



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, MONDAY, SEPTEMBER 10, 2012

No. 120

Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

Eternal God, Your presence fills us with reverential awe for we find a light in Your commands. Even in darkness, your light dawns for those who love You. And so, Lord, as we begin the next phase of the work of the Senate, give us greater confidence in the power of Your providential purposes. Remind our lawmakers that the hearts of governmental leaders are in Your hands, yielding to the wisdom of Your sovereign will. Help us, Lord, to get to know You and love You so we can serve You as we should.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL 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, September 10, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of

Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

WELCOME BACK

Mr. REID. Mr. President, I welcome everyone back, the staff and Presiding Officer. I hope everyone had a restful and productive month. I look forward to this work period, which will be very short and exact, and I hope we can accomplish a few things.

CLEAR PICTURES

Mr. REID. Mr. President, I wish to take a minute to talk about Congressman PAUL RYAN's arithmetic. It is very interesting. He said he ran a marathon. A marathon is 26.2 miles long. While being questioned by the press, he said he ran it in about 2 hours and 50 minutes. Now, that is pretty fast. I would like to take a minute and apply the Ryan math to my marathon times. I will pick just one marathon time.

I ran the Boston Marathon, and using the Ryan math my time would not have been a world record but within minutes of a world record. I could have made the Olympic team. By using Ryan math, I would have been superb. Well, the Ryan math doesn't work in marathons. As we all know, we can always check someone's math, and his math doesn't work for running a marathon or anything else.

The Ryan math doesn't work with his budgets, it doesn't work with Medicare, and it doesn't work with his tax plan.

It doesn't work with anything he has suggested and opined. It is no more than his little assertion that I guess he thought no one would check. When people run these races, they keep records. For all of my marathons, they have kept records. So as much as I would like to have the Ryan math apply to my marathons, it doesn't work.

The Senate is going to resume its work in a few minutes on the heels of the two conventions. One was in Florida and one in North Carolina. The Republicans used their virtually fact-free convention to showcase the richest style economic policies.

The Democrats took a different approach. I am sure we all had our favorites. I thought Congressman CLEAVER's speech was so terrific. I don't know how many were able to see it, but it was great. He was up there marching. He was just outstanding.

Gov. Jennifer Granholm from Michigan was so good as she explained to everyone about jobs and why Detroit should not have gone bankrupt.

I thought JOE BIDEN's speech was typical for JOE BIDEN. It was wonderful. I admire him so much. I served with him for a quarter of a century. What a good man. He has contributed such valuable service to his country. While talking about his life story, we saw when his son introduced him. Tears were coming from his eyes.

The President's and Mrs. Obama's messages were very clear. They did so well.

In Charlotte Democrats presented Americans with a clear and honest assessment of the challenges we face as a nation and a concrete plan to overcome the problems we have together. That is why President Obama has seen a significant rise in the polls since that convention and all of those speeches—not just his speech but all of them. Even the Republican-skewed Rasmussen poll had him ahead by 5 points.

In fact, we presented Americans with clear choices. It was not a choice between two candidates or two parties; it

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



Printed on recycled paper.

S6023

was a choice between two visions: the Romney vision and the vision we certainly think was pronounced at that convention, the Obama vision and a vision about America's future.

The Republican vision would return us to the failed economic policies that brought us to the great recession. It would return us to 8 years of wars, rumors of wars, and massive debt, everything unpaid for.

We don't want to go back to that. We can't go back to that. It would further tilt the playing field in favor of those who have every advantage, millionaires and billionaires. They already have an advantage. We don't need to give them any more.

President Obama showed a vision of America where every person has a shot at success, where fairness replaces favoritism. His policies led to 30 straight months of private sector job growth. Would we like more? Of course we would.

I met with Harold Schaitberger this morning, general president of the firefighters. He has been working in the field with firefighters. He started out as a firefighter. As a boy, his father died, and before he was old enough to be a firefighter, he actually lived in a firehouse by himself with the rest of the firefighters. That is where he got the idea that was what he wanted to do with his life's work. He has dedicated so much to making America a better place.

In my conversation with him we discussed how we are approaching 1 million people who have been laid off in the public sector. I am sure it has happened in Connecticut. It has happened in Nevada. It has happened everywhere. We thought we had a way of solving that problem.

Mr. President, you voted, I voted, and we thought we should stop the layoffs of firefighters, police officers, and teachers, and we would pay for it and have no more debt. We would pay for it by having a three-tenths of 1 percent surtax on people making more than \$1 million a year. Every Republican voted against public employees. Three-tenths of 1 percent would have taken care of all of that.

I enjoyed my conversation with President Schaitberger. We lamented the fact that all of these public employees have been laid off, and we have to get back to where we can have a public sector where people are not so overworked. I know in Nevada we have too few firefighters, too few police officers, and teachers who have been laid off, and that is a shame.

We have had 30 straight months of private sector job growth. Too bad the numbers are not more than 4½ million, but that is where they are. We lost 8 million jobs in the Bush years, and we have gained more than half of them back. We are making progress. We wish we could do better, and everyone acknowledges that. There is more work to be done. Too many Americans are still hurting.

