

Benjamin Franklin said this: "Tricks and treachery are the practice of fools, who have not wits enough to be honest." If corporations want to leave America, it is their right. But American taxpayers should not be forced to foot the bill when U.S. companies want all the benefits of commerce in this country without having to pay their fair share.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the Republicans control the time from 3:30 to 4:30 today, and the majority control the time from 4:30 to 5:30 today.

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

#### RECOGNITION OF THE MINORITY LEADER

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

#### SECURING THE BORDER

Mr. MCCONNELL. There is a lot we can get done in Washington when Democrats are willing to put the politics aside and work together for bipartisan results.

We saw an example of that yesterday when the President signed a bipartisan workforce training bill into law, legislation I and others proudly supported. Unfortunately, though, we have rarely seen such bipartisanship from Washington Democrats these days. Working toward bipartisan solutions and helping the middle class, it always seems like such a chore for them. Just look at what President Obama and the majority leader have planned for the coming days.

The President is off campaigning for a workforce training bill he already signed. It makes no sense, but this is a man who just can't stop campaigning. And apparently the majority leader is suffering from a similar condition. He is busy turning the Senate into a campaign studio. He wants to spend more of the Senate's time on a designed-to-fail campaign bill that he loves to trot out before every national election. We have seen this proposal a couple of years ago before the election. Then, of course, for political purposes they pray that it will fail.

Look, this is time that would be a lot better spent helping the middle-class families who are struggling in our country. Instead of worrying about design-to-fail legislation, we could be addressing things like the highway bill, which already passed the Republican-led House with massive bipartisan support, or addressing the humanitarian crisis on the southern border. That is where our focus should be. That is what the American people expect.

The Border Patrol estimates that as many as 90,000 unaccompanied children

will have crossed our border by fall. It is a dangerous journey to the border, and many have suffered heartbreaking treatment and abuse. That is why anyone who wants to help these children should be working overtime to spare them from this journey.

A few weeks ago the President made some modest policy recommendations that should be a part of any legislation that deals with this crisis. Unfortunately, the far left objected and the President has since wobbled.

That has led to top Democrats in Congress balking at even the most modest of reforms. They all seem to prefer a blank check that would preserve the status quo instead, and the President will barely lift a finger to encourage his own party to support these simple reforms.

Remember, now, this is the same President who keeps telling us about this mythical phone he plans to use. So what we are saying is use it. Call the Members of your own party who object to what you said you wanted and what we all know is needed.

Call the leadership of your party in the Senate who, despite the footage on the evening news, pronounced our southern border to be secure. Get them to support the policies that you told us would address this crisis. Frankly, it would be a much better use of your time than campaigning for a workforce bill you have already signed. Sending these children all over the country for indeterminate periods of time just isn't an answer.

We need to humanely return them to their homes as soon as possible, and President Obama needs to show some leadership to help us get a long-term credible plan in place to do just that. He owes the country at least that much.

Remember, news reports suggest the President could have intervened long ago to address this problem before it turned into a full-blown humanitarian crisis. But according to the Washington Post, he prioritized politics over helping these children.

The paper cited a Congresswoman who admitted that her fellow Democrats recognized the urgency of this crisis, but they kept mostly silent because they didn't want to cause problems for the administration's political priorities in Congress.

Democrats didn't want others to be able to point out that the President's policies had failed. It is really quite shameful. The Post also cited one source who said the administration staff was concerned about the growing number of children, but that they too were effectively overruled by White House political concerns.

Here is what the source said:

Was the White House told there were huge flows of Central Americans coming? Of course they were told. A lot of times. . . . Was there a general lack of interest and focus on the legislation? Yes, that's where the focus was.

In short, it appears the Obama administration knew about this problem

a long time ago, did almost nothing, and the country is now faced with this crisis.

So the President needs to get serious about this—not some other time—now.

What we are saying is cut out the campaigning, tell your party's leadership in the Senate to get serious and work with Members of both parties to get this addressed.

#### RESERVATION OF LEADER TIME

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

#### BRING JOBS HOME ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to Calendar No. 453, S. 2569, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 453, S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Illinois.

Mr. DURBIN. I listened carefully as the Republican leader came to the floor to talk about the Senate issues, and he failed to mention this issue, S. 2569, which we will be voting on in 1 hour and 10 minutes. In fact, we have listened carefully. There has not been a single Republican Senator who has come to the floor to literally debate this issue or to disagree with this bill. What is this measure that is the source of such a mystery on the floor of the Senate?

