

they hatched a plan to win over wavering Democrats in the House by promising to use some legislative sleight of hand that will only require a slim partisan majority in the Senate. This is outrageous on two counts—first, because the method they are proposing has never been used on such a sweeping piece of legislation; second, because Americans have already told us, loudly and clearly, they don't want this partisan approach. What about public opinion do our friends in the majority not understand? The American people are saying loudly and clearly they don't want us to do this.

What is worse, many of the same Democrats who are now pushing this party-line vote are on record as being foursquare against it for major legislation such as this. Here is what one senior Democratic Senator had to say about party-line votes on major legislation only a few years ago:

I've never passed a single bill worth talking about that didn't have as a lead co-sponsor a Republican. And I don't know of a single piece of legislation that has ever been adopted here that didn't have a Republican and a Democrat in the lead. That's because we need to sit down and work with each other. The rules of this institution have required that—that's why we exist.

I couldn't agree more. Americans expect big bills to command big majorities. That is why this is not a fight between Democrats and Republicans; it is a fight between Democrats inside the beltway and their constituents beyond it.

There is a better way. There is a better path to reform that none of us will regret. It is time to listen to the American people. It is time to work together on the kinds of step-by-step reforms they are asking for. Americans aren't stupid. They know the option they are being presented with—the option of some massive bill or nothing. That is a false choice.

So let's drop the partisan plan. Let's drop this unsalvageable bill, and let's start over.

I yield the floor.

RESERVATION OF LEADER TIME

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

TAX EXTENDERS ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4213, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Baucus amendment No. 3336, in the nature of a substitute.

Sessions amendment No. 3337 (to amendment No. 3336) to reduce the deficit by establishing discretionary spending caps.

Landrieu modified amendment No. 3335 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to extend for 2 years the low-income housing credit rules for buildings in the GO Zones, and for other purposes.

Reid (for Murray) amendment No. 3356 (to amendment No. 3336) to provide funding for summer employment for youth.

Coburn amendment No. 3358 (to amendment No. 3336) to require the Senate to be transparent with taxpayers about spending.

Baucus (for Webb/Boxer) amendment No. 3342 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses.

Stabenow amendment No. 3382 (to amendment No. 3336) to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain American jobs through new domestic investments.

Feingold/Coburn amendment No. 3368 (to amendment No. 3336) to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

Brown (MA) amendment No. 3391 (to amendment No. 3336) to provide for a 6-month employee payroll tax rate cut.

Burr amendment No. 3389 (to amendment No. 3336) to provide Federal reimbursement to State and local Governments for a limited sales, use, and retailers' occupation tax holiday, and to offset the cost of such reimbursements.

Mr. BURRIS. Madam President, I 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. BAUCUS. 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.

Mr. BAUCUS. Madam President, we are now on our fourth day of consideration of this important legislation to create jobs and extend vital safety net and tax provisions. This legislation would prevent millions of Americans from falling through the safety net. It would extend vital programs that were extended on a short-term basis earlier this year. It would put cash into the hands of Americans who would spend it quickly, boosting economic demand. It would extend critical programs and tax incentives that create jobs.

This is the legislation that will help half a million workers who lose their jobs nationwide to get help paying for their health insurance under COBRA. This is the legislation that will help nearly 40 million Medicare beneficiaries and nearly 9 million TRICARE beneficiaries keep access to their doctors. This is the legislation that will help 400,000 Americans get unemployment insurance benefits.

This is urgent legislation. We must enact it soon.

We had a productive day yesterday. We disposed of six amendments and rejected a point of order against the bill. As I count it, there are about 10

amendments pending. Those amendments are the underlying substitute amendment, Senator SESSIONS' amendment to impose discretionary spending caps, Senator LANDRIEU's amendment on the GO Zones, Senator MURRAY's amendment on summer employment for youth, Senator COBURN's amendment on transparency, Senator WEBB's amendment on executive bonuses, Senator STABENOW's amendment on AMT credits, a Feingold-Coburn amendment to rescind unused transportation earmarks, an amendment by Senator BROWN of Massachusetts on a payroll tax holiday, and Senator BURR's amendment on a sales tax holiday.

