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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

### PRAYER

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

Let us pray.

Eternal Lord God, we thank You for the beauty of our world. We are grateful for the dawn of the morning, for the stars in the night sky, for the gifts of love and friendship, for the sublime splendor of the sacred, and for every radiant hope that inspires us to persevere.

Today, help the Members of this body to live worthily of Your grace, rising above worry, fear, and contention. May they see the best that glimmers through the worst, aware that You continually work for the good of those who love You. If there are any broken relationships with others that need healing, we ask for Your reconciling power. Throughout this day, may our lawmakers submit the work of this Senate to You and seek Your guidance.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY 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. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. MERKLEY 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, following leader remarks, the Senate will resume consideration of the tax extenders bill. There will be no rollcall votes today. The next vote will be Tuesday morning.

### LEGISLATIVE PROGRESS

Mr. REID. Mr. President, we had a good, hard week working on this legislation dealing with the tax extenders, expiring provisions—COBRA, unemployment compensation, FMAP. So those watching don't think it is some kind of coded message, these are very important provisions. The tax extenders are measures that come at the end of the year. Many of them should be extended for much longer than a year, but we are in a mode now of paying for things, and as a result, we don't have the money to do it for more than a year.

The expiring provisions are very important issues. They deal with satellite TV, which is important to about 1.5 million people in America. Many in the rural West depend on this.

Unemployment compensation—today is a big day in America. Only 36,000 people lost their jobs today, which is really good. The unemployment rate around America has not changed. The prognosticators thought it would go up. It has not. So we need to extend it. There are about 15 million people in America out of work. These extended unemployment benefits will help millions of those people. We were fortunate enough earlier this week to get a 30-day extension, so that when we finish this legislation—we should finish it hopefully on Tuesday—we can go to conference with the House and quickly work out our differences.

In addition to that, we talked about COBRA. That is a provision that allows people who are unemployed to buy, at a decent rate, health insurance.

There have been some amendments offered to this legislation which will really improve it as we send it to the House. One of the provisions is very important. I met with 12 Governors a few days ago. Every one of them wants us to pass something called FMAP, which is money States get from the Federal Government to help them with their Medicaid programs. Many of the standards they have for Medicaid we set back here, so it is only appropriate that we help them with the money that is so important to those States, especially in these trying times. These Governors handed me a letter signed by 48 Governors asking that we extend FMAP. And we would do that. Unemployment compensation and COBRA are for 1 year. FMAP would be for 6 months. It is fungible money. They can use it for things other than Medicaid. We are working to get that done. I hope we can get it done.

We have had a good debate this week. We hope to be able to end this Tuesday. Later today, I will file cloture on the bill. People have had time to offer all the amendments they want. Some amendments, we haven't been able to vote, and there won't be votes on those.

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



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Rather than have individual cloture on various amendments—we simply don't have time for that—I am going to file cloture on the bill. Those amendments on which we are having trouble getting votes will likely fall, as they are not germane to the subject matter at hand.

#### JOB CREATION

Mr. REID. Mr. President, I wish to talk a little bit about the House of Representatives yesterday passing our jobs bill. That was very important. We had a bipartisan jobs bill here. They have already sent us a message. We can work on that. Even though there may be people objecting to it, we can do that with one cloture vote. We will do that and interrupt the work we are doing when that message gets here. It is important because even though we have a short-term extension of the highway bill, this would extend it for 1 year, saving 1 million jobs. It is very important.

Build America Bonds—the Governors I met with, as I mentioned, a few days ago also really love our Build America Bonds, which is part of the American Recovery Act. The money is gone there. We are going to replenish that. This is important to Governors and local officials because it has done great things for creating jobs.

We also have a provision to allow people to be hired by employers if they are out of work for 60 days. They hire them for 30 hours a week. They do not have to pay their FICA tax, and at the end of the year they get a \$1,000 tax credit. This is going to create thousands and thousands of jobs across America.

One of the reasons I wanted to mention this specifically, the House voted this bill out yesterday. Virtually every Republican in the House voted against it.

I heard interviews on National Public Radio this morning. One Republican Congressman said this bill was so bad because we need small businesses to be able to write off purchases they make. I suggest to the man—whose name I know, but I will not try to embarrass him here—that he read the bill because if he read the bill he would understand that is one of the paramount provisions we have in this legislation. If a small business purchases something, they don't have to depreciate it. They can write it off up to \$250,000. That is terrific.

I had a telephonic conference call late last week explaining it to them. I had quite a few small businesses on the telephone. They love this. They are waiting to buy things. As soon as this is signed into law, they will run out that day and buy stuff. They need stuff. This will give them an incentive to do so.

I suggest to the person, who I guess rushed to the microphones to talk about how bad the bill was, that he should try reading it first. Maybe if he did that, he wouldn't be making a fool

of himself across America by talking about small businesses being able to write things off, when that is really in the bill.

#### UPCOMING BUSINESS

Mr. REID. Mr. President, when we finish this legislation, we hope to move to the Federal Aviation Administration legislation. We have had all over Capitol Hill—I am sure the Presiding Officer has had people from Oregon visit with him—people who run airports. They want this FAA bill so very much. Why? Because you would have to search hard for an airport in America that doesn't already have the design plans ready to do work on that airport. As soon as we pass this FAA bill, there will be lots of jobs. The first year, they estimate that as many as 150,000 jobs will come from our passing this legislation. There are runways that need to be resurfaced. There are all kinds of terminals that need to be built and refurbished. They are waiting to do this. More importantly, it will make American air travel much safer. I won't go into a lot of detail here, but most countries now use global positioning systems to determine where their aircraft are. It is modern. That is the way it is. Not in America. We are still using World War II radar. This legislation is very important. We are going to try to get to that very quickly.

We are going to do the jobs message from the House. We are going to do small business.

I had a long conversation with the distinguished Senator from Maine, Ms. SNOWE, who used to be chairman of the Small Business Committee and now is ranking member. We talked at some length. She is anxious, as we are, to move to this legislation. As I told her, don't think you are alone on this. I get calls from the White House several times a week about moving forward on another small business jobs package other than the one I just discussed.

We have a lot of work to do. We are trying to work out our differences with the House on the health care bill. We will be able to do that. There will be a decision made shortly as to how we will proceed on that.

I look forward to the week. It is a heavy schedule legislatively, but I think we are ready to do that. With all these important matters, it is very important that we return here next week with the anticipation that we will do some work to help America.

I say to my friends on the other side of the aisle, it appears we are breaking through and getting more done on a bipartisan basis. I certainly hope that is the case. Simply saying no, as has happened the last year and a half, has accomplished nothing for the country.

#### 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 provision, and for other purposes.

Pending:

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

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 GO Zones, and for other purposes.

Reid (for Murray) modified amendment No. 3356 (to amendment No. 3336) to extend the TANF Emergency Fund through fiscal year 2011 and 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.

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.

Reid amendment No. 3417 (to amendment No. 3336) to temporarily modify the allocation of geothermal receipts.

McCain/Graham amendment No. 3427 (to amendment No. 3336) to prohibit the use of reconciliation to consider changes in Medicare.

Lincoln amendment No. 3401 (to amendment No. 3336) to improve a provision relating to emergency disaster assistance.

Mr. REID. 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.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. 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.

Mr. BAUCUS. Mr. President, we are now on our fifth day of consideration of this important legislation to create jobs and extend vital safety net and tax provisions.

As a reminder, this legislation would prevent millions of Americans from falling through the safety net. 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.

We had another productive day on the bill yesterday. We conducted three rollcall votes on amendments. We adopted four amendments. As I count it, there are nine amendments pending.