

Nelson (NE)	Sanders	Udall (NM)
Nelson (FL)	Schumer	Warner
Pryor	Shaheen	Webb
Reed	Stabenow	Whitehouse
Reid	Tester	Wyden
Rockefeller	Udall (CO)	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 47, the nays are 53. Two-thirds of the Senators voting not having voted in the affirmative, the joint resolution is rejected.

The Senator from Illinois.

#### MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### UNANIMOUS CONSENT REQUEST— H.R. 3630

Mr. DURBIN. Madam President, last night the House of Representatives passed a tax cut bill, one that is doomed in the Senate and that the President has made it clear he will not sign.

It is important for us to move beyond this stalemate on an important issue that will literally affect 160 million working Americans.

Currently those working families enjoy a 2-percent payroll tax cut. For the average family in Illinois with a \$50,000 annual income, it means \$1,000 a year or more in terms of a tax cut. So if we fail to continue this payroll tax cut, families across Illinois and across America are going to see an increase in their payroll taxes of about \$100 to \$125 dollars a month. We cannot let that happen. These families are struggling paycheck to paycheck. We want to help them. We want to make sure we help this economy by putting more life into it, which creates more opportunity for profitability for business and new jobs.

We also need to maintain our unemployment insurance which we have provided during these difficult times for those families struggling to find work.

At this point it is clear we should move immediately—immediately—to consideration of the House tax cut bill, a bill which passed the House and should be taken up immediately in the Senate. There is no reason for delay. It has to be done before we go home. Let's not waste any more time. Let's bring it to a vote.

Therefore, I ask unanimous consent the Senate proceed to the consideration of H.R. 3630, which was just received in the Senate from the House; that there be 2 hours of debate equally divided between the two leaders or their designees prior to a vote on passage of the bill; that no amendments be in order prior to the vote, and that the vote on passage be subject to a 60-affirmative vote threshold; further, that if the bill is not passed, it remain the pending business and the majority leader be recognized.

The PRESIDING OFFICER (Mr. FRANKEN). Is there objection?

Mrs. HUTCHISON. Mr. President, I object on behalf of our leader. This is a matter that needs to be decided between our two leaders. That has not been done. The bill has just come over. There needs to be some time. Certainly we hope in the future to vote on it at a time when the two leaders can agree.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, I thank the Senator from Texas. I know her objection was on behalf of the Republican Senate leader. I would appeal to him and all Republicans on that side of the aisle, let's get down to the business of extending this payroll tax cut for working families and maintaining the unemployment insurance to help millions of Americans. Let's get it done before we even consider leaving for this holiday season.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### KEYSTONE XL PIPELINE

Mrs. HUTCHISON. Mr. President, at a time when our economy is staggering and global unrest is making long-term energy supplies uncertain, we are going to eventually be able to take up a bill that has been passed by the House that would bypass the President's decision to postpone until 2013, after the elections next year, a domestic infrastructure project that promises 20,000 immediate jobs, and 118,000 spinoff jobs, and provides a stable energy source from our trusted neighbor Canada.

After 3 years of unprecedented reviews by State and Federal agencies, the administration decided to delay the Keystone XL pipeline until after the 2012 election. Why? It would seem obvious that this is a decision that could now be made. The studies have been done. The jobs are needed. This is a privately financed traditional energy project. It is truly shovel ready. It is not a temporary government stimulus program based on wishful thinking, looking for things that can be done around the country. It is ready to go and it is privately financed, so there are no taxpayer dollars involved.

The pipeline is our Nation's access to the estimated 170 billion barrels of recoverable oil in western Canadian tar sands. It will provide energy from a reliable trading partner and friend, lessening our dependence on oil from turbulent Middle East and North African countries and from dictators and terrorism-supporting regimes in South America.

This turmoil leads to price spikes and supply interruptions that threaten our economy and our national security. If we can go forward with the pipeline project, it would have a tremendous impact on our Nation, where the project could stimulate \$2.3 billion in new spending and generate more than \$48 million in new tax revenues just in my home State of Texas.

