

## NAYS—52

Akaka	Hagan	Nelson (FL)
Baucus	Harkin	Pryor
Begich	Johnson (SD)	Reed
Bennet	Kerry	Reid
Bingaman	Klobuchar	Rockefeller
Blumenthal	Kohl	Sanders
Boxer	Landrieu	Schumer
Brown (OH)	Lautenberg	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Levin	Tester
Carper	Lieberman	Udall (CO)
Casey	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

## NOT VOTING—2

Inouye	McCain
--------	--------

The motion was rejected.

# DISAPPROVING A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY RELATING TO THE MITIGATION BY STATES OF CROSS-BORDER AIR POLLUTION UNDER THE CLEAN AIR ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 27.

There will be 2 minutes of debate equally divided in the usual form.

The Senator from Kentucky.

Mr. PAUL. Madam President, I rise in support of clean air, clean water, electricity, and jobs. We need to, if we are going to maintain our economy, discontinue and not overreach with job-killing regulations. We are asking for the continuation of the existing regulations. This action would allow for the continuation of the existing regulations. If we look at EPA v. North Carolina, it says remand without vacating the order.

The other side claims we are for no regulations. We are asking for the continuation of the existing regulations on pollution. The rules are working, but if we keep increasing the burden, we are going to cause increased joblessness.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I hope colleagues will take a moment to look at this picture, because this is what we are talking about: exhaling toxic air, and little kids and members of our families who have to use this kind of inhaler. Exhale pollutants, inhale with an inhaler. This is a poster done by the American Lung Association. Every respected public health group opposes the Paul resolution.

If your neighbor dumped toxic garbage on your front lawn, that would harm your family. You would do two things. No. 1, you would say clean it up and, No. 2, you would say never do it again. That is all the rule does that Senator PAUL is trying to eviscerate here.

Vote no for jobs, for clean air, for our families. Sixty-seven percent of the

American people, including 68 percent of Independents, oppose the Paul resolution. Please vote no.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Kentucky.

Mr. PAUL. There are emotions and there are facts. The facts are that emissions have been declining for six decades. The current rules are working. If you vote for increased regulations, you are voting to kill jobs.

The PRESIDING OFFICER. The Senator's time has expired.

The yeas and nays are ordered on the motion to proceed to S.J. Res. 27.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUE) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Alabama (Mr. SESSIONS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 56, as follows:

[Rollcall Vote No. 201 Leg.]

## YEAS—41

Barrasso	Grassley	Moran
Blunt	Hatch	Murkowski
Boozman	Heller	Nelson (NE)
Burr	Hoeven	Paul
Chambliss	Hutchison	Portman
Coats	Inhofe	Risch
Coburn	Isakson	Roberts
Cochran	Johanns	Rubio
Corker	Johnson (WI)	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Enzi	Manchin	Wicker
Graham	McConnell	

## NAYS—56

Akaka	Feinstein	Murray
Alexander	Franken	Nelson (FL)
Ayotte	Gillibrand	Pryor
Baucus	Hagan	Reed
Begich	Harkin	Reid
Bennet	Johnson (SD)	Rockefeller
Bingaman	Kerry	Sanders
Blumenthal	Kirk	Schumer
Boxer	Klobuchar	Shaheen
Brown (MA)	Kohl	Snowe
Brown (OH)	Landrieu	Stabenow
Cantwell	Lautenberg	Tester
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lieberman	Warner
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	

## NOT VOTING—3

Inouye	McCain	Sessions
--------	--------	----------

The motion was rejected.

Mrs. BOXER. Madam President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, first of all, I want to say a big thank-you to colleagues for voting to defeat the Paul joint resolution, which was a real attack on the health of our families.

## SIGNING AUTHORITY

Mrs. BOXER. Madam President, I ask unanimous consent that from Thursday, November 10, through Monday, November 14, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## MORNING BUSINESS

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 1:30 p.m. with the time equally divided between the two leaders or their designees, and with Senators permitted to speak for up to 10 minutes each.

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

The Senator from South Carolina.

## VETERANS TAX CREDIT

Mr. DEMINT. Madam President, I want to speak for a few minutes about the proposed veterans tax credit. I know what I am about to discuss will not make me very popular. I will probably be accused of not supporting veterans by the politicians pandering for their votes, but I am not going to be intimidated into voting for something that may make sense politically but is inherently unfair, and it is not going to work. The measure the Senate is now considering at President Obama's urging is to offer tax credits to employers who hire unemployed veterans. It might sound like good politics, but it is not good policy.