President Obama has a plan to put more than 1 million people back to work next year. His plan will create jobs for the middle class and not just profits for the CEOs. We all want profits for these companies—and that is good—but we also want to make sure there is a fair program out there and that we do something to stop the middle class from being squeezed so hard. A lot of the CEOs are doing extremely well, and I am happy.

The Dow is up more than 6,000 points since President Obama took office. Meanwhile, Mitt Romney has failed to offer a single concrete idea to get good-paying jobs for American workers.

I watched part of an interview of Congressman RYAN today. It was a replay from yesterday. I think he was on ABC with George Stephanopoulos. All I could see was the back of Stephanopoulos's head, but I think that is who it was. He was saying they want to close these tax loopholes. So Romney has been asked and RYAN has been asked: What loopholes do you want to close? They will not say. It is part of their fictitious math because when they start talking about how fast they ran a marathon or talk about holes they want to plug, they have to give facts. And they have refused to do that.

Do they want to get rid of charitable donations? Do they want to get rid of the deduction for buying a home? They will not say. It is obvious why; they are afraid. So they give the Ryan math and the Romney math, which doesn't add up.

It is no surprise that Governor Romney has failed to offer a single proposal to create a good-paying job. After all, he belongs to the same Republican Party that has put partisan politics ahead of creating jobs for almost 4 years now. In fact, some would say 6 years. We have never had such obstruction in the history of the country. Nothing even comes close.

In the almost 6 years we have had the majority in the Senate, we have had to file cloture 380 times. There were times when the Congress would file cloture a handful of times, maybe 10 times. It has been 380 times in less than 6 years. This is the same Republican Party whose leader has said his No. 1 goal is to defeat President Obama, not create jobs for the American people in the private or public sector.

We have been rolling up our sleeves to put teachers, firefighters, police, and construction workers back on the job. For every \$1 billion we spend as a Federal Government for infrastructure, there are 47,500 high-paying jobs. There are other lower paying jobs that spin off of that. These are not government jobs. We don't send a truck out that says "U.S. Federal Government" on it to do this work. This money goes to the private sector to create jobs.

So while we have been working to try to create jobs, Republicans have been throwing up their hands—or worse, standing in the way of progress. Our

No. 1 goal is to get our economy back on track. I repeat, the Republicans' No. 1 goal is to defeat President Obama. What a shame.

We are resolute in our commitment to restore the economy. That is why we proposed the Veterans Job Corps Act, a measure that fulfills our promise to the brave men and women who dedicated their lives to making our lives safer.

President Obama kept his promise to end the war in Iraq and wind down the war in Afghanistan. The war in Iraq is over, and each year about 200,000 servicemembers reenter the civilian workplace. That is the way it is right now. As this new generation of veterans returns home ready to work, it is our job to make sure they have the opportunity to work and succeed.

The bill that is now before the Senate, the Veterans Job Corps Act, will reinvest in our returning servicemembers, easing the sometimes difficult transition back to civilian life.

The measure will also offer priority hiring for veterans who want to become first responders. As we have talked about already, these include firefighters, police officers, and EMTs. It will also create jobs for veterans restoring forests, parks, coasts, and public lands. These are really good jobs. These are really important jobs. We tried this once before when we were really struggling as a country during the Great Depression. We had the Works Progress Administration. We had the Civilian Conservation Corps. In my little town of Searchlight, NV, there were numerous projects that were developed by these individuals during the Great Depression. They would fix watering holes, put in windmills, build walkways, and many of these things are still in existence. So I commend the senior Senator from Florida, Mr. BILL NELSON, and the junior Senator from Montana, Mr. JON TESTER, for their work on this legislation. Unfortunately, we once again face Republican obstruction.

I repeat something I said a few minutes ago. Since we took control of the Senate in 2006–2007, Republicans have mounted an unprecedented 380 filibusters. This is outrageous. This obstruction exceeds anything we have ever seen before in the Senate. This is not using Romney-Ryan math; these are actual, valid numbers. By comparison, in Lyndon Johnson's 6 years as majority leader—I could ask everyone here to take a guess as to how many filibusters he had to overcome. Remember, these were the years when he was President and we had the civil rights stuff going on and all kinds of problems. Everyone would fail the test. He had to overcome one filibuster. I have been faced with 308.

I hope Republican colleagues will join us tomorrow as we vote to advance this measure. It is too bad we have had to file cloture on moving to proceed to this bill. The heroes who fought for their country overseas shouldn't have to fight for jobs once they get home.

Tomorrow marks the 11th anniversary of the September 11 terrorist attacks. The date is a reminder that through over a decade of war, the bravery and dedication of America's Armed Forces has never wavered. It is a reminder that our commitment to those fine young and women should never waver, either.

VETERANS JOBS CORPS ACT OF 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 476, S. 3457.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 476, S. 3457, a bill to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 5 p.m. today the Senate will proceed to executive session to consider the nomination of Stephanie Marie Rose to be U.S. District Judge for the Southern District of Iowa, with 30 minutes of debate equally divided and controlled. At 5:30 p.m. there will be a rollcall vote on the Rose nomination.

