

our district and appellate courts. This growing crisis threatens the effective delivery of justice to the people and businesses who come before our federal courts.

We recognize that you cannot solve this problem alone. The President must select and submit to the Senate for review nominees to fill these vacancies. Consequently, we are seeking the assistance and commitment of the President to address this crisis as well.

It is no exaggeration to call the growing number of judicial vacancies on our federal courts a crisis. Between 1981 and 2008, there were on average 48 vacancies each year for all of the lower federal courts, including vacancies created by two bills expanding the number of federal judges. Over this same period, the nomination and confirmation process filled only 43 vacancies on average each year, causing the vacancy rate to more than double in the last 30 years. In the Ninth Circuit, the number of vacancies has doubled in the last 22 months.

This fact alone would signal a serious problem but the situation is very likely to get worse. Over the next decade, the number of vacancies on the lower federal courts is likely to increase because of the age of current judges and the need to expand the judiciary to keep up with caseload growth. The Justice Department has estimated that annual vacancies over the coming decade will average closer to 60 positions each year. In the last two years, however, only 41 federal judges have been nominated and confirmed to the federal district and appellate courts nationwide. Unless something changes quickly and dramatically, at the end of the coming decade, half the seats on the lower federal courts could be empty.

The Ninth Circuit is fully immersed in this growing crisis. There are currently 18 vacancies among the 142 authorized appellate and district court Article III judges in the Circuit. The President has forwarded to the Senate nominations for ten of these vacancies but the Senate has yet to act on them. While the Senate has confirmed seven nominees to vacancies within the Circuit since January 1, 2009, seven have been pending without a confirmation vote for more than 120 days and three of these have been voted out of the Senate Judiciary Committee and forwarded to the full Senate for action with little or no Committee opposition.

As you know, our federal judiciary at all levels is a beacon of justice across the country and around the world. The judges who sit on our federal courts are dedicated to their jobs and committed to both the rule of law and the ideal of justice for all. Allowing the current judicial vacancy crisis to continue and expand—as it inevitably will if nothing changes—is unacceptable. The current situation places unreasonable burdens on sitting judges and undermines the ability of our federal courts to serve the people and businesses of the Ninth Circuit.

We recognize that both the President's role in nominating individuals to serve as federal judges and the Senate's role in reviewing and determining whether to confirm those nominees are solemn and serious duties. The health and integrity of an entire branch of our government depends on the faithful and careful execution of these duties. We believe, however, that a crisis in one of our branches of government also demands swift, effective, and appropriate action from the coordinate branches. According to the Library of Congress, from 1977 to 2003, the average time from nomination to confirmation for lower federal court judges was less than 90 days. Current vacancies nationwide have been pending for an unsustainable 516 days. On average, the vacancies filled by the 41 judges confirmed during the 111th Congress were

pending 803 days from vacancy creation to confirmation. We can and must do better.

For this reason, we ask you to make a commitment to a confirmation vote in the Senate for each judicial nominee within no more than 120 days after the Senate receives a nomination from the President. We will make a similar request of the President to forward nominations to the Senate within no more than 120 days after the President learns of a judicial vacancy. While Congress will ultimately need to pass legislation to expand the federal judiciary, filling the current vacancies in a more timely manner will do much to alleviate the immediate crisis and improve the delivery of judicial services to those who come before the federal courts.

We are convinced that with your leadership and that of the President we can solve the vacancy crisis facing our federal courts. We urge you to make a clear and open commitment to address the vacancy crisis in the Ninth Circuit as expeditiously as possible. Thank you for your consideration of this request.

Sincerely,

Todd D. True (Chair), Seattle, WA; Steve Cochran (Past-Chair), Los Angeles, CA; Robert A. Goodin, San Francisco, CA; Margaret C. Toledo, Sacramento, CA; Janet L. Chubb, Reno, NV; Miriam A. Vogel, Los Angeles, CA; Robert S. Brewer, Jr., San Diego, CA; Eric M. George, Los Angeles, CA; William H. Neukom, San Francisco, CA; Norman C. Hile, Sacramento, CA; Harvey I. Saferstein, Los Angeles, CA; Dana L. Christensen, Kalispell, MT; Robert C. Bundy, Anchorage, AK.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. MERKLEY).

Mr. BROWN of Ohio. I 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. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### UNANIMOUS-CONSENT REQUESTS

Mr. BROWN of Ohio. Mr. President, I will in a moment—in the spirit of fair play, we are waiting for some Republicans to enter the Chamber—I will ask unanimous consent that the Finance Committee be discharged from S. 3981 so we can bring up and move forward on maintaining unemployment benefits for thousands of people. In my State alone, last night at midnight, 88,000—that is 1,000 people in every county; we have 88 counties in Ohio—Ohioans saw their unemployment benefits stopped because my colleagues on the other side of the aisle do not want to maintain unemployment benefits. What is shocking to me is that this Senate and the House of Representatives, regardless of party, for years, when our coun-

try has been in bad economic times, have maintained unemployment benefits for laid-off workers.

Senator MCCONNELL, the Republican leader, has made a couple comments that disturb me and make it very hard to do this. We need a supermajority. We need 60 votes. They continue to filibuster or threaten to filibuster. Senator MCCONNELL has made two statements, one through a letter in the last 24 hours and one 3 or 4 weeks ago when he said his No. 1 goal is that Barack Obama be a one-term President. I understand political parties, but his No. 1 goal is that President Obama serve only one term? Minority Leader MCCONNELL, in a letter signed by all his Republican colleagues, which was sent to Senator REID, signed by every Republican, said:

We write to inform you we will not agree to invoke cloture on the motion to proceed on any legislative item until the Senate has acted to fund the government and we have prevented the tax increases that currently will happen in January.

