

choreographed a political sideshow this very week.

Here is how it works: The President proposes a stimulus bill and calls it a jobs bill. Congress rejects it in a bipartisan way for very sensible and straightforward reasons. The President then goes on a bus tour to criticize Republicans for voting against the so-called jobs bill. Democratic leaders consult with the White House on breaking the same bill into smaller pieces. And how do they break it up? By identifying parts they know Republicans will oppose, then add the tax hike just to make sure. Then another bus tour or a press conference with the President complaining about Republicans again. Repeat for 13 months in the hopes that Americans will forget they are all now living under the economic policies that were enacted during the first 2 years of the Obama administration, and hope for success. That is the game plan. In other words, they are actually designing legislation on the other side to fail so they will have someone else to blame for the economy 13 months from now. That is what is going on in the Senate this week.

So what is not going on? What is not going on is the kind of bipartisan cooperation Americans want. My friend the majority leader is out there telling people the Republicans are rooting for the economy to fail. Nothing could be further from the truth. Look, if Republicans wanted the economy to fail, we would all line up behind the President's economic policies rather than opposing them, because they have not solved this jobs crisis we have been in. We have done that.

The President got everything he wanted the first 2 years he was in office. So I think it is time Democrats realize they were elected to lead, not to choreograph political theater. It is completely preposterous. At a time when 14 million Americans are looking for a job in this country, for the President to be riding around on a bus saying we should raise taxes, it is completely preposterous for the President to be riding around on a bus saying we should be raising taxes on the very folks who create jobs.

Think about that. We have 14 million people out of work and two self-identified conservatives for every liberal in this country, and the President is out there doing his best Howard Dean impersonation. He is completely out of touch. Let's forget about the tax hikes.

Let's drop the talking points about millionaires and billionaires and let's work together on bipartisan jobs legislation that is designed to pass, not designed to fail.

Republican leadership in the House and Republican leadership here in the Senate has been crystal clear. We are ready to work with the White House on legislation on which we can all agree. The two parties did it last week on trade bills. There are other areas where we can do the same.

The House voted on three bills this year, one as recently as last week, to roll back excessive regulations by bureaucrats in Washington who are destroying jobs and threatening to put even more Americans out of work. All three of those House bills got solid bipartisan support. Why do we not have those votes in the Senate and show that we can work together to help businesses create jobs? Let's park the campaign bus, put away the talking points, and do something to address the jobs crisis.

The American people want action. The election is 13 months away. Why do we not do what we were elected to do?

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#### RECOGNITION OF THE MAJORITY LEADER

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

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#### SCHEDULE

Mr. REID. Following leader remarks, the Senate will be in a period of morning business for 1 hour, with the Republicans controlling the first half and the majority controlling the final half. Following morning business, the Senate will resume consideration of H.R. 2112, which is the Agriculture, Commerce, State, Justice, and Transportation appropriations bill.

At noon there will be a rollcall vote in relation to the McCain amendment regarding surface transportation. Additional rollcall votes are expected during today's session. We hope to lock in an agreement on three district court judges as well as the nomination of John Bryson to be Commerce Secretary.

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#### JOB CREATION

Mr. REID. Madam President, my friend the Republican leader—and I will talk in more detail in a few minutes—is complaining about a tax of one-half of 1 percent—one-half of 1 percent on people who make more than \$1 million a year to pay for a program that would stop teachers from being laid off and rehire some of the teachers who have been laid off.

The massive layoffs we have had in America today of course are rooted in the last administration. It is very clear that private sector jobs have been doing fine. It is the public sector jobs where we have lost huge numbers. That is what this legislation is all about. It is unfortunate my friend the Republican leader is complaining about that.

I would also note that my friend said the House passed another bill. Well, they pass lots of bills, but they rarely go anywhere. A report led by HENRY WAXMAN of California, long-time Member of the House, indicated last week that the House has voted 168 times to roll back regulations on clean air,

clean water. These safeguards are important to have a healthier America. But the Republican response has been cutting back environmental and health safeguards, I guess hoping that a sicker, more polluted country is a better place to create jobs. It is not.

I am going to talk a little bit today about the legislation that I moved to on Monday dealing with, as I have indicated, maintaining jobs for teachers, firefighters, and police officers. Seventy-five percent of Americans support this legislation. This is not a poll that some Democratic pollster did, it is a CNN-Gallup poll.

This week, my Republican colleagues have rallied against teachers and first responders. That is our latest proposal, to create hundreds of thousands of American jobs and save other jobs. Republicans point to a similar program with a proven track record keeping 422,000 teachers in the classroom. That is important. They are using this as evidence that our programs are a failure.

I know the American Recovery Act saved Nevada from going into bankruptcy. The money we got there, hundreds of millions of dollars, allowed the Governor, a Republican Governor, to save Medicaid. Money is fungible. It saved teachers. It saved a lot of programs in Nevada.

So I say again, they call Democratic legislation—my Republican colleagues, my friend the Republican leader—legislation that created hundreds of thousands of jobs a failure. That is because they are using a different benchmark for success than we are.

Democrats' No. 1 priority is to create jobs. There are 14 million Americans out of work today. So to us, putting hundreds of thousands of people back to work teaching children, having more police patrolling our streets, firefighters fighting our fires, doing the rescue work they do so well, is our priority.

