supported by Republicans, but the President has said that if we send him a yearend bill that includes this, he plans to veto it. It makes no sense what-so-ever. It is irrational—to say that the No. 1 priority for this country is to get people back to work and to provide jobs, and here we have a ready-made job creator that is being postponed to pacify some extreme environmentalists who don't want one drop of oil or one piece of coal mined in this country or used in this country to provide energy resources. They think all we need to do is switch to electric—which, by the way, is only produced through burning coal and oil—to provide electricity to plug in our cars and make them work or they want wind and solar. Well, if we look outside the window here in Washington and across most of the country the last few days you are going to see a lot of clouds and very little sun. And you are not going to see much wind. We cannot run factories, we cannot run businesses, we can't even light this Senate based solely on this alternative energy as it currently exists, and it is costing the taxpayer a lot of money.

The Keystone XL Pipeline also has the support of labor groups and unions. These are the entities that will be providing jobs for the project.

Mark Ayers of the AFL-CIO wrote:

For America's skilled craft construction professionals, any discussion of the Keystone XL project begins and ends with one word:

Jobs . . . Throughout America's heartland, the Keystone Pipeline represents the prospect for 20,000 immediate jobs, and as many as 500,000 indirect jobs via a strong economic multiplier effect . . . without one single dollar of government assistance.

That is right. This is totally paid for by the private sector. We can provide 20,000 jobs immediately without taxpayer dollars. That is why this is supported by Republicans, supported by Democrats, supported by Unions, supported by right-to-work States, supported across the board by those who feel we need more energy independence. Yet, after assuring us that his top priority is creating jobs, the President says, no. Instead, he chooses to yield to some extreme voices on the environmental left who basically say, no more oil, no more pipelines, no more coal, fossil fuels are out. It is wind, solar, batteries, or nothing—despite how many jobs it costs.

So I am asking the President of the United States to reconsider his decision especially at a time when people are struggling in this country. The commonsense solution to one of our problems is right here before us. Yet we hear from the President, no, he is going to postpone the decision for a year to get past the 2012 election. This is political decision is denying a lot of people work at a time when it is desperately needed. At the same time the President is asking the Congress to extend unemployment benefits, primarily because of his own failed economic policies, the White House is blocking this incredible job creating opportunity.

Another immediate action the administration can take would be to accept a modest provision to provide a reasonable delay on two costly Environmental Protection Agency regulations that will deal another devastating blow to our already fragile economy. In the next few days, the Environmental Protection Agency is expected to finalize a rule that could threaten over 20 percent of the coal-fired powerplant generation in the Midwest and in the Southeast. We've now learned it also has a dramatic adverse effect on powerplants in the States of Kansas, Oklahoma, and Texas. So a major part of our country will be affected by this rule. Known as Utility MACT, this regulation will force most of our country's 1,100 coal-fired plants to retrofit their facilities or close their doors. The Partnership for Affordable Clean Energy reported that closures of U.S. coal-fired powerplants will accelerate sharply during the next 10 years because of this utility rule.

The EPA's expected announcement on the utility rule comes just after they issued another major rule that will cost additional American jobs because starting on January 1 the EPA will begin requiring utilities to reduce powerplant emissions that may cause air quality complications in neighboring States. That regulation, called the Cross State Air Pollution Rule, is

also one of the most expensive policies ever imposed on coal-fired plants. Under this rule, the EPA will require plants to install costly control technologies in exchange for minimal environmental gains.

The combined economic impact of the two regulations I have just mentioned is alarming. The Indiana Energy Association estimates that the cost of these rules will be between \$6.5 billion and \$7.3 billion just in my home State of Indiana. And when we add the entire eastern half of the country, from Mississippi River on to the Atlantic Ocean, that number goes up exponentially.

The National Economic Research Associates estimates employment losses of 1.4 million across the country as a result of the current EPA rules and deadlines. By 2016, NERA reports that American ratepayers will see an average increase of up to 23.5 percent—and in some places rates will be even higher.

Now, I want to say this: Cleaning our air is a worthy goal. Hundreds of billions of dollars have been spent under the Clean Air Act, which I supported in the 1980s and early 1990s because, as Americans, we all want to clean our air. Hundreds of billions of dollars have been spent by our utilities on clean air, consumers have been paying for it through our electricity bills to clean the air. The progress we have made has been astounding.

