

Gov't Regulations Curb Small Business Hiring.'

As a Member of the Senate as well as a physician who has taken care of families across the State of Wyoming for about a quarter of a century, I am concerned about jobs in this country, the economy in this country, and also the health care needs of the American people, which is why week after week I come to the Senate floor with a doctor's second opinion about a health care law that was supposed to give people what they were looking for, which was the care they need, from the doctor they want, at a cost they can afford.

Regrettably, what this President and this Senate and this House—at the time controlled by the Democrats—gave them is something very different. So the result of this report today—first line: U.S. small business owners who aren't hiring, that is 85 percent of the 600 who were surveyed, those small business owners who are not hiring are being asked: Why not?

Nearly half the small business owners point to the potential health care costs and government regulations as two big reasons. Those worried about the potential cost of health care: 48 percent. Those worried about new government regulations: 46 percent.

But yet when the President addressed the Nation about health care, what he promised was that if people liked the care they had, they could keep it, and they would see their premiums drop by \$2,500 a year a family.

When I have townhall meetings, I ask how many people believe the health care costs are going to go up as a result of the health care law. Every hand goes up in the room. So the President has misled the American people both in terms of the cost of the health care law as well as he misled the people in regard to regulations. He stood in front of us in the House of Representatives as he gave his State of the Union Address and talked about removing expensive regulations. But that is not what the small business owners, those who create the jobs in this country, that is not what they are finding.

Then the President came out with his budget on Monday. It is his fiscal year 2013 budget. As I have said before, it is "debt on arrival." The Obama budget spends \$3.8 trillion. It runs a deficit of nearly \$1 trillion. It raises taxes by nearly \$1.9 trillion. It is the largest tax increase in the history of our country, and it is the fourth year in a row to run a deficit of over \$1 trillion.

Yet the President goes on. To me, this is another clear example of President Obama's lack of leadership and his bad habit of saying one thing and doing the exact opposite. Instead of saving money, which he promises, he just spends more. Instead of leveling with the American people about our fiscal future, he misleads them.

So I would like to focus on one specific part of this budget. It is the part referring to and regarding the Presi-

dent's health care law. As we all remember, the President promised the American people repeatedly, not just once but repeatedly, that his health care reform would not add a dime to the deficit. Two years later, the American people know that is just not true. In fact, the President's new budget asks for almost \$1 billion—\$1 billion, that is 1,000 million—\$1 billion to fund his health care exchange.

As The Hill newspaper recently reported, "The health reform law did not set aside any money specifically for the creation of the Federal exchanges." Let me repeat that. The health care law did not set aside any money specifically for the creation of the Federal exchanges.

Two years ago, did the President and my friends on the other side of the aisle seriously believe Washington would be able to implement an unprecedented health care exchange for free, that it would just be free? Of course not. But the fact is, they knowingly—knowingly—ignored the costs of the President's major new entitlement program. Why?

To try to score a political victory. What do we know about that victory? We know it is going to be bad for patients, bad for the providers, the nurses and doctors who take care of those patients, and bad for the American taxpayers. The health care law, when it was crammed down the throats of the American people and forced through Congress, we knew it was unpopular then, and we know it is even more unpopular today.

The whole time the Democrats were drafting the bill behind closed doors, right outside this Senate Chamber, they knew it would cost American taxpayers billions and billions of dollars. But they did not want to admit it. They did not admit it. They refused to admit it. So they shaded the numbers. They punted this down the road. Here we are 2 years later and now they are finally trying to pay for it—listed in the President's budget.

To make matters worse, the 2013 Obama budget wants to spend \$290 million for "consumer beneficiary education and outreach" within the exchanges. What does this mean? It basically means they want to educate Americans about the exchanges in the health care law to the tune of 290 million of taxpayer dollars.

I think it is important to keep the American people informed. But my question is: Why are President Obama and the Democrats in Congress focused on educating people about the health care law now? Why? Why didn't they take the time 2 years ago to educate the American people about the exchanges and the costs of doing this?

We know the reason. The reason is because they knew the American people would never support the new law, would never give up their freedoms. Instead, the White House and Democrats in Congress covered up the costs, drafted the bill behind closed doors, and jammed it through Congress.

Now the financial bills are coming due, but the checks are not in the mail. The United States is running out of money and running out of money fast. Instead of proposing a serious budget that would get our country back on the right track, the President has put forward not a serious budget but a campaign document. No matter what he says, he is much more interested in winning votes now than in winning what he calls the future.

Earlier this week, the President spoke to students at a community college. He said his budget would make their futures brighter. I watched on television as he said that. His words could not have been further from the truth. The fact is, the President and his budget will make these students have to work even harder to pay off the Nation's increasingly growing debt. These students and all future generations of Americans will pay for the choices they never made and programs they do not want.

