

then it needs to drop the proposal it posted Monday, which is no different in its essentials than anything we have seen before, and start over. And they need to take this last-ditch reconciliation effort off the table once and for all.

Then we can work on the kind of reform Americans really want, step by step proposals that will actually get at the problem, which is cost. That is what the American people have been asking us to do for a year. If ever there were a time for the administration to show it is listening, it is now. Reform is too important. We cannot let this opportunity pass.

RESERVATION OF LEADER TIME

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

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message with respect to H.R. 2847, which the clerk will report.

The assistant legislative 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 amendment No. 3310), to change the enactment date.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:55 will be equally divided and controlled between the two leaders or their designees.

Mr. GREGG. I ask unanimous consent that upon the completion of the remarks from the Senator from New York, I be recognized.

Mr. SCHUMER. Mr. President, the time will be equally divided, I presume?

Mr. GREGG. Yes.

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

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, on a more bipartisan note than the speech from the minority leader, we are now moving toward some legislation that has two bits of good news for the American people; one, it will help create jobs and employ those who have been out of work for too long a time; second, it is bipartisan. For the first time in a long time, we have a bill that is supported by both Democrats and Republicans. I would like to salute the five Republicans from the other side who

joined us in moving the bill forward. I am very hopeful there will be a large number of those from the other side of the aisle who will join in this bipartisan measure that will show the American people that, at least when it comes to jobs, we can—and must for their good—work together.

First, let me discuss the proposal, the part of the proposal authored by Senator HATCH and myself. It is very simple. It is a holiday from the payroll tax for any employer that hires a worker who has been out of work for 60 days.

Let me discuss why I think it will work. First, it is immediate. Most businesses, particularly small businesses, if you tell them they will get some kind of tax credit if they hire someone, but they will get that credit a year from April, are not very interested. This occurs immediately, the minute the worker is hired.

Second, it is simple. Again, you tell a businessperson, particularly a small businessperson, they have to fill out 30 pages, maybe hire an accountant to get a tax credit for a new worker, that is not life. They are going to tell you to forget it.

But here all the new employee has to show is that he or she was out of work for 60 days. It is very easy to show 60 days of unemployment compensation, and it immediately takes effect.

Third, it goes right to small business. So this is not a large government program. The money goes right to small business and is cost effective, which is the fourth point. If 3 million people are hired by this tax credit, it will cost \$15 billion. That is a lot of money. But compared to the stimulus of \$880 billion, it is much smaller. The money is cost effective. It goes right to where it should.

Finally, my last point is, it is bipartisan. The country is asking us to come and work together. Obviously, there are diverse views, both within the parties and certainly between the parties. But that does not mean, on areas that are getting close to emergencies, we cannot work together.

This proposal, let it be the start. But let this proposal be the start of a coming together on issues we can agree on. There are some job proposals my colleagues on this side of the aisle would support and my colleagues on the other side would not and vice versa. There are some they would support and we would not.

But there are a large number we can all agree on. We ought to endeavor to do them because what the American people want is not us just talking at one another and accomplishing nothing but us getting something done.

Finally, going back to the merits of this proposal, it should not be sold as a panacea. This is not a magic wand that is going to be waved and all our joblessness will decline.

But what it does do is harness the economic growth we have seen in the last quarter, 5.7 percent, and translates

it into the creation of jobs. Let me explain. In the last quarter, there was economic growth, 5.7 percent, but hardly a job was created. You cannot sustain an economy and get an economy moving upward unless jobs are created.

But the growth gives us an opportunity—not every employer but a significant number of employers are getting new orders. They are thinking to themselves: Should I hire that new worker or should I just extend overtime or cut back somewhere else?

This job provision, a payroll tax holiday, says to the employer—to some, not all but to many—I am going to take that gamble and hire that worker and hire them now so it will help jumpstart our economy. It will work for businesses, not those that see declining sales or flat sales but those that are beginning to see sales go up and will translate those increased sales into increased jobs, which will then, hopefully, create the virtuous cycle of more jobs, more money in the economy, more jobs still, more money in the economy still, and we can get out of this awful recession.

In conclusion, I wish to save enough time for my friend from New Hampshire. I traveled around my State this last Presidents week break. In every corner of my State, I sat with the unemployed. It was heartbreaking. Think of those people and those faces, what they had to say late at night.

