

property. This is the Administrator. That name has been submitted by President Obama, and it is being held up over a building in Kansas City—somebody wants a building built in Kansas City, one of the Republican Senators. He is holding up this nominee.

There is a hold on two State Department officials, who are extremely important. One is to be the person working with Secretary Clinton to take care of Mexico, Central America, and South America. That will be his responsibility someday—if he can ever get cleared. It is being held up because they don't like what is going on in Honduras. I guess they will be really upset today, because the problem has been solved. What they want over there is the international community, which is totally against the coup having taken place in Honduras—one took place and they say it was the right thing to do, even though the Organization of American States and the whole international community opposes what has taken place. I guess they are going to be upset now because the problem was solved last night. That person who was illegally taken from that country was brought back—he has been in hiding in the Swiss Embassy for more than a month—and he is now going to take office again. We have the person who is going to be handling Central America being held up, in addition to an Ambassador to one of those countries down there, for the same reason.

This isn't a single problem. Take, for example, President Bush—the second President Bush. At this time during his Presidency, there were five nominees on the Senate calendar. One had been reported out of committee in September, and four were reported out in October. We are still in October. They had five. President Obama has 52 nominees on the Senate calendar and another 175 pending in committee. That is 52 compared to 5. Some of these have been out for a long time. Some have been reported out in March, May, June, July, and August. They are being held up for reasons about as ridiculous as I have told you already.

Sadly, many of these holds are women and minorities. Republicans have been stalling President Obama's nominees for months on end. There is a backlog of good, qualified nominees who are awaiting confirmation. These are people who have decided they are going to spend time in the Federal Government, giving up, in many instances, professorships at major universities, leaving law firms and accounting firms, medical schools, giving up private practice, and they are waiting, waiting until the Republicans decide they are going to let them through.

Some may say, why don't you move forward on them? Let me give those within the sound of my voice a little explanation. We have had to file cloture motions on nominees to stop filibusters. During the same time during

President Bush's Presidency, not a single one. We have had eight or nine now. Each one of those takes a long time. You move to it, you wait 2 days, and there is 30 hours, and then 2 more days, 30 hours. With these 53 they have held up here, there aren't enough hours in the day to do this—working weekends and all night. It is a real disappointment.

We have a situation here where the only response we have from the minority is to stop everything. They have become the party of no. If that is what they feel they should be known as, that is what it is going to be. We are going to remind the American people what is taking place here. This never happened before, where they are opposed to everything, whether it is somebody who has an unfortunate situation in their life where they can't work because there is no job—150,000 people have been deprived, by their stalling, of a simple check to pay their rent, or to make a payment on their car.

I hope that Republicans around the country—and there are so many people of good will who are Republicans around the country, just like Democrats and Independents. I have a little bit of experience. When I came to the Senate, I didn't know how things worked. It has only gotten this way this Congress, to the degree that it has. When I came here, we had so many moderate Republican Senators who would work with us and we would work with them—Hatfield, Packwood, Danforth, Heinz from Pennsylvania, D'Amato from New York, and Senator Warner from Virginia was always somebody who would work with us. There were lots of different Senators. But I am sad to say we don't have that now. They are going to have to sell themselves to the country as the party of no. That is not the party I know in Nevada and around the country. Republicans are good, law-abiding people, who believe in good government. They have a political philosophy that is not in keeping with the Democrats, but that is OK. We work together on issues. I hope they will see the light and become the party of working with us. That is what they should be—not the Senate Grand Old Party, the party of no.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Ohio is recognized.

FLOOD MITIGATION EFFORTS

Mr. BROWN. Mr. President, last week I was in Findlay, OH, and toured

the banks of the Blanchard River with the Northwest Ohio Flood Mitigation Partnership, a nonprofit organization comprised of elected officials, business leaders, and community foundations.

Mayor Pete Sehnert, former mayor and current president of the Flood Mitigation Partnership Tony Iriti, and other community leaders briefed me on the flood mitigation efforts in the aftermath of one of the worst floods in northwest Ohio history.

