

Unlike the President and the Democrats who run the Senate, House Republicans are designing legislation to pass rather than fail. They want to make a difference rather than make a point, and the only thing keeping these bills from becoming law is that the Democrats in the Senate will not take them up.

We know the President's strategy. His so-called jobs bill has one purpose and only one: to divide us. Just this morning I read a story that quoted some Democratic operative almost bragging about the fact they do not expect any of the legislation the President has been out there talking about on the bus tour to pass. They openly admit these bills are designed to fail.

It is not exactly a state secret that Republicans—and, yes, some Democrats—don't think we should be raising taxes right now on the very people we are counting on to create the jobs we need to get us out of the jobs crisis. Yet the one thing every single proposal Democrats bring to the floor has in common is it does just that.

So the Democrats' plan is to keep putting bills on the floor they know ahead of time we will vote against instead of trying to solve the problem. They do not even hide it. The President's top strategist actually issued a memo a few weeks ago stating the President would use this legislation not as a way to help people but as a way to pummel Republicans.

Meanwhile, House Republicans have passed bill after bill after bill actually designed to do something. On March 31 they passed H.R. 872, the Reducing Regulatory Burdens Act. It got 57 Democratic votes—57 Democratic votes—in the House, a bipartisan bill that could pass and become law. On April 7 they passed H.R. 910, the Energy Tax Prevention Act. It got 19 Democratic votes. The list goes on and on. There are 15 of these, Madam President—15 of them—that have passed, and each with significant Democratic support—one with 33, one with 28, one with 21, one with 23, one with 16, one with 10, and one with 47 votes.

So there are 15 of these bills that have passed the House with bipartisan support, and in the Senate we don't take up any of them because we are busy taking up bills that everybody knows are not going to pass.

This week, over in the House, they are going to pass four more bills making it easier to hire out-of-work Americans. Just last week, House Republicans passed a bill that would repeal a law requiring the IRS to withhold 3 percent of future tax payments from any company that does business with the government—a bill the President himself said he would be willing to sign into law, and 170 Democrats voted for it. So why don't we pass it in the Senate? The President is waiting to sign it.

This is just the latest example of a simple bipartisan bill that struggling businesses are begging us to pass but

that Senate Democrats are holding up right now because it doesn't fit the story line.

I am not saying we have to vote on every one of the bills the House passed just as they are—there is an amendment process for that—but why not take them up? Every one would help create jobs, and none—none—would raise taxes. That is what we call compromise. It is called finding common ground, and it is how the American people expect us to legislate.

What we are witnessing in Washington right now is two very different styles of governance: a Republican majority in the House that believes we should actually do something about the problems we face and which has put together and actually passed bipartisan legislation that would help address those problems, and a Democratic majority in the Senate that has teamed up with the White House on a strategy of doing nothing—nothing—all for the sake of trying to score political points and spreading the blame for an economy their own policies have cemented in place as they look ahead to an election that is still more than a year away.

The President's economic policies have failed to do what he said they would, and now he is designing legislation to fail. Americans are actually tired of failure. So Republicans are inviting Democrats to join us in succeeding at something—anything—around here that would make a difference.

I guess to sum it up, Madam President, what we are saying is, why don't we quit playing the political games? The problems we face are entirely too serious to ignore. Let's take up the bipartisan bills that House Republicans have already passed and actually do something. There is no better time to tackle the problems we face than now. Let's not squander this moment because some political strategist over in the White House is enamored with their own reelection strategy.

Let's take advantage of this moment to act when the two parties share power in Washington. As I often note, it is only when the two parties share power that they can share the credit and the blame. That is why some of the biggest legislative achievements have taken place at moments like this, and that is why I have been calling on Democrats in Washington—privately and publicly—for the past year to follow the example of those Congresses and those Presidents before us who were wise enough to seize an opportunity such as this one for the good of the country.

We face many serious crises as a nation. We know how to solve them. Let's not let this moment pass us by.