The new \$800 million pricetag on the exchanges is bad, and that is just the beginning. In fact, the cost of the President's health care law is going to continue to skyrocket each and every year. When we are already \$15 trillion in debt, we cannot allow this health care law to move forward. When we look at trillion-dollar deficits for each of the 4 years of the Obama Presidency, we say this cannot continue. Yet when we look at this budget, it adds \$11 trillion to the national debt over the next 10 years.

We need to repeal this health care law. We need to replace it with something that will not make it harder for future generations to get out of debt, and we need to pass a law that will allow Americans to get what they wanted in the first place; the care they need, from a doctor they want, at a price they can afford.

I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam 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.

SECURE RURAL SCHOOLS

Mr. MERKLEY. Madam President, I rise to draw my colleagues' attention to an issue of great importance to our rural communities. If Congress does not act, many of our rural counties will face an increasingly dire state of affairs in the months to come. Across the United States, timber counties are facing local budgets suddenly and deeply in the red. This fiscal crisis could mean reduced schooldays, fewer sheriffs, more offenders on the street, and cuts to other basic county services.

Congress has the power to avert this impending disaster, and Congress must

utilize that power. So we must act without delay to extend the Secure Rural Schools and Communities Self-Determination Act. Secure Rural Schools is not an entitlement program; it is a commitment this Nation, our Federal Government, made to rural forest counties out of fairness and common sense when it determined it would put environmental overlays over large blocks of forest land that we dedicated to timber production with revenue shared with the local county. This contract between the Federal Government and our rural counties has been at the foundation of our National Forest System, and we in this Chamber need to honor it. Many folks come here and talk about how the Federal Government needs to uphold its share of the bargain. Well, this is an explicit contract with our rural counties, and we need to uphold that bargain.

Since 1908—more than 100 years—the Federal Government has appropriately shared timber revenues with counties for the infrastructure they develop because this timber land is in Federal hands and produces no property tax revenue to support that infrastructure.

Let me give some background on what the scale of this issue is for States such as Oregon. Oregon has 2.2 million acres of O&C lands. These lands were granted to the Oregon and California Railroad in 1866 and later reverted to the Federal Government when the railroad failed to live up to its terms of the grant. They also included a class of lands that originated from a similar situation—the Coos Bay Wagon Road lands. These lands make up a large percentage of the acreage in southern and western Oregon. Then there are Forest Service lands—timbered lands owned by the Federal Forest Service—that make up 14 million additional acres across the State of Oregon. When you add it all together, more than half of Oregon's lands are federally owned. That means they do not produce a penny of property taxes to support infrastructure in our rural counties. The O&C lands and the Wagon Road lands were dedicated to timber production, with the counties receiving 50 percent of all revenues. Counties with national forest lands received 25 percent of the timber revenues. This created jobs and a source of money to provide counties with that needed infrastructure.

In the early 1990s timber production began a long decline—a precipitous decline. Trends such as automation and trade hit the sector hard, as they had so many more sectors. On top of this, there were the environmental overlays that dramatically reduced timber harvesting.

To compensate for the newly imposed Federal structure that changed the entire pattern of timber production in our rural counties, our National Government developed the Secure Rural Schools Program to provide payments to counties based on historic timber harvest levels but no longer tied directly to the annual timber harvest.

This type of arrangement is not unique to Oregon, nor are the problems arising from the lapse of the Secure Rural Schools Program. There are a great many States, particularly in the West, where much of the land is federally owned and counties rely on this program and similar programs to support key infrastructure.

It is no wonder that when the Secure Rural Schools payments lapsed in 2006, drastic measures had to be taken to adjust to the loss. Let me give some sense of what this is like in Oregon.

In Josephine County—southern Oregon—two-thirds of the county's general fund came from county payments. So loss of county payments means cutting public safety programs. Overnight, in 2006, patrols were cut down to just six individuals to cover an area the size of the State of Rhode Island.

In Lake County, where Federal lands make up 61 percent of the county, they cut their Federal road department from 42 individuals to 14—14 folks for a road department covering a land area equal to the combined size of Connecticut and Delaware.

In Jackson County, where one-third of the general fund comes from Federal payments, the county eliminated 117 jobs in parks, human services, roads, and public safety, and they closed all of their libraries.

Let me be clear. When the Federal Government fails to uphold the contract it has struck with our rural timber counties, the suffering is intense. It is an embarrassment that we would permit the Federal Government not to fulfill its commitment under this framework.

This impact is so substantial that the Oregon Legislature, when I was serving as speaker, redirected \$50 million in transportation funds to the rural counties. In the year of 2007, I organized a bipartisan, bicameral tour of our most affected counties. We went out to talk to the county officials, and when we came back I advocated for and supported this \$50 million emergency transfer to compensate for the fact that the Federal Government was breaking its contract with the timber counties in America. Let's not let that happen again.