MOMENT OF SILENCE

I ask unanimous consent to have a moment of silence at 4:55 p.m. today for the 40th anniversary of the Munich Olympics massacre.

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

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

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

MORNING BUSINESS

Under the previous order, Senators are permitted to speak for up to 10 minutes each.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONVENTION RESPONSE

Mr. KYL. Mr. President, I would like to speak about two claims that were made at the recent Democratic Convention that I believe require a response. Obviously, the Republican Convention went first and they did not have an opportunity to respond to everything that was said, but I think there are two things, as I said, that were claimed that just are not true. The first is that Republican policies caused the economic recession, so that in the Democrats' view electing Governor Romney would simply return us

to those same, allegedly, failed policies. Second, it was said by several spokesmen on the Democratic side that there were no new or big ideas coming out of the Republican Convention, so you might as well give President Obama another 4 years in office. I would like to respond to both of those claims.

First, President Obama and his supporters would like Americans to believe that the so-called Bush tax cuts, deficits, and deregulation caused the great recession. Those are the Republican policies that got us into the mess, they say. The facts show this is not true. As James Pethakoukis of the American Enterprise Institute asks, if the 2001 and 2003 tax cuts caused the great recession, then why does President Obama want to keep most of them? And why did he sign a 2-year extension of those tax cuts a year and a half ago? That is a good question.

Obama supporters also claim that huge deficits resulting from these 2001 and 2003 bills caused the recession. But here are the facts. According to the Congressional Budget Office—non-partisan—the 2001 and 2003 tax relief has only been responsible for 16 percent of the swing from surplus to deficit that they had estimated. If you look at the upper income tax relief only, that relief makes up just 4 percent of the swing. So it is impossible to say the tax cuts on the rich caused the recession. The maximum that the Congressional Budget Office can identify is potentially 4 percent. It is also important to note that since the CBO does not take into account the progrowth effects of marginal tax rate reductions—which all economists agree with—these numbers are even likely smaller than 4 percent.

Over that same period of time, new spending—this is the real problem—and interest on that spending were 12 times as responsible as the upper income tax reductions. So the real culprit here is not reducing the tax rate on Americans and especially those who are in the wealthier brackets but, rather, the new spending in which the Federal Government engaged. That is the cause of the deficits, and that did have an impact eventually on our ability to recover from the great recession.

One other note on this. The rich people, even though their tax rates were cut, ended up paying a far bigger percentage of taxes after the Bush tax cuts. The upper bracket earners paid—according to CBO again, in 2008 and 2009, the years for which they have figures, the top 20 percent of taxpayers paid 90 percent of income taxes—94 percent of income taxes. Before the Bush tax cuts, before 2001, that same top 20 percent paid only 81 percent. So the tax cuts in the upper income tax brackets resulted in an increase in the total dollar amount of taxes paid by the upper income people from 81 percent to 94 percent. So you cannot even make the argument that it was less fair. If anything, the upper income folks obvi-

ously paid a lot more—94 percent of all the income taxes paid.

Now, if deficits are the problem the Democrats are talking about, then President Obama would clearly make the problem worse. Pethakoukis notes:

The most recent Obama budget, according to CBO, would add \$6.4 trillion more to the federal budget deficit over the next decade, leaving debt as a share of the economy stuck at around 76 percent of GDP versus 37 percent pre-recession.

Think about it. The Obama budget leaves us with 76 percent debt as a share of GDP as opposed to 37 percent before the recession. So if debt and deficits are a problem, it is far worse under President Obama's budget than before. But, again, it turns out that is not really what caused the great recession, nor was it the third item that has been pointed to; that is, deregulation.

Deregulation under President Bush did not cause the problem. Pethakoukis writes:

Glass-Steagall ended during the Clinton administration, and studies have found no evidence that any rule changes by the Bush SEC contributed to the financial crisis.

Glass-Steagall is the law that used to regulate how banks made investments. That law was eventually repealed during the Clinton administration. The Bush SEC—that stands for Securities and Exchange Commission, and there are rules changes in every administration for the SEC—he is making the point that there is no evidence that any particular rule change in the SEC had anything to do with the financial crisis.

So it was not the tax cuts, it was not the deficit, and it was not deregulation. What did cause the recession? AEI's Peter Wallison has put it simply this way:

The financial crisis was a result of government housing policy. . . . Fannie Mae and Freddie Mac were the implementers of a substantial portion of the government housing policy.

Now, I would note that Republicans in Congress tried to reform Fannie and Freddie, but we were opposed by Democratic Members both in the House and in the Senate, including then-Senator Barack Obama.

Most experts, I believe, will agree that the biggest reason for the collapse that occurred after 2006 was the housing market—the sale of all of these mortgages that were not worth the paper on which they were written. When that paper was all added together, bundled together and sold in big chunks to investors, and they found out their investment was not worth what they had paid for it, you had a crash and you had several people on Wall Street who went bankrupt as a result of that crash. That is the reality.

The bottom line is that there is no Republican policy that caused the recession, so it is bogus for the President to keep saying Governor Romney would just return us to the “same failed policies.”

The second claim is that there were no new big Republican ideas to come