A woman from Rochester had worked for 20 years for Xerox, lost her position in human services up in Rochester. She has been looking for 2 years, close to 2 years, for a job. She made a very good salary. She did not have a family. Her job was her life. She has turned things inside out to try and find comparable work. She cannot.

I met a man who was a blue-collar worker. He had risen to the top of his craft, tool and die. He thought he had a great life—worked hard, had six children, a good marriage. A year ago he lost his job and is still paying the mortgage. His wife cannot work to support him because of the six kids, one of whom was 2 years old, as I recall.

What is he going to do? You meet people like this again and again. Young college students get out of college, bright-eyed and bushy-tailed, and cannot find work. How disillusioning at the beginning of their career.

So we have an imperative to do something. We have an imperative not to say: It has to be my way or no way. We have to put those people back to work.

That is what Senator HATCH and I attempted to do with our proposal. To our leader, I wish to pay him a tremendous tribute. He was focused on getting this done. He took brickbats left and right. But the ultimate wisdom of what he did is now being seen as we move this bill on the floor today.

Hopefully, it will go through the House and be on the President's desk shortly. I thank Senator HATCH and all my colleagues who, hopefully, in a few minutes, will come together in a bipartisan way and tell the workers who are

unemployed: Yes, there is some hope. Tell the voters from Massachusetts: Yes, we have heard you. We are focusing on jobs.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I believe the first obligation of a government—or one of the obligations, especially of Congress—is to live by its own words and live by its own rules. With great fanfare a couple weeks ago, the Democratic leadership and its membership passed a pay-go piece of legislation which says that when you bring spending legislation to the floor, it should be paid for. There was great breast-beating on the other side of the aisle about how this would discipline the government and make us fiscally responsible.

Now we see, as the first piece of legislation to come forward since the pay-go resolution passed, a bill which violates that pay-go resolution. This bill spends \$12 billion that is not paid for under the pay-go rules over the next 5 years. It is in violation of the concepts and the rules which were put forward by the other side as the way we would discipline spending.

I understand—and I think most of us understand—the issue of the economy is critical, getting people back to work is critical, but I don't think we get people back to work by loading more and more debt onto the next generation. Probably we create an atmosphere where folks who are willing to go out and invest and create jobs are a little reticent to do so because they don't know how all that debt the Federal Government is putting on the books will be paid for. I presume that is one of the reasons the pay-go legislation was brought forward a couple of weeks ago, to try to give some certainty to the markets and to the American people who were upset with all the deficit and debt, that we would discipline ourselves.

Now the first bill that comes forward violates the rules of the Senate by adding \$12 billion of spending which is not paid for, which will be deficit spending, and which will be added to the debt. I am not sure how you vote for this bill when it violates that rule which you just voted for 2 weeks ago. It seems a bit of inconsistency that is hard even for a political institution to justify.

On top of that, this bill has massive gamesmanship in the outyears. It is a bill of \$15 to \$18 billion in spending, but actually, because of the games played in the highway accounts, it adds \$140 billion of spending that is not paid for which will be added to the debt if this bill is passed. That is a hard number. That is a big number. That is a real number.

The simple fact is, this bill, in the classic gamesmanship we see from the highway committee, spends money we don't have and then claims we have the money. In the end, all that money has to be borrowed because there are no revenues to cover it.

If this bill is passed, there will be \$140 billion in new debt put on our kids' backs as a result of this alleged small number. I forgot what the number is they claim is actually in the bill. How does that happen? This bit of gamesmanship ought to be explained because it keeps being undertaken by the highway committee in the most egregious way relative to proper fiscal management. In fact, if this were done in an accounting cycle that was subject to accounting rules, the people who claim this sort of sleight of hand would go to jail. It is that simple. They would go to jail because this is such a fraud on the American taxpayer.

What they are claiming is that the highway fund, on which they have committed to spend much more money than is coming in, and they knew they would spend more money than was coming in because they wanted to spend more money than was coming in, what they are claiming is that highway fund lent the general fund money 10 years ago and that money should have had interest paid on it. Of course, at the time, they actually waived the interest, assuming interest should have been paid on that. That interest has been recouped a couple of times now, allegedly, even if it were owed. But what they claim is that because the money is coming out of the general fund to fund the highway fund, they are calling that an offset so it won't score.