Well, it is an effort by Senator JOHN WALSH of Montana and Senator DEBBIE STABENOW of Michigan to bring good-paying manufacturing and other jobs back home to America. Wouldn't you think that would be worth a comment from the Republican leader or perhaps from one of the Republican Senators? I hope it means they are going to join us in a bipartisan effort in a little over 1 hour to bring this measure to the floor.

What does it say? Simple. We will give a tax break to companies that bring jobs home from overseas. We will reduce the current tax incentives for companies to ship American jobs overseas. There it is—straightforward, clear—bring the jobs home.

I would think this would be so bipartisan it would get a unanimous vote at 11 o'clock. But the fact is, despite the support of all Democratic Senators, we are still struggling to find five Republicans who will join us so we can move to this measure and do something in the Tax Code to help bring American jobs back home instead of shipping them overseas.

Senator REID, our majority leader, spoke this morning about another aspect of this issue. Sadly, in my home State of Illinois, a major company, AbbVie, which was formerly part of Abbot Laboratories, the eighth largest pharmaceutical company, just announced last week they are going to relocate their corporate base of operations to an island off the U.K.

The U.K. is a beautiful country, but to think that American companies such as Abbot—now AbbVie—are prepared to desert America, is worth a little reflection.

Senator REID raised an important point. Pharmaceutical companies in America depend on tax-supported organizations and agencies. The National Institutes of Health, the leading biomedical research agency in the world, is supported by American tax dollars. Pharmaceutical companies like AbbVie, with blockbuster drugs such as Humira, which has earned them over \$1 billion so far this year, rely on the NIH for research and then rely on the taxpayer-supported U.S. Patent Office to protect their legal rights.

They also count on the Food and Drug Administration, supported with U.S. tax dollars, to do the testing necessary to bring this drug to market. It is said the approval by the FDA of a drug in the United States is really the gold standard—more than any other country.

So here is a pharmaceutical company which is very profitable, with over 4,000 employees, based in the United States, based in the State of Illinois for virtually its entire existence, now picking up and leaving. Why? They are leaving to avoid paying taxes in the United States.

What is the definition of a corporate ingrate? I think it would start with a company that has become immensely profitable because of the United States of America and the agencies of its government that support that company which is now turning its back on the United States.

Across the street the Supreme Court tells us with regularity we have to view corporations now as persons. They are no longer legal creations. They have some personhood under the Constitution, according to five of our Supreme Court justices—personhood that entitles them to freedom of speech under the Citizens United decision, personhood which entitles them under the Hobby Lobby decision to have religious freedom as a corporation.

So if we are going to give personhood to corporations, what can we say of this decision to renounce their American citizenship to get a tax break?

I think what we can say is these inverters are deserters, to quote Allan Sloan and others who have written about this issue in the past.

I am troubled by this, and I am troubled there isn't a sense of outrage on both sides of the aisle.

Senator REID has spoken about this issue, I have spoken to it, Senator

LEVIN of Michigan has been a leader on this issue, and yet the Republicans are strangely silent. Do they believe it is in the best interests of the United States for our major corporations to pick up, cut and run, go to some foreign land, claim this is now their new headquarters, and avoid paying taxes in the United States?

This process, known as inversion, is a clever tax dodge. At the end of the day, who loses? Well, I can tell you. The taxpayers in this country lose because valuable revenue and resources are no longer there to sustain our great Nation, whether it is the defense of this country, the building of infrastructure, great agencies like the National Institutes of Health—the list goes on. There will be money lost.

Who are the winners? The winners are those investment bankers, folks who are buying up these corporations and coming up with these tax dodges and incentives to raise stock prices at any cost.

I often wonder, as I look at the list of members of the boards of directors of AbbVie and Walgreens, if there wasn't in their boardroom one person who held up their hand and said: Does anybody else feel a little sick about this—that we would give up on America, that AbbVie would renounce its American citizenship; that we would listen to those who say stock price is more important than loyalty to the country we live in, the country we have prospered in? Was there one hand in the air dissenting from this corporate desertion of the United States?

I think this is worth a debate. I think it is worth bringing this bill to the floor, S. 2569. In a little over 1 hour we will have a chance to decide whether it should come to the floor. There aren't many things that we do around here that have an impact on the lives of Americans. This one will. This bill will bring jobs home from overseas.