#### TRIBUTE TO C. FRANK RAPIER

Mr. MCCONNELL. Madam President, I wish to express my thanks and appreciation to one of Kentucky's hardest

working public servants at the end of a long career. Charles Frank Rapier, the executive director of the Appalachian high intensity drug trafficking area—that is kind of a mouthful, and we have a way to shorten that called Appalachia HIDTA—will be retiring this November after 46 years in law enforcement.

This guy is a bit of a legend, Madam President. Director Rapier—called Frank by his friends—has been leading the Appalachia HIDTA Program since 2003. Prior to his appointment, he served as deputy director of that program for Kentucky. The Appalachia HIDTA Program was established in 1998 to combat one of our country's greatest problems: illegal drug trafficking and drug abuse.

The problem of drug abuse that Frank has pledged his career to fighting is particularly bad in my home State of Kentucky. Kentucky ranks in the top three of marijuana-producing States. More Kentuckians died of drug overdoses in 2009 than in fatal car crashes—an astonishing 82 per month. The threat from illegal meth use poses a problem across the State as well. This rampant drug abuse increases crime and destroys families in Kentucky.

Under Frank's leadership, the Appalachia HIDTA Program has attacked drug trafficking organizations in the tristate area of Kentucky, West Virginia, and Tennessee head on. And let me say, Madam President, he has done an amazing job, a truly amazing job.

Specifically, in 2009, Appalachia HIDTA disrupted or dismantled 82 separate drug trafficking organizations. That translates into hundreds of thousands of marijuana plants destroyed and hundreds of arrests. In 2006, they kept an estimated \$1 billion worth of profits off of illegal drug activities out of the State of Kentucky.

Frank played an integral role in arranging a visit to Kentucky earlier this year by Gil Kerlikowske, the Director of the White House Office of National Drug Control Policy, better known as the Nation's drug czar. The Director's visit, which I was proud to help facilitate, has been an important step in maintaining our focus in Kentucky to stem drug abuse and save our family members, friends, and neighbors from the dangers of drug addiction and drug-related crimes during a time of shrinking Federal resources.

As a strong supporter of efforts to fight drug abuse in Kentucky, I have gotten to know Frank and have seen firsthand his efforts. He is a humble man, but he is highly respected in the law enforcement community throughout the State—and even the Nation, for that matter—for the wonderful job he has done. I know his dedication and leadership in this important fight against illegal drugs will be greatly missed.

Frank knows well the area he has worked so hard to protect. Born and raised in Corbin, KY, he received his

bachelor's degree from Eastern Kentucky University where he began his law enforcement service as an EKU campus police officer. He attended graduate school at Xavier University, served as an instructor at the Federal Law Enforcement Training Academy at Glynco, GA, has taught at numerous police academies, and has been a speaker at many law enforcement conferences.

Before working with Appalachia HIDTA, Frank was a special agent with the U.S. Treasury Department for 32 years. He was a member of the National Undercover Resource Pool and the National Response Team. Over the course of his long career, he has served many assignments with the U.S. Secret Service and State Department, including working as a member of the Southeast Bomb Task Force that investigated the Olympic bombing case in Atlanta in 1996.

While with the Treasury Department, Frank received four Special Achievement Awards, a Special Act Award, a Performance Award, and the Director's Award/Masengale Memorial Award.

After 46 years in law enforcement, I wish Frank congratulations on a job well done and best wishes in his retirement. Countless Kentuckians owe their thanks to Frank as well.

Frank regularly describes the practice of asking his granddad: What did you do in the war? He feels prepared to be asked the same question himself now as he nears the end of his career. He knows someday there will be an accounting. He has worked all his professional life so that his answer to that question can be: I fought back against a tide of illegal drugs and saved lives. He has certainly done that, and more.

I know my colleagues in the Senate join me in thanking Director Rapier for decades of service. The work he has done for so many years has created a safer, stronger Kentucky.

Madam President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the 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 majority controlling the first half and the Republicans controlling the final half.

The Senator from New Mexico.

#### REBUILD AMERICA JOBS ACT

Mr. BINGAMAN. Madam President, I rise today to speak in favor of the Rebuild America Jobs Act. I, first, just

clarify for folks, because it is a little confusing, we have had several proposals to create jobs that have come to the floor in the last several weeks, and they have similar names. The one before us today is the Rebuild America Jobs Act, and it is a portion of the larger American Jobs Act that President Obama proposed and set out for the Congress to consider in September.