What the Republicans are doing, I don't even understand it. They are saying they insist on a millionaire and billionaire tax cut come January, and they will, for all intents and purposes, shut down the government if they don't get their way. They are saying: Forget extending unemployment benefits, forget food safety legislation, forget don't ask, don't tell, forget the Russian-American START treaty—it used to be that politics ended at the water's edge; those days are over—and forget a middle-class tax cut. They are saying: We will shut down the government if we can't get a tax cut for billionaires and millionaires. My first priority is extending unemployment benefits to the 60 or 70,000 Michiganders; perhaps from the State of Senator SCHUMER, I would guess over 100,000 New Yorkers; from New Mexico, I would guess probably 10,000; and Alaska, thousands in that State. They are willing to say to those unemployed workers—and this is not unemployment welfare; this is unemployment insurance. Every worker in the State, he or his employer—academicians will debate whether the employee or employer actually pays it, but they put into the unemployment insurance fund. When they are laid off, they get money out of the fund. It is similar to health insurance or car insurance. You don't want to collect on it, but it is called insurance. You hope you are working so you don't have to collect on it, but they need to.

There are five people applying for every open job, on average. In Michigan and Ohio, it is probably worse than that. These are not people sitting around with nothing to do, not wanting to work. I will not do this today, but I have read letter after letter from Ohioans saying: Here is my story. I have lost my medical coverage because I don't have a job, and you are cutting off my unemployment benefits—"you" meaning the Republican filibuster.

They will say: I am about to lose my house, and I have to tell my 12-year-old daughter we will have to switch schools, and I don't even know what school we will go to because we are going to live in an apartment somewhere else because the house is foreclosed on. They are now going to the food bank they used to give money to.

Do my Republican colleagues know any of these people? Do they go out and talk to people who have lost their jobs and have to explain to their families that they will lose their house and explain to the wife that their insurance has been canceled because they will not extend unemployment benefits? This is not a big, new welfare program. This is extending unemployment benefits. I just don't get it. They would rather do tax cuts for millionaires and billionaires. They would rather borrow \$700 billion from the Chinese, put it on a credit card that their kids and grandkids will have to pay off, and then give it to billionaires and millionaires. That is the choice they are making.

It is clear whose side people are on here. Are you on the side of maintaining unemployment benefits or are you on the side of millionaires and billionaires? Are you for giving a tax cut to the middle class, moving to pay down the budget deficit? It is so clear what we need to do.

My colleagues still aren't here to make the request. I will add a few more comments.

The other reason to maintain unemployment benefits is all economics. Senator McCAIN, when he was a candidate, his chief economic adviser said the best way to grow the economy, the best stimulus dollar you can spend is unemployment insurance. Because when you put a dollar in a laid-off worker's pocket from Lima or Zaynesville, she will spend it at the local grocery store, the local shoe store, to pay property tax, to pay the gas bill, whatever.

That money is recycled in the economy. You give a tax cut to upper income people—a millionaire or billionaire—according to JOHN McCAIN's economic adviser, you only get a 32-cent bang for your buck out of that versus \$1.60 when you extend unemployment benefits, when you pay unemployment benefits. What that means clearly is the best thing to do for our economy is these unemployment benefits, not tax cuts for somebody already making \$3 million a year. They are not going to buy anything more. They already have what they need. To give them another \$30,000 or \$50,000 in tax cuts simply does not mean anything.

It is so important for purposes of the budget deficit, it is so important for purposes of growing this economy, and it is so important because it is the right thing to do for our workers, our laid off people, our communities that suffer if these workers are not spending these dollars in our communities. It is just so important that we move forward and do that.

Mr. President, I will yield the floor for one of my colleagues who has another unanimous-consent request.

Mr. SCHUMER. Mr. President, before my colleague sits down, would he yield for a question?

Mr. BROWN of Ohio. Yes.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank you, Mr. President.

The beginning of this letter, signed by 42 of our Republican colleagues, says:

The Nation's unemployment level, stuck near 10 percent, is unacceptable to Americans.

I just want to clarify what my colleague is saying. We will all be talking about this. It is more important to the people on the other side of the aisle to get tax breaks for millionaires and billionaires than move forward on unemployment insurance. We are going to ask unanimous consent on that proposal and on other proposals which we will hear from.

But is my colleague basically saying, despite the fact that our colleagues admit unemployment is high—many are out of work—their solution to unemployment and people looking for jobs is to give tax breaks to people who are making millions and billions of dollars and people who did very well over the last decade—the only group? Is that basically it?

Mr. BROWN of Ohio. Yes, that is it. To illustrate that further to Senator SCHUMER and to the Presiding Officer, as to the last two big tax cuts that were done in this country for the wealthy—in 2003 by President Bush, in 2001 by President Bush—we know what happened from those two tax cuts. In the 8 years of President Bush, the hallmark of his economic policy was two major tax cuts for the wealthy, and there was a 1 million job increase in those 8 years during George Bush's Presidency—a million jobs—not even a net increase, not even enough to keep up with people coming out of the Army or coming out of college or high school.

During the Clinton years, where they had a mix of tax cuts, some increases for higher income people, and they balanced the budget, did some budget cuts that Senator MCCASKILL supports—some of those—we ended up during President Clinton's 8 years with a 22 million job increase. There was a 22 million job increase by managing the budget right and giving assistance to middle-class people.

In the Bush 8 years, with tax cuts for the wealthy: 1 million jobs. Yet Republicans now are arguing that the most important thing, possibly, to do for the economy, the most important thing to do for our country, is to reward the people who have already done very well in the last 10 years, at the expense of the broad middle class who have seen basically stagnant wages or worse during this decade.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I will be very brief.

We are here on the Senate floor, and we will be staying on the Senate floor for a little while to make one point. I would say this to the American people: We have an economy that needs improvement, and our colleagues have said they will not let anything happen, whether it be tax credits for employers who hire the unemployed, which I am talking about, help for the energy industry, tax credits to help manufacturers hire people, or unemployment insurance. All of those will be put on hold until we give tax breaks to the millionaires and billionaires who—God bless them—are wonderful. They are part of the American dream. But they are the one group that has done well. It seems to me, as we will talk about for the next little while, it is absolutely absurd to say that should be the linchpin of our economic policy.

We will ask unanimous consent to bring forth proposals that we think will do far more to get people back to work and help the middle class stretch the paycheck than giving tax breaks to the billionaires.

I yield the floor because I know my colleague wishes to speak.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, just to follow with my colleagues—and I so appreciate the Senator from Ohio and his comments regarding what is happening to people who have lost jobs through no fault of their own—five people at least are looking for every one job that is available. There is a critical urgency families feel. I thank the Senator from New York for his passion as well as my other colleagues.