Unfortunately, under the present rules with which we budget around here, it doesn't score because it is built into the baseline. It adds up to \$140 billion over the next 10 years, approximately, that is going to come out of the general fund to fund the highway fund because the people who run the highway fund don't have the courage to fund what they want to spend. So they are going to take it out of the general fund. Where does the general fund get its money? It borrows it from our children and grandchildren. It runs up debt. That is why, under any scenario, no matter what gamesmanship you play around here on naming this event, it turns out to be the same thing: debt added to our children's burden.

Our children already have a fair amount of debt coming at them as a result of this Congress's profligacy. Under the President's budget, the deficit will double in the next 5 years and triple in the next 10 years. We will add \$11 trillion of new debt to the backs of our children over the next 10 years under the President's initiatives, every year for the next 10 years. We will average deficits of \$1 trillion.

The American people intuitively understand that cannot continue; it can't keep up. We are on an unsustainable course. We are running this Nation into a ditch on the fiscal side of the ledger. We are putting this Nation into financial bankruptcy because of the fact that we are running up deficits and debt far beyond our capacity to repay. In fact, if you look at these defi-

cits and debt just in the context of what other industrialized nations do—for example, the European Union—they don't allow their states to exceed deficits of 3 percent or a public debt to GDP ratio of 60 percent. The way this works out, we are going to run deficits of about 5 percent every year for the next 10 years, we will have a public debt situation of well over 60 percent next year, and we will get to 80 percent before the next 10 years are up. Those are numbers which lead to one conclusion—that we are in deep trouble. We are in deep, deep trouble. Yet we come here today with a bill which aggravates that situation relative to the pay-go rules by \$12 billion and relative to the highway fund by \$140 billion.

Mr. INHOFE. Mr. President, I have a unanimous consent request.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire has the floor.

Mr. GREGG. I will yield for the purpose of a unanimous consent request.

Mr. INHOFE. I ask unanimous consent that at the conclusion of the remarks of the Senator from New Hampshire, I be recognized for up to 3 minutes.

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

Mr. GREGG. What we have before us today is a bill which, first, violates the pay-go rules which we just passed a couple of weeks ago to the tune of \$12 billion and, second, puts in place a glidepath, which should be called a nosedive, toward \$140 billion of new debt being put on the backs of our children, with the alleged justification that it is offset when, in fact, the offset is superficial, Pyrrhic, and nonexistent.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GREGG. We can not keep doing this. We cannot keep doing this to our children. We cannot keep coming out here and claiming we are being fiscally disciplined when we are doing just the opposite: spending money we don't have and passing the bill on to our kids.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, when the Senator from New Hampshire talks about what we can and can't do to our children, I remind my fellow Senators, I happen to be blessed with 20 kids and grandkids. I am probably more concerned than anyone else here about future generations. Let me say, to redeem myself in advance, I am a conservative. I have been ranked No. 1 by the ACU, Man of the Year by Human Events. Yet I think we are supposed to be doing something when we come here to Washington. I have always said, when I run for office, that the two main things we are supposed to do are defend America and infrastructure. Yes, I am the ranking member on the Environment and Public Works Committee. I was the sponsor of the bill in

2005, and I am proud of it because we had to do something about infrastructure. I don't know, maybe there aren't any roads in New Hampshire, but I can tell you, don't buy into the argument that this is all debt. We are talking about \$12 billion.

This bill actually does two things. It has some very good reductions in taxes. I remember so well that John Kennedy, when he was President, said we have to raise more revenue. The best way is to reduce marginal rates. From 1961 to 1968, it went from \$94 billion to \$153 billion. That is in this thing. But the main thing here I am concerned about is we keep doing nothing about roads and highways and infrastructure. That is what we are supposed to do.

I know the Senator is sincere when he comes up with this, but where was his concern back when he voted to give an unelected bureaucrat \$700 billion? That wasn't offset. We can say that was a loan, but we all know better.

There are some things we are supposed to be doing in America, and the second most important thing, in my view—I know others don't share this view—is to do something about infrastructure. This bill does it. This carries it on to the end of the fiscal year, about 11 more months. If we don't do it, it is costing about \$1 billion a month by inaction. If we try to do this by extending it month by month, each one of us in this body is going to lose a lot of money that goes to roads and highways and infrastructure.

