

of Democrats to the Senate. If the people do not like how the majority is governing, then they have the ability to change the composition of the Senate at the next election.

Fifteen months ago, a sizable majority of voters sent Democrats to Washington to implement real change and reform. It is no surprise that people are now frustrated. Largely, because of the filibuster their hopes for change have been frustrated. Instead, the public sees nothing but gridlock.

Because of Senate rules, a minority as small as one Senator can block action by the majority. Even when a party is resoundingly repudiated at the polls, that party retains the power, thanks to the filibuster, to prevent the majority from legislating and effectively governing. Regrettably, the filibuster has become a bludgeon that the minority uses to thwart the will of the majority, to mire the Senate in procedural impasses and repeatedly to hold the entire Senate hostage for extended periods of time. Today, even simple, noncontroversial bills and nominations are not permitted to come to a vote. This is wrong. As a result of the filibuster, the legislative process itself has been overwhelmed.

The legislation I introduce today would amend the Standing Rules of the Senate to permit a decreasing majority of Senators to invoke cloture on a given matter. On the first cloture vote, 60 votes would be needed to end debate. If the motion does not get 60 votes, a Senator can file another cloture motion and two days later have another vote; that vote would require 57 votes to end debate. If cloture is not obtained, a Senator can file another cloture motion and wait two more days; in that vote, 54 votes would be required to end debate. If cloture is still not obtained, a Senator could file one more cloture motion, wait 2 more days, and—at that point—just 51 votes would be needed to move to the merits of the bill.

Let me be clear, this proposal has absolutely nothing to do with limiting minority rights. Under this proposal, a determined minority could slow down any bill. In this way, proper deliberation is ensured. Senators would have ample time to make their arguments and attempt to persuade the public and a majority of colleagues. However, a minority of members would no longer be able to stymie the majority by grinding the Senate to a halt, as sadly too regularly happens today.

Mr. President, this is hardly radical legislation. There are currently numerous rules and laws that forbid the filibuster in numerous circumstances. For example, we cannot filibuster a federal budget resolution. We cannot filibuster a resolution authorizing the use of force. We cannot filibuster international trade agreements. We cannot filibuster a reconciliation bill.

Reform of the filibuster should not be a Democrat or Republican issue. Indeed, it was the former Republican Ma-

jority Leader Bill Frist who said when he nearly shut this body down over the use of filibusters: "This filibuster is nothing less than a formula for tyranny by the minority."

A majority in this body—whether Democratic Senators, Republican Senators, or a bipartisan coalition of Senators—should be allowed to work its will. When a given party wins the Presidency and both houses of Congress by significant margins, that party should be allowed to carry out its agenda, and then should be held accountable in the next election.

But, I do not see how we can effectively govern a 21st century superpower when a minority of just 41 senators can dictate action—or inaction—not just to the majority of senators but to a majority of the American people. This is all the more true when you consider that those 41 senators could come from small states and represent as little as 15 percent of the American population. This is not democratic. Certainly, it is not the kind of democracy envisioned and intended by our Founders. Instead, it is a sure-fire formula for national paralysis, drift, and decline.

I urge my colleagues to join me in restoring the best traditions of the United States Senate, a legislative body committed to debate and deliberation, but also one guided by our Founders' bedrock democratic principles of majority rule.

Mr. DURBIN. Would the Senator from Iowa yield?

Mr. HARKIN. Yes.

Mr. DURBIN. Mr. President, I ask unanimous consent to be added as a cosponsor on this bill.

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

#### SENATE RESOLUTION 417—SUPPORTING THE GOALS AND IDEALS OF NATIONAL ENGINEERS WEEK, AND FOR OTHER PURPOSES

Mr. KAUFMAN (for himself, Ms. COLLINS, Mr. BINGAMAN, and Mrs. GILLIBRAND) submitted the following resolution, which was referred to the Committee on Commerce, Science, and Transportation:

##### S. RES. 417

Whereas engineers use their professional, scientific, and technical knowledge and skills in creative and innovative ways to fulfill the needs of society;

Whereas engineers have helped to address the major technological and infrastructural challenges of our time, including providing water, defending the Nation, and developing clean energy technologies that are needed to power the American people into the future;

Whereas engineers are a crucial link in research, development, and the transformation of scientific discoveries into useful products and jobs, as the people of the United States look more than ever to engineers and their imagination, knowledge, and analytical skills to meet the challenges of the future;

Whereas engineers play a crucial role in developing the consensus engineering stand-

ards that promote global collaboration and support reliable infrastructures;

