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House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, November 10, 2011, at 2:30 p.m.

Senate

TUESDAY, NOVEMBER 8, 2011

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.

Sovereign God and ultimate ruler of this Nation, as our lawmakers remember their accountability to You, use them to protect the blessing of liberty. Continue to provide encouragement and support to the members of their staffs, who help provide for the security and well-being of the citizens of this land.

Lord, cover us all with Your protection and providence, and may Your gracious benediction give us peace this day and evermore. Keep our thoughts clear, our words wise, and our hearts pure.

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, November 8, 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 leader remarks, the Senate will be in a period of morning business for 1 hour, with the majority controlling the first half and the Republicans controlling the final half. Following morning business, we will resume consideration of the motion to proceed to H.R. 674. At noon, the Senate will be in executive session to consider the nomination of Evan Wallach to be U.S. Circuit Judge for the Federal Circuit. At 12:15 p.m., the Senate will vote on confirmation of the Wallach nomination. Following that vote, the Senate will be in recess until 2:15 p.m. to allow for our weekly caucus meetings. We expect to

begin consideration of H.R. 674 today. Senators will be notified when additional votes are scheduled.

MEASURES PLACED ON THE CALENDAR—H.R. 2930 AND H.R. 2940

Mr. REID. Madam President, there are two bills at the desk. They are both due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 2930) to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, and for other purposes.

A bill (H.R. 2940) to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D.

Mr. REID. Madam President, I object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar under rule XIV.

VOW TO HIRE HEROES LEGISLATION

Mr. REID. Madam President, yesterday my friend the Republican leader ticked off a list of bills on which he believes Democrats and Republicans can agree. I couldn't help but notice that the VOW to Hire Heroes legislation that would give tax cuts to companies to hire out-of-work and disabled veterans wasn't on that list he ticked off.

• 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 bill I just referred to, the VOW to Hire Heroes legislation, ought to be free of even a whiff of controversy. House Republicans already voted for the major components of that bill—a plan to give older veterans access to job training so they can keep up with the rapidly changing workplace and to help young veterans transition from Active-Duty service to the civilian workplace.

The bill wouldn't add a dime to the deficit, so there should be no objection there. It is paid for with a non-controversial extension of an existing fee on VA-backed mortgages. It is a version of the same bill for which House Republicans already voted. Republicans have voted for tax credits for companies that hire out-of-work and disabled veterans in the past, so that can't be the holdup. We will pass this important legislation as an amendment to a bill sent over from the House to repeal a 3 percent withholding provision from government contractors. Republicans have been chomping at the bit to pass this measure, so the House vehicle for VOW to Hire Heroes is not the source of their radio silence, I am sure.

There are no procedural or philosophical hurdles to passing this bill. But don't take my word for it, Madam President. JEFF MILLER, the Republican chairman of the House Veterans' Affairs Committee, said this about this bipartisan legislation yesterday:

Today, we are putting aside politics and putting America's veterans first. This is how the process should work. The VOW Act, which passed the House with overwhelming bipartisan support, provides the framework for this legislation and gets to the root of many of the employment problems our veterans face.

With nearly a quarter of a million Iraq and Afghanistan veterans unemployed, this legislation can't come a moment too soon. Yet Senate Republicans remain curiously silent on this legislation.

It is inconceivable that my Republican colleagues perceive this legislation to be unnecessary, but it also seemed unthinkable that Republicans would unanimously oppose legislation to create hundreds of thousands of jobs for teachers, firefighters, and construction workers.

Here is what is at stake. The number of unemployed post-9/11 veterans has gone up by 30,000 in the last year alone. Nearly 250,000 men and women who volunteered to fight overseas for the flag and the privileges and freedoms it represents can't find a job here at home. That number will only grow as the two wars draw to a close. One in five young veterans—veterans under age 25—is unemployed. On any given night, at least 75,000 veterans, including 2,500 in Nevada, sleep on the streets. They are homeless. We should all be able to agree that even 1 night is too many for our Nation's heroes to pass without a roof over their head. Young veterans are more than twice as likely as their

peers to be homeless and four times as likely to live in poverty. During tough economic times, when some young people join the military for a way to escape the cycle of poverty, this statistic is shocking and disheartening.