Before Senators offer additional amendments, we need to start processing the pending amendments. I have been advised there will be objection to setting aside the pending amendments for Senators to offer additional amendments until we have addressed some of the pending amendments.

Some of the amendments appear to me to be the sort of thing we could adopt by voice vote, and we are exploring that possibility in connection with at least two of them. On amendments that require a rollcall vote, I am hopeful we can schedule a number of votes starting at 2 p.m. this afternoon to dispose of several amendments. Then we will continue to process the pending amendments throughout the day.

I thank all Senators for their cooperation.

SUPPORTING FULL IMPLEMENTATION OF THE COMPREHENSIVE PEACE AGREEMENT IN SUDAN

Mr. BAUCUS. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, S. Res. 404.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 404) supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAUCUS. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 404) was agreed to.

The preamble was agreed to. The resolution, with its preamble, reads as follows:

S. RES. 404

Whereas violent civil conflict between North and South in Sudan raged for 21 years,

resulting in the deaths of an estimated 2,000,000 people and displacement of another 4,000,000 people;

Whereas the signing of the Comprehensive Peace Agreement (CPA) by the National Congress Party (NCP) and Sudan People's Liberation Movement (SPLM) on January 9, 2005, brought a formal end to that civil war;

Whereas the United States Government, particularly through the efforts of the President's Special Envoy for Sudan Jack Danforth, worked closely with the parties, the mediator, General Lazaro Sumbeiywo, the members of the Intergovernmental Authority on Development (IGAD), and the United Kingdom and Norway to bring about the CPA;

Whereas the CPA established a 6-year interim period during which the Government of Sudan would undertake significant democratic reforms and hold national elections, and at the end of which the South would hold a referendum on self-determination, with the option to forge an independent state;

Whereas, while the parties have made progress on several parts of the CPA, limited national government reforms have been made and several key issues remain outstanding, notably border demarcation, resolution of the census dispute, and certain preparations for the 2011 referenda for southern Sudan and Abyei;

Whereas the NCP's delay and refusal to follow through on some of its commitments under the CPA has fueled mistrust and suspicion, increasing tensions between northern and southern Sudan;

Whereas research by the Small Arms Survey, published as recently as December 2009, shows that both sides are building up their security forces and covertly stockpiling weapons in anticipation of a possible return to civil war;

Whereas the Government of Southern Sudan continues to face a range of challenges and continues to struggle with problems of financial management, insufficient capacity, and a limited ability to provide security in parts of its territory, especially in the face of increasing inter-ethnic and communal violence;

Whereas humanitarian organizations and the United Nations report that more than 2,500 people were killed and an additional 350,000 displaced by inter-ethnic and communal violence within southern Sudan throughout 2009;

Whereas the Lord's Resistance Army, a brutal rebel group formed in northern Uganda, has reportedly resumed and increased attacks against civilians in southern Sudan, creating another security challenge in the region;

Whereas the Government of Southern Sudan and the United Nations Mission (UNMIS) have not taken adequate steps to address the rising insecurity and to protect civilians in southern Sudan;

Whereas, despite 5 years of peace, most of southern Sudan remains severely underdeveloped with communities lacking access to essential services such as water, health care, livelihood opportunities, and infrastructure;

Whereas Sudan is scheduled to hold national elections in April 2010, and the people of southern Sudan and Abyei are to hold their referendum on self-determination in January 2011 under the terms of the CPA;

Whereas the holding of these elections, Sudan's first multiparty elections in 24 years, could be a historic milestone for the country and a step toward genuine democratic transformation if the elections are fair and free and all communities are able to participate;

Whereas the existence of laws that grant powers to government security services in Sudan to arrest and detain citizens without

charge and recent actions taken by the security forces to restrict freedom of speech and assembly by opposition parties have raised concerns that conditions may not exist for fair and free elections in Sudan;

