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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

O Mighty God, the giver of grace and mercy, we bless Your holy Name.

Today, empower our lawmakers to walk in Your will and follow Your leading. Give them clean hearts and renew a right spirit within them. Teach them to serve You as You deserve, to give and not to count the cost, to strive and not to heed the wounds, to toil and not to seek for rest, to labor and not to ask for any reward except that of knowing they are doing Your will.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND 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, November 16, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND 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. Following leader remarks, the Senate will be in a period of morning business for 1 hour. The majority will control the first half and the Republicans the final half. Following morning business, the Senate will resume consideration of H.R. 2354, the Energy and Water appropriations bill. We will continue to work on an agreement for the bill and notify Senators when votes are scheduled.

We have a lot of work to do in the next few days. We cannot have the Defense authorization bill eat up a lot of time after we get back from the recess we will have for Thanksgiving. So everyone should understand that we are going to move forward on the Defense authorization bill. It may not be tomorrow, it may not be the next day, but we have to do it before Thanksgiving. So I hope everyone understands. I know everyone wants to get home for Thanksgiving—we all do—but we have an obligation here.

In the Christmas period; that is, after Thanksgiving, we will have just a few weeks to get everything done. As important as the Defense authorization bill is, we can't eat days and days of that time in December. We have to finish that bill now. I know that won't be easy, so I would hope that people understand, if they have an idea that they are going to stop us from moving forward on the bill, on the motion to proceed, we are going to get that done and more. So that might mean we have to work past Thursday, past Friday,

and if we have procedural obstacles on that very important legislation, it will mean we will have to work the weekend and into next week. So I want to make sure everyone understands that. So all Senators who are watching and listening, and especially the staff, just make sure you have alternate reservations to leave Washington.

LIFESAVING REGULATION

Mr. REID. Democrats and Republicans don't agree on much these days, although I had a meeting with some veterans groups earlier today, and I indicated to them that maybe they are going to bring us some good luck because we were able to pass part of the President's jobs bill—the veterans employment—with an overwhelming majority. That was really good news, and I hope that is the beginning of some good days ahead of us.

We do agree Congress must do something about the unemployment crisis we face. We have 14 million Americans out of work. There is no more pressing issue facing Congress or the country than jobs. Our plan, the Democrats' plan to address this problem, has been very straightforward. We have advocated for policies that will create jobs by investing in what makes this country great—our infrastructure, our education system, and our innovative workforce. Despite Republican obstructionism, we have continued to fight for middle-class jobs, bringing to the Senate floor bill after bill designed to bring Americans back to work.

I met yesterday with the Business Roundtable, a stellar organization with the finest business executives we have in America today. I told them that I know they are all doing well financially, and I went over what we had proposed a week or so ago; that is, we need to do something about infrastructure that is deteriorating.

I said we were able to put forward a piece of legislation that said: Let's

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



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spend \$50 billion creating hundreds of thousands of jobs. We would not punish millionaires and billionaires. What we would do is, people fortunate enough to make \$1 million in a given year, we would say that on any money they make over \$1 million, they would have to pay a surtax of seven-tenths of 1 percent. I said: Does anybody out here think that is an onerous suggestion? Nobody raised their hand because it isn't. But on a straight party-line vote, it failed.

So we are going to continue to fight for middle-class jobs, bringing to the Senate floor bill after bill, as we have done, and we will bring some more in the future to put Americans back to work.

The Republicans have taken a different approach. I talked about it yesterday. They have advocated a wholesale repeal of so-called job-killing regulations. We know and we were able to show yesterday that of the jobs that have been lost, about three-tenths of 1 percent have been because of regulations. Does that mean all regulations are perfect? Of course not. That is why the Obama administration—as did the Bush administration, as did the Clinton administration—had a review of what regulations are onerous and we should change or get rid of. So we understand that. For Republicans, that is their job-creating mantra: Get rid of regulations. It doesn't work. They say that rolling back everything from limits on air pollution to rules that keep our worksites safe will create jobs and revive our economy. The problem is it is just not true.

Business leaders and economists of every political stripe agree that this GOP mantra is a falsehood. A respected academic adviser to two Republican Presidents called this myth spread by Republicans to cover up their woeful lack of meaningful work plans to create jobs “nonsense” and “made up.” I talked about him in some detail yesterday.

The evidence, in fact, shows that government safeguards have little impact, if any, on employment. The Bureau of Labor Statistics study found that last year only three-tenths of 1 percent of layoffs were caused by regulation. That is according to executives who ordered those layoffs. Nearly 85 times as many jobs were lost last year because of the slow economy.

