

Mr. BAUCUS. I yield back all time.

The ACTING PRESIDENT pro tempore. All time having been yielded back, the question is on agreeing to the conference report to accompany H.R. 3630.

Mr. BAUCUS. Mr. President, I request the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. ROBERTS), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. PRYOR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 36, as follows:

[Rollcall Vote No. 22 Leg.]

#### YEAS—60

Akaka	Graham	Murkowski
Ayotte	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Heller	Nelson (FL)
Bennet	Hoeven	Pryor
Blumenthal	Inouye	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Rockefeller
Brown (OH)	Klobuchar	Rubio
Cantwell	Kohl	Schumer
Carper	Landrieu	Shaheen
Casey	Lautenberg	Snowe
Cochran	Leahy	Stabenow
Collins	Levin	Tester
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Udall (NM)
Durbin	McCaskill	Webb
Feinstein	McConnell	Whitehouse
Franken	Menendez	Wicker
Gillibrand	Merkley	Wyden

#### NAYS—36

Alexander	DeMint	McCain
Barrasso	Enzi	Mikulski
Blunt	Harkin	Moran
Boozman	Hatch	Paul
Burr	Hutchison	Portman
Cardin	Inhofe	Risch
Chambliss	Isakson	Sanders
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Warner

#### NOT VOTING—4

Bingaman	Roberts
Kirk	Vitter

The conference report was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

### MOVING AHEAD FOR PROGRESS IN THE 21ST CENTURY ACT—Continued

AMENDMENT NO. 1730 TO S. 1813

Mr. REID. I have an amendment at the desk. I now ask that the clerk report the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1730.

Mr. REID. I ask that further reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

### MORNING BUSINESS

Mr. REID. Mr. President, I now ask that we move to a period of morning business, with Senators allowed to speak until 2 p.m. for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### SURFACE TRANSPORTATION ACT

Mr. REID. Mr. President, what we have just gone through is an effort to bring the highway bill to be closer to the end.

The amendment I have offered does not have in it the Commerce Committee-reported matter. There has been an effort made by members of the Commerce Committee on a bipartisan basis to have another proposal, and that is what is now in this bill. I would hope that will be accepted—I am told it will—when we get back, which will allow us to start legislating, the Monday we get back, on this bill. We have to move to completion.

As I said earlier today, I don't like a lot of the amendments my Republican colleagues have offered, but they have a right to offer amendments. We are going to have to work through these amendments. I hope we can come up with, the day we get back or at least the next day, a list of finite amendments, Republican amendments and Democratic amendments, and work our way through those. We can't have hundreds of amendments, and I hope we can work that down to a reasonable number. Both sides are going to offer amendments. I am sure it won't be a lot of fun, but that is why we are elected—to make tough decisions.

There are some measures we have to vote on that relate to the bill. I know that may sound a little unusual, but there may be some amendments that are germane or relevant to the matter we are considering. We are going to work through those.

I hope we don't have to file cloture on the bill—that would be nice—because this legislation is important because the surface transportation law that is now in effect expires at the end of March. So we have a lot of work to do in a short period of time.

So Senators understand, we have a lot more to do. We not only have to finish this bill, but it is imperative that we bring to the floor the postal reform legislation. It is extremely important. We also have a lot of nominations we are going to have to deal with, and these are the things we have in the short term. The highway bill and the

postal bill are really big, important pieces of legislation.

I would be happy to yield to my friend, the chairwoman of the committee.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Very briefly, I just want to thank my friend so much. He has a lot of ties to the environment and public works community, and we know every State in the Union is watching us. They want to know that we are going to get our job done on the highway bill. I see Senator THUNE is on the floor. He has been extraordinarily helpful as we have worked our way through this in the most bipartisan fashion.

For people who might be confused with the vote that took place, I just wanted to point out that in the package that was on the floor, what happened was there was a problem in the Commerce Committee. There was a bipartisan problem there which has now been worked out.

So what my colleague has done now is—I ask unanimous consent that I can control the floor for the next 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. BOXER. So what my colleague has done by offering this amendment is to offer now the agreed-upon Commerce package and the agreed-upon bill so that we can finally get started and not have us torn asunder.

It was wonderful to interact with Senator HUTCHISON today because she made her point that she is quite satisfied with the compromise that has been worked out between herself and Senator ROCKEFELLER on the new compromised Commerce piece.

So when we come back, here is where we will be: Senator REID has offered that new package, which is 100 percent bipartisan. I have talked with Senator INHOFE. His staff and my staff are going to be working literally—I don't want to say 24/7; that is an exaggeration, but they are going to be working every day, including the weekends, over this work period to take probably 200 amendments—that is usually what happens in these bills—and try to get a few that are simple, that are not controversial, get those agreed upon on a staff level, and bring them back to a lot of principals. We have a lot of principals in this because we have four committees—all working in good faith, I might add.

So I am excited. I know Senator LANDRIEU is on the Senate floor, and she has been doing a wonderful job with Senator NELSON, Senator SHELBY, Senator WICKER, Senator CARPER, and others, on a bipartisan basis on the RESTORE Act. It is an amendment that has been filed, and I am very hopeful that is the type of thing we can get done with good will here, people willing to not filibuster but agree to 60-vote thresholds, if they have to, with time agreements.

Here is the deal, and I will close. Senator REID was exactly right. If we don't do this bill, our entire transportation program expires at the end of March. That is 1.8 million jobs directly impacted by this bill. In the bipartisan bill we have worked out, we not only protect those jobs, but we create up to 1 million new jobs because we have added a very important piece, the TIFIA piece. So we have made that a major program which has cost very little because the way money is leveraged, it will leverage local funds, State funds, private funds. That means we could see up to 1 million new jobs.