Whereas the sponsors of National Engineers Week are working together to transform the engineering workforce through greater inclusion of women and underrepresented minorities;

Whereas the 2009 National Academy of Engineering and National Research Council report entitled "Engineering in K-12 Education" highlighted the potential role for engineering in primary and secondary education as a method to improve learning and achievement in science and mathematics, increase awareness of engineering and the work of engineers, help students understand and engage in engineering design, build interest in pursuing engineering as a career, and increase technological literacy;

Whereas an increasing number of the approximately 1,500,000 engineers in the United States are nearing retirement;

Whereas National Engineers Week has developed into a formal coalition of more than 100 professional societies, major corporations, and government agencies that are dedicated to ensuring a diverse and well-educated engineering workforce, promoting literacy in science, technology, engineering, and math, and raising public awareness and appreciation of the contributions of engineers to society;

Whereas National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that the first President, who was both a military engineer and a land surveyor, made to engineering; and

Whereas February 14, 2010, to February 20, 2010, has been designated as National Engineers Week by the National Engineers Week Foundation and its coalition members: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Engineers Week to increase understanding of and interest in engineering careers and to promote technological literacy and engineering education; and

(2) continues to work with the engineering community to ensure that the creativity and contributions made by engineers can be expressed through research, development, standardization, and innovation.

Mr. KAUFMAN. Mr. President, I rise today to support the goals and ideals of National Engineers Week, which will be celebrated next week from February 14 to February 20.

As the only serving Senator who has worked as an engineer, I am proud to sponsor resolution acknowledging the essential role engineers play and the important work they do.

I would also like to thank Senators COLLINS, BINGAMAN, and GILLIBRAND for joining me in introducing this resolution.

Just as importantly, I would like to acknowledge the leadership of Congressman LIPINSKI of Illinois, who for many years has been introducing this resolution in the House of Representatives. I know he plans to do the same again this year when our local weather will permit it.

Launched in 1951 by the National Society of Professional Engineers, National Engineers Week began as a way to call attention to the immense contributions engineers make to society.

It is also a time to emphasize the importance of learning science, technology, engineering, and mathematics

skills—something I have spoken about many times on this floor.

Since its inception, the support for National Engineers Week has grown significantly.

This year, nearly 100 professional societies, major corporations, and government agencies are working together with the National Engineers Week Foundation to bring attention to this important program.

If we hope to encourage more young people to pursue engineering—to help us tackle issues of health, safety, and energy—it is absolutely critical that we teach them what engineering is all about.

National Engineers Week brings 50,000 engineering volunteers into classrooms to teach students that engineering can be fun, that engineers make a difference, and that anyone can become an engineer.

It is especially important that we get this message out to girls, women, and many minorities who are underrepresented in engineering careers. We will all benefit from greater diversity in STEM fields.

I believe that encouraging a new generation of engineers is vital to continuing our economic recovery.

Engineers have always been our country's problem solvers and it is fitting that we celebrate National Engineers Week in conjunction with the birthday of President George Washington—one of our Nation's first engineers.

I wish to thank my colleagues for joining with me in supporting this important week.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3310. Mr. REID proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 3311. Mr. REID proposed an amendment to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, *supra*.

SA 3312. Mr. REID proposed an amendment to the bill H.R. 2847, *supra*.

SA 3313. Mr. REID proposed an amendment to the bill H.R. 2847, *supra*.

SA 3314. Mr. REID proposed an amendment to amendment SA 3313 proposed by Mr. REID to the bill H.R. 2847, *supra*.

#### TEXT OF AMENDMENTS

**SA 3310.** Mr. REID proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the amendment of the Senate insert the following:

##### SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Hiring Incentives to Restore Employment Act”.

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; amendment of 1986 Code; table of contents.

##### TITLE I—INCENTIVES FOR HIRING AND RETAINING UNEMPLOYED WORKERS

Sec. 101. Payroll tax forgiveness for hiring unemployed workers.

Sec. 102. Business credit for retention of certain newly hired individuals in 2010.

##### TITLE II—EXPENSING

Sec. 201. Increase in expensing of certain depreciable business assets.

##### TITLE III—QUALIFIED TAX CREDIT BONDS

Sec. 301. Issuer allowed refundable credit for certain qualified tax credit bonds.

##### TITLE IV—EXTENSION OF CURRENT SURFACE TRANSPORTATION PROGRAMS

Sec. 401. Short title.

##### Subtitle A—Federal-Aid Highways

Sec. 411. In general.

Sec. 412. Administrative expenses.