We have learned over the past few years since President Obama took office that employers hire based on their long-term plans, not short-term stimulus. It costs an employer about \$63,000 a year to create an average private sector job. A new tax credit for a couple thousand dollars is simply not enough to increase employment. We have to recognize the fact that businesses are not going to hire until the government gets out of their way and creates a stable environment where businesses can thrive.

Let's be clear: I want veterans to have work opportunities. Once a man or woman has completed his or her service to our country, I hope they are welcomed into the job market. But veterans are not hired simply because they are veterans. By and large, they demonstrate admirable qualities that are invaluable in the workforce, such as selflessness, hard work, and dedication to improving oneself. Many other Americans who are suffering in this same bad economy—such as single moms, young graduates, and minorities—also demonstrate these same commendable character traits. The best way to get our veterans back to work is by doing what will help the economy and get all Americans back to work. Sadly, this tax credit does not do that.

The government has tried offering credits to hire particular categories of people many times before. A Government Accountability Office report studied the targeted jobs tax credit that was passed back in 1978. The credit was intended to encourage companies to favor the disadvantaged in hiring, but a followup study found that it was not “effective or economical” in helping the targeted group. The program was eventually allowed to expire.

Unfortunately, that tax credit was quickly replaced with the welfare-to-work and work opportunity tax credits in 1996. The Urban Institute-Brookings Tax Policy Center studied these credits, which were intended to help the needy, low-income veterans, inner-city youth, and ex-felons. But it found that the credits had “not had a meaningful effect on employment rates among the disadvantaged.”

President Obama signed another law, the Hiring Incentives to Restore Employment Act, in March of 2010 to give companies a tax credit to hire unemployed workers. There is no evidence this encouraged employers to hire, as unemployment has remained stubbornly high since President Obama came into office, especially over the last year while this credit was available.

Despite the overwhelming evidence that these tax credits do not stimulate hiring for targeted groups, the Obama administration continues to push Congress to pass another tax credit, this time exclusively for veterans. By using a politically sensitive group the day before Veterans Day, the Democrats are hoping they can trick Republicans into further complicating the Tax Code, when we should be doing everything possible to simplify it.

If we want to help veterans and all Americans, we need to get serious about fixing our economy. There are almost 14 million unemployed Americans and another 10 million underemployed and discouraged workers who need work. We need a simpler tax code that businesses can navigate, not a more complicated one, riddled with incentives for employers to hire one particular group over another. The endless morass of tax credits and loopholes is exactly what is wrong with our Tax Code. We should also repeal ObamaCare and Dodd-Frank, which are proven job killers. We will have a chance to vote on that later today. We need to open more domestic energy resources.

The answers are right in front of our faces. But, instead, we are pandering to different political groups with programs that have proven to be ineffective. We are giving more false promises to Americans in order to benefit political ends.

All Americans deserve the same opportunity to get hired. I cannot support this tax credit because I do not believe the government should privilege one American over another when it comes to work. I am deeply thankful for the courageous and selfless service

of our veterans. They have performed for our country a service, and we will always be indebted to them. Above all, I am thankful for their sacrifices to protect freedom and equal opportunity in America. But we do not pay them back for their service and sacrifice with false promises of government programs that have been proven not to work.

Let's be honest with our veterans and with all Americans and do what we need to do to fix this economy.

Thank you, Madam President. I yield back and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COONS. Madam President, I rise today, on the eve of Veterans Day, to speak on behalf of those who have fought for our country only to return home to find that their fight must continue, this time their fight for a job, for employment. I rise today to offer my support on the floor for the VOW to Hire Heroes Act, which I believe is now before this body.

I am a cosponsor of this bill, because as a nation we must do more to appreciate, to support the service of our returning heroes, and to help them to fully recover from their service abroad by returning to meaningful employment in the civilian sector.

We have not had as many servicemembers coming home from military service abroad in a long time. Unfortunately, so many of them come home to a bitterly slow recovery from the great recession. The employment rate among all veterans from service in Iraq or Afghanistan is now 30 percent higher than the national unemployment rate. It is at roughly 12.1 percent. That means nearly a quarter million veterans who are unemployed.

This bill is about equipping them, equipping them effectively to return home to full employment. We have a tremendous asset in the highly trained, highly skilled, highly motivated veterans we have deployed overseas in the service of freedom and who are now returning home seeking service in employment with America's businesses.

