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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, October 21, 2011, at 10 a.m.

## Senate

THURSDAY, OCTOBER 20, 2011

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

### PRAYER

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

Let us pray.

Eternal Lord God, your infinite greatness compels us to give You praise. Today we ask that You would help our Senators to reach their full ethical stature by deepening their sense of the stewardship of all that they have and are by the power of Your spirit within them.

Lord, our challenging times demand such ethical and moral fitness so that problems can be solved with the collaborative and courageous spirit. Like streams of flowing water through our common days, You continue to refresh us with Your merciful goodness. Make us worthy of Your generosity as we strive daily to please and honor You.

We pray in Your holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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, October 20, 2011.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,  
*President pro tempore.*

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The assistant majority leader is recognized.

### SCHEDULE

Mr. DURBIN. Following leader remarks, the Senate will resume consideration of H.R. 2112, the Agriculture, CJS, and Transportation appropriations bill. At noon there will be three rollcall votes. The first vote will be on the confirmation of Heather Higginbottom to be Deputy Director of OMB. The second vote will be in relation to the Vitter amendment. The third vote will be in relation to the Webb amendment.

The filing deadline for first-degree amendments to the substitute amendment and H.R. 2112 is 1 p.m. today.

There will be another series of up to four rollcall votes at approximately 2 p.m. in relation to additional amendments to the bill. Further rollcall votes are expected during today's session in order to complete action on the bill.

We also hope to vote on the confirmation of the nomination of John Bryson to be Commerce Secretary as well today. Additionally, cloture was filed on the motions to proceed to S. 1723 and S. 1726. If no agreement is reached, these cloture votes will occur on Friday.

### RECOGNITION OF THE MINORITY LEADER

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

### JOB CREATION

Mr. McCONNELL. Mr. President, as we all know, the No. 1 issue on the minds of most Americans is jobs, and I think it is pretty clear both parties are focused on that issue right now.

I also think it is safe to say the two parties have a fundamentally different take on the solution. For Democrats, the solution, apparently, is to increase the number of people who work for the government. My good friend, the majority leader, made this pretty clear yesterday when he said the private sector "is doing just fine" and that the President's latest stimulus is focused on government jobs instead.

Republicans take a different view. We recognize that government has an

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



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important role to play. We recognize the need for commonsense regulations to ensure the safety of our citizens and the preservation of our resources. But it has become increasingly clear to many Americans that Democrats in Washington have lost all sense of balance when it comes to both the size and the scope of the Federal Government in Washington.

Based on the letters I get and the people I meet, there is a growing sense out there that government regulations are simply and completely out of control and that this is one of the main reasons we are in this jobs crisis. There is a growing sense the reason for this is that lawmakers and bureaucrats in Washington have completely lost touch—completely and totally lost touch—with the struggles folks outside the beltway are going through.

I saw yesterday that the Washington, DC, area now has the highest median income in the country. Washington, DC, the Nation's Capital, has the highest median income in the country. I have no doubt many of these people do good work, but the point is they are weathering this economic downturn pretty well. Not only are they making big salaries relative to the private sector, they are also holding on to their jobs. The unemployment rate for the country as a whole is 9.1 percent. For government workers it is about half that—4.7 percent.

With all due respect to my friends on the other side, it is the private sector that has been begging for mercy. It is the private sector that is being crushed by regulators in Washington. I don't think the solution to the crisis is to make the Federal Government even bigger.

When it comes to jobs, the primary role of government is to create an environment in which Americans and American businesses can grow and flourish without the heavy hand of government on their backs. We shouldn't be making it harder for people to do business and to prosper. We should be making it easier. Yet everywhere I go, from Silicon Valley to Kentucky coal mines, I hear the same thing: Get Washington off our backs. They are killing us with all these impossible demands. It is not the commonsense regulations they complain about; it is all the new burdensome, duplicative and, in some cases, impossible to comply with regulations. I have small business owners in Kentucky writing me to say they can barely get by as it is, and the EPA is harassing them with paperwork and threatening them with fines.

I mentioned a paper company the other day in Ohio that is shutting down because the EPA demanded they upgrade their boilers with a technology that doesn't even exist yet.

