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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Almighty God, in whom we live and move and have our being, give our Senators Your blessing as they seek to serve this Nation and all people.

Lord, we lift our hearts and thoughts to You today, for You alone reign over creation and sustain us in good and bad times. Give us a sense of fairness in all we do; that Your message of peace and justice will be known in the lives of all citizens. Give us strength to do what we can do and to be what we can be as we remember that without You, we can do nothing.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 5, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

Mr. REID. I note the absence of a quorum, Madam President.

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

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business for 1 hour. Republicans will control the first half and the majority will control the final half.

Following morning business, the Senate will resume consideration of S. 1619. As a reminder to all Senators, cloture was filed on the bill last night. As a result, the filing deadline for first-degree amendments is 1 p.m. today. Unless an agreement is reached, the vote on cloture will occur tomorrow morning. The Republican leader and I have had a number of discussions, and we will decide if there will be amendments on the China trade legislation. It is my understanding that both Democrats and Republicans will offer some amendments, and certainly we can do that even though there is a cloture motion that has been filed.

AMERICAN JOBS ACT

Mr. REID. Madam President, Franklin Roosevelt said that no man can truly be free without economic security. With 14 million people unemployed—out of work—in America, there are far too many people living in the richest Nation in the world, yet unable to enjoy the full freedom and independence for which America stands. So this Congress has no greater challenge—none—and no more important responsibility than to enact the policies that help American businesses flourish and grow, put American citizens to work, and get our struggling economy back on track to prosperity. So I was disappointed yesterday when my Republican friends chose to play political games with not one but two pieces of important job-creating legislation.

The bill before the Senate will even the odds for American workers and manufacturers in the global marketplace by stopping unfair currency manipulation by the Chinese Government. It would support 1.6 million American jobs, and it has the support of Democrats, Republicans, labor leaders, and business groups. We should pass it quickly so we can move on to other important work facing the Senate this month. But yesterday Republicans threatened to derail this legislation, even though they overwhelmingly support it, and allow China to continue to tilt the playing field.

Also up for debate this work period, which ends in 2 weeks, is commonsense jobs legislation proposed by the President of the United States. President Obama's plan would invest in roads, bridges, dams, and other construction efforts to create jobs. It would put construction crews back to work building and renovating schools. It would extend unemployment insurance for Americans who are still struggling to find work. In that regard, Mark Zandi, who certainly is no Democratic spokesperson—in fact, he was the economic adviser for JOHN MCCAIN's Presidential

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



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election—said there is no more important stimulus for the economy than giving an unemployment check to somebody who is out of work. President Obama's legislation would expand the payroll tax credit, which has been very popular. It is a tax credit that will provide immediate relief to middle-class families and businesses. This legislation would revitalize communities that have been devastated by foreclosures.

The President's plan includes some ideas proposed by Republicans and others offered by Democrats. No matter what, this legislation is fully paid for. We may have different ideas on how to pay for it, but we know the President's legislation is a smart, effective way to spur job creation.

Democrats have listened to the American people, and they have been very clear. The American people believe it is time for millionaires and billionaires to pay their fair share to help this country thrive. Americans from every corner of the country and every walk of life agree. Democrats, Republicans, and Independents agree. Asked if they support a plan that would require people who make more than \$1 million a year to contribute a little more to ensure this country's economic success, the results were resounding, stunningly strong: Nearly 80 percent of Americans said yes. Wealthy Americans agree. Two-thirds of the people making more than \$1 million a year said they would gladly contribute more. A supermajority of Republicans agree, with two-thirds saying they supported the idea. And even a majority—52 percent—of the tea party members agree. So when Democrats bring this commonsense jobs legislation to the floor, we will ask Americans who make more than \$1 million a year to contribute a little more to help this country reduce its jobs deficit.

I am sure my Republican colleagues would like the opportunity to debate how this Congress tackles the most important issue facing our Nation today: the unemployment crisis. So I will happily work with the Republican leadership to ensure a fair process that gives Senators the opportunity to be heard. That is why I was so disappointed yesterday when my friend the Republican leader attempted to snuff out debate and prevent a bipartisan discussion about how to move the American Jobs Act forward. Rather than debating this bill on the floor as we usually do, he wants to tack this important job creator onto an unrelated measure simply as an afterthought.

