



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, TUESDAY, NOVEMBER 1, 2011

No. 165

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.

Eternal God, who undergirds our weakness with Your strength, look with favor upon us today. With Your favor, we can face any future with the confident assurance that You control our destinies.

As our lawmakers wrestle with great issues, let Your presence provide them with the empowering experience of inner quiet and certainty. Guide them by Your enabling might that they may maintain their integrity.

Lord, give us all an inheritance, incorruptible and undefiled, that does not fade away.

We pray in Your sacred 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 legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, November 1, 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 resume consideration of H.R. 2112. There could be as many as seven roll-call votes. Likely, there will only be six.

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

There will be a Senators-only national security briefing at 3:30 p.m. in SVC-217. I haven't had an opportunity to speak to the Republican leader, but we will discuss whether we should be out of session during that hour. It is a very important briefing. I will talk to my counterpart to determine whether we should be out of session during that important briefing.

Also, I want to put all Senators on notice that we are going to stick to our timelines on these votes. The first vote will be 15 minutes, with a 5-minute grace period. The rest of the votes will be 10 minutes, with a 5-minute grace period. If people are not here, we are turning in the vote. We have two very important caucuses today and we need to start them. We cannot have the votes dragging on forever. If you have committee meetings, walk out of them. If you have business meetings in your office with constituents, leave and come here and vote. I say to both Democrats and Republicans, we are going to turn in the votes at the end of the expired time. It is not fair to Senators who are here on time to wait for others. Senator MCCONNELL and I have

caucuses today that are extremely important. We need to have the full time. It is the only time we have all week to visit with our Senators about what is going on in the Senate.

MEASURES PLACED ON CALENDAR—H.R. 674 AND S. 1769

Mr. REID. Madam President, there are two bills at the desk for a second reading, I am told.

The ACTING PRESIDENT pro tempore. The clerk will state the bills by title.

The legislative clerk read as follows:

A bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purpose of determining eligibility for certain healthcare-related programs, and for other purposes.

A bill (S. 1769) to put workers back on the job while rebuilding and modernizing America.

Mr. REID. Madam President, I object to any further proceedings regarding these two bills, en bloc.

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

REBUILD AMERICA JOBS ACT

Mr. REID. This week, Democrats introduced legislation that will put Americans back to work rebuilding this Nation's crumbling infrastructure. It will allow us to hire thousands of people to upgrade 150,000 miles of roadways, thousands of miles of train tracks, and modernize our Nation's runways and air traffic control systems. The Rebuild America Jobs Act will invest \$50 billion to ensure that our world-class economy has world-class infrastructure and get this economy working again.

This is not a new issue. It is something that is long overdue. A number of years ago, I conducted a hearing in the

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



Printed on recycled paper.

S6931

Public Works Committee, where we brought in mayors from around the country, from Atlanta, Washington, DC, and other places around the country. They lamented the sorry state of the infrastructure. Sadly, in those approximately 10 years, nothing has been done—nothing.

This commonsense plan we have proposed has enjoyed broad bipartisan support in the past. Many of my Republican colleagues in the Senate have spoken glowingly about what infrastructure investments could do to put people back to work and improve the economy in their States. Yet this week Republicans have raised a hue and cry against our plan because it has millionaires and billionaires—those whose income is more than \$1 million—to contribute their fair share to right our listing economy.

We don't cast a net over millionaires and billionaires, only those who make more than \$1 million a year. The plan would require the richest of the rich in America to contribute a tiny fraction of income to that effort. They would pay a seven-tenths of 1 percent surtax on income in excess of \$1 million a year. If someone made \$1.1 million a year income, they would have to pay an additional \$700 to put America back to work.

Yet my Republican colleagues adamantly oppose this fair and balanced approach because it would require Americans who have done better each year for decades to contribute a tiny fraction more than they do now. These people are the top two-tenths of 1 percent of American taxpayers—two-tenths of 1 percent, the richest of the rich. Yet Republicans have put the interests of these millionaires and billionaires ahead of those who are desperate for work, and it has cost this Nation literally millions of jobs.

It is important that we be clear about who these lucky few millionaires and billionaires are who enjoy the protections of the Senate GOP. Who are they? Here is who they are: the same millionaires and billionaires whose annual aftertax income has increased by 275 percent over the last 3 decades—I repeat, 275 percent. That is not a figure made up out of the blue by some rightwing or leftwing organization. It came from the nonpartisan Congressional Budget Office. These are the same millionaires and billionaires whose annual aftertax income has increased by 275 percent over the last 3 decades.

