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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Eternal spirit, You are our strength and song. Who is like You, majestic in holiness and wondrous in mighty deeds? Give our Senators this day understanding minds to legislate responsibly. As they seek to govern in a way worthy of Your goodness, guide them by the light of Your truth. Infuse them with Your perfect peace as they keep their minds focused on You. May they overcome cynicism with civility in their relationships and work.

O Lord, we wait for You and acknowledge that You alone are sovereign. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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, March 8, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico 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. Mr. President, following leader remarks, the Senate will be in a period of morning business for an hour—The majority will control the first half, Republicans the final half. Following morning business, the Senate will resume consideration of the surface transportation bill.

As most know, late last night we reached an agreement to move forward on the highway bill. Under the order that has been issued, I can schedule those votes anytime after consultation with the Republican leader, so we have some 30 votes to complete today. We will see how this works. I think we will have the first vote about 2:15 today and start working through these amendments.

There is not going to be a lot of debate, so if anybody wants to speak on these amendments they better come over after the morning business hour and start telling people how they feel about some amendments, because there is not going to be a lot of time during the voting on the amendments.

MEASURE PLACED ON THE CALENDAR—S. 2173

Mr. REID. Mr. President, I believe S. 2173 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 (S. 2173) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

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

SURFACE TRANSPORTATION ACT

Mr. MCCONNELL. Mr. President, last night the two parties reached an agreement on amendments to the highway bill. As the majority leader will indicate shortly, or may already have before I came to the floor, we will be able to move forward on that later today.

I am also happy to report there are a number of strong, very strong, job-creating measures in the mix. One that stands out is Senator HOEVEN's amendment on the Keystone XL Pipeline, that massive private sector project that will create 20,000 jobs almost immediately.

Most Americans strongly support building the pipeline and, of course, the significant number of construction jobs that would come along with it. It is incomprehensible to me that the President of the United States, as I read, is actually lobbying against the Keystone Pipeline amendment. There is a report this morning that the President is personally making phone calls to Democratic Senators he thinks might vote for the amendment, asking them not to. Frankly, it is hard to comprehend how completely out of touch he is on this issue.

Think about it. At a moment when millions are out of work, gas prices are

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



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literally skyrocketing, and the Middle East is in turmoil, we have a President who is up making phone calls trying to block a pipeline here at home. It is almost unbelievable. What we are seeing in Congress this week is a study in contrasts. On the one hand, you have a Republican-controlled House that is about to pass a bipartisan jobs bill that would help entrepreneurs and innovators by getting Washington out of the way, and today we have a Democratic-controlled Senate trying to line up votes against an amendment that would create jobs, and a Democratic President lobbying against the biggest private sector job creation project in our country.

We have an opportunity to work together to create jobs. We can do that with these amendments and we can do that by taking up the bipartisan jobs bill the House will pass later today.

Let me say a word about that. The bipartisan jobs bill the House will pass later today is supported by the President. It is ready to go. I hope that once it gets over to the Senate we will simply take it up and pass it. It is an example of a measure supported by Republicans and Democrats and the President that we believe will clear the House with a very large majority. I think the sooner we pass that here in the Senate and send it down to the President for signature, the better.

I yield the floor.

THE ACTING PRESIDENT pro tempore. The majority leader is recognized.

SURFACE TRANSPORTATION ACT

Mr. REID. Mr. President, I was reminded this morning as I came to the floor about an old standard political joke. When I looked at my papers I had here, my outline of what I was going to say, I was missing a page. That is what the Republican leader and I were joking about here this morning. That is why he went first, because I didn't have my speech. The old political joke, as we have all heard many times—this politician was giving a speech and he is flipping through his pages and he is in the midst of giving it. After he gets wound up in his speech, he is going through the speech and he is waving his hands and shouting and he comes to the third or fourth page of his speech and it says: "You are on your own, you SOB." His speechwriter had had enough of him.

But that is not what happened here today. Phoebe prepared the speech for me and I left a part of it in my office.

I am pleased to say Democrats and Republicans reached an agreement to advance the highway bill that has been before this body for a month. It is a bipartisan bill. As I have said here over this past month, this is a piece of legislation that was prepared the way legislation should be prepared. A very conservative Member, JIM INHOFE from Oklahoma, and a very liberal Member, BARBARA BOXER, managed this bill. They have worked very hard.