Last week had a crumbling bridge in Oklahoma where no one was killed, but it came very close to that. We saw what happened up in Minnesota. We have to do something, instead of spending all of our money, as this administration is doing, on social engineering. We need to start building bridges and roads and repairing them.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Joint Committee on Taxation document en-

titled "Estimated Revenue Effects of the Revenue Provisions Contained in Senate Amendment 3310, The 'Hiring Incentives to Restore Employment Act,' under consideration by the Senate" be printed in the RECORD.

In addition, the RECORD should reflect that the document entitled "Technical Explanation of the Revenue Provisions Contained in Senate Amendment 3310, The 'Hiring Incentives to Restore Employment Act,' under consideration by the Senate" can be found on the Joint Committee on Taxation website at <http://jct.gov/publications.html?func=startdown&id=3648>. This document is a contemporary explanation of the legislation that reflects the intentions of the Senate and its understanding of the legislative text.

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

JOINT COMMITTEE ON TAXATION
February 23, 2010
JCX-5-10

ESTIMATED REVENUE EFFECTS OF THE REVENUE PROVISIONS CONTAINED IN SENATE AMENDMENT 3310,
THE "HIRING INCENTIVES TO RESTORE EMPLOYMENT ACT,"
UNDER CONSIDERATION BY THE SENATE

Fiscal Years 2010 - 2020

[Millions of Dollars]

Provision	Effective	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-15	2010-20
I. Incentives for Hiring and Retaining Unemployed Workers														
1. Payroll tax forgiveness for hiring unemployed workers (sunset 12/31/10) [1].....	wpa DOE	-4,184	-3,432	--	--	--	--	--	--	--	--	--	-7,616	-7,616
2. Business credit for retention of certain newly hired individuals in 2010.....	wpa DOE	--	-2,137	-2,430	-422	-193	-112	-48	--	--	--	--	-5,294	-5,342
Total of Incentives for Hiring and Retaining Unemployed Workers.....		-4,184	-5,569	-2,430	-422	-193	-112	-48	--	--	--	--	-12,910	-12,958
II. Expensing - Increase in Expensing of Certain Depreciable Business Assets (sunset 12/31/10).....														
tyba 12/31/09		-556	-368	305	192	140	108	68	39	19	9	8	-178	-35
III. Qualified Tax Credit Bonds - Allow a Refundable Credit to the Issuers of Qualified Zone Academy Bonds, Qualified School Construction Bonds, New Clean Renewable Energy Bonds, and Qualified Energy Credit Bonds [2].....														
bia DOE		-56	-402	-539	-479	-373	-270	-175	-80	-62	-48	-37	-2,119	-2,520
IV. Revenue Provisions Contained in Extension of Current Surface Transportation Programs - Extend Highway Trust Fund (sunset 12/31/10), Provide for Interest and Certain Fund Transfers [3].....														
DOE														
V. Offset Provisions														
A. Foreign Account Tax Compliance.....	various	343	448	710	769	804	840	878	917	958	1,001	1046	3,914	8,714

----- No Revenue Effect -----

bia = bonds issued after
 DOE = date of enactment

tyba = taxable years beginning after

wpa = wages paid after

[1] The proposal also appropriates a transfer from the General Fund to the Social Security Trust Fund to keep the trust fund whole. Thus, the reported estimate is all on-budget.

[2] Estimate includes the following increase

[2] Estimate includes the following increase in outlays.....

[3] Estimates for the rest of this title will be provided by the Congressional Budget Office.

Mr. HATCH. Mr. President, I rise today to discuss the so-called jobs legislation that is before the Senate this afternoon and to express my grave concerns with the direction this bill has taken over the past few weeks.

Several of my Finance Committee colleagues on both sides of the aisle put a lot of time and effort into creating a compromise jobs bill that Chairman BAUCUS and Senator GRASSLEY were trying to move forward. Indeed, I had high hopes that we might help thaw the partisan freeze that has gridlocked this chamber for far too long. Unfortunately, our efforts and hopes have been dashed by the majority leader's inexplicable decision to gut our bill and replace it with a piece of legislation that replaces cooperation with contention.