Let me take a moment to emphasize what we are talking about. The Republicans—and they have now done through a letter to the leader—are basically saying they are willing to risk everything—everything—to give a bonus tax cut—as my friend and colleague from Alaska talks about, not a tax cut. Everyone is going to get a tax cut on their first \$250,000 of income. They want a bonus tax cut on millionaires and billionaires that for the average millionaire will be about \$100,000 next year, which is more than the average person in Michigan makes in a year. So they are willing to shut this place down and risk everything in order to be able to get a bonus tax cut for millionaires and billionaires.

What does that mean? Well, they are willing to risk the deficit. They say we cannot help people who are out of work because it will cost \$50 billion unless it is totally paid for. But \$700 billion for their wealthiest friends and supporters is OK. So they will risk the deficit.

They will risk jobs. Where are the jobs? We have had 10 years of this policy, 10 years of this policy of tax cuts at the top waiting for it to trickle down. They think we just have not waited long enough. Folks in Michigan

have waited far too long for it to trickle down. We are tired of waiting. We want a proposal that works.

I will put forward a unanimous-consent request on something that has worked, an advanced manufacturing tax credit that has allowed now a number of businesses—I think over 12 businesses—to open in Michigan with clean energy manufacturing, stamped “Made in America.” In fact, we want to see “Made in Michigan” stamped on everything. We need to extend this tax credit because it is putting people back to work in Michigan and across the country. I will be making that unanimous consent request in just a moment. But they are willing to risk jobs, go home without focusing on jobs.

They are willing to hold tax cuts for middle-class families and small businesses hostage for a tax cut for a few people at the top. We will not be lectured by them about small business, by a group of folks who have filibustered 16 different tax cuts for small businesses in this Congress—16 different tax cuts—including 8 tax cuts for small businesses in the small business jobs bill that added capital for small businesses last fall. So, believe me, we are here for small business as well as middle-class families.

Social Security and Medicare: The debt commission is coming out with very serious recommendations that are focused on Social Security and Medicare. They are willing to risk that by adding more to the debt. Does that mean more changes to Social Security and Medicare?

Then, finally, help for people who are out of work: They are willing to say our country, our great country, is not good enough, is not strong enough to step up when our families need it the most—families who never before in their lives have needed help. For the families in my State, the average person is 50, 55, 60 years old, who has worked all their life and never dreamed they would find themselves in this situation. But here they are, through no fault of their own.

Now, in this holiday season, when we are asking that we just extend the regular program, not even dealing with the long-term unemployed, which is also what I want to do, but to extend the regular program so the person who today loses their job gets the same kind of opportunity to get help as the person who lost their job on Monday, because today over 100,000 people in Michigan are going to lose the opportunity to get any kind of temporary help because they lost their job.

So our colleagues have set their priorities, big letters, tax cuts for millionaires and billionaires. They do not want us to do anything else until that gets done. We have a different set of priorities on behalf of American families, middle-class families, small businesses, people who need help right now.

I am going to yield the floor at the moment, but I am going to be happy to have a unanimous consent request re-

garding a very effective jobs tax credit that we could pass today and get going and get people back to work.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Alaska.

Mr. BEGICH. Mr. President, thank you very much.

Earlier today I spoke on the Senate floor and talked about how the economy is fragile but going in the right direction and how many of us on this side of the aisle—as a matter of fact, all of us on this side of the aisle—took a lonely road over the last 2 years on some controversial issues that the public sees as controversial, but we knew we had to do something—something—to get this economy moving, and we are now seeing the benefits.

Every time I open—I do not care if it is the Wall Street Journal, Business Week—you name the business magazine or newspaper—which are not the liberal magazines; they are very conservative magazines and newspapers, or on the Internet—they will show you statistic after statistic that we are moving in the right direction. For this last month, I think it is 92,000 new jobs the private sector created. But in order to do it, we need to do some more.

I am a little frustrated by the letter. I also have a unanimous consent request that I hope to be able to bring up on HUBZones and to amend the Small Business Act. It is the idea of rebuilding local small businesses. What amazes me about this letter is it seems as though for some reason we can only do one thing at a time in this place.

Now, I come from local government where, as a mayor, we had to do multiple tasks because we always had many of them on the table. It did not matter whether it was public safety or creating jobs or rebuilding a neighborhood or working with the community, we had to do multiple things.

This country has multiple issues in front of it. We have an important START treaty that needs to be done. I am a member of the Armed Services Committee. Our national security is at risk, but for some reason the other side wants to wait until we give—I am not even going to call it a tax cut. I call it a bonus for the millionaires and billionaires. It is a bonus. It is not a tax cut. It is a bonus they want to give, \$700 billion of money we do not have. We cannot afford it. The working class of this country cannot afford it. The middle class cannot afford it. My son cannot afford it. My son's future kids cannot afford it—\$700 billion of more debt to give a bonus to the people who drove our economy into the ditch. I do not really get it.

It seemed as though when I came here there was going to be a logical thought process, great debate. Once again, we are down here. Nothing on the other side. They will come out. I know they will have their charts and one-liners about how the economy will fall if we do not give millionaires and billionaires another tax break or bonus. It is not going to. We are on the

road to recovery because this side took that lonely road when people told us: Wow, that is politically going to hurt you, and it did. We lost some people this last election. But leadership is not about taking the easy road, the easy answer, the simple solution.

We are in a very complex time with many issues facing us internationally and nationally—economic, energy, world issues. We have to be able to juggle those all and move them forward. The public demands it of us.

So this ultimatum, or whatever it is, this letter that they wrote just shows the classic tactic they have used the last 2 years. I mentioned this morning, and I will mention again, that I read in one of the political news stories yesterday that someone on the other side, one of the Senators from the other side, one of my colleagues, said: I can't believe it took us a week—a week—to do food safety. Neither can I. But it was not anyone on this side of the equation. Over there, they demanded us to have two 30-hour periods to debate food safety that ended up passing with over three-quarters of the body supporting it. Why? Because it is a good bill. But they wanted to delay it so we don't get to the main issues.

Again, Mr. President, I have a unanimous consent request. I want to give it. We thought they would be down here at 3:30. We thought they would be down here at 3:45. Now it is 4 o'clock. They told us to get busy. We are trying to get busy by doing some unanimous consent requests on job creation. But I will just tell you, it is important for us to recognize what their goal is here: delay, delay, not helping the American people, and basically giving bonuses to millionaires and billionaires, which is unreal.

