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Senate

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.

Almighty God, the center of our joy, guide our lawmakers through this day by Your higher wisdom. Give them the clarity of thinking needed to solve the complex problems of our time. As they depend on Your words and guidance, give them peace that comes from knowing they are instruments of Your glory. Lord, help them never to be silent in the presence of injustice or impurity. Replace fear with faith, falsehood with truth, and greed with justice.

We pray in Your holy 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 13, 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 2 hours. The Republicans will control the first half and the majority will control the final half.

Following morning business, the Senate will begin consideration of S.J. Res. 10 and S.J. Res. 24, both resolutions regarding balanced budget amendments. The Republican leader and I, yesterday, arrived at an agreement that we would have 8 hours of debate on this matter, and I think it should be a good debate. People have been looking forward to this debate for some time. Some are more interested than others, and this should give them ample time to say whatever they feel about this issue that is ripe for debate in the Senate and certainly the votes we will have tomorrow morning.

The Senate will recess this afternoon from 12:30 p.m. to 2:15 p.m. for the weekly caucus meetings.

MEASURE PLACED ON THE CALENDAR—H.R. 1633

Mr. REID. Madam President, H.R. 1633 is at the desk and due for a second reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 1633) to establish a temporary prohibition against revising any national

ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings on this matter at this time.

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

WORKING TOGETHER

Mr. REID. Madam President, in the last month, Republican leaders have repeated this mantra over and over: We support a payroll tax cut for working families. But we have not seen any proof of this yet. It has only been talk.

Senate Republicans have twice voted down their own payroll tax proposal, and House Republicans were unable to bring their plan to a vote for weeks. We understand they are going to have a run at that tonight.

I have served in the House of Representatives. When I served in the House of Representatives, no one would ever consider pushing something through with a majority of the majority. When I served there, Bob Michel was the Republican leader, Tip O'Neill was the Speaker, Jim Wright was the majority leader and the Speaker, and they always worked together on a bipartisan basis to get legislation passed. It is only a new thing that now the Republicans are saying: We are not going to pass anything unless we can do it on our own. That is unfortunate.

I spoke to the Speaker yesterday. I have the highest regard for him. I consider him a friend. But I said to him, as seriously as I could, we are not going to finish the work for our country this year unless we work together. You cannot pass anything in the House unless you get Democratic votes because anything you pass with strictly Republican votes fails over here; and over

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



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here we cannot pass anything unless we get Republican votes. It is a fact of life.

We have issues we have to complete this year. So we have to understand, as I explained to the Speaker yesterday, we are going to have to do this together. We cannot magically say 53 Democrats are going to pass something here. In the House, even though the Republicans have a majority, they know we have a bicameral legislature, and they have to get something passed over here also.

I am very disappointed in what the Speaker has done to get a vote over there that he thinks will pass. He keeps adding ideological candy to the proposal. Last week, they were supposed to have a vote. At that time, they could not get the Republican votes to do it. I suggested they go to either the former Speaker, NANCY PELOSI, or STENY HOYER, the minority leader over there—I do not know the exact title—but the two leaders, PELOSI and HOYER, and the suggestion was turned down.

This ideological candy they have added to this bill to get rebellious, rank-and-file Republicans on board is not going to sell over here.

They recently added a provision to fast-track the controversial pipeline proposal attractive to the tea party, which is not opposed by President Obama. It is not opposed by him. He is saying this is such a big deal that, for example, the State of Nebraska feels it would—unless there are some major changes made—badly damage that most important aquifer we have in that part of the country. In fact, it is probably the biggest, most important one we have anywhere in the country.

So as was announced yesterday by the Secretary of State, she said: If the Republicans are trying to push this on me, I cannot make a decision in 3 months. That is what the legislation calls for. If they do that, I will have to turn it down. The Secretary of State has said that in writing.

In effect, as some have said, what they are trying to do is kill the hostage. The hostage is the Keystone Pipeline. If they push this through, it is bound and doomed to failure.

But to tell everyone where they are coming from—they, the Republicans—JIM JORDAN, who is a Republican Congressman, said about the Keystone Pipeline:

Frankly, the fact that the President doesn't like it makes me like it even more.

