

although the conference report received 92 votes in favor and a whopping 3 against. That doesn't sound, to me, like these tax extenders are just for GOP corporate fat cats.

According to the nonpartisan Congressional Research Service, extension of several of these provisions goes back even further, including the Tax Relief Extension Act of 1999, which passed the Senate by unanimous consent and lost just one Senator voting against it coming out of conference.

Why have Democrats in the last few weeks or maybe in just the last few days turned against the extenders, particularly considering it passed overwhelmingly in the House of Representatives with Democratic support? The only explanation to this behavior is that certain Senators have decided it serves deeply partisan goals to slander what have been, for several years, very bipartisan and very popular tax provisions benefiting many different people.

Yesterday's Washington Post article, from which I quoted, includes a statement from a Democratic leadership aide saying that:

No decisions have been made, but anyone expecting us immediately to go back to a bill that includes tax extenders will be sorely disappointed.

Having put their heads into the sand, this Chamber's leaders seem intent on keeping them there, based on that previous quote. The bill, as currently written, would allow employers of illegal workers to benefit from the payroll tax holiday. For sure, we should correct that mistake with an amendment. But under this parliamentary setup, you can only offer an amendment if not a single Senator objects to setting aside the existing business and replacing it with a new idea. The leadership's posture on this bill now prohibits this correction of giving illegal workers the benefit of a payroll tax holiday or the employer that employs them. Either the Democratic leaders are playing partisan politics with tax extenders or they don't understand the worth of the provisions to the economy as a whole and, most importantly, job retention and job creation.

I wish to speak about a very specific industry where 23,000 jobs are at risk and, in some instances, people actually without a job since December 31 because the biodiesel tax credit has been allowed to expire on December 31. That is one of the many tax extenders.

These workers are not GOP corporate fat cats, and in case anybody thinks biodiesel—because it is connected to agriculture—is related just to Iowans, let me make it very clear that these green jobs are in 44 of the 50 States, with thousands of people unemployed.

There are 24 facilities in Texas, 15 in my State of Iowa, 6 in Illinois, 6 in Missouri, and 4 facilities in Washington State. Ohio has 11 facilities, there are 5 facilities in Indiana, 3 each in Mississippi and South Carolina, 7 in Pennsylvania, and 4 in Arkansas. New Jersey has 2 facilities, there is 1 facility in

North Dakota. Only 6 States out of 50 do not have some biodiesel production layoffs because Congress did not act by December 31 of last year.

You know what. We just had to stay in session on Christmas Eve—because we had not met on Christmas Eve since 1895—to pass a health care reform bill that does not take effect until 2014.

Think of that. Let people in the biodiesel industry be laid off because Congress cannot act because we had to work on a bill that does not take effect until the year 2014.

So we need to turn away from talk about GOP corporate fat cats. We have to start thinking about those teachers having income tax provisions to be able to deduct expenses they have for their classrooms. We ought to think about these biodiesel workers being laid off. We ought to be thinking about the people who are harmed by the floods and have an extension of the temporary tax relief for them and quit bad-mouthing popular bipartisan proposals that we need to pass and should have passed yet last year, as the House of Representatives did. So we need to get back to work on a bipartisan package that was in the works until the Democratic leadership dramatically changed directions and went partisan.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. 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.

Ms. LANDRIEU. I wish to speak for up to 10 minutes as in morning business.

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

(The remarks of Ms. LANDRIEU pertaining to the submission of S. Res. 419 are located in today's RECORD under "Submitted Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

HONORING OUR ARMED FORCES

LANCE CORPORAL LARRY JOHNSON

Mr. CASEY. Madam President, I rise for two purposes this morning. The first is to speak about a native of Scranton, PA, who died serving our country in Afghanistan. LCpl Larry M. Johnson, just 19 years old, lost his life in the service to his country in the last couple of days. He becomes for Pennsylvania the 43rd soldier killed in action in Afghanistan, with an additional 191 Pennsylvanians who have been wounded at last count.

When we lose one of our brave young soldiers in Afghanistan or Iraq or anywhere around the world, we have a lot to say about their sacrifice and their service. I often, as we all do at one

time or another, quote Abraham Lincoln: "These Americans gave the last full measure of devotion to their country." No one said it better than Lincoln. He captured the essence of their service and the sense of loss we all feel when someone who is serving their country is lost in combat.

LCpl Larry Johnson's duties were the following: He was the combat engineer. His main responsibility was to combat and detect improvised explosive devices, and we know them by the acronym IEDs. He lost his life doing that work. Just 19 years old, he was a graduate of Scranton High School in 2008.