I see my colleague from New York wants to jump in, so I am going to yield for my colleague from New York. Again, I am hopeful there will be Members on the other side so we can get on with propounding unanimous-consent requests to get the Senate moving.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I know my colleague from New Mexico wants to say a few words about some of the job-creating proposals he has that have been held up by Republicans blocking for their millionaire tax cuts, but here is a headline I wanted to alert my colleagues and the American people to. This is Newsweek. It came out today. I want to read this headline to the American people. And this is not a Democratic publication. “Republicans Hold Senate Ransom for Rich Tax Cut.” Let me repeat that. “Republicans Hold Senate Ransom for Rich Tax Cut.” I couldn't have said it better myself. That is exactly what the other side is doing. They are so eager to reward the wealthiest among us with a huge tax cut—even though we have a deficit, even though we have unemployment, even though we have so many

other things to do—that they are holding up the entire Senate.

Enough already. Enough already. And I would like them to come to the floor and defend holding everything up for a tax cut for the millionaires. We are willing, and many of us—I know the Senator from Missouri and myself—are saying: Give the tax cut to the middle class but not to the wealthiest among us, not because we don't like them, not because we don't admire them but, rather, because they are doing well, we have a deficit, and we have other problems.

“Republicans Hold Senate Ransom for Rich Tax Cut.” That says it all.

Mrs. MCCASKILL. Mr. President, will the Senator yield for a question?

Mr. SCHUMER. I will yield for a question.

Mrs. MCCASKILL. I say to the Senator through the Chair that an awful lot of economists have met with I think all the Senators about the frustrations we have with this economy. So the question we have asked over and over is, What is the most stimulative thing we can do for the economy? What can we do in terms of our actions that will provide injection of the most money into the economy and therefore create the most jobs?

I am wondering if the Senator could share with us what it is that is the most stimulative thing we can do.

Mr. SCHUMER. I thank my colleague from Missouri for the question, which I will answer through the Chair.

The most stimulative thing we can do is to extend unemployment benefits. Those folks will spend every dollar in our stores, in our restaurants, and it will create jobs. If we give a tax break to multimillionaires, oh, yeah, they will rush right to the supermarket to buy that prime rib because they didn't have the money. Please.

Mrs. MCCASKILL. Let me ask another question.

Mr. SCHUMER. I yield for another question.

Mrs. MCCASKILL. We obviously passed this tax cut a decade or so ago, and they decided to make it temporary, not permanent, when it was passed. So there was a decision made by the Senate that it wasn't worthy of being permanent, that it was temporary. So now here we are, it was temporary, and we have to decide whether we make it permanent. That is really where the rubber meets the road because—and correct me if I am wrong—they made it temporary to see if this tax cut for the wealthy would create jobs.

I am so sick of hearing on every TV show in America, well, if you give a 3-percent tax differential to the wealthiest people in America, they are going to create all these jobs. Well, I am trying to figure out where the jobs are that this tax cut for the wealthy created. This was an experiment. It didn't work. It didn't create the jobs. That is why we have this debate right now.

We have to decide whose side we are on. Are we on the side of the middle

class, with shrinking income, with more frustration because they can't do some of the basic things with their families that they always assumed they would be able to do in America or are we going to continue a bonus to the wealthiest Americans which doesn't even stimulate jobs?

In fact, what we are going to do today is we are going to make a number of unanimous consent requests for things that will create jobs and see whether we can get our Republican colleagues to go along.

The Senator was here for that debate, but I am assuming one of the reasons it was temporary was to see if this experiment in more bonuses for the wealthy would trickle down and create these jobs. It has been a decade, and I ask the Senator, how well has it worked?

Mr. SCHUMER. My colleague asks an excellent question. It has not worked. Unemployment is higher today with these tax cuts in effect than it was before they went into effect. We have had the slowest job growth in this decade even before the recession with these so-called breaks for the wealthy in effect.

Let's go back a decade. The tax rate was, for the wealthiest, at 40 percent. We are not talking about a huge increase here; we are talking about the difference between 35 and 39.6. But during that time, jobs were created at a much more rapid rate, No. 1; No. 2, middle-class incomes expanded at a quicker rate than they did in this decade; and No. 3, we had a surplus, not a deficit.

The bottom line is very simple: The tax cuts for the wealthy did not work. The tax cuts for the wealthy did not work. They may have their ideological reasons to give them, but I would rather see that money go not only for unemployment insurance—and I will talk later about this—but also for the HIRE Act, which gives breaks to businesses, where they do not have to pay the payroll tax if they hire someone who is unemployed; for energy tax credits, which my colleague from New Mexico will talk about; and for all kinds of different activities that have been proven to work.

I know my colleague from New Mexico is waiting, but I will once more read the headline from Newsweek, an article by Ben Adler, “Republicans Hold Senate Ransom for Rich Tax Cut.” How do you like that, America? I yield the floor because I know my colleague from New Mexico has been waiting.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I would emphasize what all my colleagues are saying, particularly what the Senator from Missouri said—a State that, as of last night at midnight, probably had some 40,000 to 50,000, to 60,000 unemployed people lose their unemployment benefits they had earned because they had worked and they and their employer paid into it,

but I would especially emphasize what she said.

Ten years ago, these tax cuts primarily, overwhelmingly, went to the wealthiest Americans, and it was an economic experiment. I opposed them. I was in the House then. Congresswoman STABENOW opposed them. She was in the Senate then, I guess. But it is clear they haven't worked—1 million jobs during the Bush years, 22 million jobs during the Clinton years.

As a result—and I would emphasize this too—all of these proposals we are going to bring forward now—and we will ask unanimous consent to get these passed to get the economy up and running—the cost of all of them is less than the cost of this tax cut to millionaires and billionaires.

So, Mr. President, I ask unanimous consent that the Finance Committee be discharged of S. 3981, a bill to provide for a temporary extension of unemployment insurance provisions; that the Senate then proceed to its immediate consideration, the bill be read three times, passed, and the motion to reconsider be laid upon the table; that any statements relating thereto appear at the appropriate place in the RECORD as if read.

The PRESIDING OFFICER. Is there objection?

The Senator from Wyoming.