Further exacerbating matters, the Democratic leadership has filled the amendment tree, thus preventing anyone from being able to offer amendments that would improve the underlying bill. So much for compromise.

As a longtime public servant of this great deliberative body, I can't recall a decision that exhibited as much raw political gamesmanship as this one does. The Democratic leadership is stifling the first genuine attempt at cooperation on a major issue—a move that bodes ill for bipartisanship for the remainder of this Congress.

Given what is happening with this jobs bill, how can we in the minority have faith that we won't be excluded from debate on future legislation such as health care and energy legislation? It is easy to label the Republicans as the "Party of No" when you completely exclude them from the legislative process. Unfortunately, the majority leaves us with little other option than to say "no."

But what puzzles me the most is what the majority has to gain from this partisan maneuver. In my experience, the Senate operates best when there is trust that agreements will be honored, but regrettably now even that is in question.

Just a few weeks ago, I sat in the House Chamber while the President gave his State of the Union Address in which he raised the importance of bipartisan cooperation, especially in the area of job creation. The fact that the President hit a nerve with this plea is evident by the effort to build such a bipartisan bill in the Finance Committee in the weeks that followed. However, it is obvious that many on the other side cannot stand the thought of working with our side when there might be political points to be scored by trying to embarrass us.

Here are a few of the things the President said about the need for bipartisanship in his State of the Union Address:

And what the American people hope—what they deserve—is for all of us, Democrats and Republicans, to work through our differences.

[Americans] are tired of the partisanship and the shouting and the pettiness.

These aren't Republican values or Democratic values that they're living by; business values or labor values. They're American values.

The President went on to address the need to promote job growth by saying:

Now, the true engine of job creation in this country will always be America's businesses.

We should start where most new jobs do—in small businesses, companies that begin when an entrepreneur takes a chance on a dream, or a worker decides it's time she became her own boss.

And finally:

[We should] Provide a tax incentive for all large businesses and all small businesses to invest in new plants and equipment.

While these challenges and standards were set by the President, the leader of the Democratic Party, I believe most Republicans would agree with him. The American people are suffering. Our unemployment rate is near double digits. We owe it to the unemployed and underemployed to put aside partisan politics so that we can create jobs and make our economy stronger.

Soon after President Obama addressed the Nation, Senate Democratic and Republican leaders went to work on a bipartisan solution to create a jobs-growth bill. I worked with Senator SCHUMER to come up with a payroll tax holiday for companies that hired more employees. Under this incentive, the sooner a company hired an unemployed worker the more tax incentive the company would receive. I believe that this initiative is a perfect example of the kind of bipartisanship the President talked about during his State of the Union Address.

In addition, Senators BAUCUS and GRASSLEY joined in this effort by including several other provisions aimed at job growth and to address the symptoms of a failing economy. This was a compromise that included an extension of unemployment insurance, Build America Bonds, and expired tax provisions.

Let me be clear. There is no doubt in my mind and in the mind of many of my colleagues that passing a jobs bill is crucial. We have seen our unemployment rate remain at about 10 percent since September. The American people sent us here to do a job, and it is way past time we did it.

This is why it was so disheartening on February 11, when the Senate majority leader announced that he would scrap the compromise proposal only hours after its unveiling and proceed instead with a stripped-down bill that would not extend any of the expiring tax proposals that are so vitally important to job growth. This decision not only pulled the rug out from Republicans, but it floored those Democrats who had been working for weeks on a bipartisan solution.

Regrettably, because of this decision, it looks as though President Obama's hope for a bipartisan solution to job creation only lasted 2 weeks. What a shame!

To illustrate the abruptness of and surprise caused by the majority lead-

er's unexpected action, just look at the next-day's headlines:

"Key Dem: Reid scrapped jobs bill because he did not trust Republicans"—The Hill

"Reid kills Baucus-Grassley jobs bill"—The Politico

"Senate leader slashes jobs bill; Despite new support"—LA Times

But it doesn't end there. The majority leader sent a pretty strong message when he said that he—and I quote—"dared Republicans to vote against his bill."