It seems that the No. 1 priority of my Republican colleagues is to defeat President Obama. Their strategy is to keep the economy weak as long as possible, so they oppose legislation with a solid record of creating jobs. Never mind that Republicans have yet to propose a single idea on their own—a single idea—to get 14 million people working again. Never mind that in the past they have supported every one of the job-creating measures we have proposed. We have a bill that was defeated, so we have taken pieces of that legislation, and virtually every piece of that legislation Republicans, in the past, have supported.

It appears that Republicans suit up every day and come to work with the sole purpose of defeating President Obama instead of suiting up with the sole purpose of creating jobs. And they oppose the policies that will turn our economy around for one reason and one reason only: politics and defeating President Obama.

The famous author Gore Vidal once said: "It is not enough to succeed. Others must fail." It seems this is the Republican motto this Congress. To me and to most Americans, putting politics ahead of this country's economic future is so far outside of the mainstream, it is barely on the map. That is where the Republicans have headed.

Republicans have been candid about their goal this Congress. My friend the minority leader said:

The single most important thing we want to achieve is for President Obama to be a one-term President.

Defeating job-creating legislation, defeating the economy, and defeating the President—that is how Senate Republicans measure success. But it is not how Republicans in the rest of the country measure success. The rest of America doesn't share those out-of-touch values. Like Democrats, the rest of the country believes there are some things more important than politics, even in an election year. Creating jobs is that most important thing.

To Democrats and the vast majority of Americans, there is no goal more important than getting our economy humming once again. That is why Americans overwhelmingly support our plan to retain or rehire more than 400,000 teachers and put more cops and firefighters back doing the things they do to keep our communities safe.

In Nevada, this legislation will provide an additional \$260 million to keep teachers in the classroom and maintain class size. It will support 3,600 jobs in my State and pump much needed money back into the economy.

Seventy-five percent of Americans believe we should help State and local governments put teachers, police, and firefighters back to work, and 76 percent of Americans agree that the wealthiest people in this country should help get our economy back on track. I repeat, three out of four Americans—actually, it is a little more than that: 76 percent—including two-thirds of Republicans, support the Democrats' Teachers and First Responders Back to Work Act.

Republicans in Congress aren't just out of touch with America, they are out of touch with other Republicans. Fifty-four percent of Republicans support the Democrats' plan to create jobs building roads, bridges and schools. Fifty-eight percent of Republicans support our plan to extend the payroll tax for American workers and businesses. Sixty-three percent of Republicans support our plan to put teachers in the classroom and police officers on the beat. Fifty-six percent of Republicans even support our proposal to ask millionaires and billionaires to contribute their fair share—one-half of 1 percent—to pull our Nation out of this terrible recession.

The trend is clear: Americans overwhelmingly support the Democrats' plan to create jobs, even with Republicans supporting our ideas by a wide margin. Yet my friend the Republican

leader said this yesterday on the Senate floor:

There's a growing bipartisan opposition to trying the same failed policies again. And there's bipartisan opposition to raising taxes, especially at a time when 14 million Americans are out of work.

Well, I say to my friend the Republican leader, you are entitled to your own opinion but not to your own facts. There is not bipartisan opposition to legislation that will create and save jobs for teachers and first responders. On the contrary, there is bipartisan support for the legislation. I have just gone over those numbers. Republicans, like the rest of Americans, do not oppose our proposal to ask millionaires to contribute their fair share. On the contrary, they support that proposal—a one-half of 1 percent surtax on people making more than \$1 million a year. It is only in Congress that Republicans oppose job-creating legislation and fair tax policy for the sake of politics.

In the rest of the country, Republicans, like other Americans, are focused on where their next paycheck will come from and how they will make their mortgage payment. Like Democrats, they are tired of Republicans in Congress rooting for the economy to fail instead of working with us to secure our economic future.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

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

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

The assistant legislative clerk proceeded to call the roll.

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.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE NOMINATIONS

Mr. REID. Madam President, I ask unanimous consent that notwithstanding the previous order, at 12 noon the Senate proceed to executive session to consider the following nominations: Calendar Nos. 272, 273, and 274; that there be 10 minutes for debate equally

divided in the usual form; that upon the use or yielding back of time, Calendar No. 272 and Calendar No. 274 be confirmed and the Senate proceed to vote without intervening action or debate on Calendar No. 273; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session, with 2 minutes of debate equally divided between Senators MCCAIN and BOXER or their designees prior to the vote in relation to McCain amendment No. 739, with all other provisions of the previous order remaining in effect.

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

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

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

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. PRYOR. Madam President, I ask that the quorum call be rescinded and that I be allowed to speak in morning business, although I believe we are in the Republican time.

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

FEMA

Mr. PRYOR. Madam President, in some ways, I hate to come to the floor and talk about this because I very seldom do, but I am announcing to all my colleagues and to the administration that I am putting a hold on all Treasury Department nominations until I get something resolved.

Let me back up and tell the story. Some of my colleagues are familiar with this story because this has come up a few times before and I have already spoken on the floor a couple times about this and certainly in the Homeland Security Committee I have spoken about this.

A few years ago, in Arkansas, we had some floods. In this one particular area around Mountain View, AR, some people's houses were flooded. FEMA came in. In one particular case—in the Guglielmas case, which is a family there—they talked to this couple. They are on Social Security. They talked to this couple about how they are entitled to some FEMA recovery money to repair their home. FEMA was actually in the home, took pictures, helped them fill out the paperwork, walked them through the entire process, and they ended up getting \$27,000 in FEMA money for disaster recovery. The Guglielmas did everything absolutely by the book. They followed all of