Later, Congress restored this contract. But here we are now, 5 years later, facing the worst-case scenarios all over again. As Yogi Berra said, it is *deja vu* all over again. Because we failed to pass an extension before we left for the holidays, the last payment occurred a few weeks ago and timber counties don't know what is going to happen now. They would like to think folks in this Chamber will honor and support sustaining this Federal contract with our rural timber counties, but this Chamber has to act to make that happen.

The Eugene Register-Guard recently published an editorial about the situation in Lane County, stating:

The emerging picture looks like a multi-car pileup on Interstate 5.

Lane County is facing a \$14 million shortfall. More than half of this—\$7.2 million—will have to be absorbed by the sheriff's office. What does that mean for Lane County? It means the end of 24-hour patrol, with coverage limited to just 16 hours a day. It means so few officers that they would be unable to respond except “to the most serious of crimes.” It means parole and probation supervision will be eliminated for hundreds of offenders and 130 jail beds would have to be closed. In addition, the district attorney's office faces a \$1.9 million reduction in county funding, which would mean the loss of between 12 to 20 employees in the criminal division and potential shutdown of the county's medical examiner's office. And this is one of the counties that is in better shape. Others could go bankrupt as early as June of this year. As the Register-Guard newspaper says, it is “a dire predicament, and in desperate need of help from Congress.”

Rural counties in Oregon and elsewhere deserve to have the Federal Government honor its contract and to have the peace of mind that funds guaranteed to pay for their infrastructure are there—for the roads, for schools, for public safety. In this contract between the Federal Government and rural America, the Federal Government must uphold its end of the bargain. Rural counties have been on a roller coaster for far too long. They have been flying off the tracks. Pick any metaphor you want—a pileup on I-5, a roller coaster or a train running off the tracks—this is the situation in our rural timber counties. And those Members who don't have rural counties have other situations where there are vital Federal commitments. This one must be honored by this Chamber.

The first step is to extend the Secure Rural Schools Program as soon as possible. President Obama has supported and proposed and included in his budget a 5-year reauthorization of Secure Rural Schools and has made it mandatory spending. This short-term funding is a critical bridge to maintain schools and law enforcement in timber counties while we work for a viable long-term, sustainable management solution for Federal forests.

I want to be clear. Timber counties would rather have forest practices that allow sustained production of timber, as these lands were dedicated to. That creates jobs, it supports the whole supply chain, and it provides logs to the independent mills that don't own their own forest land. That is the vitality of rural communities.

My father worked at a sawmill when I was born—Harbor Plywood in Riddle, OR, and I lived in the adjoining town of Myrtle Creek.

Those of us with a timber background understand the essential nature of this Federal contract. We must get it done in this Chamber. I urge my colleagues to support it.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent to speak as in morning business for 10 minutes, and I would ask the Chair to please let me know when 8 minutes has expired.

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

PAYROLL TAX EXTENSION

Mr. ALEXANDER. Madam President, there are reports in some of the newspapers this morning that there is an effort to try to slip into the negotiation about extending the payroll tax break for the next year a big loophole for the rich and for the investment bankers and for most of the people President Obama keeps talking about as people whose taxes he would like to raise. What I mean by this is I have heard there may be an effort to put into the payroll tax agreement a 4-year extension of the so-called production tax credit, which is a big tax break for wind developers. I cannot think of anything that would derail more rapidly the consensus that is developing about extending the payroll tax deduction than to do such a thing. We are supposed to be talking about reducing taxes for working people. This would maintain a big loophole for investment bankers, for the very wealthy, and for big corporations.

We hear a lot of talk about Federal subsidies for Big Oil. I would like to take a moment to talk about Federal subsidies for Big Wind—\$27 billion over 10 years. That is the amount of Federal taxpayer dollars between 2007 and 2016, according to the Joint Tax Committee, that taxpayers will have given to wind developers across our country. This subsidies comes in the form of a production tax credit, renewable energy bonds, investment tax credits, federal grants, and accelerated appreciation. These are huge subsidies. The production tax credit itself has been there for 20 years. It was a temporary tax break put in the law in 1992. And what do we get in return for these billions of dollars of subsidies? We get a puny amount of unreliable electricity that arrives disproportionately at night when we don't need it.

Madam President, residents in community after community across America are finding out that these are not your grandma's windmills. These gigantic turbines, which look so pleasant on the television ads—paid for by the people who are getting all the tax breaks—look like an elephant when they are in your backyard. In fact, they are much bigger than an elephant. They are three times as tall as the sky boxes at Neyland Stadium, the University of Tennessee football stadium in Knoxville. They are taller than the Statue of Liberty in the home State of the Presiding Officer. The blades are as wide as a football field is long, and you can see the blinking lights that are on top of these windmills for 20 miles.