Mr. BARRASSO. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, we have heard here and in speaking with the Senators here on the floor about a really appalling action that has been taking place. I have a letter here signed by all of the Republicans who are really threatening to bring this place to a halt, completely bring it to a halt. They have written a letter to Senator REID, and in the letter, they say:

We write to inform you that we will not agree to invoke cloture on a motion to proceed to any legislative item.

They will not proceed to any legislative item until they get what I would characterize as these taxpayer-funded bonuses for millionaires and billionaires. So they are going to bring the entire Senate to a stop.

Their letter quotes President Obama saying:

We owe it to the American people to focus on those issues that affect their jobs.

Well, I have a bill right here that will affect the jobs of the American people. It is called the clean energy bill. This is a clean energy bill. It is S. 1574, the Clean Energy for Homes and Buildings Act.

As all of us know, clean energy is going to be the industrial revolution of the future, trying to move us toward renewable energy—solar, wind, biomass, and geothermal. This is where we are going to see job growth in the future. This is our chance to be out there in front on the technology we invented here in the United States. This is the way you create clean energy jobs.

So the demand they have issued to us—the ultimatum, really—is, you can't bring a clean energy jobs bill, which we have worked on very hard to get to the floor.

Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of S. 1574; that the Senate proceed to its immediate consideration; that the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. BARRASSO. Mr. President, reserving the right to object, this request just came to us moments ago. This is the first time we have seen this request, and I cannot speak to the merits of this bill or the problems that may exist.

What I do know is that 42 Senators from this side of the aisle have signed a letter to say that what we ought to do and what we need to do is to find a way to fund the government and prevent a tax hike on every American come January 1.

Mr. President, some of these requests may have bipartisan support, but we don't know anything about the specific legislation as we have just received this request. I think almost every bill in this package of requests that we are going to be considering now is still in committee, so we don't even know if the ranking member of that committee has concerns or potential changes.

This is not the way to handle this. This is December; it is a lameduck session. Let's stop the theater and get to the business we all know we need to address.

I object.

Mr. SCHUMER. Would my colleague yield for a question?

Mr. BARRASSO. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Mexico has the floor.

Mr. UDALL of New Mexico. Mr. President, the Senator from Wyoming has said these bills we are trying to bring to the floor here aren't out of committee. I believe he is incorrect when it comes to things such as the START treaty.

Here we have the Republican Party saying they aren't going to consider anything else until they get these taxpayer-funded bonuses for their millionaires and billionaires. That is what they are saying. Yet we have a treaty that is pending. It is on the calendar, Mr. President. If we look on that Executive Calendar there, it is on the calendar. We want to bring that up. In fact, I believe Senator KYL said today that we are not going to bring that up. We are going to stop everything. I saw him on television talking about how we are going to stop everything and that we are just not going to bring up that treaty.

So there are things pending on the calendar that are ready to go. And this treaty in particular deals with our national security. National security used to be an issue where Democrats and Republicans worked together. But with this letter, it looks as if they are not going to be bipartisan. They are going to issue this ultimatum, and they are not going to try to work with us on these kinds of issues.

While they are doing that, we no longer have inspections, we no longer are allowed to go to Russia and look at their sites and find out if they are complying with previous treaties. This new START treaty would allow us to do that. But, instead, what we are seeing here, over and over again, are these kinds of objections.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, may I ask my colleague from Wyoming a question in reference to what he just spoke about? I thank him for yielding for a question.

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

Mr. SCHUMER. Mr. President, my colleague said he wanted to make sure his colleagues on that side of the aisle didn't want to do anything else until they made sure there was a tax cut for every American. Let me pose a hypothetical. Let's say we gave a tax break to every American whose income was below \$1 million but not to people above \$1 million. Would he and his colleagues continue to block things, such as the unemployment insurance, the HIRE Act, and energy tax credits? In other words, when the Senator says a tax break for every American, does he mean it has to be for millionaires?

Mr. BARRASSO. Mr. President, my statement was, what I do know is that 42 Republicans have signed a letter to say what we ought to do and what we need to do is to find a way to fund the government and prevent a tax hike on every American come January 1.

Mr. SCHUMER. Would my colleague yield for another question, a followup?

The PRESIDING OFFICER. Is there objection?

Mr. BARRASSO. I would be happy to read the entire letter that was sent to Senator REID if there is some question as to what was exactly in that letter.

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

Mr. SCHUMER. My question is very simple. The Senator said he wanted to prevent a tax hike on every American. Hypothetically, if we prevented a tax hike on every American except the small number whose income was over \$1 million last year, would my colleague and his colleagues continue to block efforts to do any other piece of legislation?

Mr. BARRASSO. Mr. President, I am not going to answer a hypothetical. What I will tell you is, we did send a letter to Leader REID. I will be happy to go through the entire letter at this point:

DEAR LEADER REID: The nation's unemployment level, stuck near 10 percent, is unacceptable to Americans. Senate Republicans have been urging Congress to make private-sector job creation a priority all year. President Obama in his first speech after the November election said "we owe" it to the American people to "focus on those issues that affect their jobs." He went on to say that Americans "want jobs to come back faster." Our constituents have repeatedly asked us to focus on creating an environment for private-sector job growth; it is time that our constituents' priorities become the Senate's priorities.

For that reason, we write to inform you that we will not agree to invoke cloture on the motion to proceed to any legislative item until the Senate has acted to fund the government and we have prevented the tax increase that is currently awaiting all American taxpayers. With little time left in this Congressional session, legislative scheduling should be focused on these critical priorities. While there are other items that might ultimately be worthy of the Senate's attention, we cannot agree to prioritize any matters above the critical issues of funding the government and preventing a job-killing tax hike.

Given our struggling economy, preventing the tax increase and providing economic certainty should be our top priority. Without Congressional action by December 31, all American taxpayers will be hit by an increase in their individual income-tax rates and investment income through the capital gains and dividend rates. If Congress were to adopt the President's tax proposal to prevent the tax increase for only some Americans, small businesses would be targeted with a job-killing tax increase at the worst possible time. Specifically, more than 750,000 small businesses will see a tax increase, which will affect 50 percent of small-business income and nearly 25 percent of the entire workforce. The death tax rate will also climb from zero percent to 55 percent, which makes it the top concern for America's small businesses. Republicans and Democrats agree that small businesses create most new jobs, so we ought to be able to agree that raising taxes on small businesses is the wrong remedy in this economy. Finally, Congress still needs to act on the "tax extenders" and the alternative minimum tax "patch," all of which expired on December 31, 2009.