I was willing to proceed to debate on the legislation yesterday, but the Republicans blocked that request. They even blocked that. Instead, they demanded an immediate up-or-down vote, with no opportunity for debate, discussion, or amendments. Again and again during the last few weeks, Republicans have rejected an all-or-nothing approach to this legislation. So imagine my surprise when they were unwilling

to engage in the thoughtful debate this bill deserves. Instead, they took the very all-or-nothing approach they were so concerned about only a few hours earlier.

This Nation's unemployment crisis is very serious business, but Republicans are more interested, it seems, in partisan games much of the time and political stunts than serious legislating. Fourteen million unemployed Americans deserve better. We live in a nation founded on the principle that every American has a right to personal liberty. But if Franklin Roosevelt was correct that no man is free who lacks economic security—and I am confident he was right—then we must do better as a Congress and as a country. I assure everyone within the sound of my voice that Democrats will do whatever we can to heal our ailing economy, even if it means the richest of the rich in America have to contribute a little bit more tomorrow than they do today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

VOTE ON THE JOBS BILL

Mr. McCONNELL. Madam President, for the past 3 weeks President Obama has been racing around the country trying to rally public support for a second stimulus bill and demanding that Congress pass it right away. The President has not been demanding that Congress debate the bill or be allowed to amend the bill. He has demanded in no uncertain terms that we hold a vote on the bill as it is, right away.

A couple weeks ago in Denver, the President said he has the pens all ready, lined up on his desk, ready to sign the bill into law. Just yesterday in Texas, he called on Congress to put the bill up for a vote so the entire country knows exactly where every Member of Congress stands. One of the President's top advisers, David Axelrod, summed up the President's position this way: "We want them to act now on this package," David Axelrod said. "We're not in negotiations to break up the package. It's not an a la carte menu."

So yesterday I tested the President's rhetoric. I proposed that we do exactly what he wants and vote right away on this second stimulus bill he has proposed as the supposed solution to our jobs crisis. And the Democrats blocked it. In other words, the President's own party is the only obstacle to having a vote on his so-called jobs bill. Now I understand our Democratic friends want to jettison entire parts of the bill altogether, not to make it more effective at growing jobs, not to grow bipartisan support. No, they want to overhaul the bill to sharpen its political edge. So my suggestion to the White House is that if the President wants to keep traveling around the country de-

manding a vote on this second stimulus, he focus his criticism on Democrats, not Republicans, because they are the ones who are now standing in the way of an immediate vote on this legislation.

But, of course, the President knew as well as I did that many Democrats in Congress do not like the bill any more than Republicans do. Despite his rhetoric, he knew Republicans were not the only obstacle, which means one thing: The President is not engaged right now in a good-faith effort to spur the economy or create jobs through legislation. He is engaged in a reelection campaign. By the way, the election is not until 14 months from now.

Madam President, 1.7 million Americans have lost jobs since the President signed his first stimulus, and his idea of a solution is to propose another one. Even Democrats know it is a non-starter, which is why so many of them do not want to have to vote for it. That is what we all witnessed here in the Senate yesterday.

It is time the President put an end to this charade. Stop campaigning for a bill written in a way to guarantee it will not pass and work with us on the kind of job-creating legislation both parties can agree on, things such as the trade bills, rolling back overburdensome regulations, domestic energy production, and tax reform. Republicans are ready to act on any and all of those issues.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. McCONNELL. Madam President, it has come to my attention that the majority leader has written to the chairman and ranking member of the Armed Services Committee asking them to modify the committee-reported National Defense Authorization Act for fiscal year 2012 before he will allow the Senate to consider that bill.

The White House has made it clear that it objects to certain provisions dealing with the detention of unlawful enemy combatants and captured members of al-Qaida and associated groups. As the ranking member of the Armed Services Committee explained to the Senate, the committee voted in favor of those provisions overwhelmingly.

My request to the majority leader would be to move to the National Defense Authorization Act at the soonest possible moment to allow the Senate to debate and amend the bill. If there are Members on the other side who support the White House's effort to bring unlawful enemy combatants into the United States for purposes of detention and civilian trial, the Senate can debate that matter during consideration of the bill. I know many Members on my side would very much appreciate a debate on the importance of keeping detainees currently held at Guantanamo from returning to the battlefield, especially in places such as Yemen.

Once the Senate completes consideration of the Defense Authorization Act,