In town after town, American residents are complaining about the noise

and disturbance that come from these giant wind turbines in their backyards. There is a new movie that was reviewed in the New York Times in the last few days called "Windfall" about residents in upstate New York who are upset and have left their homes because of the arrival of these big wind turbines. The great American West, which conservationists for a century have sought to protect, has become littered with these giant towers. Boone Pickens, an advocate of wind power, says he doesn't want them on his own ranch because they are ugly. Senator KERRY, Senator Kennedy, Senator WARNER, and Senator SCOTT BROWN have all complained about the new Manhattan Island sized wind development which will forever change the landscape off the coast of Nantucket Island.

On top of all that, these giant turbines have become a Cuisinart in the sky for birds. Federal law protects the American eagle and migratory birds. In 2009, Exxon had to pay \$600,000 in fines when oil developments harmed these protected birds. But the Federal Government so far has refused to apply the same Federal law to Big Wind that applies to Big Oil, even though chopping up an eagle in a wind turbine couldn't be any better than its landing and dying on an oil slick. And wind turbines kill over 400,000 birds every year.

We have had some experience with the reliability of this kind of wind power in the Tennessee Valley Authority region. A few years ago TVA built 30 big wind turbines on top of Buffalo Mountain. In the Eastern United States, onshore wind power only works when the wind turbines are placed on the ridge lines of America's most scenic mountains. So you will see them along the areas near the Appalachian Trail through the mountains of scenic views we prize in our State. But there they are, 30 big wind turbines to see whether they would work. Here is what happened:

The wind blows 19 percent of the time. According to TVA's own estimates, it is reliable 12 percent of the time. So TVA signed a contract to spend \$60 million to produce 6 megawatts of wind—actual production of wind—over that 10-year period of time. It was a commercial failure.

There are obviously better alternatives to this. First, there is nuclear power. We wouldn't think of going to war in sailboats if nuclear-powered submarines and aircraft carriers were available. The energy equivalent of going to war in sailboats is trying to produce enough clean energy for the United States of America with windmills.

The United States uses 25 percent of all the electricity in the world. It needs to be clean, reliable electricity that we can afford. Twenty percent of the electricity that we use today is nuclear power. Nearly 70 percent of the clean electricity, the pollution-free electricity that we use today is nuclear

power. It comes from 104 reactors located at 65 sites. Each reactor consumes about 1 square mile of land.

To produce the same amount of electricity by windmills would mean we would have to have 186,000 of these wind turbines; it would cover an area the size of West Virginia; we would need 19,000 miles of transmission lines through backyards and scenic areas; so 100 reactors on 100 square miles or 186,000 wind turbines on 25,000 square miles.

Think about it another way. Four reactors on 4 square miles is equal to a row of 50-story tall wind turbines along the entire 2,178-mile Appalachian Trail. Of course, if we had the turbines, we would still need the nuclear plants or the gas plants or the coal plants because we would like our computers to work and our lights to be on when the wind doesn't blow, and we can't store the electricity.

Then, of course, there is natural gas, which has no sulfur pollution, very little nitrogen pollution, half as much carbon as coal. Gas is very cheap today. A Chicago-based utility analyst said: Wind on its own without incentives is far from economic unless gas is north of \$6.50 per unit. The Wall Street Journal says that wind power is facing a make-or-break moment in Congress, while we debate to extend these subsidies. So that is why the wind power companies are on pins and needles waiting to see what Congress decides to do about its subsidy.

Taxpayers should be the ones on pins and needles. This \$27 billion over 10 years is a waste of money. It could be used for energy research. It could be used to reduce the debt. Let's start with the \$12 billion over that 10 years that went for the production tax credit. That tax credit was supposed to be temporary in 1992.

Today, according to Secretary Chu, wind is a mature technology. Why does it need a credit? The credit is worth about 3 cents per kilowatt hour, if we take into account the corporate tax rate of 35 percent. That has caused some energy officials to say they have never found an easier way to make money. Well, of course not.

So we do not need to extend the production tax credit for wind at a time when we are borrowing 40 cents out of every dollar, at a time when natural gas is cheap and nuclear power is clean and more reliable and less expensive.

I would like to see us put some of that money on energy research. We only spend \$5 billion or \$6 billion a year on energy research: clean energy research, carbon recapture, making solar cheaper, making electric batteries that go further. I am ready to reduce the subsidies for Big Oil as long as we reduce the subsidies for Big Wind at the same time.

So let's not even think about putting this tax break for the rich in the middle of an extension of a tax deduction for working Americans this week. Let's focus on reducing the debt, increasing