We look forward to continuing to work with you in a constructive manner to keep the government operating and provide the nation's small businesses with economic certainty that the job-killing tax hike will be prevented.

With that, I tell you that all 42 members of the Republican Party, this side of the aisle, have signed their names.

I yield the floor.

Mr. SCHUMER. Mr. President, reclaiming my time, I have a great deal of respect for my colleague from Wyoming, but he has not answered the question and it is obvious why, because the Republican Party and all 42 members care as much or more about giving a \$100,000 tax break to someone whose income is \$1 million as they care to give a small tax break to somebody whose income is \$50,000. That is what we are here talking about.

The reason this letter and the response of my good friend from Wyoming to my question doesn't answer the question is because they are hiding. They are hiding behind the curtain of protecting the millionaires. We are

pulling that curtain open and we are showing the American people and will continue to show that the No. 1 goal of the Republican Party is not jobs, it is not helping the middle class, it is not getting our green energy industry going, it is not helping small businesses hiring people as in the HIRE Act, it is to give the millionaires a huge tax break and hold hostage that the middle class will not get their tax break. We are going to continue to go at it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I agree with one thing my friend from Wyoming said in the letter they signed, which is we should not be continuing job-killing practices. I would say after 10 years of tax cuts for the wealthy, where are the jobs? If there ever was a policy that didn't work, it was that one. We have lost, in Michigan alone, over 800,000 jobs under the policy they want to continue. In the country we have lost over 8 million jobs under the economic policy they want to continue—not helping the middle class, not helping small business but giving the bonus benefit, the extra tax cut to those at the top, hoping it will trickle down. Frankly, we are tired of waiting for it to trickle down.

What we are proposing and I am going to offer as a unanimous consent request is to continue something that is actually working, that is actually creating jobs in this country and beginning to turn manufacturing around.

I think the exchange between the distinguished Senator from New York with my friend from Wyoming is very telling. Even if we were talking about tax cuts for those up to \$1 million, that is still not enough.

This is not about small business. People on the other side of the aisle have filibustered and voted against 16 different tax cuts for small businesses in the last 18 months, 8 of those in September and October. This is not about small business. We are the folks who have been fighting for small business and will continue to do that, as well as those in the middle class.

I am going to ask, in a moment, unanimous consent for something that is an extremely effective and exciting new focus for our country; that is, on something called clean energy manufacturing. We are committing to making it in America. We want to see the words "Made in America" again. I want to see "Made in Michigan," frankly, on all those products.

One of the things that 18 months ago we passed as part of the Recovery Act was something called an advanced manufacturing tax credit, to allow companies to deduct 30 percent of their costs for new plants, new equipment, hiring people in the area of green energy: wind, solar, electric, batteries, and so on. We have seen across the country now, 183 new manufacturing facilities in 43 different States across

the country as a result of that. People are being hired, and every month we are seeing manufacturing numbers go up rather than down in the last 18 months. If, in fact, we add another \$5 billion, another small investment compared to the \$700 billion for millionaires and billionaires in the tax cut—if we just invest \$5 billion of that, it is estimated we will unleash at least \$15 billion in total capital investments, partnering with the private sector, and create tens of thousands of new construction and manufacturing jobs.

That is our priority—things that work, focusing on jobs and making things in America again.

Therefore, Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 3324, the Senate proceed to its immediate consideration and the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements relating to the measure be printed in the RECORD at the appropriate place.

The PRESIDING OFFICER. Is there objection?

Mr. BARRASSO. Mr. President, reserving the right to object, this request, again, has come to us just moments ago. This is the first time we have had a chance to look at this. I will not speak to the merits of the bill and the problems that may exist, but this is not the way to handle this. As you know, we are now in December, in the lameduck session. There are things that could have been brought up any time in the last 1½ years to 2 years, and we have focused specifically on making sure taxes are not increased for Americans between now and January 1. All Americans are concerned about those taxes going up.

As a result, I think it is time to stop the theater we have and get to the business we all know we need to address and I object.

The PRESIDING OFFICER. Objection is heard.

Ms. STABENOW. Mr. President, this is not theater. This is about real people in my State who want to work. This is about investing in middle-class jobs and manufacturing. It is about taking a policy that has been in place now for 18 months that has worked and being able to extend it.

In terms of bringing this up for the first time, we have focused on it and have been debating it and discussing it over and over. The bill I asked unanimous consent for is bipartisan. This is not new. We have not been able to get through the obstructionism, the throwing of sand in the gears, and the filibustering to bring this up. If we want to focus on something between now and the end of the year, let's focus on jobs and getting people back to work.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of H.R. 4915, something we have been discussing the last week, and that all after the enacting clause be stricken and the substitute amendment at the desk, a fully offset repeal of section 9006 of the Patient Protection and Affordable Care Act, the Small Business 1099 paperwork mandate, be agreed to, that the bill, as amended, be read a third time and passed and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection? The Senator from Michigan.

Ms. STABENOW. Mr. President, reserving the right to object, let me indicate, as someone who has voted in fact to repeal this particular provision, I think it is important we get that done. We actually have a majority of Members who have supported getting that done. Senator BAUCUS, the chair of the Finance Committee, brought forward a proposal that unfortunately did not get the bipartisan support necessary to be able to do it, but we are committed to getting this done. It is something I hope our colleagues will join with us in as we bring the tax bill to the floor before the end of the year. It is important, in my judgment, that we repeal this provision, which I do believe is onerous for small business, but it needs to be done in the context of the broader package, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wyoming still has the floor.

Mr. BARRASSO. Mr. President, I appreciate the comments by my colleague from Michigan because this was brought to the floor previously but with a threshold of 67 votes, and there were two different approaches to trying to help the small businesses across the country that are all being held hostage by a very onerous paperwork requirement in filing. But the threshold of needing 67 votes was too high, even though people from both sides of the aisle voted for both the measures that were offered.

