

is bigger than our whole economy. This study, by the way, is based on looking at countries all around the world, which will have gone through this experience, including countries in Europe that are going through it now, and seeing what the impact is on jobs.

There are solutions. We talked about regulations. That is one of them. My hope is that this Senate can vote on sensible regulatory reform—and soon. The story the Senator told earlier about the oil and gas industry, we should display that all over. The recent proposed regulations from the EPA on emissions from powerplants in terms of mercury—all of us want clean air. We know you have to have regulations, but the question is, how do you regulate? These are very onerous and will have a big impact on my State. There is a study out saying it is going to result in thousands of jobs being lost, and a few powerplants being shut down, and electricity costs increasing 10, 15 percent in our State. We cannot afford that.

But there is more than that. There is the Tax Code. We should, again, as a body, and the House and the administration should reform our Tax Code to make it simpler and more progrowth. It can be done. Economists across the spectrum say this current code is a mess. It doesn't work because you are encouraging businesses to make investments and allocate resources based on Tax Code-motivated interests rather than business reasons. Getting rid of these preferences and clearing out the Code, as happened in 1986, you could get more economic growth through the Tax Code reform.

I think the time is here, and the President's fiscal commission recommended this when they said, how do you look at the next 20, 30 years and come up with a way to deal with the deficit and debt? Economic growth needs to be part of it. And part of it was tax reform, and making our workforce more competitive.

Today, we do spend money at the Federal level on workforce development. Yet it is not spent very efficiently. There are some organizations that do it better than others. We should take their best practices and apply them generally. There are nine different agencies and departments engaged in looking at how to improve our workforce through the 21st century. It is a Federal program that, when connected with businesses, works; when it is not, it doesn't work well. There are opportunities to reform that program. It should be bipartisan.

I hear from communities and businesses what is working and what is not working. Flexibility is the key. There is a lot of redtape and bureaucracy. We need to enforce our trade agreements and the international rules. Enforcement is critical. But we need to open markets to our products. Every country is engaged in opening markets for their products, workers, and service providers. We need to be more aggressive in forcing other countries to open

our markets to them. If we don't, we don't have access to 95 percent of the consumers in the world. The President has said that if you were to pass these three trade agreements out there, you would create over 250,000 new jobs. Think about that. That is something we ought to do. Again it is bipartisan.

Somehow we cannot seem to get these three relatively small trade agreements that we have already done through the process. We need to do that right now, because of this economic crisis we face of unemployment and long-term unemployment. This would help, in combination with a more competitive workforce.

On energy, another part of our seven-point plan—and this is a jobs plan to get us back—we have to use our own resources. There is natural gas in places such as Ohio, and South Dakota and North Dakota have a lot of natural gas. We have the technology. Let's use it. We may have the greatest resources of natural gas in the world, based on geological finds. We need to use that now, and we can help us get less dependent on foreign oil.

Finally, health care costs. We talked about this earlier. There are some commonsense things we can do now to get health care costs down, including stopping frivolous lawsuits, which we all pay for, through sensible medical malpractice reform. Some States do it well. It should be done on a national level to get the costs down. We should allow people to buy insurance across State lines. Several insurance companies could compete for the business. This would help get spending under control. We should reform the Tax Code, have regulatory relief, a more competitive workforce, increase jobs through exports, enforce the trade agreements, power America's economy with our own energy, and have sensible solutions to getting costs of health care down, which will help create jobs. All of these things are proposals the Senator has been working on, and I appreciate that.

I ask the Senator a question. If the Senator is focused on getting at this issue, does he think we have a problem on the debt and deficit because of the lack of revenue through taxation or is it through overspending? Does he have any thoughts or suggestions as to how we deal with that?

Mr. THUNE. I appreciate that. That was a great description by the Senator. The Senator from Ohio hit upon all the relevant issues, if we are going to get the economy going, creating jobs again—talking about getting trade deals done, and energy policy that relies upon American energy production, keeping taxes and regulations low, common sense when it comes to energy regulations, and getting spending and debt under control. Those are all part of a solution that will grow the economy.

