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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:

Let us pray.

Gracious Lord, whose glory has been revealed through the generations, renew within our Senators a true understanding of Your purpose for their lives, for our Nation, and for our world. Amid the challenges of our time, infuse them with a spirit of wisdom and courage so that they will be instruments of Your providence. Lord, use them to make an impact on the lives of the forgotten who lack hope and on all people who seek Your presence. May Your grace, mercy, and peace be on us all now and stay with each one of us always.

We pray in Your sacred 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, October 12, 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. GILLI-

BRAND, 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. Madam President, following leader remarks, the Senate will begin consideration of the free-trade agreements. There are three of them. There will be up to 12 hours of debate on these matters. The Senate will have its normal recess from 12:30 p.m. until 2:15 p.m. today for our caucus meetings. We expect to yield back some of the time—I certainly hope so—on the trade agreements, although people can speak as much as they want on these matters. But we are going to complete the action tonight. Whether it is at 4 o'clock or midnight, we are going to complete action on these bills today. The House is awaiting our action.

MEASURE PLACED ON THE CALENDAR—H.R. 2681

Mr. REID. Madam President, H.R. 2681 is at the desk and due for a second reading.

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

The legislative clerk read as follows:

A bill (H.R. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes.

Mr. REID. Madam President, I would 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 under rule XIV.

AMERICAN JOBS ACT

Mr. REID. Madam President, Republican obstructionism was once again in evidence last night, and it has cost this Nation millions of jobs.

Last night, Republicans blocked the American Jobs Act, President Obama's plan to create 2 million jobs by giving tax cuts to businesses and middle-class families and investing in modern roads, bridges, and schools.

It is not the first jobs bill they have blocked this Congress, although I hope it will be the last. But it seems as if the Republicans do not really want to put Americans back to work. They believe a weak economy means a weak President. So even though they have supported each piece of the American Jobs Act in the past, they blocked this job-creating legislation in the hopes of doing political damage to the President.

But we have not given up on creating jobs in America, and we will not let Republican political games stand between Congress's most important duty: to put 14 million Americans back to work.

Passing the American Jobs Act would have been a step in the right direction. Economists of every stripe agree it would have impacted the economy immediately and put up to 2 million people back to work.

Mark Zandi, chief economist at Moody's and economic adviser to Senator JOHN MCCAIN's Presidential campaign said this:

Given the high odds of another recession in the next few months, it is vital for Congress and the administration to provide some near-term support to the economy.

Zandi says the American Jobs Act could shave a percentage point off the unemployment rate. Conversely, he warned that without immediate action

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



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the likelihood is high of a double-dip recession. So the last thing we should be doing right now is wasting time, but that is what Republicans are forcing us to do.

Last night, a majority of the Senate voted to take up this bill. But Republicans will not put politics aside for a moment, even when the price of their stubbornness is struggling families and failing businesses.

I say it again: Democrats are not going to give up on creating jobs. We will introduce the American Jobs Act piece by piece.

I had two conversations last night while the vote was taking place with Republicans, and both Republican Senators said they would like to join in moving some pieces of this legislation. So we are going to do that, and I am glad to see there is some interest by my Republican colleagues in doing that.

Many of the ideas we will advance will be proposals Republicans have supported in the past, as I have already indicated. I think they will have to explain to the American people—at a time of record unemployment—why they continue to oppose job-creating tax cuts for small businesses and the middle class and other proposals they have supported in the past. So, as I said a minute ago, I look forward to working with my Republican colleagues in moving forward parts of this bill they like. At the end of the day, if they do not do this, their motive will be crystal clear: politics.

So I hope Republicans will be able to see past partisan posturing to support their own past proposals when we consider them individually in the next few weeks.

Take, for example, the payroll tax cut. My friend, the Republican leader, has supported payroll tax cuts in the past. Most Republicans have. This is what my friend, the Republican leader, said about the same tax cut in 2009. I quote:

It would put a lot of money back in the hands of businesses and in the hands of individuals. . . . Republicans, generally speaking, from Maine to Mississippi, like tax relief.

So that is part of the American Jobs Act.

Another Republican Senator sponsored a bill to give tax credits to businesses that hire out-of-work veterans. Yet that same Republican Senator voted against the same proposal last night. It was part of the bill last night.