The pipeline construction would result in 700,000 additional barrels of oils per day being sent to refineries in Texas. Our State's 26 refineries account for more than 25 percent of the total U.S. oil production, which is approximately 5 percent of worldwide capacity. Texas refineries working at capacity are of great benefit to the consumers of America. Oil is provided faster and more efficiently to domestic consumers and industry, bringing down the cost of energy to everyone in our country.

Last night the House approved this legislation. President Obama continues to threaten to veto any bill that comes to his desk that involves the Keystone pipeline. So I think it is fair to ask: What is his plan? The administration recently announced the President's 5-year blueprint for the future of America's energy resources. For example, the plan limits the offshore energy development to less than 3 percent of offshore areas.

The administration is decreasing our energy resources while other countries continue to increase their energy wealth, just off our coast in some instances, some as close as 25 miles from the U.S. waters. With the right policies, the oil and gas industry could create 1.4 million new jobs and raise \$800 billion of additional government revenue by 2030. That would come from people working. That would come from people in the economy buying things, creating new jobs, and paying taxes because they are earning money. That is the way we should increase revenue in this country, not by stimulus programs that add to our deficit and to the debt that is going to be inherited by our children.

The administration is determined to pursue policies that limit our utilization of our own natural resources. Most other countries in the world are trying to develop their natural resources, and some do not have natural resources and wish they did. America has them but we are not using them.

We could—with a single pipeline—do something that would lower the cost of energy and create new jobs and raise additional government revenue. The fact that we are debating this project today in the face of a frozen economy and rising energy insecurity is unthinkable. We do not need more Solyndra fiascos. We do not need to waste additional billions of taxpayer dollars to support failed businesses that would not exist without federal subsidies.

This pipeline has not one taxpayer dollar in it. It is privately funded and will create private industry jobs that would be jobs that create more revenue for our country through the spending and the creation of still further jobs.

We would be doing it with a trusted neighbor and ally, Canada. This is something we should do. I would love to see us do it in a bipartisan way in this Senate as the House has already done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### PAYROLL TAX CUT

Mr. CASEY. Mr. President, I rise to speak about the urgent need to prevent a tax increase in the year 2012 if the Congress does not act to extend the payroll tax cut from last year. This is fundamental when it comes to working families across the country. Some 160 million working Americans are depending upon the Congress to do its work, to do its duty, and conclude this year on a couple of matters.

The principal focus of most people's attention right now, in addition to making sure we have a budget in place for the next couple of weeks and months but also, most urgently, is to make sure we are doing everything possible to bring about a cut in the payroll tax again as we did last year. So we should be voting today. We should not be waiting. We know the House has acted. I would guess that what they passed in the House will not pass in the Senate, but we should vote. Vote today. Get that done. Then both sides can sit down and work out a compromise on the payroll tax cut so we can give those 160 million American workers some measure of certainty as they begin to celebrate the holidays and prepare for our new year.

When I talk to people in Pennsylvania, they say to me basically two things: Do something to create jobs or to create the environment or the condition that job creation will flow from and, they say, do it in a bipartisan way. Work together as we, meaning Americans back home, have to work together. They have to work together at home to meet a budget. They have to work together at their worksite to be able to move a company or their agenda forward for an employer.

What we need is a very simple agreement on a very basic bill, and it should be a bill that would extend and, I would argue, expand. I wish to go beyond the payroll tax cut of last year. What we should be doing is cutting it in half. I know there might be others who do not want to go that far. But what we have now from the House is a 350-page bill loaded with all kinds of provisions that have nothing to do with the payroll tax cut and nothing to do with moving the economy forward. It is kind of a political game they are playing.

For example, the Keystone pipeline will be the subject of a lot of debate and discussion. But that has nothing to do with providing 160 million working Americans with a payroll tax cut, so we should set that aside and focus on cutting the payroll tax. Some of the provisions in the Republican bill will do substantial harm to families individually but also to the larger economy. Cutting 40 weeks—let me say that again—cutting 40 weeks from unemployment insurance is one provision. That is the wrong thing to do when

have you between 13 and 14 million Americans out of work, in Pennsylvania over half a million people out of work, at last count 513,000 people out of work. They are telling us that we should cut unemployment insurance by 40 weeks.