In instances such as this, probably the best testimony about the soldier's life, their commitment to their country and the sacrifice they made, probably the best testament of all of those subjects comes from members of their family. In this case, there was testimony in news articles over the last couple of days from friends and teachers, but, of course, most poignantly and most movingly from Larry Johnson's family. Yesterday in the Scranton Time-Tribune there was an article among several over the course of a couple of days, but this article in particular focused on Larry Johnson's family. I unanimous consent to have printed in the RECORD two stories, one entitled "Teacher Recalls Scranton Marine's 'Really Good Heart.'" That is the name of the first story. That is February 21. The second story I ask unanimous consent to have printed in the RECORD is entitled "Knock at the Door Brought Tragedy Home for Marine's Kin." That is from Borys Krawczeniuk, February 22.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From citizensvoice.com, Feb. 22, 2010]

FOR MARINE'S FAMILY, KNOCK AT DOOR
BROUGHT TRAGEDY HOME
(By Borys Krawczeniuk)

Johanna Johnson thought she would die first, not any of her four kids.

"You're not supposed to bury your son. Your son is supposed to bury you," Johnson, 43, said Sunday. "It isn't supposed to be this way."

She worried about Larry, her third child, the Marine in Afghanistan, the one who loved the outdoors and a good time and loved his mom so much that he always promised he would someday make sure she no longer had to work. He would buy her a double-block home in California, and she would live on one side and live off the rent from the other half.

"I'm 43 and he's acting like I'm 70," Johnson said.

She worried about him the way a mom worries about a son fighting a war a world away, but this was not supposed to happen.

Two serious-looking Marines are not supposed to come to the door of a tiny, third-floor apartment on Moosic Street in Scranton to report that your son gave his life in service to his country.

Last Thursday, they did.

The official Marine version says Lance Cpl. Larry M. Johnson, 19, of Scranton, died that day "as a result of a hostile incident while conducting combat operations in Helmand province, Afghanistan."

Family members say a Marine who transported his body to the U.S. told them Cpl. Johnson, trained as a combat engineer whose job was to seek and destroy improvised explosive devices, was the victim of one himself. He was part of the renewed thrust into Helmand, the United States' biggest push in Afghanistan since 2001. The goal is to chase away the Taliban.

His funeral will be Thursday or Friday, family members said.

Johanna Johnson was not home when the Marines arrived with the bad news.

She was at work, second day on the job on the assembly line packaging helmet shields at Gentex Corp. in Simpson where they make the helmets American troops wear in places like Afghanistan.

Ashley, 21, Larry Johnson's older sister, heard the knock on the door from the bathroom.

It was a hard knock, she remembered.

"Is your mom home one Marine asked.

"I went to turn away and I was like, 'Wait, did something happen to my brother?'" Ashley Johnson asked.

They never actually said Larry Michael Johnson was dead.

"I just knew," Ashley said. "I saw the look in their face that he was dead. I didn't even have to ask the question."

She broke down. She chokes up re-telling the story.

Her brother, a 2008 Scranton High School graduate, always smiled. He loved to laugh and was good at breaking the silence when a conversation paused with a joke.

He was no more than 5 feet 7 inches tall, and suggesting Larry Johnson would be a Marine might bring a chuckle. He enlisted in October 2008 only two weeks after surprising his mother with his decision.

His father, an Army veteran also named Larry Johnson, would do his best to get his son to bulk up by lifting weights, but pictures show a skinny kid. In a senior prom picture, he has a barely visible pencil-thin mustache.

His sister Ashley always wanted to take care of him.

He wanted to care for animals. As a 10-year-old, he dreamed of being a veterinarian. He owned an unnamed python and could draw highly detailed pictures of animals. Outdoors, he snow-boarded, skied, water-skied, camped, rode all-terrain vehicles and liked to party, family members said. Though he was underage, he liked a beer or two now and then.

"The transformation that these Marines did to Larry was something," said Jeff Whitney, Johanna Johnson's boyfriend, whom Cpl. Johnson viewed as a stepfather. "Not that he was a bad kid, don't get me wrong. But he was headed in the wrong direction, hanging around with knuckleheads. He was headed straight to jail. I kept on him every time. I kept on his butt."

The Marines did the rest. His Marine pictures show a boy turning into a man, with wider biceps and a more rugged look.

He gained respect for others, family members said, always answering, "Yes, sir" or "No, sir." After being deployed to Afghanistan in October, he talked about how he would no longer take life for granted.

At Christmas, he sent his mother a deep fryer and a crock pot he bought online from Wal Mart.

On patrol, he would sometimes call her via a satellite phone, sometimes when he should not have.

"He'd be out on a mission and he would call me," Johanna Johnson said. "He always worried about his mother."

The last three weeks, well before he died, he did not call. It is now apparent to family members that he could not because the mis-

sion was being planned, and secrecy was essential.

"I was stressing over my phone not ringing," Johanna Johnson said. "I kept saying 'Why isn't he calling me? I wish he would call me.'"