Two years ago, a torrential downpour resulted in the massive flood of the Blanchard River and its tributaries, wreaking havoc in Findlay, Shelby, Bucyrus, and Ottawa in northwest Ohio.

Shortly after the flood, I traveled to the region with Governor Ted Strickland and officials from Homeland Security and FEMA.

While we saw the flood's devastation, we also saw the communities of northwest Ohio work together to clean up debris and rebuild the homes, schools, and businesses that suffered terrible damage.

Today the partnership is working to put into place a flood control plan in 3 years, when nationally similar plans have taken 5 years to develop. I saw that work in action last week in Findlay, where they advanced or accelerated their efforts much faster than almost any other community in the country has been able to do after natural disasters.

Implementing a plan so efficiently saves taxpayer money, while spurring economic development earlier and protecting community safety if another flood occurs. It is an example of how a bipartisan and a public-private effort among local, State and Federal governments, businesses, and community foundations is making a difference for Findlay and other communities across northwest Ohio.

In Findlay, we are establishing a national model in flood prevention planning. The Army Corps of Engineers and FEMA have worked closely with my office and Senator VOINOVICH, Congressmen BOB LATTI and JIM JORDAN, and other local officials. Corporations, community foundations, and county commissioners are working to develop flood control strategies to protect neighborhoods and businesses alike.

Local leaders are working to attract new businesses and create jobs once the cleanup is completed—and they have come a long way from my fairly regular visits to the community and seeing what happened, strengthening the economy's tax base to keep taxes lower in the future.

Working together, we have secured a \$1.5 million FEMA grant to continue recovery and flood mitigation efforts. This grant matches the \$1.5 million national emergency grant that Findlay was recently awarded.

NEG funding in northwest Ohio will help provide job training and increase opportunities for permanent employment for more than workers in the region. These workers earn good wages

and make up the crews that are removing blockages from rivers and waterways and reducing the risk of future flood damage. NEG funding also alleviates the burden faced by local governments with already stretched budgets.

While the public-private partnership is vital for the flood recovery efforts, we know there is much more work to do. It has been my honor to work with Governor Strickland, members of Ohio's congressional delegation, and community leaders in Findlay, Shelby, Bucyrus, and Ottawa to ensure that northwest Ohio has the resources needed to rebuild and protect their communities.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

JOBS POLICY

Mr. CORNYN. Mr. President, I was watching television this morning, and I was contemplating the challenge that confronts our country, this economy, and the American people when it comes to jobs, seeing that more and more people, unfortunately—even though the stock market appears to be coming back some and people's 401(k)s are perhaps no longer "201(k)s" or "101(k)s," but still unemployment continues to creep up and up. Even the administration estimates that unemployment will exceed 10 percent in the near future.

It occurred to me that there are a number of things that we are doing here in Congress that actually, rather than encouraging job creation or facilitating job creation, are job-killing policies.

Today I wish to concentrate on whether the proposed health care reforms we have seen out of the House and those that at some point will come out of the Senate when Senator REID's bill is revealed contribute to job-killing policies coming out of Washington or whether they are growth, progrowth, and job-incentivizing policies.

Yesterday we learned that 530,000 Americans filed for unemployment benefits for the first time, more than half a million Americans. So despite the fact that our economy grew in the third quarter, and the recession is over from a technical point of view, for more than half a million Americans this recession we are growing out of just got worse.

It reminds me of—I think it was Ronald Reagan who said a recession is when a neighbor loses their job; a depression is when you lose your job. The fact is that a lot of Americans are hurting with roughly 9.8 percent unemployment, with people unable to make their house payments, and the foreclosure problem continues unabated. In my State, we have not been immune from the recession, but I am glad to say our economy continues to outperform other States. Instead of the 9.8 percent unemployment, we are at 8.2 percent. I never thought I would be

bragging about 8.2 percent unemployment, but I am grateful it is not worse.

The relative success of Texas is due to our job-friendly business environment. This is an important lesson to which I think Washington ought to pay more attention: What kind of policies emanate from Washington, just like what kind of policies emanate from Austin, which encourage job creation and which policies destroy job creation.