Many Democratic Senators were quick to stand behind the majority leader's reversal, just seconds after supporting the bipartisan jobs bill. Some even stated that we Republicans were not interested in a bipartisan deal because we were more inclined to "play rope-a-dope again." They went on to characterize the tax extenders as only "going to people who are making money, and they generally keep it." They even went so far as to say that what the Democratic Caucus is taking to the floor is something that is more focused on job creation than on tax breaks.

What most surprised me is just how quickly many Democratic Senators were to abandon these tax extenders, even though most of them support extending these very expiring tax provisions. In fact, the Democratic leadership has erroneously labeled the tax extenders as solely a Republican-supported initiative. This is hardly the case, considering the Democratic-led House has already passed nearly all of these tax extenders and the President called for them to be passed in his speech before Congress.

There is an array of expiring tax provisions contained in the tax extenders package. Here are a few that are included:

Also, many Democrats, including the majority leader, are cosponsors of legislation that would extend many of the expiring tax provisions. Look at the bill to extend the research tax credit, or the alternative fuels vehicle credit, or even the new markets tax credit. These are by no means solely Republican initiatives.

In fact, there are many business tax incentives included in the tax extenders package that are primarily supported by some of the Senators who have been the most vocal against including the expired provisions in the jobs bill. These Democratic-supported business incentives include a mine rescue team training credit and special expensing rules for certain film and television productions.

Therefore, to label the support of extending these expiring tax provisions as part of a solely Republican agenda is misleading, unfair, and unwarranted. I believe that these statements were made only to support the majority leader, who appeared to have made a hasty and ill-considered decision.

Some have questioned how extending these expired tax provisions relate to job creation. It is a fair question, but

one with easy answers. The extension of these expired tax provisions would support proven growth of companies that are slowly beginning to see the light at the end of the tunnel. Conversely, government funding would only provide a false sense of job growth because once the government funding is gone so will the jobs.

If we need proof that government spending isn't as effective as tax relief, we only have to look to what the Congressional Budget Office said last year about the effects of the year-old economic stimulus package:

The legislation would increase employment by 0.8 million to 2.3 million by the fourth quarter of 2009, by 1.2 million to 3.6 million by the fourth quarter of 2010, by 0.6 million to 1.9 million by the fourth quarter of 2011, and by declining numbers in later years.

The reason for this drop in employment is because government spending does not create permanent jobs; only the private sector can. In contrast to government spending, tax incentives would give the private sector a much-needed boost. If we had included more tax incentives for businesses in last year's stimulus bill, we would have created jobs that will last far longer than the ones government spending has created.

Originally projected to cost \$787 billion, the stimulus bill is now expected to total \$862 billion over 10 years, according to the Congressional Budget Office. This does not include interest owed, which would put the total cost in the trillions of dollars.

Thus far, only a third of the \$862 billion stimulus package has been spent. Another third is expected to be spent in 2010, and the remaining third after this year. Whatever happened to spending money on projects deemed to be "shovel ready?"

The administration has claimed the stimulus bill is responsible for creating or saving 1 million jobs—a very misleading claim.

For example, it was reported that a construction company in Nevada created 20 jobs on a project that has yet to receive money. A school district reported saving 665 jobs, even though it only employs roughly 600 people. A town in Oregon reported creating eight jobs on a contract for "rattlesnake stewardship."

In January 2009, President Obama's economic advisors predicted in a report that with an \$800 billion stimulus, the unemployment rate would never go above 8 percent. As I stated previously, unemployment has been near 10 percent since last September.

Moreover, the stimulus package was sold to the American people as an immediate fix—a "jolt" to the economy. The President's chief economic advisor, Larry Summers, said: "You'll see effects immediately." Christina Romer, the President's chair of Economic Advisers, said: "We'll start adding jobs rather than losing them." And House Majority Leader STENY HOYER

said, "This will begin creating jobs immediately."

When pitching the stimulus bill, then-President-elect Obama said "90 percent of these jobs will be created in the private sector—the remaining 10 percent are mainly public sector jobs." However, the Wall Street Journal reported in a February 17 article that government data indicate most jobs supported by stimulus dollars belonged to government employees at the State and local level. In fact, only 2 percent of the entire stimulus bill was dedicated toward tax relief for businesses.

We need to provide a foundation to allow the private sector to nourish and create better paying jobs. That is why many support including these tax extenders in a jobs bill.

