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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

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

Let us pray.

Lord God Almighty, the Psalmist tells us, "You have been our dwelling place throughout all generations. Before the mountains were born or You brought forth the Earth and the world, from everlasting to everlasting to everlasting, You are God!"

On this first day of spring, we applaud Your creative genius and relish the beauty of this land. We are so thankful for Your love and grace.

Lord, we depend on You to make known to our Nation's leaders Your plan to prosper us and to give us a future and a hope. Move in Your mighty power and restore in our Senators a faith in the wisdom of Your Word. Inspire and equip them to seek Your wisdom and to pray for Your favor as we align ourselves with Your perfect will.

Restore faith to the fearful, joy to the broken-hearted, and comfort to the afflicted. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS 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, March 20, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. COONS 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, every morning I go out to do my exercise. This morning I started out the door and there was a crash of thunder and lightning, so I decided to do my exercise inside. When I got into the gym, I could watch TV and I could see these storms in another part of the country—really violent storms. When I got back to my house, my wife indicated that Senator SCHUMER called. They were stuck on the tarmac in New York, so I knew at that time we were going to have some problems here with scheduling.

Following leader remarks this morning, there will be a period of morning business for 1 hour, with Republicans controlling the first half and the majority controlling the final half. Following morning business, the Senate will begin consideration of H.R. 3606, the capital formation bill. The filing deadline for all second-degree amendments to the Reid substitute and the Cantwell amendment is 11 o'clock today.

ORDER OF PROCEDURE

The reason I am mentioning the storm situation is the votes we had

scheduled for 11:30 today are going to have to be moved to this afternoon, because we have a number of people who can't be here, through no fault of their own. So I ask unanimous consent that the cloture votes that are currently scheduled to occur at 11:30 now begin at 4 p.m. this afternoon; that if cloture is invoked on an amendment or the bill, postcloture time be counted as if cloture were invoked at 12 noon today; and that the recess at 12:30 be until 2:15 to accommodate the weekly caucus meetings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. The official photograph was expected to be today. We will try to do it later this afternoon. We will put everybody on notice about that, and I will consult with the Republican leader about the votes and about the other matters we are going to have to reschedule.

MEASURE PLACED ON THE CALENDAR—S. 2204

Mr. REID. Mr. President, I ask unanimous consent that there be a second reading of S. 2204.

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

The legislative clerk read as follows:

A bill (S. 2204), to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

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

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

EXPORT-IMPORT BANK

Mr. REID. Mr. President, for many years now the Ex-Im Bank, which is referred to as the Export-Import Bank, has helped American companies grow

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



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and sell their products overseas. For those same years the Ex-Im Bank has enjoyed broad bipartisan support. It was a good idea when it started and it is still a good idea.

When it was last authorized in 2006, the Ex-Im Bank passed the House by voice vote and the Senate by unanimous consent. The unanimous consent request was offered by a Republican Senator. So when Senate Democrats brought the reauthorization of the Ex-Im Bank before the Senate last week, we hoped the legislation would proceed with bipartisan, bicameral support as it did in 2006. After all, the measure will support about 300,000 jobs annually and help American exports continue to compete in the global economy. It passed the Banking Committee here in the Senate unanimously. It had three Republican cosponsors and is backed by the National Association of Manufacturers, the Business Round Table, the U.S. Chamber of Commerce, and various labor unions, including Machinists. It will actually reduce the deficit by \$1 billion.

The Ex-Im Bank is one of the proposals we shouldn't have to argue over. This isn't something that deserves a fight. We should reauthorize it and move on quickly. But I am sorry to say, true to form, the Republican leadership—I am directing that to the House Republican leadership—this morning is once again spoiling for a fight where there shouldn't be a fight. Yesterday House Majority Leader CANTOR called this bill that we are dealing with here to reauthorize the Ex-Im Bank a "partisan amendment."

This bill is cosponsored by the ranking member of the Banking Committee, RICHARD SHELBY. Senator SHELBY has been the chairman of that committee; he is now the ranking member. It is tough to call anything Senator SHELBY puts his name on with a Democrat as partisan.

CANTOR claimed this noncontroversial, commonsense measure is derailing efforts to pass the IPO bill that will expand innovators' access to capital. It is simply not true. Leader CANTOR should check with his Senate colleagues. Many of them understand American exporters need access to Federal financing to stay on a level playing field with global competitors.