We want to help small businesses around the country and eliminate what the IRS says is going to be almost impossible to comply with, what small businesses say is going to be expensive to carry out, and what Senator JOHANNIS, in an amendment, has a paid-for solution. I think this is something we should, as a Senate and as a body, be committed to adopting. The President of the United States says this needs to be solved.

What I heard now is an objection to something I think is a very reasonable request, and I am sorry that objection has been made.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me just indicate again, as a Senator who voted for both proposals that were in front of us, I could not agree more. We have to get this done. I believe there is a commitment on both sides of the aisle to get

this done. You are correct that the 67-vote threshold was very high. We need to come back in a different context and get this done. I am committed to working with my colleague to do that.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, my friend from Wyoming, who is a good guy, just said that the motions we are making, unanimous-consent motions—that these things could have been brought up earlier. Oh, if only it were true. If only it were true that we could have brought these things up earlier. If anybody has been paying attention, they would understand that our friends across the aisle have been blocking everything, including motherhood and apple pie, for the last year. They have voted unanimously to move judicial nominations out of the Judiciary Committee, and then they languish and they will not allow us to bring them up for a vote.

Then my friend said we need to stop the theater. Well, let me tell you what theater is. Theater is when a Senator says: If we cannot get everything resolved and all of the spending decisions made by Monday, well, then, I just don't think we can do the START treaty. Theater is having 42 Senators say: We will not participate unless you do what we want to do today. That is theater. That is theater. Theater is saying: Well, you could have brought this up earlier, when everyone knows they blocked everything we wanted to bring up. That is theater. What you are seeing on this side right now is a healthy dose of indignation on behalf of the American people who are hurting.

I think back. I think back to elections past when great patriots were accused in the most vivacious ways of being soft on national security. I remember a Senator who lost his limbs in battle who had advertisements run against him that somehow he was soft on terror because of a twist and distortion of a vote he had cast in the Senate.

Now fast forward. We have a treaty that the military unanimously supports, that the Secretaries of State for those Republican Presidents who warned us about loose nuclear weapons and terrorists—their Secretaries of State have stood up and said this is the thing to do. The ranking member of the Foreign Relations Committee in the Senate, Senator LUGAR—is there anyone more respected on what we should be doing to protect this Nation than Senator DICK LUGAR? And they are holding this treaty hostage to protect millionaires. Has it come to that? They now are willing to risk national security, the security of this Nation, because they refuse to allow us to stop the extra-big tax bonuses to millionaires and billionaires. Can you imagine what would have happened to somebody in my party who had the nerve to stand up in the face of our allies, our military, bipartisan support, everyone from Pat Buchanan to Colin Powell,

who has said to the American people that this START treaty is necessary? And they are saying: Well, if you don't give us a tax break for millionaires by Monday, we are going to go home. Really? It takes your breath away. It just takes your breath away. I have some unanimous-consent requests I will also make today, but I really want that to sink in.

We have reached every goalpost they have put up on the START treaty, and then they have moved it. We have no verification of nuclear weapons in Russia right now, and we haven't for months, and they are nibbling around the edges because—do you know what I believe this might be? I might believe this is part of the strategy that was announced by the leader of the Republican Party that their No. 1 priority is to defeat President Obama, to damage him. They want to deny the passage of this treaty, I believe—it certainly has the appearance, anyway, that this is about damaging President Obama.

We should be focused on our national security. We should be focused on giving tax cuts to Middle America. We should be focused on tax cuts to small businesses. We have done net tax cuts in this country of \$300 billion in the last 18 months, and all of those tax cuts were focused like a laser on the middle class and on small businesses.

Do not let anybody sell you a bill of goods that the Democratic Party is not fighting for tax cuts for Middle America and small business. Now, we are not so excited about the millionaires. Those are not stimulative. They have not created the jobs. It has been an economic experiment that has failed. Once again, the trickle down did not trickle. And it is time for us to get busy, make these tax cuts permanent for the middle class, and continue to try to reduce our deficit.

I see my friend. Nobody has worked harder, and I have tried to be a partner with him to reduce spending in the Federal Government. But this all of a sudden “we are going to take our football and go home if you don't give us what we want by Monday”—and here is the richest part of this. The person who is saying “we are going to go home on Monday if we don't get it by Monday” is the person who is negotiating. He is supposed to be negotiating at 5:30. I mean, it is like looking in the mirror and saying: Hey, if you don't get it done by Monday—if he wants to get it done by Monday, then be reasonable about the millionaires. Be reasonable about the millionaires, and we can get this done, and we can go home and celebrate Christmas with our families and come back and start hard next year to reduce this deficit with a good downpayment—\$300 billion going to reduce the deficit because we are not going to give a very small, incremental tax increase to people who have plenty of cash right now. What they really need, those millionaires, they need the middle class to have some money to spend to create the demand. That is the eco-

nomics policy that makes sense in this climate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I have a unanimous consent I wish to do, but before I do that, I want to say that I know the Senator from Wyoming is not here right now, but I want to echo the point that we are going to deal with the 1099s. It is a question of making sure we pay for it the right way. I do not think anyone in this body—we are motivated and I think a lot of us are working in a bipartisan way to resolve that issue.

As someone who has been in the small business world since the age of 14, who has had a business license since that age, I have aggressively talked about the issue of small business, I have lived small business, and I clearly understand what the 1099 is all about. I talked about this issue back in July and made it clear that we need to deal with it and get rid of it. So we are going to be working on it. We will see this, hopefully, as part of the tax package, a tax extender package, and we will deal with it.

I come to the floor because I also have a unanimous consent I would like to do in regard to small business. This is a bill that will help what they call HUBZones, HUB areas that are high unemployment to the tune of 140 percent of the average adjusted unemployment rate. These have been very helpful for many different communities across this country as well as in our State.

This is the Rebuilding Local Business Act of 2010. It amends the Small Business Act and designates HUBZones and gives them another 3 years of opportunity.

Mr. President, I ask unanimous consent that the Small Business Committee be discharged from further consideration of S. 3563 and that the Senate then proceed to its immediate consideration, the bill be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Mr. President, reserving the right to object—and I wonder if I might be recognized to speak following the objection I intend to make—reserving the right to object, Republicans have said that we believe the single most important step we can take to create jobs is to keep the current tax rates, which will go up automatically on January 1; secondly, we need to fund the government—funding expires this Friday; and that after that, we can move to whatever else the Democratic leader would like to bring up. We should fund the government, keep the tax rates where they are, freeze spending, and go home.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alaska.