Does that make any sense at all? Oh, by the way, what they leave out in that debate is what unemployment insurance does to the wider economy. You spend a buck on that, you get a lot more than a buck in return in terms of the economic impact. So unemployment insurance, when it is provided to people who lost their jobs through no fault of their own, helps the larger economy in addition to helping an individual worker or his or her family.

When it comes to the issue of the payroll tax cut itself, what we are talking about here is not something complicated and theoretical. We are talking about take-home pay, what goes in your pocket from your paycheck. We have got a choice here. If we go the right way and we extend the payroll tax cuts from last year, there is as much as \$1,000 in take-home pay as a result of that.

I had a bill which we worked to try to compromise and change—we changed our bill in order to compromise, I should say. I thought it would be better if we cut the payroll tax for workers in half. That would be as much as \$1,500 in your pocket for 2012. The other side objected to that. They wanted no payroll tax cut, apparently, for businesses, which I thought was a good idea. Then they also wanted to scale back what we could do for employees. But we are where we are. We will see what they are willing to do now. But let's not lose sight of what this is all about. If we do the right thing, we will have \$1,000 extra in take-home pay for 160 million American workers, but if we go the way of some people here in Washington and play political games, it will be zero extra dollars of take-home pay. Very simple. It is a very simple choice.

I would hope our friends on the Republican side would allow us to vote today on the Republican House bill.

It is not going to pass, but it does provide clarity so that both sides can then sit down. They have rejected my compromise. Now the House version will come over here. But we will have some clarity about where both sides stand.

We can sit down and negotiate and get a payroll tax cut done, but we cannot do that until they let us vote on what the House did. We need to have that vote today. I don't know why the Republican side would want to hold it up in the Senate. We should vote on that. It is about take-home pay and also about peace of mind. I think a lot of Americans would like to know now that they can celebrate the holidays and move into 2012 with some peace of mind, knowing they are going to have some money in their pockets they might not have otherwise. It will have a tremendous impact on the economy.

We know that from the data and from what happened in the first few months of 2011.

If the Congress fails to act, here is what it means for a State such as Pennsylvania. You can replicate this, I am sure, in other States as well. Mark Zandi, a respected economist on both sides of the aisle in Washington, looked at Pennsylvania and the impact of not extending the payroll tax cut for 2012. He said it would cost our State a little shy of 20,000 jobs in calendar year 2012—in a State, by the way, where in 2011 we created—or I should say the increase in jobs in Pennsylvania was more than 50,000 in 2011. That is not enough, and we need to do more, but certainly when you are creating jobs at that rate—and possibly in 2012 it could go above 50,000 jobs created in Pennsylvania. But not to act on the payroll tax and reduce that 50,000 or more by 20,000 jobs—and that is just one State—if you don't pass the payroll tax cut, that is the adverse impact on 1 State—20,000 jobs, according to Mark Zandi. That is a big mistake. We cannot afford to make those kinds of mistakes at this moment, which is very precarious in our economy, just when we are getting some—although not enough—good news about the economy.

We need to kick-start, jump-start job creation across the country. We can do that in large measure—although not completely—by a payroll tax cut.

It is time to move forward and time to move on. We should get this vote done on the House version, and then we can go to the negotiating table. While we are doing that, we can get some other things done. To hold up a vote on the House bill doesn't make any sense at all. We only have 17 days until the end of the year. We have other work to do as well. But the main thing we have to do right now is come together to protect 160 million American workers so that they can conclude the year and go into the holiday season and begin a new year with peace of mind to know they are going to have that payroll tax cut in their take-home pay and also to give those who are out of work and their families, their communities, and the country some assurance on unemployment insurance.

It is not time to play politics in Washington. This is the holiday season. If there is anytime in the year when people expect us to work together, it is at this time when we celebrate the holidays. We need to come together and compromise. I have compromised a couple of times in my legislation. I will not review that now, but I did that on my version of the payroll tax cut. We can all compromise more. We need to come together and stop putting up roadblocks to voting on measures that will lead us to a compromise.

The simple message for today is this: Let's vote on the House bill. If that doesn't pass, then we can go to the negotiating table and come up with a compromise to cut the payroll tax and put more take-home pay in the pockets of 160 million American workers.