[From the Scranton Times-Tribune, Feb. 21, 2010]

"TEACHER RECALLS SCRANTON MARINE'S
"REALLY GOOD HEART"
(By Erin L. Nissley)

Jennifer Brotherton remembers former student Larry M. Johnson as a good-natured kid who almost always had a smile on his face.

When the Scranton High School teacher heard Friday the 19-year-old 2008 graduate was killed while serving with the Marines in Afghanistan, she was shocked.

"He had a really good heart and he was so full of energy," said Ms. Brotherton, who was Lance Cpl. Johnson's English teacher in 2006-2007.

"Any time a child dies, it's too soon," she added.

Lance Cpl. Johnson was a combat engineer assigned to 2nd Combat Engineer Battalion, 2nd Marine Expeditionary Brigade. He joined the Marines after graduating from Scranton High School and was promoted to lance corporal on Dec. 1.

Information released Saturday by military officials indicates that Lance Cpl. Johnson died Thursday "as a result of a hostile incident while conducting combat operations" in Helmand Province, Afghanistan. His remains arrived in Dover, Del., on Saturday.

Efforts to contact family members were unsuccessful.

Scranton School District officials plan to reach out to the family in the coming days "to see what they might need," said Gregg Sunday, the district's business manager.

"I can't imagine what the family is going through right now," Mr. Sunday said. "It's a tragedy."

Lance Cpl. Johnson was deployed to Afghanistan in October. His awards include the Afghanistan Campaign Medal, National Defense Service Medal, Global War on Terrorism Service Medal and NATO International Security Assistance Force Medal.

Mr. CASEY. The one that focused on his family begins with this line, speaking of Larry Johnson's family:

Johanna Johnson thought she would die first, not any of her four kids.

This is what Larry's mom is quoted as saying in the second line of the story:

You're not supposed to bury your son. Your son is supposed to bury you. It isn't supposed to be this way.

The story went on to talk about what Larry's hopes and dreams were, not only for himself but for his own mother. The story says that Larry Johnson "loved his mom so much that he always promised he would some day make sure she no longer had to work. He would buy her a double-block home in California, and she would live on one side and live off the rent from the other half." That was a soldier's dream for his mother—just 19 years old and not only thinking about the rest of his life, not only volunteering to serve his country in the Marine Corps and going to Afghanistan, but to have a dream—a dream for his mother's future that he hoped to bring to fruition.

Larry Johnson's sister Ashley is 21 years old, just 2 years older than

Larry. She talked about the knock at the door that no family, no mother or father, no brother or sister—no loved one—ever wants to be present for. But Ashley heard the knock at the door. It was a hard knock at the door, she remembered. The one marine who was at the door asked, "Is your mom home?"

This is what Ashley said after that. She went to turn away, and she asked herself: Wait, did something happen to my brother? He never actually said—the marine at the door—that Larry Michael Johnson was dead, but Ashley said the following:

I just knew. I saw the look on their face that he was dead. I didn't even have to ask the question.

The story goes on to talk about Larry's father, by the same name—Larry—who was an Army veteran who served his country as well. It is talking about how his father prepared him to go into the Marine Corps once Larry made the decision to become a marine.

Then the story ends with a couple of references to, again, Larry's mom—the one he had a dream for, the one he wanted to build a house in California for someday in the future. The story says:

At Christmas, he sent his mother a deep fryer and a crock pot that he bought online from WalMart.

He wanted to send that to her.

It says:

On patrol, he would sometimes call [his mother] via a satellite phone, sometimes when he should not have.

But, again, he loved his mother.

Johanna Johnson is quoted toward the end of the story:

He'd be out on a mission and he would call me. He always worried about his mother.

There is really not a lot more I could say about his life and his sacrifice than what was contained in this story about what it means to serve, what it means to give, as I said before, in Lincoln's words, "the last full measure of devotion to your country." But we know that when these lives are lost, it is not just about service, it is not just about combat and the military or the Marine Corps. All of that is relevant and critically important, but in the end these stories are about families, about mothers and fathers and brothers and sisters.

For those who have loved and lost, we do our best to try to understand, but we can never fully understand what Johanna Johnson and her family are living through these last few days and will live with the rest of their lives. They will be able to manage that loss. They will be able to move on. But they will never be fully recovered from that kind of a loss.

We are thinking of Larry Johnson and his family today. We are praying for them. We want him and his family to know, in our own small way, how much we appreciate his sacrifice.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 3017 are located in today's RECORD under "Statements of Introduced Bills and Joint Resolutions.")

Mr. SPECTER. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847, which the clerk will report.

The bill clerk read as follows:

A House message to accompany H.R. 2847, an act 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.

Pending:

Reid amendment No. 3310 (to the House amendment to the Senate amendment), in the nature of a substitute.

