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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Almighty and eternal God, we desire to honor Your holy name. Thank You for blessing us to see the sunlight of a new day. Today, lift the minds of our lawmakers above the things that distract them from doing Your will. May their hearts be fully focused on fulfilling Your purposes as they strive to live for Your glory. Lord, give them the wisdom to use all their powers to serve You, seeking Your approval for each critical decision they make. Let Your favor delight them and Your presence sustain them in every season of life.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN 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, May 3, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a

Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN 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. Madam President, following any leader remarks, the Senate will be in a period of morning business until 5 p.m. this evening. The Republicans will control the first 30 minutes, the majority will control the next 30 minutes.

The Senate will recess from 12:30 to 2:15 to allow for our weekly caucus meetings. We expect to have a rollcall vote this afternoon on the adoption of the resolution commending our Armed Forces and the intelligence community regarding the death of bin Laden. Senators will be notified when that vote is scheduled.

Additionally, there is a Senators-only briefing today—it is classified—on the U.S. operation that killed Osama bin Laden. That will be at 5 p.m. today in the Visitor Center.

CIA Director Leon Panetta will be there; Vice Chairman of the Joint Chiefs of Staff James Cartwright will be there; National Counter Terrorism Center Director Michael Leiter will be there; and Deputy Secretary of State James Steinberg.

ORDER OF PROCEDURE

Last night I filed cloture on the small business jobs bill, S. 493. Senators should expect a cloture vote to occur tomorrow morning. I ask unanimous consent that the filing deadline for all first-degree amendments be at 2:30 p.m. today for S. 493.

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

Mr. REID. Additionally, I also filed cloture on the nomination of John McConnell of Rhode Island to be a district judge for the District of Rhode Island. This vote may also occur tomorrow morning.

SBIR/STTR

The bill before this body today, the small business innovation bill, is the latest in a series of bills we have written to help small businesses grow. It supports a research and development program—the Small Business Innovation Research Program—that has helped tens of thousands of small businesses create jobs and shape the future.

This bill is an adaptation of the bill that President Reagan created 30 years ago. It is a continuation of that program. It has been proven that these investments work. It helped get great new ideas off the ground. For example, the electric toothbrush was invented with a small business grant, the satellite antenna that helped our first responders in Haiti, to technologies that keep our food safe and our military tanks from overheating in the desert. These are all the result of what this legislation has done over the years. There are success stories in virtually every State and nearly every industry.

Before the recess, we spent days working on an agreement to have votes on three amendments on this bill so we could move forward and finally pass it. We have voted on many amendments. This legislation started on March 10. It is now the first part of May. We have had some breaks in time because of our going back to our States, but there is no excuse for not completing this important legislation.

Every time we get one problem taken care of another Republican raises their head. The latest is Senator SNOWE. Of all people who should understand the importance of small business, it is the Senator from Maine, who was at one

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



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time chairman of the Small Business Committee. Yet she has been unmoving in wanting a vote on a piece of legislation that has not even had a hearing.

The chairman of the Small Business Committee said she is happy to work with Senator SNOWE. Senator LANDRIEU said she will work with her to hold hearings, whatever is appropriate. But it is unfair that we have not been able to move forward on this bill.

As I indicated, we spent days before the recess working on an agreement to have votes on amendments to move this bill forward. Included in this agreement were Senator CORNYN's amendment, which would establish a commission on government waste, and Senator HUTCHISON's amendment, which related to health care reform litigation. This agreement was objected to by Senator SNOWE while everyone else in the Senate has signed off on it.

During the course of many weeks debating this bill, we have made significant efforts to accommodate Senator SNOWE and the rest of the Republican caucus on amendments. She has had one. We voted on it already. We even had a vote, as indicated, on an amendment offered by Senator SNOWE, as well as many other Republican amendments, nearly every one of which had nothing to do with the underlying legislation. They were not relevant. They were not germane.

In light of our accommodation of extraneous amendments, it is difficult for me to understand why we cannot finish debate on this bill. We have been more than fair. We should be able to reach agreement on considering the remaining amendments and voting on final passage. I hope that my friends on the other side of the aisle would recognize how unfair it is that one Senator would hold up this legislation.