Whereas the conflict in Darfur is still unresolved, the security situation remains volatile, and armed parties continue to commit humanitarian and human rights violations in the region, raising concerns that conditions may not exist for Darfurians to freely and safely participate in the elections; and

Whereas the security situation in the whole of Sudan has profound implications for the stability of neighboring countries, including Chad, the Central African Republic, the Democratic Republic of Congo, Eritrea, Ethiopia, Kenya, and Uganda: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the critical importance of preventing a renewed North-South civil war in Sudan, which would have catastrophic humanitarian consequences for all of Sudan and could destabilize the wider region;

(2) supports the efforts of President Barack Obama to reinvigorate and strengthen international engagement on implementation of the Comprehensive Peace Agreement (CPA);

(3) encourages all international envoys and representatives, including those of the permanent members of the United Nations Security Council, IGAD, the African Union, and the United Nations, to work closely together and coordinate their efforts to bolster the peace accord;

(4) calls on the parties in Sudan—

(A) to comply fully with their commitments under the CPA;

(B) to refrain from actions that could escalate tensions in the run-up to the 2011 referendum;

(C) to work expeditiously to resolve outstanding issues of the agreement; and

(D) to begin negotiations to resolve post-referenda issues, including resource allocation and citizenship rights in the case of separation;

(5) calls on the Government of National Unity to amend or repeal laws and avoid any further actions that would unduly restrict the freedom of speech and assembly by opposition parties or the full participation of communities, including those in Darfur, in the upcoming national elections;

(6) encourages the international community and the United Nations to engage with local populations to provide assistance for elections in Sudan and popular consultations while also closely monitoring and speaking out against any actions by the Government of Sudan or its security forces to restrict or deny participation in a credible elections process;

(7) calls on the Government of Southern Sudan to work with the assistance of the international community to design and begin implementing a long-term plan for security sector reform that includes the transformation of the army and police into modern security organs and the training of all security forces in human rights and civilian protection;

(8) urges the United Nations Security Council to direct and assist the UNMIS peacekeepers to better monitor and work to prevent violence in southern Sudan and to prioritize civilian protection in decisions about the use of available capacity and resources;

(9) supports increased efforts by the United States Government, other donors, and the United Nations to assist the Government of Southern Sudan to improve its governing capacity, strengthen its financial accountability, build critical infrastructure, and expand service delivery;

(10) urges the President to work with the permanent members of the United Nations Security Council, other governments, and regional organizations at the highest levels to develop a coordinated multilateral strategy to promote peaceful change and full implementation of the CPA; and

(11) encourages the President and other international leaders to strategize and develop contingency plans now for all eventualities, including in the event that the CPA process breaks down or large-scale violence breaks out in Sudan before or after the 2011 referendum, as well as for longer term development in the region following the referendum.

RECOVERY, REHABILITATION, AND REBUILDING OF HAITI

Mr. BAUCUS. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 275, S. Res. 414.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 414) expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BAUCUS. Madam President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 414) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 414

Whereas on January 12, 2010, Haiti suffered an earthquake measuring 7.0 on the Richter scale, the greatest natural disaster in Haiti's history, which—

(1) devastated Port-au-Prince and the surrounding areas;

(2) killed more than 100,000 people;

(3) injured hundreds of thousands more people; and

(4) left many hundreds of thousands of people homeless;

Whereas Haiti, which is the poorest country in the Western Hemisphere—

(1) has an estimated 54 percent of its population living on less than \$1 per day;

(2) has approximately 120,000 people living with HIV;

(3) had 29,333 new cases of Tuberculosis in 2007; and

(4) has nearly 400,000 children living in orphanages;

Whereas despite these challenges, cautious signs of developmental progress and stability were beginning to emerge in Haiti prior to the earthquake;

Whereas although initial recovery efforts must continue to assist the people of Haiti struggling to secure basic necessities, including food, water, health care, shelter, and electricity, Haiti cannot afford to only focus on its immediate needs;