What I say to my colleague with regard to the issue of taxing and spending is that a lot of people believe some-

how we can get additional revenues and raise taxes and solve these problems. Clearly, that would be very counter to growing the economy and creating jobs. I think it would be harmful, if anything. If we look at taxes as a way to deal with the deficit and debt issue, frankly, I think most Americans believe—and I believe they are right—this is overwhelmingly a spending issue.

If you look at our 40-year average spending, up until 2008 it was 20.6 percent of our GDP. The budget would have to spend about 24.3 percent of GDP. If you look at what we need to focus on, I say to my colleague from Ohio, it is clearly in the area of spending and debt control and dealing with that issue as opposed to the issue of revenue. I look forward to working with him on these issues. I hope we can put policies into place that will grow the economy and get people in this country back to work.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 2½ minutes.

Mr. ISAKSON. Mr. President, I ask unanimous consent that that be extended by 3 minutes.

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

ACTIONS, NOT WORDS

Mr. ISAKSON. Mr. President, I come to the floor to talk about jobs, and also to talk about an admonition I got from my father when I was growing up: Judge a man by his actions, not his words.

I intend to apply that, as well. We should all be judged by our actions, not just our words. I am very disappointed in what this administration is doing now. On the one hand, they are talking about jobs being the most important thing America needs. Yet every single action of the agencies is a job killer. Here is an example: The most recent nominee to be the new Commerce Secretary of the United States is a former director of the Boeing Aircraft Company. That aircraft corporation is now under a suit from the interim general counsel of the NLRB to stop them from opening a new plant that will employ 1,000 people in the State of South Carolina, alleging they built the plant there to strike back at the unions in Washington State, when in fact the Dreamliner, their main airliner, which they have tremendous orders for, is being built in Washington, but they had to expand another plant to meet the demand for orders. They decided, in the interest of the company, to have one on the east coast and one on the west coast. They weren't retaliating. They were trying to create jobs for a great American product. The NLRB wants to stop 1,000 jobs from being created on an allegation that it is some type of retribution. That is dead wrong.

The NLRB this week came out with a new admonition. That is, they are going to change election rules so new elections, instead of being required to take 38 to 42 days, can have quickie union elections in 10 to 12 days, making it much more difficult for management to react to a union vote or a union movement.

All these things are job creators. I am not here to demagogue unions or to demagogue this President for that matter. I just think fair is fair. If you say you want to create jobs, don't stop job creation. If you say you want the economy to recover, do those things necessary to empower business.

Let me take another example; that is, the National Mediation Board. The National Mediation Board is the agency that regulates employment from the standpoint of airlines and railroads and transportation entities. The NMB is 75 years old. For 75 years, their rule on a union election in a covered company is that 51 percent of the number of people employed who would be unionized had to vote in order for a union to become established.

Summarily, 11 days after their appointment under the new administration, that 75-year-old rule was struck to become only a simple majority of the number of people who vote, regardless of how many people are going to be covered in employment. Now, that was specifically targeted at Delta Airlines—an Atlanta company that became the largest airline in the world after buying Northwest and merging the two.

Northwest had union flight attendants, Delta did not. Delta's flight attendants had twice in the last decade rejected unionization in a vote of 50 percent plus 1 of all employees covered. The change in this rule was specifically targeted to try to force Delta to go from a nonunion shop in their flight attendants to a union shop. But even after an aggressive change in law and by the unions, the flight attendants still voted—under the new rule, which is much easier—not to unionize.

Still not satisfied, the National Mediation Board has now filed an action against Delta alleging improper activities. I find this very ironic since in the FAA conference committee, which I am a part of today, we are trying to get a chance for airlines and those covered to be able to have a legal action against a ruling of the NMB if they suspect the NMB ruled unfairly. The NMB has rejected that entirely, the leadership of this body has rejected it entirely, and that conference report languishes—all over an issue that would create jobs, but instead they want to retard jobs.