One of the keys to our relative success is we have kept taxes relatively low. According to the Tax Foundation, 42 States have taxes higher than Texas. In other words, we are in the bottom 8 of all 50 States. We have kept our regulatory burden relatively light, meaning it does not cost businesses a lot of money to comply with redtape and a heavy regulatory burden. We are a right-to-work State, so people are not compelled to join a union in order to qualify for a job. We have adopted sensible legal tort reforms, which I think has created a predictable business environment and litigation environment. Rather than chasing people away from the litigation lottery, they are now encouraged to come, understanding what the rules of the road are and what is expected of them. That has helped.

In contrast, Washington is considering delivering several job-killing proposals. For example, our national debt is projected to grow by \$9 trillion over the next 10 years.

We don't know whether the higher energy costs we will face in the cap-and-trade bill that has been proposed will actually pass, but if they do, it is projected to add a lot of costs to small businesses, whether they are an agricultural producer just paying for diesel fuel or those businesses that have high electricity costs, such as Texas Instruments in Dallas, TX. They have one of the highest electricity costs in the State because of the nature of their manufacturing business. If cap and trade imposes additional costs on them, it is going to kill their ability to maintain their level of business and grow their business and create more jobs.

American employers don't know whether card check will become law. Of course, this is the bill that would deny the secret ballot for workers to decide whether to join a union, and we don't know whether a new era of global protectionism will reduce global trade and investment opportunities. My State of Texas loves free trade because we realize creating more markets globally for our goods and services creates more jobs in our State. Unfortunately, the message in Washington is confusing, to say the least, if not hostile, to free trade.

Yesterday we got to look at more job-killing policies coming out of Washington in the form of Speaker PELOSI's health care bill which, to her credit, was revealed to the public. It was posted on the Internet. I wish Senator REID would post his bill that he

sent over to the Congressional Budget Office on the Internet so we could take a good look at it, read it for ourselves, see how this impacts our constituents and our States, and so the American people can read it and see how it will affect them. Will it drive insurance up? Will it impose more taxes? Will it cut Medicare benefits, for example, if you are a Medicare Advantage beneficiary? I give Speaker PELOSI credit. At least she put her bill on the Internet.

What we have learned from this 1,900-page bill so far—and we are still scouring it to find out what its impact will be, both its intended impact and its unintended consequences. Initially, the Congressional Budget Office said the House bill, Speaker PELOSI's bill, will actually bend the cost curve up. It said:

On balance, during the decade following the 10-year budget window, the bill would increase both Federal outlays for health care and the Federal budgetary commitment to health care, relative to the amounts under current law.

I thought health care reform was supposed to bring costs down. We heard the President and all of us have spoken in terms of bending the cost curve. Nobody thought we would be bending the cost curve up. We thought we were unified in a bipartisan way determined to bring the costs down. But that is not what the Congressional Budget Office says the Pelosi bill does.

Then we learned that this much vaunted public option would actually cost more than private insurance plans. That is what the Congressional Budget Office said. They wrote:

A public plan paying negotiated rates would attract a broad network of providers but would typically have premiums that are somewhat higher than the average premiums for the private plans in the exchanges.

Here, again, I assume these are unintended consequences, those we ought to be very careful about avoiding.

Surely, the purpose was not to make the public option or a government-run plan more expensive than private insurance. But that is what the Congressional Budget Office believes the Pelosi bill would do.

The public plan would have lower administrative costs, to be sure, because it would be subsidized by the taxpayers but would probably engage in less management of utilization by its enrollees and attract a less healthy pool of enrollees.

Then when we look at job-killing provisions of these health care proposals, we have to look at the tax penalty on individuals who do not have insurance, the so-called mandate, the government directive that everybody buy insurance or pay a penalty. That would generate, according to the Congressional Budget Office, under the Pelosi bill, \$33 billion in new penalties and taxes.

Then there is perhaps the unkindest cut of all, and that is the so-called pay-or-play requirement for businesses which would tax employers, the very people we are looking to help us retain