We are talking about men and women who are real leaders, tested leaders who have learned something useful about managing people through some of the most difficult situations imaginable, folks in whom we invest hundreds of millions of dollars every year, year in and year out, in training them and equipping them—billions of dollars in equipping them to the highest service levels when we send them overseas. We should invest comparably in making sure that that training, that equipment, is relevant as they return home.

This summer I hosted a roundtable in Delaware on veterans jobs. Nineteen

participants came from a wide range of sectors: from the military, from labor, from businesses, from all sorts of different civilian support organizations that work with our returning veterans. As we had a long and productive conversation, the message was loud and clear: We can and should incentivize private businesses to hire veterans. We can help connect the private sector—these businesses across America—with veterans whom they want to hire. And we can and should do a better job of helping returning veterans transition to civilian service.

In Delaware and across the country, we have had some great programs in the past: Helmets to Hard Hats, for example, one with which I became familiar in my previous service in county government, that connected folks in the building trades who wanted to welcome into their ranks veterans returning from recent service, with those who have served our country honorably overseas and are now home fighting for jobs.

There is also the Employer Support of the Guard and Reserve, or ESGR, with which I regularly communicated as county executive and continue to offer my support as Senator, that helps make sure those who serve overseas in the Guard and Reserve know that their employers understand and respect their legal obligations and their moral obligations to provide employment opportunities comparable to those they had before they deployed.

We also had participating in this important conversation this summer Delaware companies that have made a public pledge to hiring veterans, Summit Aviation in Middletown, JPMorgan Chase, with a very large presence in Delaware, which has made a very real and sustained commitment to hiring returning veterans.

We have a jobs crisis in America. Today, Delaware's veterans unemployment rate is 8 percent. While that is good compared to the national average, 8 percent should not be a good number. In my view, this Congress could have no higher priority than helping Americans get back to work and in that priority helping America's veterans get back to work.

The bill we are on today is the fourth major jobs bill full of ideas, many of which originally came from the other side of the aisle for job creation that we have introduced and considered—the American Jobs Act, a bill that would put public safety workers and teachers back to work and sustain their public service role; a bill that would invest in the infrastructure bank and public dollars for infrastructure all over this country—and all of these bills have been blocked—not defeated but blocked, prevented through filibuster from even coming to the floor. If ever there were a jobs bill that has earned bipartisan support, it is the one this body will vote on later today. Today, we have an opportunity to make it easier for our veterans to find jobs, and

I am encouraged by very real signs that this bill may pass, so that all of us can go home tomorrow to our States, participate in Veterans Day ceremonies, having voted for a bill designed to help so many of America's service men and women ease their path back to full employment in the civilian economy. I believe we owe them nothing less.

This bill offers tax credits to businesses in the private sector that would hire veterans. It guarantees servicemembers access to training designed to facilitate their transition to civilian life, and allows them full use of the skills they have gained in service to our Nation, and it cuts through some of the bureaucratic redtape that has made it difficult for veterans to get access to Federal resources.

I am proud to be a cosponsor of this bill, just as I was proud to cosponsor with Senator MURRAY of Washington the hiring heroes act this spring. We owe it to America to work more aggressively together, across the aisle, in confronting this ongoing jobs crisis. I urge my colleagues to vote in favor of the VOW to Hire Heroes Act today.

#### OBTAINING PERMANENT RESIDENCY

Madam President, I also wish to take another few minutes to discuss a bill that I hope will pass the Senate later today on a similar topic. It is a small bill addressing a complicated issue, but it will make a big difference in the lives of many of our servicemembers.

When an American marries a foreign national, an immigrant, and that immigrant decides he or she wants to become an American citizen, they begin a process of obtaining permanent residency, of applying for and seeking a green card. Before the 2-year mark in that process, the couple must fill out a form together and appear for an in-person interview. You have a 90-day window to file that paperwork and another 90 days to appear for this in-person interview together. Here is the problem. What if you are in the military and deployed abroad. What if the American in this couple is in a war zone and cannot make it back to the United States in that limited, tightly defined 90-day window for an in-person interview. You might miss your opportunity for you and your spouse to have the interview and secure his or her green card in this United States.

