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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 14, 2010, at 2 p.m.

Senate

WEDNESDAY, AUGUST 4, 2010

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.
Almighty God, we praise You for Your act of love that comes to us as gifts each day. Thank You for life and health, for strength and wisdom, for hope and joy. Thank You for our law-makers who work each day to keep us living in the land of the free and the home of the brave. Bless our Senators as they work, providing them with wisdom and courage for the living of these days. May Your everlasting grace and compassion encompass them as You empower them to be faithful in their tasks this and every day. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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 assistant legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico 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, if any, the Senate will resume consideration of the motion to concur with respect to the House message on H.R. 1586, with an amendment dealing with FMAP and teacher funding.

There will be an hour of debate, equally divided, with Senator MURRAY controlling the majority time.

Upon the use or yielding back of time, the Senate will proceed to a roll-call vote on the motion to invoke cloture on the motion to concur. That should occur at around 10:30, 10:45.

MEASURES PLACED ON CALENDAR—H.R. 3534 AND S.J. RES. 38

Mr. REID. Mr. President, I understand there are two items at the desk due for a second reading.

The PRESIDING OFFICER. The majority leader is correct.

The clerk will state the titles of the bills for a second time.

The assistant legislative clerk read as follows:

A bill (H.R. 3534) to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes.

A joint resolution (S.J. Res. 38) proposing a balanced budget amendment to the Constitution of the United States.

Mr. REID. Mr. President, I object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar under rule XIV.

Mr. REID. Mr. President, would the Chair announce the business for the day.

RESERVATION OF LEADER TIME

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

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



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FAA AIR TRANSPORTATION MODERNIZATION AND SAFETY IMPROVEMENT ACT

Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 1586, which the clerk will report.

The assistant legislative clerk read as follows:

House Message on H.R. 1586, motion to concur in the House amendment to the Senate amendment to H.R. 1586, an act to modernize the air traffic control system and so forth and for other purposes, with an amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4575 (to the House amendment to the Senate amendment to the bill), in the nature of a substitute.

Reid amendment No. 4576 (to amendment No. 4575), to change the enactment date.

Reid motion to refer the House message on the bill to the Committee on Appropriations, with instructions, Reid amendment No. 4577 (the instructions on motion to refer), to provide for a study.

Reid amendment No. 4578 (to the instructions (amendment No. 4577), of the motion to refer), of a perfecting nature.

Reid amendment No. 4579 (to amendment No. 4578), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 1 hour of debate, with the time equally divided and controlled between the two leaders or their designees, with the Senator from Washington, Mrs. MURRAY, controlling the time of the majority.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak on the time allotted to Senator MURRAY, which I understand is 30 minutes of the hour before the vote; is that true?

The ACTING PRESIDENT pro tempore. That is correct. Without objection, the Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, summer is ending and the school year is going to begin in a few weeks in many States. But as students prepare for the school year, many wonder what the school and classroom will look like. Parents are reading news reports about budget cuts and wonder how that will affect the schools their kids attend—whether art, music, foreign language offerings will be cut and whether some teachers will be gone and how many students will be crowded into one classroom. These worries are justified.

The recession we are now working our way through has crippled many local and State budgets. In Illinois, the fiscal year 2011 budget has a \$13 billion deficit. As a result, the Governor has proposed serious cuts to public education. It has been projected that, in Illinois, come this new school year, we will have as many as 17,000 fewer teachers. Our State is not alone.

States across the country, looking to balance their budgets, are faced with these same hard choices. Through the

American Recovery and Reinvestment Act, the stimulus package President Obama brought forward when he was elected, we acted to save schools, and our investment worked. The State fiscal stabilization fund helped save or create more than 300,000 education jobs across the country. We bought a year, in the hopes that this recession would have turned around. Well, it is moving in the right direction, but we are still suffering from many aspects of it.

Unfortunately, the funding of that bill is expiring and State economies have not fully recovered and, according to recent projections, nearly 150,000 educators have received or will receive pink slips for the next school year.

More than 80 percent of school districts across America have had to lay off teachers. The measure we are considering today and will vote upon in a little more than 45 minutes would create a \$10 billion education jobs fund that will save more than 100,000 jobs in schools across America.

The education jobs fund would save a projected 4,836 education jobs in my home State. That means, roughly, that we are going to save one out of four of the teachers who were going to lose their jobs. I wish it were more, but it is going to help. Adding thousands of workers to the unemployment rolls would be bad for our economy in Illinois, bad for the families of these teachers who lose their jobs, and bad for students. The negative effect will be felt by students for a long time.

Chicago's public schools currently face a \$600 million deficit for the next fiscal year. To close it, they are going to have to cut 2,700 teachers and 300 school-based staffers. Class sizes will be increased to 35 students a room. Nonvarsity sports will be eliminated. Magnet and gifted programs will be reduced. Full-day kindergarten programs will be reduced. Afterschool programs will be reduced. The budget for charter schools will be cut by 11 percent.

Similar hard choices are faced by school districts across Illinois and across the Nation. Elgin School District is planning to cut more than 1,000 jobs, including 732 teachers. That district faces a \$44 million deficit. The Neuqua Valley High School in Naperville may lose its music program. I wish to add that this is a music program that has won two Grammys. It is such an outstanding program in Naperville. They run the risk of closing.

So the students will be hurt and families will suffer. Teachers will lose their jobs. How do you make up for that year of education that has been shortchanged? We do it by voting to help. That is what this does.

The spending in this measure is fully offset and paid for totally. So any argument that is being made about this adding to the deficit, it doesn't. It is a conscious decision to move resources from other parts of the budget, where they are not as high a priority, into the priority of keeping teachers in the classroom.

There is no reason to vote against this. I don't understand how my friends on the other side of the aisle who have argued that they are deficit hawks can ignore the obvious. We pay for this program. We pay to help these teachers. It doesn't add to the deficit. If it is your son or daughter or your grandson or granddaughter who is shortchanged one school year, does it make a difference? Of course, it does. Being shortchanged one school year and then another could put a child in a spiral decline that could affect their lives and their futures immeasurably.

Secretary Arne Duncan has urged Congress to act, saying we need to "keep our teachers teaching, our students learning, and keep our economy growing." I agree with Secretary Duncan.

I urge my colleagues to put politics aside; don't try to focus on who is going to claim a victory when it is all over—Democratic or Republican. The victories we want are for the kids in the classroom and for teachers to stay on the job. That is nonpartisan. It has nothing to do with political party and neither should this vote.

I encourage my colleagues to support this effort. I particularly thank Senator PATTY MURRAY from Washington who is leading our effort to pass this measure.

I yield the floor.

Mrs. MURRAY. Mr. 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.

Mrs. MURRAY. 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.

Mrs. MURRAY. Mr. President, how much time remains on our side?

The ACTING PRESIDENT pro tempore. There is 23 minutes 54 seconds.

Mrs. MURRAY. Thank you. Mr. President, recently we have had the opportunity to consider several bills in the Senate to help ease the burdens for our middle-class families and small business owners that they are facing in this recession.

In late June, we brought a bill to the floor that would provide key targeted tax breaks, including a sales tax deductibility for families in my home State, as well as tax breaks to end our dependence on foreign oil.

In July, we introduced a Wall Street reform bill that included the strongest protections for consumers ever enacted and a guarantee that taxpayers would never be on the hook for bailing out Wall Street again.

A few short weeks ago, we worked to extend unemployment benefits to help stimulate economic growth and those who are in desperate need.

Last week, we introduced a bill that would have provided a new small business lending fund to help the backbone