Just a little side note; as we were struggling, trying to come up with these amendments, I was happy to hear from BARBARA BOXER. She said to me privately: I have talked to Senator INHOFE and he thinks, as we are coming to this agreement, this is not what should be done.

That was important to me in reaching consensus on how we move forward on this bill. As I have said many times, not everything we do this year should be a big fight. We should be able to move things forward without waiting for a month to get things done. This bill is truly indicative of how we have to get these done and why I appreciate the cooperation of Senators BOXER and INHOFE.

We have a dilapidated system of highways. We have 70,000—I am not misspeaking, not 7,000—70,000 bridges in America that are in dire need of repair—or replacement even. Twenty percent, 1 out of every 5 miles of your roads in America are not up to safety standards. Thousands of pedestrians are killed because they relied on unsafe sidewalks or nonexistent sidewalks.

Every day millions of Americans—a disproportionate number who are low income, minority, disabled, or old—are forced to rely on overcrowded mass transit systems, straining to meet the demands of a growing ridership. America's crumbling infrastructure is a terrible drain on our economy.

A number of years ago when my wife and I took a few days off around Christmas in southern California, rather than fly back I thought why don't we drive back to Las Vegas. We did that. This was a couple of years ago. I hadn't done it in a long time. I-15, this famous road, was jammed. We came to complete stops on a number of occasions coming back from San Diego to Las Vegas. Think about that, a complete stop. There were trucks on that road. Drivers were being paid for their time on the road. The cargo they were hauling needed to get someplace. It is not only someone wanting to take a vacation, coming to Las Vegas; it is what it does to commerce to have these roads that are in a state of disrepair. So this crumbling infrastructure certainly is a drag on our economy.

But rebuilding this infrastructure will have the opposite effect. Investing in our transportation system will save or create almost 3 million jobs. This legislation has to be completed before the end of this month or we have no way of collecting the taxes; when you buy a gallon of gasoline, that funds what we need to do here to repair our roads, bridges, et cetera.

This is not some wild program invented in the last few months here in Washington. This is a program that was initiated by President Eisenhower. This week I received a letter from an organization called I Make America. It is a group of more than 850 businesses and 20,000 individuals who support this transportation bill. Many people across this country, some in this Chamber,

would write off the rest of this Congress, but I am not going to do that. We have a lot more to do and we need to get it done. When we complete our work, we need to look back and say what has happened that is good.

"There is no single piece of legislation now before Congress that will do more to create American jobs and sharpen our global competitiveness" than this legislation said Dennis Slater on behalf of I Make America, the program I just talked about.

We need to push this bill over the finish line and I think the finish line is now in sight. This is one of the most important pieces of legislation we can consider. I indicated earlier why. But even as I recognize the bipartisanship that made this progress possible, I will sound a note of caution. Eighty-five Senators voted to begin on this legislation. Only a handful—it wasn't 15, because we had absent Senators that day—said we should not begin voting on it. Yet it has taken a month to begin voting on the amendments. Republican leaders have wasted weeks of the Senate's time directing this valuable jobs bill to extract purely political votes on unrelated matters, completely unrelated matters. Weeks were wasted on this vital legislation with an iconic attack on women's health.

I suggest to the Republican leader who just left the floor, if it takes more than a month to pass a noncontroversial, bipartisan bill that is supported by almost 90 Senators, how can we ever expect to get anything more done?

We have to. We have much more to do. Americans are not satisfied with the glacial pace of this body and neither am I. Americans are tired of delay tactics and obstructions and so am I. People across the country and in this Chamber would write off this Congress and say we have done enough. I am not going to do that.

When we complete this legislation on the Transportation bill, we have other work to do. We have a score of judges who are waiting, some of whom have been waiting since last year. We have to do something about the post office. The Postal Service in America has changed. People don't pay their bills the way they used to; they don't send letters the way they used to. We have to reorganize the post office. We have to do that.

We had a demonstration in the classified briefing room to talk about what is going on in America and what could go on in America with bringing down our country. The demonstration last night dealt with electricity, but it could be banking. It could be our hospitals. We have to recognize that we now have new enemies in the world, not enemies who are flying airplanes and dropping bombs and shooting us with bullets, but they are prepared to do something that is so damaging to our economy, and we were given that illustration last night.

We have a cybersecurity bill we have to bring to the floor, which is another