My message in coming to the floor is very simple. Actions count, words don't matter, simply talking about creating jobs don't mean a thing if we are taking actions that stymie business or punish people from making investments that bring about employment.

It is time for this President, it is time for each of us in the Senate, it is

time for this administration, and it is time for the Congress to do what the American people have done: put our shoulder to the grindstone and do those things that bring American business back, our economy back, and bring jobs back to the greatest country on the face of this Earth—the United States of America.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PRESIDENTIAL APPOINTMENT EFFICIENCY AND STREAMLINING ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 679, which the clerk will report.

The bill clerk read as follows:

A bill (S. 679) to reduce the number of executive positions subject to Senate confirmation.

Pending:

DeMint amendment No. 501, to repeal the authority to provide certain loans to the International Monetary Fund, the increase in the United States quota to the Fund, and certain other related authorities, and rescind related appropriated amounts;

DeMint amendment No. 510, to strike the provision relating to the Director, Bureau of Justice Statistics;

DeMint amendment No. 511, to enhance accountability and transparency among various Executive agencies;

Vitter amendment No. 499, to end the appointments of Presidential czars who have not been subject to the advice and consent of the Senate and to prohibit funds for any salaries and expenses for appointed czars;

Coburn amendment No. 500, to prevent the creation of duplicative and overlapping Federal programs;

Portman amendment No. 509, to provide that the provisions relating to the Assistant Secretary (Comptroller) of the Navy, the Assistant Secretary (Comptroller) of the Army, and the Assistant Secretary (Comptroller) of the Air Force, the chief financial officer positions, and the Controller of the Office of Management and Budget shall not take effect;

Cornyn amendment No. 504, to strike the provisions relating to the Comptroller of the Army, the Comptroller of the Navy, and the Comptroller of the Air Force.

The PRESIDING OFFICER. Under the previous order, there will be up to 30 minutes of debate, with the Senator from Louisiana, the Senator from South Carolina, the Senator from Nevada, or his designee, and the Senator from Kentucky, or his designee, each controlling 7½ minutes.

The Senator from Louisiana is recognized.

AMENDMENT NO. 499

Mr. VITTER. Mr. President, I would like to close on my czar amendment and encourage strong bipartisan support.

Mr. President, we have a bill before us about the Senate advice and consent process—the Senate confirmation process—and I think it would be a tragedy to consider any bill on that subject and not, in fact, address the biggest issue, the biggest problem with that process that exists now—certainly also in the eyes of the American people—and that is the abuse by the Executive, over several administrations but culminating in this administration, of appointing so-called czars as an end run around the U.S. Constitution, as an end run around the powers of the Senate and the balance of power of advice and consent and confirmation.

My amendment would fix that. It would defund czars and their offices. It is carefully crafted, it is carefully defined, and it would say we are not going to allow these czars to operate when they are essentially taking the place and the function of what should be a Senate-confirmed position. Again, the language is careful. It is carefully thought out, it is carefully crafted, and there are exceptions in the language which are important, so I commend all my colleagues to look at that. But the main point is simple and clear and important: We shouldn't allow any Executive, any administration, to end-run the U.S. Constitution, to end-run the Senate's important and appropriate role of confirmation, or advice and consent.

So I encourage all of my colleagues to support this amendment.

In closing, I thank several Members who have cosponsored the amendment—Senators PAUL and HELLER and GRASSLEY—and I also thank very much Senator COLLINS, who has been a leader on this effort and has freestanding legislation on the topic which I support. We have and will continue to consult on this issue until we properly get the job done.

Mr. President, I reserve the remainder of my time.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be equally allocated to both sides.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEMINT. Mr. President I ask that the quorum call be suspended.

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

The Senator from South Carolina.

Mr. DEMINT. I would like to speak on my amendment which will be voted on in a few minutes.