Yesterday the senior Senator from South Carolina, LINDSEY GRAHAM, said without the Ex-Im Bank, "Our ability to grow in South Carolina is nonexistent." In 2011, South Carolina exporters sold more than \$130 million worth of goods abroad, thanks to Ex-Im Bank financing.

South Carolina is not the only State relying on the bank to keep business thriving. Nevada companies exported \$33 million of their products last year, thanks to financing from the Export-Import Bank. In 2011, in the Presiding Officer's State of Delaware, the Ex-Im Bank made it possible for firms to sell more than \$39 million worth of goods overseas.

Last year, the Ex-Im Bank supported 300,000 jobs across 49 States and 2,000 cities in America.

China already provides more investment capital to its exporters than the United States, Canada, Germany, and Great Britain combined, as Senator GRAHAM said during his call yesterday. We had a conference call with people concerned about this legislation. So we cannot allow that gulf to widen.

The U.S. Chamber of Commerce says: "Failure to reauthorize Ex-Im would amount to America's unilateral disarmament in the face of other nations' aggressive trade finance programs."

I don't know if ERIC CANTOR has looked at this legislation. What is he talking about? Why does he want to fight about this? Can't we do anything with the Republican-dominated House of Representatives, working together?

The Chamber of Commerce said we do have a choice: We can compete or we can cooperate. We can engage in yet another unnecessary, unproductive battle—and CANTOR is picking a fight, but we are not going to. He has challenged us to a fight. We are not going to fight because this is bipartisan legislation—or we can work together to help American businesses grow and hire. That is what we are going to do. The choice should not be difficult. We do not want a fight.

The Senate will vote on this reasonable proposal today. Almost 300,000 Americans had jobs last year—I repeat—because of this important legislation. I hope those workers come first as Republican colleagues cast their votes today.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, will the Chair announce the business of the day?

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 20 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the second half.

The Senator from Nebraska.

ORDER OF PROCEDURE

Mr. JOHANNIS. Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues Senator PORTMAN and Senator COBURN.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. JOHANNIS. Mr. President, we rise today to engage in a colloquy on an issue that is certainly front and center and has been for a long time in our great Nation, and that is the issue of the health care bill. This bill is hurting working Americans and small businesses, and they are the lifeblood of our economy.

Let me, if I might, talk about a company from Nebraska: Toba, Inc. Toba is located in Grand Island, NE. They are a food distributor in central Nebraska. They employ about 200 to 300 people, depending on the time of the year. It is companies such as this that are the heart and soul of the Nebraska economy.

Tony Wald is the chief executive officer of Toba. He shared with me not long ago that their health care premiums recently increased by 26 percent. Tony's insurance agency talked to him. Of course, Tony wanted to know: What is going on here? What is wrong? Well, the insurance agent said to Tony there were several provisions in the health care law that were the reason for the increase.

Let me put this in perspective. That 26-percent increase is an extra \$188,000 increase that ultimately falls in the laps of the employees of Toba. Hundreds of working Americans will see their premiums go up as a result of this health care law.

Let me point out something that is very obvious. That is a broken promise. Then-Candidate Obama promised that Americans would see their premiums decrease—decrease—by \$2,500 by the end of his first term in office. Well, that has not been the reality. This health care law drives up premiums and Toba is a perfect example of that.

But I need not stop there. Let me talk about Yellow Van Cleaning and Restoration Services in Kearney, NE, just down the road a bit from Grand Island. This small business employs 48 people. The owner is a fine gentleman by the name of Dave Keiter. He believes he has positioned his company correctly to grow it. In fact, some recent market research that was done shows his company is poised for growth. They have done all of the right things to take this small business and lay the right foundation so they can grow.

Dave was faced with a tough choice—a choice not caused by his competitors, a choice not caused by a bad economy. He was faced with a tough choice caused by President Barack Obama and Democrats in the House and Senate who passed the health care bill. What is his tough choice? He had to choose not to expand because he will run smack-dab into the employer mandate if he grows his business.

You see, this mandate requires that employers with at least 50 full-time employees offer government-approved health insurance to their employees or pay a fine of \$2,000 per employee. Dave did the calculation on this—a small