There are amendments pending, I repeat, that are not germane or relevant to this piece of legislation. We are willing to take votes on those. It would seem to me that Senators such as CORNYN and HUTCHISON, who have worked hard to get votes, should vote with us on our ability to move forward on this legislation. We should be able to get this done. It is the right thing for the country. It appears that we are not going to be able to do that. So I had no choice but to file cloture in order to bring this debate to a close. That is what I did last night.

If this job-producing legislation is not passed, there is only one problem with it: the Republicans on the other side of the aisle. It is unfair that we have worked so hard to get this important piece of legislation done, and because of one Senator it is not going to happen. I hope that is wrong. I hope my prediction is wrong. This has been on the Senate floor for far too long. We need to resolve it so we can move to other matters.

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 debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

RIGHT TO WORK PROTECTION ACT

Mr. ALEXANDER. Madam President, I rise today to talk about a piece of legislation which will be both a bill that Senator GRAHAM and Senator DEMINT and I will introduce tomorrow and an amendment that I have filed to the small business bill on behalf of the three of us.

We are calling it the Right to Work Protection Act, and it is our intent to preserve the right of each State to make a decision for itself about whether it will have a right-to-work law and have an ability to enforce it. This is in direct response to an action that the National Labor Relations Board has taken against the Boeing Company and the plant they are building in South Carolina.

The National Labor Relations Board has moved to stop Boeing from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations into one of 22 States with right-to-work laws. These laws protect a worker's right to join or not to join a union. In fact, the New Hampshire Legislature has just approved its becoming the 23rd such State.

This reminds me, this action by the National Labor Relations Board reminds me of a White House dinner in February 1979 when I was Governor of Tennessee. The occupant of the chair has been to those dinners. The President has them every year. The only ones invited are the Governors themselves and spouses. For me, it was always one of the highlights of the year.

So my first such dinner was with President Carter in 1979. As a new Governor, I was paying close attention to what the President of the United States had to say. This is what he said:

Governors, go to Japan. Persuade them to make here what they sell here.

I walked 1,000 miles across Tennessee to be Governor the year before, and I don't remember one single Tennessean who said to me: Lamar, the first thing you do when you get in office is go to

Japan. That was not on our minds. But it was tough economic times. Not many people were investing anywhere in the United States at that time. I thought, Well, if the President of the United States says, Governors, go to Japan and persuade them to make here what they sell here, I should do that.

"Make here what they sell here" was then the union battle cry. It was part of an effort to slow the tide of Japanese cars and trucks entering the U.S. market. At that time, Americans were very worried about Japan. There were books about Japan being No. 1, and the fear was that Japan would overwhelm us economically. Cars and trucks from Japan were fuel efficient, they were attractive, they were selling, and manufacturers and the United Auto Workers here were concerned that we would lose a lot of jobs. So the cry was to the Japanese: If you are going to sell it in the United States, you need to make it in the United States.

So off I went to Tokyo to meet with the Nissan executives who were then deciding where to put their first U.S. manufacturing plant. At that time, Japan had very few manufacturing plants in the United States. They made there what they sold here. I carried with me on that trip a photograph taken at night from a satellite showing the country with all of its lights on. Try to visualize that. Because what you see if you look at a photograph of the United States at night are a lot of lights east of the Mississippi River, but it is pretty dark almost until you get to California, and there are a lot of lights down around Texas. I was trying to make a point. The Japanese executives, who didn't know very much about Tennessee and I didn't know very much about Japan, would say to me, Where is Tennessee? I would point to our State and say, We are right in the middle of the lights.

My argument, of course, was that locating a plant in the population center of the United States would reduce the cost of transporting cars to customers. That population center 70 or 80 years ago was in the Midwest where the American automobile was literally invented, and it made a lot of sense to build almost all the plants there, because transportation costs were less when you send these heavy cars and trucks to the customers. So you locate your plant near the population center. Gradually, that population center migrated south from the Midwest, where most U.S. plants have been, to Kentucky and Tennessee.

Then the Japanese to whom I was talking examined a second consideration: Tennessee has a right-to-work law and Kentucky does not. That meant that in Kentucky, workers would have to join the United Auto Workers Union. Workers in Tennessee had a choice. In 1980, Nissan chose Tennessee, then a State with almost no auto jobs. Today, auto assembly plants and suppliers provide one-third of our State's manufacturing jobs. Tennessee