For instance, it is estimated that that approximately 70 percent or more of the research tax credit benefits are attributable to salaries of performing U.S.-based research. How can some Senators disregard the effectiveness of some of these tax extenders on job growth? And keep in mind that the research credit has traditionally received more Democratic than Republican support in this body. In fact, there is a bill to extend the expiring research tax credit. Of the 18 cosponsors of this bill, 11 are Democrats. Furthermore, this bill was introduced by the Democratic chairman of the Senate Finance Committee.

As I stated earlier, the President set the tone at the beginning of the year by calling on Congress to put forth a bipartisan solution to create jobs. In response, both Democrats and Republicans brought innovative ideas to the table. Then, in a sudden change of events, many Republican ideas were excluded from the jobs bill the majority leader has brought to the floor. Finally, the majority leader is not allowing our side to offer any amendments.

If this is not an arrogance of power, then I do not know what is. I only hope the majority leader heeds President Obama's plea for a bipartisan solution.

I think one Democrat, learning of the majority leader's action, said it best:

Most Americans don't honestly believe that a single political party has all the good ideas. I hope the majority leader will reconsider."

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from Oklahoma for 2 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SCHUMER. Mr. President, I have to object because the vote was set for 9:55.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, we have had so much partisan gridlock. Today we have a real opportunity to

show that this new legislative year can break through that with something meaningful to the American people, a jobs bill. I am hopeful that many colleagues on the other side of the aisle will join us. There has been great input from Senator INHOFE and Senator HATCH. These are people who are conservative, have different voting records than I, but they say we have to do something. I thank the new Senator from Massachusetts for leading the way and breaking through the miasma. This is a good, focused bill. It is a modest bill, but it will do some good for the hundreds of thousands and perhaps millions who are looking desperately for work. When they find jobs, our economy begins to move forward. That is long overdue.

Both sides of the aisle can show the American people we have heard them by overwhelmingly passing this well-crafted, well-honed, modest piece of legislation aimed at issue No. 1: jobs and the economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the question is on agreeing to the motion offered by the Senator from Maryland, Mr. CARDIN, to waive the Budget Act and budget resolutions with respect to the motion offered by the Senator from Nevada, Mr. REID, to concur with an amendment in the House amendment to the Senate amendment to H.R. 2847.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Texas (Mrs. HUTCHISON) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 24 Leg.]

YEAS—62

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Franken	Pryor
Begich	Gillibrand	Reed
Bennet	Hagan	Reid
Bingaman	Harkin	Rockefeller
Bond	Inhofe	Sanders
Boxer	Inouye	Schumer
Brown (MA)	Johnson	Shaheen
Brown (OH)	Kaufman	Snowe
Burris	Kerry	Specter
Byrd	Klobuchar	Stabenow
Cantwell	Kohl	Tester
Cardin	Landrieu	Udall (CO)
Carper	Leahy	Udall (NM)
Casey	Lieberman	Voinovich
Collins	Lincoln	Warner
Conrad	McCaskill	Webb
Dodd	Menendez	Whitehouse
Dorgan	Merkley	Wyden
Durbin	Mikulski	

NAYS—34

Alexander	Brownback	Chambliss
Barrasso	Bunning	Coburn
Bennett	Burr	Cochran

Corker	Hatch	Risch
Cornyn	Isakson	Roberts
Crapo	Johanns	Sessions
DeMint	Kyl	Shelby
Ensign	LeMieux	Thune
Enzi	Lugar	Vitter
Graham	McConnell	Wicker
Grassley	Murkowski	
Gregg	Nelson (NE)	

NOT VOTING—4

Hutchison	Levin
Lautenberg	McCain

The ACTING PRESIDENT pro tempore. On this vote the yeas are 62, the nays are 34. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, amendment No. 3311 is withdrawn.

The question is on agreeing to the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 28, as follows:

[Rollcall Vote No. 25 Leg.]

