

doing the right thing. There is no reason that we should pay a less percentage of our tax than somebody who draws minimum wage.

Those who want to create jobs and create the conditions for recovery will vote yes. Those who want to kill jobs, want to stop our recovery in its tracks and want to keep things the way they are, will vote no. Those who want our economy to prosper and succeed will vote yes. Those who want this Congress and this country to fail will vote no.

There are people betting on our country to fail. Maybe that will help them in November. Those who put people first will vote yes. Those who put politics first will vote no.

The American people are watching and they are waiting for us to act. They demand that their Senators understand what they are going through and how they are struggling.

I met a man who is back in Washington to attend seminary. He writes insurance for small contractors. One problem. There are no contractors to write insurance for. There is no work.

The American people are watching and they are waiting for us to act. I do my very best to understand. I know what the people of Nevada are going through. I have heard from the Senator from Michigan what the people of Michigan are going through. I have heard from the Senator from New York, the Presiding Officer, what the people of New York are going through.

But it is not just Nevada, New York, and Michigan; it is, with very few exceptions, everywhere in America. I know how much good a bill like this would help a family in Nevada, a family in Michigan, a family in New York. We are not Senators from New York, Senators from Michigan, Senators from Nevada. We are United States Senators. We have an obligation to protect our States, and we do our utmost to do that. But we also have to recognize national problems. That is why we are United States Senators.

I do hope other Senators here, for the sake of those in Nevada and New York and Michigan and States all around the country, for the sake of those in our States, for the sake of our Nation's economy will vote yes. For those who still do not see the value in creating jobs, cutting taxes, and closing corporate loopholes, I hope they will take some time today to come to the floor and listen to their fellow Senators who believe in this legislation.

I hope they will listen with an open mind and with their constituents' best interests in mind. The time to decide is closing in on us. But it is not over yet. It is not too late to do what is right.

RECOGNITION OF THE MINORITY LEADER.

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

DEFICIT EXTENDERS

Mr. MCCONNELL. Madam President, last night Senate Democrats introduced their latest version of the deficit extenders bill.

It has one thing in common with every other version they have offered: it adds new taxes and over \$30 billion to an already staggering \$13 trillion national debt despite consistent bipartisan rejection of that idea.

Both sides have offered ways to address the programs in this bill that both sides agree should be extended. And now we even agree on redirecting untimely and untargeted money from the failed stimulus bill. The only difference is that the Republican proposal reduces the deficit while the Democrat proposal adds to it.

So the only thing Democrats are insisting on in this debate is that we add to the debt.

The principle they are defending here is not some program. The principle Democrats are defending is that they will not pass a bill unless it adds to the debt.

DISCLOSE ACT

Mr. MCCONNELL. Madam President, as I stand here this morning, House Democrats are desperately trying to round up the votes they need to pass Congress's latest effort to do what the first amendment specifically says it cannot, namely, to make a law abridging the freedom of speech.

The first thing to say about the so-called DISCLOSE Act is that it was authored behind closed doors without even a flicker of sunlight. In other words, a bill that is purportedly about bringing transparency to the electoral system was written without any. Just yesterday, a 45-page amendment was proposed to the bill without any public oversight.

The second thing to say about this bill is that it was written by the House Democrats' campaign committee chairman, who has been out trumpeting it as a "response" to the Supreme Court's recent decision in *Citizens United*.

As I noted yesterday, Democrats have done this before with free speech rulings they have found to be politically inconvenient. In the mid-1990s, they did not like Justice Breyer's decision in *Colorado Republicans*, so the Clinton administration and Elena Kagan set about finding ways to benefit Democrats at the expense of Republicans. So past is prologue.

This bill is not about preserving any principle of transparency. It is about protecting incumbent Democrat politicians. As for the substance, a brief review of the bill itself shows that the DISCLOSE Act is about as ill-named as the American Recovery and Reinvestment Act of 2009 and ensures as much freedom as the poorly named Employee Free Choice Act. But, of course, House Democrats have said they do not care what they pass. They just want to pass

something. Now that is quite the way to legislate.