As we leave here today, the good news is that we have made sure that millions of working Americans will be able to count on the payroll tax cut. That is good. We make sure that so many of our unemployed workers can know they will continue to receive unemployment and that our senior citizens know their doctors will not run away from them when they come in with their Medicare card. We have done a good thing on that.

There are things in that bill I don't like. Certainly it was a compromise. We met each other halfway. In the highway bill, we have done that as well. So I am ever so grateful to the leadership in the Senate because they could easily have said: Well, we had a cloture vote, and it went down. Let's forget the bill.

But we are all working together. We knew we had to take this step to get to the next step. So we are at that step. We will come back, and we will begin in earnest to dispose of amendments. I hope we will have a list from the staff of maybe 15, 20 amendments that are not controversial that we can move forward on and then get to some of the difficult issues.

In closing, I urge my colleagues on both side of the aisle—why do we need to have a birth control amendment on a highway bill? Why do we have to have foreign relations amendments? I serve on that committee, Foreign Relations, and I am proud of it, but we shouldn't be bringing controversial, unrelated amendments to the highway bill because 2.8 million jobs are hanging in the balance.

But I leave here with great optimism. A couple of days ago I said I didn't see a path forward for the highway bill and the transit bill. Today I see a very clear path forward. If we all continue to work together, we are going to be proud and we are going to make everyone, from the Chamber of Commerce to the AFL CIO and every group in between that has joined in a coalition of 1,000 organizations—they are going to be happy, and, most of all, the American people will be happy, because we have to fix those bridges and those highways, and we have to make sure our people have alternatives so they can get into transit.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

#### PAYROLL TAX CONFERENCE REPORT

Mr. AKAKA. Mr. President, I reluctantly supported the conference agreement because it is absolutely essential that we extend the payroll tax holiday and unemployment insurance benefits. The stakes are too high to do otherwise for our economic recovery and for millions of Americans struggling to make ends meet. We cannot abandon them or reverse progress during this difficult time.

However, I strongly oppose the decision to pick the pockets of Federal workers yet again just to offset the cost of 10 months of unemployment insurance benefits. I am not opposed to offsetting the costs, but I believe shared sacrifice is essential and a simple matter of fairness and decency. Unfortunately, once again, rather than asking millionaires and billionaires to pay their fair share of taxes, some of my colleagues insisted on taxing America's dedicated middle-class public servants.

Future Federal employees will be required to pay an additional 2.3 percent of their income toward their pensions. That means most employees will pay a total of 3.1 percent of their salaries, and that is in addition to the 6.2 percent they pay for Social Security retirement benefits. This agreement effectively lowers the Federal pay scale by 2.3 percent going forward, and this comes after Federal wages already have been frozen for 2 years. Under this agreement, future congressional employees—all of our staffs, who often work long hours for us and are underpaid—will pay more toward their pensions at the same time as we cut their pension benefits by more than one-third. These are permanent changes made to fund just 10 months of unemployment benefits—not a good investment in our Nation's future.

Some of my colleagues would have you believe that Federal employees are overpaid, and that simply is not true. In many critical fields, the Federal Government struggles to compete with the private sector to recruit and retain the skilled people our Nation needs: experts in cyber security and intelligence analysis, doctors and nurses to care for our wounded warriors, accountants who protect taxpayers during billion-dollar defense acquisitions. These are just a few examples. Federal employees handle incredibly complex work. On paper, an analyst might compare the salary of a nuclear submarine mechanic to a car mechanic. We all depend on the important work car mechanics do, but clearly we used to recruit the most sought-after mechanics possible to be our nuclear sub mechanics, and we need to pay them enough to retain them. As the income gap in this country widens and so many hard-working Americans face increasing economic insecurity, I am proud that the Federal Government still pays most employees a living wage.

Many private sector employers are scaling back or eliminating pensions.

Just this week, General Motors announced plans to suspend pension benefits for nearly 20,000 employees who have been with the company for more than 10 years. Long term, this unfortunate trend will rob millions of Americans who have worked hard all their lives of the security retirement they earned and deserve. This trend, tragically, is bound to increase poverty among senior citizens in the coming years.

Some of my colleagues want to follow the private sector and eliminate or dramatically reduce the Federal pension.

Today, this conference agreement will, unfortunately, take the first step in that direction. But I call on my colleagues to prevent the Federal Government from joining this race to the bottom. I fear this shortsighted attack on Federal workers will repeat itself. Every time we need an offset to fund anything, I expect there will be another proposal to cut Federal pay, pensions or other benefits. We must stop and help to protect our Federal workers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### NOAA

Mr. BROWN of Massachusetts. Mr. President, I appreciate the comments of the Senator before me. I wish to rise to inform colleagues and the public of some highly disturbing information that I have just learned about a broken agency within our Federal Government, something actually that Senator CARPER and I have been working on. I know he will have great interest in this issue. I am talking about the National Oceanic and Atmospheric Administration, NOAA.

We all know Washington does not spend our money wisely, the money they collect from individual citizens. They do not spend it wisely. But sometimes it is worth highlighting examples of the corruption and waste that is actually taking place in the Federal Government.

Yesterday morning, I contacted the Commerce Department inspector general to request a copy of their report on NOAA's purchase of a \$300,000 luxury boat. It would be bad enough if they purchased this boat with taxpayer dollars, but they did not. They paid for it with money that should belong to our struggling fishermen. They paid for it out of fines fisherman pay into the pot when they mistakenly catch the wrong kinds of fish. Those dollars are supposed to stay in the fishing community to help the fishermen.

I would like to point out—this is the boat. This is a photo of the actual boat that was purchased. For a government vessel, I would say that is pretty flashy. Let's take a look inside this boat. This is a fully appointed bar, the latest onboard entertainment systems, the leather furniture complete with the