Between 1979 and 2007, the bottom 20 percent of wage earners saw their wages creep up slowly—18 percent. Meantime, the top 1 percent saw their double again and again and again, to almost a 300-percent increase. The bottom 20 percent of wage earners saw theirs go up 18 percent. The people I have talked about—the millionaires and billionaires—have gone up almost 300 percent. In fact, their share of the Nation's income is higher than at any time since 1928—just before the stock market crash, plunging this Nation

into the Great Depression. Their share of the national income has doubled since 1979. Listen to this. And now they take home more than half of all the money earned each year in this great country, even after taxes. They take home more than half the money earned each year in this country. That means this 1 percent now makes more than the other 99 percent combined. And they are not going to allow us to proceed to create hundreds of thousands of jobs for a tax increase of seven-tenths of 1 percent on the richest of the rich? No one deprives them of their prosperity. They have worked hard, and it hasn't all been inherited money. We understand that. But their tremendous fortunes mean they can afford to contribute a tiny fraction more to shore up the economic future of our Nation.

John D. Rockefeller, Jr., the grandfather of JAY ROCKEFELLER from West Virginia, who serves in this body today, said:

Every right implies a responsibility; every opportunity, an obligation; every possession, a duty.

Seventy-two percent of Americans, including 54 percent of Republicans, support the Democrats' plan to pull this Nation out of the worse recession we have seen since the Great Depression by investing in new roadways, runways, and railways. And 76 percent of Americans, including 56 percent of Republicans, agree the Nation's most privileged citizens should contribute a little more to help pay for it. Democrats, Republicans, Independents, and even the tea party favor this. They all believe in initiatives that we have proposed to jumpstart our economy, but they know the money will have to come from somewhere. They know tough choices must be made. The world out there supports what we are trying to do. The world inside this body, with the 47 Republicans who are stopping us with obstructionist tactics, is not allowing what America knows they want and need.

Again, they believe in initiatives we have proposed to jumpstart our economy. They know the money will have to come from somewhere, and they know tough choices must be made.

Asking someone making, for example, \$1.1 million to contribute a few dollars more every year should not be one of our tough choices; it should be a no-brainer. Yet while Democrats fight for the middle class, it seems that Republicans will fight for the 1 percent of Americans who have every resource in America to fight for themselves.

RESERVATION OF LEADER TIME

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

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT OF 2012

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2112, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

Pending:

Crapo amendment No. 814 (to amendment No. 738), to provide for the orderly implementation of the provisions of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Lee motion to recommit Appropriations.

Blunt (for DeMint) amendment No. 763 (to amendment No. 738), to prohibit the use of funds to implement regulations regarding the removal of essential-use designation for epinephrine used in oral pressurized metered-dose inhalers.

Blunt (for DeMint) amendment No. 764 (to amendment No. 738), to eliminate a certain increase in funding.

Coburn amendment No. 794 (to amendment No. 738), to provide taxpayers with an annual report disclosing the cost of, performance by, and areas for improvements for Government programs.

Coburn amendment No. 795 (to amendment No. 738), to collect more than \$500,000,000 from developers for failed, botched, and abandoned projects.

Coburn amendment No. 797 (to amendment No. 738), to delay or cancel new construction, purchasing, leasing, and renovation of Federal buildings and office space.

Coburn amendment No. 799 (to amendment No. 738), to prohibit the use of funds to carry out the Rural Energy for America Program.

Coburn amendment No. 800 (to amendment No. 738), to reduce funding for the Rural Development Agency.

Coburn amendment No. 801 (to amendment No. 738), to eliminate funding for the Small Community Air Service Development Program.

Coburn amendment No. 833 (to amendment No. 738), to end the outdated direct payment program and to begin restoring the farm safety net as a true risk management tool.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

AMENDMENT NO. 800

Mr. KOHL. Madam President, the first amendment we will be considering today is the Coburn amendment to reduce funding for the rural development mission area by \$1 billion, or 41 percent, spread equally over the agency. I am opposing this amendment. This is not the time to curtail essential programs that support jobs and incomes in our rural areas. So I will oppose this amendment, and I urge my colleagues to do so as well.

I would now like to yield to Senator SHERROD BROWN of Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I rise in opposition to the Coburn amendment's 41 percent of a \$1 billion cut to USDA's rural development mission. Everyone in this Chamber talks