Our soldiers, in my view, have enough to worry about without adding this to the list. The bill we will offer later today is a simple fix. My colleague, Senator GRAHAM of South Carolina, and I have introduced a bill that Congresswoman ZOBY LOFGREN introduced in the House earlier this year. It would give our servicemembers the flexibility to wait until after their deployments have concluded in order to conduct these in-person interviews. That measure passed the House of Representatives 426 to 0. It is my hope it will also pass this Senate unanimously tonight.

We are blessed in this Nation to be served by volunteers, by men and

women who go to the other side of the world to serve us in the interest of freedom. The two bills I have spoken of here on the floor today are things that we can and should do together across the aisle to advance their interests in having the enjoyment of liberty for which they sacrificed so much.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Oklahoma.

Mr. INHOFE. I ask unanimous consent that at the conclusion of the remarks from the Senator from West Virginia, Mr. MANCHIN, and the Senator from Indiana, Mr. COATS, that I be recognized as in morning business.

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

The Senator from West Virginia.

#### EPA DEADLINE EXTENSION

Mr. MANCHIN. Mr. President, I rise today to speak about a very real problem, making sure that we do everything we can to protect jobs, safeguard our environment, and make sure utility companies can provide reliable and affordable electricity from our domestic resources. There are two EPA rules that are at the heart of this issue. One is the utility MACT rule, which would require a decrease in mercury emissions at powerplants, and the cross-State air pollution rule, which would require powerplants to lower emissions of pollutants that may reduce air quality in neighboring States.

Some utilities have already complied with these rules. Many have not. You can put the blame for the past sins on anybody and everybody, and we seem to do it well here from time to time. This is not what we are here for today.

My good colleague and my friend from Indiana will be speaking after me. This is truly a bipartisan effort trying to bring reasonability and common sense to this subject. But we have proven here in this body time and again that you truly cannot fix it if you blame people for it. What we intend to do with our legislation is truly fix the problem.

Let me be clear. I believe both of these rules aim to accomplish important objectives. But as they are written, they are nearly impossible to realize. If we do not extend the deadline for utilities to responsibly comply, we are going to lose the jobs and the reliability of the electricity we depend upon, and that hike of rates to consumers will be unimaginable. So we need to find a balance with our economy and the environment. That is why I am proud to stand today with my friend Senator COATS, a Republican from Indiana, to offer a commonsense solution to this problem, and to move forward with responsible, reasonable legislation that would get plants in compliance.

We are offering a bill today which is called the Fair Compliance Act of 2011, which has broad support from labor

and industry and across the aisle. It is rare for so many groups with different points of view to come together behind a bill, but let me give you a list of some of our supporters: the Building and Construction Trades, the International Brotherhood of Boilermakers, International Brotherhood of Electrical Workers, United Mine Workers of America, AES, American Electric Power, Enerfab, the Electric Reliability Coordinating Council, to name a few.

I believe this bill provides a reasonable, responsible extension of the deadlines, while also protecting our most important priority, our environment and our responsibility to the environment, the reliability of our electric grid, the consumers who have to buy energy and can only afford to pay a reasonable price, using our own domestic resources so that we depend less on foreign energy and, most importantly, the thousands of jobs that are on the line.

I yield the floor for my friend from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I thank my colleague from West Virginia, Senator MANCHIN, for joining with me to produce a bipartisan, commonsense solution that is supported by both industry and labor, a piece of legislation that will ensure that the provision established through the Clean Air Act relative to the emissions of sulfur dioxide, nitrous oxide, mercury, and other emissions will not be reduced and eliminated.

We do nothing to stop the progress that has been made over many years in regard to cleaning up our air. We should be proud as Americans that we have taken the steps necessary to produce a cleaner environment, to eliminate toxic pollutants in the air. Over \$100 billion has been spent by industry to retrofit their energy-producing plants with equipment that reduces and eliminates these pollutants. So we are not here today to advocate in favor of pumping more toxins into the air. We are here today to say we need a reasonable provision in place that would allow these industries to continue to spend the billions of dollars they are spending and do it in a timely manner so that we can reach the goal established through the Clean Air Act and other regulations.

But I think this current regulation we had a vote on—the Paul resolution—less than an hour ago, which came close to passing, now sets the stage for this particular provision, which the Senator from West Virginia, JOE MANCHIN, and I have cosponsored.

The Fair Compliance Act simply says that we want to continue to meet those standards, but we need to do it in a time-sensitive way so that industry can comply with the necessary procedures to arrange the plans, hire the contractors, and install the equipment. The timeline proposed by the EPA is