But rather than work with us to turn this weak economy around, creating hundreds of thousands, if not millions of jobs, Republicans spent 11 months fighting Democratic policies that would have created these jobs. Meanwhile, they spent these past 11 months focused on killing regulations that make America safer, healthier, more efficient, and more productive.

For example, Republicans want to halt updates to the Clean Air Act. Since its passage 40 years ago during the Presidency of Richard Nixon—do you know why President Nixon and the Congress got kind of interested in

that? In Ohio, the Cuyahoga River kept catching fire. The river started burning, they would put it out, and it would start burning again. So President Nixon and others felt that maybe we should do something about the Clean Water Act. We also, during that same period of time, did something about the Clean Air Act, and the Clean Air Act alone has reduced emission of key pollutants by 70 percent, while the economy has grown by some 200 percent during that same period of time. Long-planned updates to the law would reduce emissions of mercury, acid gases, and other life-threatening pollutants into the air, saving lives.

Last year alone, the Clean Air Act saved the lives of more than 160,000 Americans, and it prevented 86,000 emergency room visits and 13 million lost workdays. This is money in the bank for all of us when we can save lives, prevent emergency room visits, and keep people working and not being sick. The Clean Air Act has prevented hundreds of thousands of cases of heart disease, chronic bronchitis, and asthma.

It is wonderful that we have helped clean the air, but we also have medicines that help. I can remember as a little boy going out to visit a woman who lived on the outskirts of Searchlight—that is really a couple miles out of the main part of Searchlight—and I have never forgotten this. She had asthma, and my mom went out to see if there was anything she could do to help. There wasn't a thing she could do to help. This woman was in such a state of distress. She said, “I can't breathe,” and she was making horrible noises that I have never forgotten. So things are better. One reason they are better is because of medicines but also cleaner air.

The Clean Air Act has prevented hundreds of thousands of cases of heart disease, as I have indicated, chronic bronchitis, and asthma, and last year alone it saved American companies and consumers \$1.3 trillion by reducing medical costs and increasing productivity.

Of course, all these benefits come with a price tag, but for every dollar spent complying with the Clean Air Act, this Nation saves \$30 in emergency room bills, lost work days, and environmental cleanup. And repealing the law of the Clean Air Act wouldn't make the costs go away. Instead, it would shift them from corporations to consumers. Complying with environmental safeguards is one of the costs of doing business in the United States. It is a part of being a good corporate citizen. That is why two-thirds of voters say that scientists at the Environmental Protection Agency, not politicians in Congress, should set pollution standards. Seventy-one percent of voters, including the majority of Republicans, support the stronger environmental protections that are attacked by congressional Republicans. Eighty percent of voters believe those safeguards will improve public health and air quality.

There is plenty of evidence that smart, fair regulations save lives and communities lots of money and also consumers lots of money. There is more evidence that stronger watchdogs could have prevented disasters such as the 2008 financial crisis or the West Virginia mining accident that killed 21 people last year. Simply repeating the fiction that regulations kill jobs doesn't make it a fact. But even if there is one ounce of truth in the fable, there are many ways to steer the economy out of the ditch and create jobs that don't risk American lives.

RECOGNITION OF THE MINORITY LEADER

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

EPA REGULATORY RELIEF ACT

Mr. McCONNELL. Today, I would like to begin once again by focusing on a piece of jobs legislation that Republicans in the House have recently passed with significant bipartisan support and by calling on the Democratic majority in the Senate to follow the lead of the House Republicans by taking up this legislation and passing it right here in the Senate.

The legislation I would like to highlight is H.R. 2250, the EPA Regulatory Relief Act. This legislation passed the House overwhelmingly last month. Forty-one Democrats supported it over in the House. Senator COLLINS has introduced a similar bill here in the Senate. It has strong bipartisan support.

Most Americans are probably aware by now that the Obama administration is crushing businesses across the country with a mountain of redtape and new regulations that it imposes outside of the legislative process. When asked about their challenges, small business owners now rank these regulations at the very top of the challenges they face.

One of the chief offenders is the EPA, and one of the most potentially damaging regulations this redtape factory has proposed relates to the boilers that are used by just about every manufacturer or institution in this country that doesn't get the power it needs from standard utilities.

Right now, EPA wants to force anybody with an industrial-sized boiler to change their facilities to comply with a burdensome new regulation that, according to one study, could put 230,000 jobs at risk.

So here is what Senator COLLINS has in mind that the EPA Regulatory Relief Act would do about all of this problem. Here is what it would do to protect jobs right here in America:

First, Senator COLLINS' bill would provide more time for EPA to issue regulations for industrial, commercial, and institutional boilers, process heaters, and incinerators. This is the time EPA itself has indicated it needs in