Sec. 413. Rescission of unobligated balances.

Sec. 414. Reconciliation of funds.

Subtitle B—National Highway Traffic Safety Administration, Federal Motor Carrier Safety Administration, and Additional Programs

Sec. 421. Extension of National Highway Traffic Safety Administration Highway Safety Programs.

Sec. 422. Extension of Federal Motor Carrier Safety Administration Programs.

Sec. 423. Additional programs.

##### Subtitle C—Public Transportation Programs

Sec. 431. Allocation of funds for planning programs.

Sec. 432. Special rule for urbanized area formula grants.

Sec. 433. Allocating amounts for capital investment grants.

Sec. 434. Apportionment of formula grants for other than urbanized areas.

Sec. 435. Apportionment based on fixed guideway factors.

Sec. 436. Authorizations for public transportation.

Sec. 437. Amendments to SAFETEA-LU.

##### Subtitle D—Revenue Provisions

Sec. 441. Repeal of provision prohibiting the crediting of interest to the Highway Trust Fund.

Sec. 442. Restoration of certain foregone interest to Highway Trust Fund.

Sec. 443. Treatment of certain amounts appropriated to Highway Trust Fund.

Sec. 444. Termination of transfers from highway trust fund for certain repayments and credits.

Sec. 445. Extension of authority for expenditures.

Sec. 446. Level of obligation limitations.

##### TITLE V—OFFSET PROVISIONS

##### Subtitle A—Foreign Account Tax Compliance

##### PART I—INCREASED DISCLOSURE OF BENEFICIAL OWNERS

Sec. 501. Reporting on certain foreign accounts.

Sec. 502. Repeal of certain foreign exceptions to registered bond requirements.

##### PART II—UNDER REPORTING WITH RESPECT TO FOREIGN ASSETS

Sec. 511. Disclosure of information with respect to foreign financial assets.

Sec. 512. Penalties for underpayments attributable to undisclosed foreign financial assets.

Sec. 513. Modification of statute of limitations for significant omission of income in connection with foreign assets.

##### PART III—OTHER DISCLOSURE PROVISIONS

Sec. 521. Reporting of activities with respect to passive foreign investment companies.

Sec. 522. Secretary permitted to require financial institutions to file certain returns related to withholding on foreign transfers electronically.

##### PART IV—PROVISIONS RELATED TO FOREIGN TRUSTS

Sec. 531. Clarifications with respect to foreign trusts which are treated as having a United States beneficiary.

Sec. 532. Presumption that foreign trust has United States beneficiary.

Sec. 533. Uncompensated use of trust property.

Sec. 534. Reporting requirement of United States owners of foreign trusts.

Sec. 535. Minimum penalty with respect to failure to report on certain foreign trusts.

##### PART V—SUBSTITUTE DIVIDENDS AND DIVIDEND EQUIVALENT PAYMENTS RECEIVED BY FOREIGN PERSONS TREATED AS DIVIDENDS

Sec. 541. Substitute dividends and dividend equivalent payments received by foreign persons treated as dividends.

##### Subtitle B—Delay in Application of Worldwide Allocation of Interest

Sec. 551. Delay in application of worldwide allocation of interest.

##### TITLE I—INCENTIVES FOR HIRING AND RETAINING UNEMPLOYED WORKERS

##### SEC. 101. PAYROLL TAX FORGIVENESS FOR HIRING UNEMPLOYED WORKERS.

(a) **IN GENERAL.**—Section 3111 is amended by adding at the end the following new subsection:

“(d) **SPECIAL EXEMPTION FOR CERTAIN INDIVIDUALS HIRED IN 2010.**—

“(1) **IN GENERAL.**—Subsection (a) shall not apply to wages paid by a qualified employer with respect to employment during the period beginning on the day after the date of the enactment of this subsection and ending on December 31, 2010, of any qualified individual for services performed—

“(A) in a trade or business of such qualified employer, or

“(B) in the case of a qualified employer exempt from tax under section 501(a), in furtherance of the activities related to the purpose or function constituting the basis of the employer's exemption under section 501.

“(2) **QUALIFIED EMPLOYER.**—For purposes of this subsection—

“(A) **IN GENERAL.**—The term ‘qualified employer’ means any employer other than the United States, any State, or any political subdivision thereof, or any instrumentality of the foregoing.

“(B) **TREATMENT OF EMPLOYEES OF POST-SECONDARY EDUCATIONAL INSTITUTIONS.**—Notwithstanding subparagraph (A), the term ‘qualified employer’ includes any employer