I call on the minority leader and the rest of my Republican colleagues to break their silence. Where do they stand on the VOW to Hire Heroes Act? I ask my Republican colleagues, do you believe we should lend a hand to those who defend our freedom? Of course. Or do you think this Nation's responsibility to its veterans ends the day they take off that uniform?

Andrew Carnegie once said that the older he got, the less mind he paid to what men say. "I just watch what they do," he said. So I remind my Republican friends that the men and women of the U.S. Armed Forces—those who wear the uniform today and those who wore it once—are watching what my Republican colleagues do.

RECOGNITION OF THE MINORITY LEADER

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

TACKLING THE JOBS CRISIS

Mr. MCCONNELL. Madam President, it has now been 2 months since the President came before Congress and outlined his plan for tackling the jobs crisis—a plan that can best be described as a rehash of the same failed policies of the past few years disguised as a bipartisan overture, a political strategy masquerading as a serious legislative proposal. The President put this plan together knowing the Republicans would oppose it. In other words, it was actually designed to fail, as the White House aides have readily admitted to reporters for weeks. This was not, I repeat, a serious effort to do something about jobs and the economy. It was a serious effort to help the President's reelection campaign by making Republicans in Congress look intransigent.

So what I have been saying for the past few weeks is let's put the political games aside. We will have time for the election next year. The American people want us to do something about jobs right now.

Well, it appears the message may be finally breaking through. I was just listening to my friend the majority leader talking about the measure before us—something we support and look forward to passing. It has been championed by Senator SCOTT BROWN of Massachusetts as something that would help contractors who do business with the government. I was also glad to see that the Veterans bill, which contains many provisions supported by Republicans, will be the first amendment. So maybe we are making some progress. This is just the kind of thing we have been calling for, just the kind of thing we

should be doing a lot more of around here because there is a lot we can agree on when it comes to jobs legislation, and that is where the focus should actually be.

While the President has been out on bus tours, Republicans in the House have been debating and passing bipartisan legislation aimed at making it easier for businesses across the country to grow and to create jobs. Over the past 2 weeks, I have highlighted some of their good work.

Yesterday, I mentioned in particular a bill the House passed just last week called the Small Company Capital Formation Act, H.R. 1070, a bill that received 421 votes, including 183 Democratic votes. Only 1 person of the entire 435-Member House of Representatives voted against the bill—just 1. And President Obama endorsed the idea contained in this bill in his jobs speech a couple of months ago. The question is, Why in the world wouldn't the Democratic majority take it up and pass it right here in the Senate? If Democrats are more interested in passing legislation that helps put Americans back to work than they are in raising taxes, they should at least work with us to pass the bills the President himself has endorsed.

This morning, I want to say again how pleased I am we will be taking up Senator BROWN's 3 percent withholding bill to help ease the burden on government contractors and that we will have a vote on and hopefully debate the Veterans bill. I would like to call on the Democratic majority in the Senate to keep it up by taking up H.R. 1070 or its bipartisan Senate companion bill, S. 1544, sponsored by Senators TOOMEY and TESTER.

Take up this legislation that has already passed the House with the support of almost everybody over there and show the American people that you care more about creating jobs than creating campaign slogans. Let's not make the bills we will be voting on today the exception but the rule around here. Why don't we just keep it up?

Right now, small, growing businesses aren't expanding their businesses through a public offering because they simply can't afford the high cost of the government paperwork they are required to manage. Instead of going out there and raising money to grow and hire, they are holding back. They are not expanding. And if they are not expanding, they are not hiring. This bill would remove some of that burden from smaller businesses and help them gain access to new capital that they can invest in their businesses and their employees.

Yesterday, I mentioned the CEO of a pharmaceutical company in Pennsylvania who says that he has a promising new drug for treating chronic kidney disease actually in the pipeline but that he can't take it to the next level because of all the regulatory costs his company is too small to afford right