Reid amendment No. 3311 (to the amendment No. 3310), to change the enactment date.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to talk about what I believe should be our top priority, almost our exclusive focus in terms of immediate work, and that is the issue of jobs and the economy. Doing so, I applaud the fact that finally as a body we are somewhat focused on that. We are debating a bill having to do with job creation, economic growth. But at the same time, I find it unfortunate, really sad, that as we take up that top agenda item for the American people we do so by taking up a bill of the majority leader, which is fine, but in a way under which he completely shuts out any opportunity for amendment on the floor of the Senate.

Again, I find that process really unfair and unfortunate. The fact that

every Republican idea, every Republican amendment is just being shut out is really frustrating, even angering to me as a Republican. But the issue isn't Republican and Democrat. The issue is what is good and right for the American people. The fact is that ideas and amendments on the Senate floor, which is supposed to be a place of unlimited debate, virtually unlimited ability to offer good ideas, to offer amendments, that is being completely subverted, and all amendments are being shut out.

Because of that, I am going to ask unanimous consent that we break out of that logjam, that we break out of that bitter partisanship and consider, with an open mind, one amendment I am bringing forward. But let me spend a few minutes outlining that amendment.

As we look on the job picture and the economy over the last year, as I talk about that job picture over the last year with folks in my State, I hear two dominant concerns. No. 1, we are still in a heck of a recession. The job creation that was promised a year ago with the stimulus just hasn't panned out. The promise of staying below 8 percent unemployment, minimizing that job loss, clearly, tragically, unfortunately never panned out. The President promised his stimulus would keep us below 8 percent. Unfortunately, as we all know, unemployment nationally went above 10 percent. Right now it still hovers near 10 percent, just a shade below that. And, again, unfortunately, the Federal Reserve has issued a report recently warning that sort of high level of unemployment would be with us for several years to come.

What I hear from Louisianans all around the State—and I would certainly trust what Members from every State of the Union hear in their home States—is that we need a better model to create jobs, to jump-start this economy, to get us out of this serious recession.

The other big theme and concern I hear all around Louisiana is: What are you all doing about this unsustainable level of spending and debt? I share that fear. I share that concern. Even as we struggle to get out of this recession—and we are not near there yet—I am fearful that the next economic crisis is coming based on spending and debt, unsustainable levels of spending and debt. We are near debt levels today comparable to where this Nation was at the end of World War II compared to GDP.

I don't like the idea of going into heavy debt for anything, but if we are going to do it as a nation, surely the reason we had with World War II, the need to build a modern Army overnight, unlike any military we had ever had before that, to defeat Hitler, to preserve freedom and democracy, literally our way of life, surely that reason is a pretty darn good one. That is why we as a nation went into debt, got up to 120 percent of GDP at the end of World War II.

The "greatest generation" that did that, that sacrificed and fought and won that war, turned around after the war and wiped away that debt, sent it down with great prosperity and fiscal restraint in the 1950s. But today we are nearing those same historic high levels of debt, with our overall debt now at about 100 percent of GDP, but, obviously, without the historical circumstances such as we had in World War II.

The other thing we don't have is that plan to get rid of it, that determination to reverse course and get our fiscal house in order because we don't have that plan either. In fact, we are in a huge fiscal debt hole, and we have not even stopped digging. In fact, the only thing this administration and this liberal Congress have done in the last year is to put down the shovel digging and used a backhoe instead, specifically to pass a budget that takes that historically high level of debt and doubles it in 5 years and triples it in 10 years.

In the face of those two enormous challenges, we need to create jobs much more effectively than we have in the last year, and we need to get spending and debt under control.

I proposed last March legislation that I and my cosponsors called the no-cost stimulus act. The no-cost stimulus act is about just that, creating great American jobs, stimulating the economy, helping us get out of this recession, using a fundamentally different model than the last year, at no cost to the taxpayer, not continuing to drop hard-earned taxpayer dollars out of helicopters—a fundamentally different approach at no cost to the taxpayer.

In fact, it will produce new Federal revenue and lower our level of deficit and debt.

How do we do that? We do it by focusing on our domestic energy sector, by opening access to domestic energy we have in great quantities in this country, by decreasing our reliance on foreign sources and creating great American jobs in the process. Again, we do this by opening access to our tremendous energy reserves we have.

We are the only country on Earth that has major, significant energy resources but that puts 95 percent of them off limits under Federal law and says: No, no, no, no, you cannot touch that. You cannot touch 95 percent of our domestic energy resources.

We need to change that both to improve our energy situation and to create good American jobs because the answer on the energy front is not either/or. It is not either drill for traditional sources, such as oil and gas, or develop new technology, new research and development. The American people know it is not either/or; it is all of the above, and we need to do all of the above aggressively.

This bill fits right into that commonsense, all-of-the-above mentality of the American people. We open access to domestic energy reserves. We produce