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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, July 13, 2010, at 2 p.m.

Senate

MONDAY, JULY 12, 2010

The Senate met at 2 p.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

PRAYER

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

Let us pray.

Lord of life, we magnify Your Name this day, for Your mercies are new every morning.

Take our Senators by the hand and lead them on the road You desire them to travel. Help them to seek Your guidance as they establish their priorities, always remembering their accountability to You. May this accountability motivate them to never deviate from the path of integrity but to seek to ensure that Your will is done on Earth even as it is done in heaven. Remind them that You are with them and will guide them to a desired destination.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY 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, July 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. MERKLEY 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. Mr. President, following leader remarks, the Senate will turn to a period of morning business. Senators will speak for up to 10 minutes each. This week, the Senate will likely resume consideration of the small business jobs bill, the emergency supplemental appropriations bill, the conference report on Wall Street reform or any other items on the legislative or executive calendar cleared for this particular work period.

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. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

MEASURE PLACED ON THE CALENDAR—H.R. 5552

Mr. REID. Mr. President, H.R. 5552 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that a payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

Mr. REID. Mr. President, I object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

JOBS AGENDA

Mr. REID. Mr. President, I welcome back my colleagues and hope they are as eager to get to work as I am.

During the week I spent in Nevada, I saw again how desperate our unemployment situation has become. As I talked to Nevadans, I heard over and over how they need us to help create conditions to help businesses create jobs. For example, I met one man in Reno who is 51 years old. He said he

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



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had never missed a payment on his home since he had bought it many years ago. He was going to this month because he was unemployed and couldn't find a job, and he had worked very hard to try to find a job. But now, like 14 percent of Nevadans, he is out of work and can't find a new job. There are just too many people looking for too few jobs. Now he cannot make his mortgage payment, as I have indicated.

He is the kind of person we need to keep in mind when we talk about creating jobs. His family is the kind of family we need to keep in mind when we talk about helping the unemployed with emergency aid. This man knows he will not get rich off his unemployment check, but it might help him keep a roof over his head.

Those unemployment benefits we are working to extend—for every job that becomes available, five people line up for that job. And for every \$1 we spend in unemployment benefits, \$1.61 is returned to the economy because that money is spiraled into doing a lot of good things because they can pay their rent, make their house payment, buy some clothes.

I repeat what I have said here before: Mark Zandi, who was, during the Presidential run, JOHN McCain's chief economic adviser, said the most important money we could spend right now is for unemployment benefits.

As to my friend in Reno, NV, his struggle, his fears—what keeps this man up at night—is what we should remember when the other side pretends this is more about politics than it is about people.

This work period, like every work period, will be about jobs—the work period here in the Senate—how to create them, how to save them, and how to prevent another crisis such as the one that killed them in the first place.

We are going to build on momentum we have already seen from the economic recovery plan, also known as the stimulus. This jobs crisis was not created in a day, and it will not be solved overnight. But in a short time, we have come a long way.

Three million Americans who are going to work today have the Recovery Act to thank for their jobs. In Nevada, the Recovery Act created or saved more than 4,000 jobs this spring, and as more projects get underway, it will create even more jobs this summer. And don't forget that the stimulus also cut taxes for families, small businesses, students, home buyers, and the unemployed.

But it is just a step, a first step. Over the next month, we are going to do everything we can to make a few more big steps. One of these steps will be to pass the small business jobs bill. It is now on the floor. We know the best way to create jobs, innovate, and help our economy recover is through the private sector. We know the engine that runs the private sector is made up of small businesses. These businesses are the ones that have felt the most

pain in this recession. Two out of every three jobs we have lost were from small business. Our bill, which is fully paid for, will put people back to work through a number of initiatives.

First, it gives small business tax incentives to help them hire and grow more people. Two, it increases Small Business Administration loan limits. Three, it makes it easier for small businesses to export goods. And four, it creates a small business lending fund that will give small banks more capital.

Another step we will take this month is the long overdue—it is long overdue; and I have talked about it a little bit this morning—extension of emergency unemployment insurance for so many who have been out of work for so long. It is more than 2 million people.

When millions of Americans lost their jobs, they lost their incomes, their homes, their savings, their gas money, their tuition payments, and on and on and on—all through no fault of their own. Democrats are not about to turn our backs on out-of-work Americans, which is why we are trying to help them keep their heads above water in this crisis.

The third step is Wall Street reform. It is just as much a jobs bill as the first two I mentioned. We all know greed on Wall Street is what triggered the recession, suffocated the job market, and robbed millions of their incomes. By cleaning up Wall Street, we are going to make sure big bankers can never again gamble away our economy. We are going to make sure there is not a next time.

Helping small businesses, helping the unemployed, and cracking down on Wall Street are three equally important approaches to the same problem—and to our No. 1 priority—jobs. But these three also have something else in common: A minority of Senators is standing in the way.

We have tried for months to help people. Nearly every Democrat has said yes, and nearly every Republican has said no. That opposition is stopping recovery in its tracks.

Every day we keep small businesses from creating jobs, or deny the unemployed the assistance they need, or let Wall Street get away with the same tricks that nearly sank our economy, we are making a difficult situation even worse. We are keeping people off payrolls, keeping businesses from hiring, and keeping our country from coming back stronger than ever.

Simply put, obstruction of these good bills is costing Americans jobs. The other side thinks saying “no” helps them. But it sure does not help the people we are supposed to represent.

I hope we will get our priorities straight this work period. It will be a productive one if we do. The next time we go back home to talk to our constituents, we will be able to deliver better news, and they will be able to tell us the same in return.

RECOGNITION OF THE MINORITY LEADER

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

RECESS APPOINTMENT OF DONALD BERWICK

Mr. McCONNELL. Mr. President, ordinarily Senators come to the floor to talk about the things that happen in Washington while we are here. Today I wish to talk about something that happened last week while we were not here. I am referring, of course, to the President's truly outrageous decision to take advantage of Congress's absence last week to sneak Donald Berwick in as the new head of Medicare and Medicaid.

As is well known, Congress has a constitutional duty to examine Presidential nominees such as Dr. Berwick. But apparently the prospect of giving the American people an opportunity to hear this nominee defend his past praise for government-run systems that ration health care was worrisome enough for the administration that it sought to ignore congressional oversight altogether.

As it turned out, the administration's plan backfired because even Democrats are outraged at this blatant attempt to prevent the American people from hearing this man talk about what he plans to do with Medicare and Medicaid. As usual, the administration wants to blame Republicans for its failures. But in this case, the administration's failure to respect the right of the American people to study Dr. Berwick's record is being criticized by just about everyone, including the Democratic chairman of the committee in charge of reviewing his nomination.

Here is what Chairman BAUCUS said shortly after the appointment was made. Senator BAUCUS said:

Senate confirmation of presidential appointees is an essential process prescribed by the Constitution that serves as a check on executive power and protects Montanans and all Americans by ensuring that crucial questions are asked of the nominee, and answered.

So despite what the administration wants people to think, this recess appointment had nothing whatsoever to do with Republicans. The fact is, Republicans were looking forward to the debate. We welcomed the hearing on Dr. Berwick, and anyone who looks at the facts knows any suggestion to the contrary is utter nonsense. So the charge is laughable.

This appointment had everything to do with the administration's fear of letting Americans hear Dr. Berwick's well-known views about government-run care and about how he plans to implement the President's plan to cut \$½ trillion from Medicare while limiting the choices seniors now enjoy.

Here is the irony in all of this: In an attempt to silence debate about Dr. Berwick and its own plans for health