I repeat, the President has not said he does not like it. But as a result of what has happened in Nebraska and other places along that pipeline, there are some major studies that need to go forward.

President Obama and the Democrats in the Senate have already declared the House legislation dead on arrival. Yet—after weeks of delay—Republicans are going to vote on it tonight. They are wasting time catering to the tea party folks over there, when they

should be working with us on a bipartisan package that can pass both Houses. We have offered solutions—serious, good-faith proposals with bipartisan support.

If Republicans continue to block these reasonable plans to cut taxes for 160 million workers, there, of course, will be consequences. Middle-class Americans will notice when they open their paychecks in January they will have less money to spend, and they will have Republicans in Congress to blame—no one else.

Also, for the third time in 2 weeks, Senate Republicans have filibustered a qualified nominee, one of the President's nominees.

Last night, they blocked confirmation of Mari Aponte to serve as Ambassador to El Salvador—the job she already has. She has done it well for 15 months. She has finalized an important international anticrime agreement with the people of El Salvador and forged a strong partnership with El Salvador in many different areas during her time as Ambassador.

I hope the Republicans will come to their senses before her term expires at the end of the year and approve this good woman.

I had a Republican Senator come to me after the vote and say he believed Republicans wanted to vote for her, and he was glad I moved to reconsider the vote. I hope that, in fact, is the case.

Last week, Republicans blocked the nomination of Richard Cordray to serve as head of the Consumer Financial Protection Bureau—the Consumer Financial Protection Bureau. Mr. Cordray has a record of protecting consumers from predatory lenders.

Two days before that, Republicans blocked the nomination of Caitlin Halligan to be on the Court of Appeals for the DC Circuit. She is an exceptionally well-qualified person, with a great resume, an exceptional legal mind. She was blocked.

All three nominees were qualified. All three had bipartisan support. All three were committed, enthusiastic public servants. Yet Republicans opposed their nominations for one purely partisan reason: to deal a blow to President Obama.

This kind of Republican obstructionism has, unfortunately, become very commonplace. But it also has consequences, and Republicans aiming to hurt the President have once again harmed our country instead.

RECOGNITION OF THE MINORITY LEADER

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

A BALANCED APPROACH

Mr. MCCONNELL. Madam President, today the House of Representatives will vote on a bill that extends the

temporary payroll tax cut as well as unemployment insurance and which will not add a dime to the Federal deficit. In other words, the House bill would do both of the things the President and Senate Democrats have described as their top legislative priorities before the close of this year.

So it was surprising, to say the least, to read this morning that President Obama and my friend, the majority leader, are now plotting to block this very legislation—even to the point of forcing a Government shutdown—over the inclusion of a job-creating measure that the President thinks will complicate his reelection chances next year.

That is what is happening in Washington this week, and the American people need to know about it. So let me repeat what is unfolding right now in the Capitol.

Yesterday, the members of the Senate Appropriations Committee—Democrats and Republicans alike—agreed to a spending bill that would fund the government through the end of the fiscal year; that is, next September 30. Today, Republicans in the House will consider a bill that contains the President's top priorities: an extension of the payroll tax cut and unemployment insurance.

But here is the problem: The House bill also includes a provision to accelerate construction of the Keystone XL Pipeline, a project that has been described as the biggest shovel-ready project in America. Evidently, the President does not want this project approved before his election next November—because a small faction of very liberal voters he is counting on to get reelected do not like the pipeline.

We have already had 3 years of environmental studies. This project was not only ready to go from an environmental point of view, it is shovel ready. It will produce jobs almost immediately, as soon as the President signs off on it.

Here is a project that would create tens of thousands of jobs, as I indicated, right away. It also would not cost the taxpayers a dime to build. It is being built by the private sector. It would reduce the share of energy we import from unfriendly countries overseas, and it is a project which everybody from labor unions—labor unions—to the U.S. Chamber of Commerce says they support because it would create tens of thousands of jobs right away.

The Teamsters support getting the pipeline started right now. The AFL-CIO supports getting the pipeline started right now. This is the kind of project the Democrats themselves, including the President, have been saying all year they want.

But the Presidential campaign seems to be getting in the way, to the point that my friend, the majority leader, now says he is willing to hold up a bipartisan bill to fund our troops, border security, and other Federal responsibilities rather than letting the President