

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

FEMA's directions. They did it picture perfect, exactly the way we would think all citizens should conduct their business.

Then, 3 years later, they got a notice in the mail and FEMA said: Oh, we messed up. We shouldn't have given you that money because of some technical reason and because of that we now want all that money back.

They worked a great hardship on this family. This is supposed to be government of the people, by the people, and for the people. That is not what has happened in this case. This has worked a great hardship on this family.

There are lots of community efforts around these floods: local civic clubs, churches, the community at large rolled out to help people. The Guglielmanas said they didn't need that because they had FEMA's help. So they have foregone a lot of local assistance, a lot of charity assistance, general help from their friends and neighbors because of FEMA. Now FEMA has come back and said they owe them the entire \$27,000. This could ruin them financially.

I have met with FEMA Director Fugate. He and I have had what I would think of as productive conversations, although this matter hasn't been resolved. One of the things we talked about is to get an amendment to the existing statute. We are working on that. We are working that bill through the system right now in the Senate. I have worked with colleagues on the Homeland Security Committee and also the Appropriations Committee. I am not saying we would have unanimous agreement on my approach, but certainly I have been trying to work with anybody in the Senate to make this bill better.

Unfortunately, what has happened in the last few days is FEMA has now taken the additional step of turning this matter over to the Department of Treasury for debt collection. To add insult to injury and to rub salt in the wounds, this \$27,000 debt, now with fines and penalties and interest, has gone to \$37,000—\$37,000 in debt after these folks were assured by the government they were completely entitled to because this was flood recovery; and the only reason they are not entitled to it is because of some technical issues that FEMA should have recognized from day one. They should have never offered to help these people, but what they have done is, they have now caused them great injury.

This is a matter of equity and fairness. Enough is enough. We have been talking to FEMA for months about this. Now Treasury is involved. Enough is enough. We need to get this resolved for this family and maybe a few others.

It is not just localized in Arkansas. We are going to see this happen over and over around the country because FEMA has a backlog of these cases—it is a long story—that got tied up in litigation for a few years and I can almost guarantee that virtually every Senator

in this Chamber at some point is going to have to deal with this.

I hope all will listen to what I am saying and, hopefully, help me get this resolved. But that is why I am putting a hold on all the Treasury nominees. We need to get this resolved, and we are going to do whatever it takes to get it resolved. We want to resolve this situation fairly for this family in Arkansas. Again, they are just the first of many whom we are going to see who have this same type problem.

FEMA has done them harm. Our government has done them harm and put them at a disadvantage. There is a principle in law called detrimental reliance. These people clearly relied on the government and relied on FEMA to their detriment and they are paying the price and the penalty for that now. When the IRS and Treasury gets involved, there are penalties and interest. American citizens should not be treated this way, especially those who are playing by the rules and don't have any other recourse.

That is all I wanted to say in my morning business—I see we have several in the Chamber to talk on other matters—that I am putting Treasury on notice that I am going to hold all their nominees until we sit down and work through this and, hopefully, get a good and fair result for this one family in Arkansas.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

#### COMMONSENSE SOLUTIONS

Mr. JOHANNIS. Madam President, there has been a lot of talk about how we go about rebuilding the infrastructure after recent disasters and how we assist struggling States to accomplish that goal.

Many in this body do not believe the Federal Government should borrow money in an attempt to bail out States. We have our own financial mess right here at the Federal level that citizens across this country are saying, rightfully so, we have to get solved. But we can all agree that one of the best things the Federal Government can do is get out of the way and cut through the redtape. We must remove Federal hurdles and barriers, so much cumbersome process that constitutes the largest barrier to rebuilding our infrastructure.

In fact, I am very pleased to rise this morning and report there is language in the appropriations bill that I believe should get unanimous support in this body. It is part of the transportation section.

It simply says States may rebuild their roads and their bridges that have been damaged in disasters without having to repeat environmental study after study.

Gosh, what a commonsense solution.

Keep in mind, we are talking only about replacing roads and bridges that have already been through process,

that are already there, that were carrying traffic before the disaster. What we are saying is the most practical we could possibly say; that is, there is no need to repeat the expense of the time-consuming studies. Let's get out there and help the States get the work done. In other words, it saves States time and money by cutting through redtape and allowing them to, very simply, rebuild their roads and bridges.

I commend the senior Senator from the State of Nebraska, Mr. NELSON, for authoring this language. It is a commonsense approach, something we are used to in the Midwest, and it doesn't add one dime or one dollar to the Federal deficit.

This language should receive unanimous bipartisan support, especially from every Senator whose home State has been hit by disaster. Literally, as I speak, our State is trying to figure out how to recover.

Notwithstanding the fact that I think most people would agree this is so common sense, my colleague from Washington State, Senator MURRAY, has an amendment that would strike this language. I can't imagine why this body would stand in the way of States trying to rebuild their roads and bridges. In fact, in addition to States, Senator NELSON's language would help counties and communities that are so cash strapped, with so limited tax base, saying we will help them too.

For local authorities, the cost of repeating environmental studies is crushing. Even President Obama has called on his administration to drop unnecessary regulations and to look for redtape to cut through. Senator MURRAY's amendment, in all due respect, would do exactly the opposite. Her amendment would dig our bureaucratic heels into the sand, and it would say to States and communities and counties we know they have been struggling, we know they have been hit hard by disaster, but we are going to keep our expensive hurdles squarely in place. We are going to force them to jump over each and every one of them.

The language authored by my colleague, Senator NELSON, is a commonsense way to remove these Federal hurdles. I received assurance just this morning from the department of roads in my home State that this language would clear the way for several rebuilding projects in Nebraska. But we are not alone. I am guessing road departments across this country would say the same. There is little doubt in my mind that it would do the same for other States that have been faced with disasters, from the Midwest to the Northeast. We should rally behind Senator NELSON's language and make sure his efforts to clear a pathway for recovery are not blocked by the Murray amendment.

I encourage my colleagues to vote against the Murray amendment, to stand with me on the side of cutting redtape preventing States from rebuilding roads and bridges.