Supporters of the bill say it is needed to deal with special interests. But the loopholes Democrats wrote into it show that they view some interests as more special than others. Take for example the spate of new speech prohibitions that did not exist prior to the *Citizens United* decision.

That is right, this bill goes far beyond what the court held to muzzle the speech of some while granting a pass for others.

Expansive new restrictions on government contractors and TARP recipients, but not their unions or government unions.

Expansive new speech restrictions on domestic subsidiaries which employ Americans who pay American taxes, without restricting unions at these same companies or international unions.

And that is just in the first few pages. Over the next few weeks I will highlight more of these "winners and losers" provisions Democrats are advocating in this bill.

If there were any doubt that this one-sided bill is not about principle but about changing the rules to the political game, just look at the special treatment House Democrats have been shopping around for weeks in an effort to sell this bill. They have engaged in a game of special interest carve outs which is the legislative equivalent of a game of Twister.

For example, in drafting a bill that House Democrats say is designed to deal with special interests, they have deliberately exempted what they have long called one of the biggest special interests of all: the National Rifle Association.

So in writing a bill that is supposedly about diminishing the influence of special interests, Democrat leaders cut a deal to allow a chosen few to operate unfettered by its restrictions, thereby enhancing the power of those chosen few. Apparently they did not learn their lesson from the reaction they got to the Cornhusker Kickback or the Louisiana Purchase.

What is transpiring in the House right now with this bill turns the first amendment on its head. Incumbent politicians are intentionally protecting some large groups so they can muster the votes to restrict many more citizens groups that have less political clout but whose participation in the political process the incumbent politicians find inconvenient.

Let me be clear. I support the second amendment, and I support the NRA's vigorous exercise of its first amendment rights in order to defend the second amendment rights of its members. But this is not about the Democrats' affinity for the second amendment. If it were, they would have carved out an exception for the Gun Owners of America as well. As it is, the GOA vehemently opposes this bill. Why? Because they know it restricts first amendment rights.

This bill is opposed by over 350 groups ranging from the Sierra Club and the ACLU, to the Chamber, the NFIB, and National Right to Life.

That is right, Democrats have done a unique thing here: they have united the left and the right in opposition to the effort to take away political speech from some and enhance it for others. These organizations, standing on firm first amendment principles, have been vigorously opposing this effort to stifle their speech.

And I stand with them in asking each and every one of my colleagues to join me in honoring the oath we took to protect and uphold the Constitution of the United States of America, and, in particular, the first amendment to free speech.

I yield the floor, and 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.

Ms. STABENOW. 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes, and the Republicans controlling the final 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

UNEMPLOYMENT INSURANCE

Ms. STABENOW. Madam President, with all due respect to our Republican leader, I have to express concern on a couple of points. He was just talking about court decisions, a court decision that said BP is a person; that said all big corporations have the same rights as individuals. What we are trying to do, both in the House and the Senate, is to make sure that, in fact, the democratic process can work and that huge corporate interests that have controlled too much of this country are not allowed to do even more in terms of overriding elections and putting money into elections.

I also have to disagree with our distinguished Republican colleague when he says this is all about the deficit. As we would say in Michigan, that is a bunch of bunk. This is about who we care about and how we think we should

move forward as a country in terms of what is best for the majority of the American people. Very different views. Very different beliefs.

Our Republican colleagues have believed if we give tax breaks to the wealthiest Americans and wait for it to trickle down, things will get better. If we back up and let corporations police themselves, everything will be OK.

Well, we saw that for 8 years, 6 years of which they had control of the whole system. I tell you what, it did not trickle down to the people in Michigan. After the Wall Street collapse and what we saw with BP in the gulf and what we have seen with miners' loss of life, I would suggest that view, that belief, has not worked for the majority of people.