Mr. BEGICH. Mr. President, still having the floor, let me respond. First off, I want to make sure, as the public is watching this, what that means. Keeping the tax rates where they are means millionaires and billionaires continue to get a bonus because that is what it is, with no disrespect to my colleague on the other side. I mean, corporations, businesses today—and I can speak about this, again with no disrespect to my colleague, as someone in the small business world. Our family is in this business. My wife owns four retail stores, started from scratch, just as I did in many of my businesses. The small business community—the small business community—benefits not by the people over the 2 percent, the top 2 percent; the small business community are the ones below that. Half of the businesses in this country, the small businesses, gross less than \$25,000. That is a fact.

So for us to just kind of continue business as usual and keep these tax rates where they are for the millionaire and billionaire club—that didn't help us the last 3 years. The fact is, right now they have those tax breaks. Right today, they have those. They had them last year. They had them the year before. And what happened to this economy? It crashed and burned almost to the ground. What has happened to the millionaire and billionaire club? They have more money in their bank accounts today than ever before. That is not me saying it; that is other independent data out there. Corporations have more cash on hand today than they have had in decades.

So for us now to say: Hey, let's give the millionaires and billionaires another bonus for the next year for running our economy into the ground doesn't make any sense to me and doesn't make sense to the people back home in my State, the Alaskans I talk to every single day. As a matter of fact, when I came here in January of 2009, we were in our fourth or fifth month, if I remember right, of losing 500,000 to 700,000 jobs a month. Do you know what that is equal to? That is the total population of my State every single month being lost.

People who are saying we have to make sure the millionaires and billionaires have this \$700 billion bonus, paid for by the taxpayers of this country, to drive us more into debt, and believe that is going to solve this economic problem is absolutely wrong. I have had to scratch nickles and dimes together to build businesses. I have done it before. I have succeeded and failed. That is not what grows business, giving millionaires and billionaires breaks. What makes a difference, for example, is the small business bill we passed, where we only got two votes on the other side, a small business bill that brought money to loan small businesses. That is what makes a dif-

ference, or extending the tax credit, which we did, not only during the recovery bill, the stimulus bill, which I know everyone on the other side hates, but also during our small business bill so people can buy equipment and depreciate it in the first year, write it off in the first year. That is of real benefit to small businesses. Extending the SBA loan program, expanding it from the limitations they had before to \$5 million to make sure that the front-end fees do not have to be charged, what did that do in my State? It tripled—tripled—the loan capacity of SBA to small businesses. That was supported on this side. You want to grow small business. That is how you do it, because the way it has worked, we drove into the biggest recession since the Great Depression.

So I respect the comments on the other side, but for us to say to the American taxpayers: Hey, we are going to give another \$700 billion to millionaires and billionaires, is beyond comprehension—beyond comprehension, especially when we tell them: Oh, by the way, it is going to be debt financed. So my son, who is 8 today, and his kids, my grandkids, maybe, in the future, will still be paying that bill because we were told that by Monday we have to make a decision.

I am not doing that. I didn't come here to play those games, to swap off the START treaty or national security for the benefit of millionaires and billionaires.

The other thing I have learned about this place, we can multitask. I came down here this morning, no one was on the Senate floor. I go to committee meetings—there is supposed to be 15, 25 people—2 people show up, maybe 4. I don't know what other people are doing. I am showing up because that is what I was sent here to do by the people of my State, to come here and work. For us to sit around and say we can only do one thing at a time—I talk to families every single day. They are doing multiple things every day, every single day. Why we can't, with all the staff we have, all the abilities we have, focus on more than one thing is ridiculous.

Again, no disrespect to the Senator from Tennessee. I mean him no ill words. I am frustrated. I didn't come here for these kinds of games. We put a 1099 amendment on the Food Safety Act. People are asking: What are we doing? I heard yesterday, why did we spend a week on the food safety bill. The other side wanted to delay it because it was good politics for them to delay and drag it out. So here we are. We have a deadline. We have to get this passed or we are going home. If you don't want to be around here, then go home. But the fact is, the American people sent us here, Alaskans sent me here to not just do one issue but to do multiple issues. That is what our country is about. It is complex. There is no single issue that drives the economy. But giving millionaires and billionaires a \$700 billion tax bonus is ridiculous.

I appreciate the comments. I am sorry my colleague objected to this one item because in order to build this economy, we have to have multiple things in play. This gives more tools to the private sector to grow their neighborhoods and businesses.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. BEGICH. I appreciate the opportunity to rant for a little bit and yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### SENATE AGENDA

Mr. ALEXANDER. Mr. President, I see the Senator from Alabama here. I don't want to take time from him. Let me see if I can go back to the beginning.

The government runs out of money Friday. Taxes go up at the end of the month. Republicans have written a letter to the majority leader that says: Let's focus on those two things. Let's fund the government and let's keep the tax rates where they are which would be the single best thing we could do in the middle of an economic downturn to help create jobs, and then we are ready to go home.

We think we heard the results of the election. Our friends on the other side keep on insisting on an encore after a concert which attracted a lot of boos. What the American people were saying to us is, fund the government, keep the tax rates where they are, freeze spending, and go home. Bring the new Congress back in January, and let's begin to work on the priorities of the American people which are, No. 1, to make it easier and cheaper to create private sector jobs; No. 2, bring spending closer to revenues; and No. 3, be smart and strategic in dealing with terror. So one, two, three—those should be our objectives.

In the last 2 weeks in this so-called lameduck session, insisting on an encore after a concert that attracted a lot of boos shows a lot of tone deaf politicians.

What we Republicans have asked is extraordinarily reasonable. The President—and I give him great credit for this—had a bipartisan leadership meeting. It was the best one he has had since he has been President. It was constructive. As a result, the Republican and Democratic leaders who met together said: We will designate a smaller group to see if we can work out the tax part of this. Then, in the discussion that came afterwards, we, on our side, made it clear to the President and to the Democratic leader that after you fund the government—remember, the money runs out Friday. We have to do this. Nobody wants the government to shut down. After we deal with taxes—remember, they go up automatically at the first of the year—then we will go to wherever the majority leader of the Senate wants to go. He is the single person who can bring up something,