Provisions that were offered in a bill Senator JOE MANCHIN—a Democrat from West Virginia—and I offered together on a bipartisan basis do not turn back or unwind the progress we have made. They simply extend the compliance date for a 3-year period of time and coordinate that compliance date so that utilities can accomplish both of these goals laid out by the EPA in a reasonable time frame. This rule will take effect on January 1 of 2012. So we're asking for a little more time.

Earlier this year I voted to eliminate these rules. That vote, led by Senator RAND PAUL, was defeated. So we move now to the next stage which is to give utilities more time to meet EPA deadlines.

I urge the President to consider the Manchin-Coats legislation called the Fair Compliance Act, which is bipartisan legislation to delay the implementation of these harmful EPA rules. Otherwise, our utilities will not have the time needed to adequately prepare. The EPA will be shutting them down. Without extra compliance time, there are predictions of blackouts or rolling blackouts and substantial increases in utility rates at a time when the economy is struggling and our manufacturers need every competitive advantage they can get in order to compete around the world and get people back to work.

Having said that, let me just say one more thing. It is disappointing from my perspective in the lack of progress in addressing our dire fiscal situation. We've tried just about everything and

every process and every procedure people can think up, and each one of those has achieved either minimal results or failed completely. So after evaluating and looking at the extraordinary effort, energy and time put into the process this year, there have been very few results. It has become clear to me and reaffirmed something I believed from day one when I first got into politics—that unless we put in place a balanced budget amendment to the Constitution that will require Members to come down to this well and, before the President of the Senate, put their left hand on the Bible and their right hand in the air and swear to uphold a Constitution that incorporates a balanced budget requirement, we are never going to get there.

There is always a reason why something statutorily—all the efforts of the Gang of 6, the committee of 12; the rush to prevent crises by raising the debt limit; the cliff hangers: are we going to pass this or not, and are we going to extend the debt limit or not extend it—all the provisions through the appropriations process to cut spending and reduce government involvement and so forth have essentially failed.

What we need to do is what most States in this country do, what every business has to do, what every family has to do; that is, commit to balancing our budget, not spending more than we take in, and having a sworn, constitutional agreement that this is what we will do before we adjourn during every session. My State of Indiana has to do this, and many States across the country have to do this. They do because it produces transparency and honesty and Members going before their constituents and saying: That program is a great idea, but we can't afford it. Unless you're willing to support Congress raising your taxes or cuts in other places, we can't put that new program in place.

I think my time is running out. I ask unanimous consent for 2 more minutes, and I will wrap it up.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

Mr. COATS. Thank you, Mr. President. I thank my colleagues.

If we don't have this ultimate enforcement mechanism, I fear we will just continue to do what we have been doing for years and years and years; that is, falling far short of where we need to go. I think where most of us know we need to make the tough decisions, to be honest with our constituents, to go forward and basically say this is what our sworn obligation is, and we are going to have to fulfill this obligation. Nothing else has succeeded in forcing this body to come together and in a bipartisan way—or even on a partisan basis—do what is necessary to get our fiscal house in order.

During this holiday season, the people who are without work and struggling to pay their mortgages or strug-

gling to save money so their kids can go to school, struggling to pay bills, wondering what the future is going to hold, those working two or three jobs, they are all out there saying we have to get this together, we have to get this country moving again. We cannot do that if we are plunging into debt or the policies coming out of this administration are denying our citizens the right to work in jobs that are available, such as the Keystone Pipeline. I can't even pay the utility cost now they say and if you are going to raise my rates 20 to 30 percent because of these regulations it is not going to be the kind of joyful, happy celebration at Christmas we would all wish for all our families across America.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CASEY. Mr. President, I have a number of consents I will offer.

EXTENSION OF MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the period for morning business be extended until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

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

INSULAR AREAS ACT OF 2011

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2009, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2009) to improve the administration of programs in the insular areas, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BINGAMAN. Mr. President, I am pleased to be joined by my colleague from Alaska, and the ranking member of the Committee on Energy and Natural Resources, LISA MURKOWSKI, in urging passage of the Insular Areas Act of 2011. This legislation would enact three time-sensitive provisions needed to improve the operation of certain Federal programs in the U.S. territory of American Samoa and in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

First, section 2 of the bill would amend the Compact of Free Association Amendments Act of 2003 to direct the Secretary of Energy, as a part of