YEAS—70

Akaka	Feingold	Murkowski
Alexander	Feinstein	Murray
Baucus	Franken	Nelson (FL)
Bayh	Gillibrand	Pryor
Begich	Hagan	Reed
Bennet	Harkin	Reid
Bingaman	Hatch	Rockefeller
Bond	Inhofe	Sanders
Boxer	Inouye	Schumer
Brown (MA)	Johnson	Shaheen
Brown (OH)	Kaufman	Snowe
Burr	Kerry	Specter
Burr	Klobuchar	Stabenow
Byrd	Kohl	Tester
Cantwell	Landrieu	Udall (CO)
Cardin	Leahy	Udall (NM)
Carper	LeMieux	Voinovich
Casey	Levin	Warner
Cochran	Lieberman	Webb
Collins	Lincoln	Whitehouse
Conrad	McCaskill	Wicker
Dodd	Menendez	Wyden
Dorgan	Merkley	
Durbin	Mikulski	

NAYS—28

Barrasso	Ensign	McConnell
Bennett	Enzi	Nelson (NE)
Brownback	Graham	Risch
Bunning	Grassley	Roberts
Chambliss	Gregg	Sessions
Coburn	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Kyl	Vitter
Crapo	Lugar	
DeMint	McCain	

NOT VOTING—2

Hutchison	Lautenberg
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The motion was agreed to.

Mr. KAUFMAN. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The bill, H.R. 2847, as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois is recognized.

BLACK HISTORY MONTH

Mr. BURRIS. Mr. President, this Monday, I was honored to stand before this Chamber and read George Washington's Farewell Address. This annual tradition invites Members of the Senate, as well as the American people, to pause and reflect on the wisdom of our first President.

In this historic text, the father of our country lays out a unique view of the Nation he helped to create. It is a testament to the American spirit and a tribute to the American people that this country has come such a long way since the days of our ancestors.

Washington's vision was especially poignant to me, having traced my personal ancestry back to the days of slavery.

As I looked out over this Chamber on Monday, I thought about the reasons we celebrate each February as Black History Month. This year, as Black History Month draws to a close, I cannot help but reflect that Washington's address reminds us that Black history and American history are inseparable from one another; that the American story cannot be distilled into the Black experience and the White experience but that both are essential components of the American experience.

The story of this country is a story of expanding equality and opportunity, of people and institutions grappling with social change and striving to live up to the promise of a single line in the Declaration of Independence which laid out the creed that came to define this Nation:

We hold these truths to be self-evident, that all men are created equal. . . .

With these simple words, a slave owner named Thomas Jefferson laid the cornerstone of the free America we know today, even if the noble sentiment was not realized for all Americans until more than a century later. Although we have seen such injustice—though our journey toward freedom and equality is far from over—we can draw great strength from the promise that was woven into the fabric of our Nation on the day we declared our independence.

Black History Month is a time to remember those who have taken part in every step of that ongoing journey and to celebrate the legacy they have left behind for each of us.

At every moment in our past, African Americans have stood shoulder to shoulder with their countrymen from all races, backgrounds, and walks of life to help chart our course and define who we are to become: from the slaves who laid the very foundation of this Capitol Building to the businessmen and entrepreneurs who helped build our modern economy; from the "King" who dared to dream of an America he would never live to see to the President who reached the mountaintop; from the man who was born into the bonds of slavery to his great grandson who stands today before his peers in the Senate.

Each of these stories, however ordinary or remarkable, illustrates how Black history is woven deeply into the broad canvas of American history and why the two are inseparable from one another.

For me, this reality was brought to life the moment I stood at the front of this Chamber and began to read the words that our first President wrote to his countrymen more than two centuries ago. Yet it was the visionary leadership and high ideals of men such as Washington and Jefferson which transcended the prejudice of their times and made it possible for later generations to tear those inequalities to the ground.

All Americans have benefited from this profound legacy. We all have an interest in preserving the history we share.

In the closing days of this Black History Month, I urge my colleagues to reflect not only on the ways African Americans have contributed to American history but also on the ways we can move forward together as one Nation, just as Washington calls us to do in his Farewell Address.

Mr. President, 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.

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

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

UNITED STATES CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

Mr. REID. Mr. President, I ask the Chair to lay before the Senate a message from the House with respect to H.R. 1299, the U.S. Capitol Police administrative authorities.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House.

The legislative clerk read as follows:

Resolved, that the House agree to the amendment of the Senate to the bill (H.R. 1299) entitled "An Act to make technical corrections to the laws affecting certain administrative authorities of the United States