I know my Democratic colleagues hear these same complaints because they literally cut across party lines. One story I saw this week featured a Democratic mayor in Massachusetts telling Washington to back off.

Here is a woman who went to the President's inauguration, an Obama supporter, stood in the cold to witness it with her kids. And now she says she is losing her faith in government because the overzealous enforcement of brutal new fishing regulations is destroying jobs and forcing smaller players out of the business altogether.

Democrats hear stories such as this too, and their solution is that we should hire even more people who wake up every morning thinking about yet new ways to regulate private industry until they cry uncle. Our view is that we should actually listen to what people are asking us to do and to help them out, give them a break. It is time for government to help private sector job creators instead of looking for ways to punish them.

What we are doing is we are asking the Democrats to work with us on ways to help the private sector grow, because the fact is we are not going to get this economy going again by growing the government. It is the private sector that is ultimately going to drive this recovery.

Look, if big government were the key to economic growth, then countries such as Greece would be booming right now. If big government were the key to economic growth, Greece would be booming.

What we need to do is to focus on helping the private sector grow. I know the Democratic plan is to focus on their government jobs bill instead, to punish private sector job creators with yet another tax to subsidize even more temporary government jobs at the State level. But what I am saying is, let's put the government stimulus bills aside for a change and do something for the small business men and women in this country who are begging for mercy from their own government, right here in Washington.

There is a lot we can do. As I noted yesterday, the House has already passed three pieces of legislation this year alone, one as recently as last week, that would send an entirely different message to businesses. Every one of these bills to roll back excessive regulations by bureaucrats here in Washington got solid bipartisan support in the House of Representatives.

Last night, Senate Republicans also moved ahead on legislation that private contractors who do work for Federal, State, and local governments have been asking us to enact as a way to protect jobs. At a time when so many businesses are struggling to stay afloat—to literally stay afloat—the government shouldn't burden them even more by taking money out of businesses that they could use to invest and hire.

The best thing about this proposal is not only is it bipartisan, it is also part of the President's bill. So here is another example of something we could do for job creators that we know will actually be signed into law. And there is no reason I can think of that this

legislation shouldn't get 100 votes in the Senate—a proposal supported by the President of the United States, passed with a large bipartisan majority in the House. Why don't we pass it? It is in the President's own bill, for goodness sake.

The White House said yesterday that every part of the President's bill is equally important. If that is true, let's pass this measure. This legislation should get unanimous support. So let's vote on this and the other bipartisan jobs legislation I have mentioned and then send them to the President for an actual signature, making a law instead of making a point.

It is time we showed people who are struggling out there that we are on their side, because right now I know a lot of them are having serious doubts. It is time we do something serious about jobs. The proposal I offered last night, with the support of my Republican colleagues, supported by the President of the United States, passed by a bipartisan majority in the House, would be a good step in the right direction.

LISA WOLSKI

Mr. McCONNELL. Mr. President, the Senate Republican team is losing a key player today as we say goodbye to Lisa Wolski, chief of staff to the Republican whip, Senator KYL.

Lisa has been a greatly valued adviser to me as well and to my entire team. We have always valued her intelligence, good strategic sense, and her sound judgment. She has worked extremely hard to make sure we always knew where the votes were, which is very important in this line of work. And, most of all, we appreciate very much the fact that she has done all this with great team spirit.

I want to thank Lisa for her hard work, for me and for the entire Republican team, and we wish her all the best in her future endeavors.

#### HONORING OUR ARMED FORCES

SPC BRANDON S. MULLINS

Mr. McCONNELL. Mr. President, it is with sadness that I come to the floor today to commemorate a brave Kentuckian who lost his life in service to his country.

U.S. Army SPC Brandon S. Mullins of Owensboro, KY, was killed on August 25, 2011, in Kandahar Province, Afghanistan, when insurgents attacked his vehicle with an improvised explosive device. He was 21 years old.

For his heroic service, Specialist Mullins received several awards, medals, and decorations, including the Bronze Star Medal, the Purple Heart, the Army Good Conduct Medal, the National Defense Service Medal, the Afghanistan Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, and the Combat Infantryman Badge.