Let me talk first about that larger bill which the President proposed. This American Jobs Act the President proposed would have a very significant and beneficial impact on my State of New Mexico. Under that legislation, there would be payroll tax cuts for about 40,000 businesses in my State. There would be an expansion of payroll tax cuts for workers that would provide a typical household in New Mexico, having a median income of \$44,000, with a tax cut of about \$1,360 per year.

There would be support for up to 2,600 construction jobs in upgrading public schools. There would be \$20 million to revitalize vacant and foreclosed businesses and homes. There would be over \$49 million for community colleges in New Mexico. There would be unemployment insurance reforms that could help put 32,000 unemployed New Mexicans back to work. And there is funding in that legislation for up to 3,100 teachers and police officers and first responders to keep those people on the job so they can continue to provide services to our schools, to our students, and to our communities.

But despite the fact that all these important investments would be fully paid for—and that is made clear in the legislation; not a single dollar would be added to the national debt—this comprehensive legislation was blocked by a filibuster by our Republican colleagues a couple weeks ago. I commend Senator REID for continuing to fight to keep job creation on top of the legislative agenda and for bringing up parts of this broader legislation independently to see if we can get support for any of these individual parts because each of them has a great deal of merit.

Two weeks ago, we voted on the Teachers and First Responders Back to Work Act. This would have helped States and local governments keep over 400,000 teachers, police, and firefighters on the job during these tough economic times. It was disappointing to me that this effort failed to get enough votes so we could go ahead and consider the bill.

The legislation we are discussing would provide \$50 billion in infrastructure investments in highways and transit and in rail projects across the country, and in doing those investments it would create thousands of jobs. Among other things, it would put Americans to work in improving 150,000 miles of roads, 4,000 miles of train tracks, restoring 150 miles of airport runways, and in implementing the NextGen air traffic modernization efforts that this Congress should be strongly supporting. Those are efforts to improve

air safety and to reduce delays in air traffic.

So passage of this legislation would mean at least \$284 million in my home State of New Mexico in immediate infrastructure investments. That investment of \$284 million would support a minimum of 3,700 local jobs. These resources are greatly needed in my State. The Federal Highway Administration estimates that about 22 percent of New Mexico's major roads are in poor or mediocre condition; 19 percent of our bridges are structurally deficient or functionally obsolete, according to the Federal Highway Administration.

In addition, the bill includes \$10 billion to establish an independent national infrastructure bank in order to leverage private and public funds in advancing a broad range of infrastructure projects through loans and loan guarantees. Under this proposal that was modeled after bipartisan legislation introduced by Senators KERRY and HUTCHISON earlier this year, the bank would help finance large-scale transportation, water, and energy projects that are of national and regional significance. I am glad to see that the infrastructure bank included in this bill would begin to address some of the significant challenges we have of stimulating investment in new energy projects. There is simply not enough capital available in the country to deploy these technologies at the scale we need to deploy them to meet our national security objectives and to remain competitive in growing international markets for clean energy technologies. So the availability of this type of financing through this national infrastructure bank could be helpful in developing the transmission capacity required to bring renewable energies developed in my State of New Mexico to communities throughout the country.

Let me also briefly comment on the fact that there is revenue raised in order to pay for this set of investments that are being proposed; that is, there is a so-called offset for the cost of this legislation. That is because I think all of us agree the deficit is at unsustainable levels. We should not be committing to increased spending without finding a way to pay for it, and that is why this legislation contains a revenue-raising provision. The legislation would impose a 0.7-percent surtax on income exceeding \$1 million.

What does that mean? That means that if a person's annual income is \$1 million, then this legislation does not, in any way, change the taxes they are required to pay. So any garden-variety millionaire who only receives \$1 million per year in income is not required to pay any more under this legislation. But if they exceed that and their income is \$1,110,000, for example, they would have to pay an extra \$700 toward the cost of this legislation.

The reality is, modernizing our Nation's infrastructure and stimulating job growth and enhancing policies to