Republicans have supported these proposals in the past. They should have supported them yesterday. But Democrats care so much about creating jobs that we will give our Republican colleagues another opportunity to do the right thing, and we will move forward in the best way we can to put these matters before the American people, if necessary, piece by piece.

TRADE AGREEMENTS

Mr. REID. Madam President, we have worked hard to be in the posture we

are in today to have votes on these trade bills. My friend, the Republican leader, has heard me say this too much, but I do not favor these bills. But a majority of this Senate does, and I believed it was important we move these forward. I have worked with the Republican leader to do it today. I think it is important to do it today. We have the President of Korea here in America. He is going to speak to a joint meeting of Congress tomorrow. I look forward to a very productive day in moving these matters forward.

RECOGNITION OF THE MINORITY LEADER

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

THE JOBS BILL

Mr. McCONNELL. Madam President, before my friend, the majority leader, leaves the floor, let me remind him and our Senate colleagues and the American people that Republicans were prepared to vote on the President's second version of the stimulus bill last night. In fact, I offered a unanimous consent that we have that vote—not the motion to proceed to it but the actual vote. I am not going to renew that request at the moment but just would say to my friend, we are happy to have that vote. We were happy to have it last night.

With regard to the pieces of it, my friend is correct; some of the pieces of this second stimulus might well be appropriate. I have recommended to the joint select committee—that he and I appointed 50 percent of—that they take a look at some of the pieces of it which could well be included in a product we are going to get before Thanksgiving before the Senate and the House.

So, again, we would be happy to vote on the entire package. We were happy to do it last night and also happy to look at pieces of it. We do have, as the majority leader and I have discussed before, important work to do in the Senate. We have the trade agreements we are going to approve tonight. We have three appropriations bills we are going to go to after that—the basic work of government, which we have not done in the last few years, the American people would like to see us do. We also have a joint select committee set up that could look at parts of the proposal to which the majority leader is referring. So I have some optimism that we will be able to come together on pieces of it that we think make sense.

I will say that as far as I know, there is not a single Republican who thinks it is a good idea to raise taxes on over 300,000 business owners, which is what would happen under the so-called millionaires' surtax. So there are parts of it we very much disagree with. We have divided government. Neither party controls the entire government. We will only be able to pass those things we do

agree on. I think there are parts of the package my friend refers to that could well be agreed to at some point this year on a bipartisan basis.

FREE-TRADE AGREEMENTS

Mr. McCONNELL. Madam President, later today the Senate will show that Democrats and Republicans can, in fact, work together to make it easier for American businesses to create jobs.

By passing free-trade agreements with Colombia, Panama, and South Korea, we will help the economy, and we will put the lie to the ridiculous Obama campaign claim that Republicans are somehow rooting against the economy. Nothing could be more ridiculous and absurd as to suggest that Republicans are somehow rooting against our economy.

In fact, if President Obama were willing to work with us on a more bipartisan piece of legislation, nobody would even be talking about a dysfunctional Congress. There would not be any reason to.

But, as we all know, that does not fit in with the President's election strategy. The White House has made it clear that the President is praying for gridlock—he is actually hoping for gridlock—so he has somebody besides himself to point the finger at next November.

That is a big mistake. The American people will not tolerate their own President putting politics ahead of working with Congress on the kind of bipartisan legislation that we know both parties could agree on right now.

So this morning I would like to repeat my call to the President to put the political playbook aside and work with us instead on the kind of bipartisan, job-creating legislation the American people truly want.

The trade bills we will be voting on tonight are a good start. There is no reason we should have had to wait nearly 3 years for this President to send them to Congress for a vote, but they are a good start nonetheless—3 years late but still very important to do.

Now let's move on to some other things. We have pointed to areas such as regulatory reform, tax reform, and energy exploration where the parties could help create jobs without raising taxes or adding to the deficit.

It is just the kind of bipartisan cooperation that the American people are actually demanding from us, and what I am saying this morning is that Republicans are eager and willing to join Democrats in making that happen.

The Presidential election, for goodness' sake, is 13 months away; 13 months from now is the Presidential election. There is plenty of time to campaign. Why don't we put that off for a while and do what we were sent here to do?

But right now we have an opportunity to work together. Let's put aside the political playbook and focus