So we have a different view. We have a different view. It is one that actually worked in the 1990s under President Clinton when 22 million jobs were created. Yes, we believe this is about jobs. This is about how we get out of deficit.

I also find it amazing that the people who dug the hole, the deepest hole we have ever had in the history of the country, when they were handed a surplus—they dug the hole—now want us to give the shovels back. They want more shovels to dig even deeper.

So this is a difference of opinion on how we believe we should move the country forward and who we are trying to move it for—not the large corporate interests that the Republican leader just talked about who want to be able to give millions of dollars for elections and have no rules and regulations and be able to control the democratic process of elections in this country.

It is not about the folks who are concerned about paying their fair share in this jobs bill, with the tax loopholes we want to close so they cannot take jobs overseas and requiring people to pay their fair share. That is not what we are about. What we are about is creating jobs for the American people. The bill in front of us, the bill we are going to have a chance to vote on one more time, is all about jobs and who we are fighting for. That is what it is about. It is about whether we believe we should only invest in what the wealthy and powerful of this country care about or should we invest in the majority of Americans and create good-paying, middle-class jobs.

It really is a philosophy right now about how we get out of debt. They say more tax cuts to the wealthiest Americans. We will have an estate tax fight where they say: Oh, we ought to be more and more for the top few hundred families, billionaires in the country. Give them more tax relief.

We say, in this bill, what we ought to be doing is focusing on creating jobs to grow out of debt. We are all opposed to debt. I was opposed to the debt when I voted to balance the budget. I was opposed to debt when they got us into debt in the last 8 years, 10 years, when they were focusing on racking up debt. I was opposed then.

Now the question is, How do we get out of debt? We say we have to create jobs, and we have to help the people who are out of work be able to get some help to be able to get some training to be able to keep a roof over their heads and food on their tables while they look for a job.

That is what we believe. That is what this is about. We believe we will never get out of deficit with over 15 million out of work, having to ask for temporary assistance. We will never get out of debt unless we are creating jobs. We have begun to do that. Our colleagues on the other side of the aisle say: We want to stop that.

Let's look at what happened. I talk about the previous administration not only to focus on the past, but these are the same ideas that are on the floor today. They are promoting the ideas that got us into these job losses. When President Obama came into office, we were losing about 750,000 jobs a month. That is what he inherited. We said: This hasn't been working for the majority of people. It didn't work for the majority of people in Michigan. We want to go back to investing in people and communities, helping businesses get the capital to grow, supporting small businesses, focusing on manufacturing, making things in this country. Let's take away the incentives to take jobs overseas. We are in a global economy, but we want to export our products, not our jobs.

This bill takes away incentives to go offshore, overseas, keeps the jobs here. It creates more capital for manufacturers. I was pleased to craft a provision that will create the ability to buy more equipment and facilities to create jobs. It helps small businesses keep jobs. That is what we believe. We have put in place the Recovery Act. We have begun to climb out. We are not out. But these guys are going: Stop. Oh, my gosh, it is beginning to work. This may affect the elections. Let's do everything we can to stop the recovery. Let's take the resources that have been used to invest in a battery manufacturing plant, private sector, in Midland, MI, where I attended a groundbreaking on Monday, Dow Kokam. Let's take that money away now. We will say: We have too big deficits. We can't invest in jobs. We can't invest in jobs.

They want to take that away and come over and say: We will take the money that is creating jobs and we will give it to people who don't have a job.

Wait a minute. So you want to use the Recovery Act money that is beginning to create jobs and put it over here to help people who don't have a job, and then we will create more people who don't have jobs?

We say that is a bunch of hokey, that is a bunch of bunk. In Michigan, we have stronger words for that, but I won't say them on the Senate floor. My people in Michigan are sick and tired of this.

It is pretty bad when we have one side in this Chamber rooting for failure