Senator REID has suggested we move into the inversion—a change in the Tax Code. I support that. I am a cosponsor of Senator LEVIN's bill. That, to me, is overdue. Last week Secretary of the Treasury Jack Lew issued a statement about this warning us this was just the beginning; a dozen corporations are now working on this.

One of the corporate leaders on the street, Jamie Dimon of JPMorgan Chase, said in *Fortune* magazine: We shouldn't moralize about this decision.

He characterized it as largely a protest against the Tax Code—the unfair Tax Code.

I wish to remind Mr. Dimon and the CEOs and members of the boards of these corporations, this Tax Code, which certainly should be reformed, is the same Tax Code that has generated record-breaking corporate profits and record-breaking CEO salaries.

I didn't hear complaints about that so-called unfair Tax Code when these corporations were making record-breaking profits or getting compensation at record-breaking levels. It trou-

bles me too that many of the corporations that are now rationalizing abandoning the United States not that long ago were counting on this government and taxpayers all across the United States to bail them out.

When the Wall Street banks were failing, when AIG was flat on its back, did they turn to Ireland or Switzerland for help? No. They turned to Washington and the United States of America and to the taxpayers who came through with billions of dollars to save them from their perfidy.

That is the reality of history, a reality which many of these corporate deserters are now ignoring. I have trouble with this—clearly, a great deal of trouble. I am going to offer an amendment, should we get on this bill, called the Patriot Employer Tax Credit Act.

Very simply, here is what it says: If you have a corporation in the United States, headquartered in our country, and you have not moved jobs overseas; if you pay your employees at least \$15 an hour, which means they don't qualify for most Federal benefits, just their paycheck; if you will give them quality health insurance as required by the Affordable Care Act; if you will provide at least 5 percent of their income as a contribution by the company toward their retirement; and if you will give a preference for the hiring of veterans, you will be entitled to the patriot employer tax credit, a credit for each of your employees. I think that is the proper incentive—incentivizing and rewarding companies that are making a positive difference in the lives of their employees, staying in the United States, committed to this country.

How would I pay for that? Well, I have an idea. It would end the deductions currently available for corporations that want to move their jobs overseas. To me, that makes perfect sense. Encourage the payment of Americans in good-paying companies and discourage sending jobs overseas.

Why won't the Republicans discuss this with us? Why isn't this a bipartisan issue? Do they honestly believe only Democrats object to shipping American jobs overseas? Everyone objects to it. We want to keep good-paying jobs at home. We want to be able to walk into stores and see the label "Made in the U.S.A." more often. We want to encourage our companies to stay in America, to set the standard in America, to lead in the world. Let's have a tax code that helps us reach that goal.

Mr. President, I yield the floor, and 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. DURBIN. Mr. 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.

Mr. DURBIN. Mr. President, I ask unanimous consent that the time of

the quorum call be equally divided between Democrats and Republicans for the remainder of the debate.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request? Without objection, it is so ordered.

Mr. DURBIN. 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. PRYOR. Mr. 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.

Mr. PRYOR. Mr. President, today I rise in support of the Bring Jobs Home Act. There has been some discussion on the floor about this act already, but I wish to lend my voice to that. This is a commonsense bill to bring good-paying middle-class jobs back to America.

When we look at the terrible recession this Nation went through a few years ago, we have seen that our recovery has been sluggish. One of the reasons it has been sluggish is because these good middle-class jobs in many cases just aren't here anymore. They have gone overseas. They have gone to China, Mexico, Vietnam, and other countries around the globe. They are not here.

We need to grow this economy from the middle. We have the statistics to see that the rich are getting richer and the poor are getting poorer. That should concern everyone in this Chamber. I know it concerns economists and it concerns people all over the country. These are kitchen-table issues for people. We need to grow our economy from the middle. That is what this proposed act is all about.

My home State of Arkansas is a good example. We have seen good companies, such as Levi Strauss, Whirlpool, Fruit of the Loom—these are name-brand companies. Everybody knows these companies. We have seen them, one after the other, leave Arkansas, abandon our State and our Nation to go find cheap wages overseas.

To rub salt in the wounds, through their hard-earned tax dollars, these very same workers have helped pay for the companies to move their jobs overseas because the companies are able to write off the move overseas as a business expense. In effect, the U.S. taxpayer ends up helping to export jobs out of the United States. It is a policy that does not make sense. It is a policy we need to change. That is one part of the Bring Jobs Home Act that is critically important that we pass as quickly as possible. I think most of my colleagues will agree with me when they say this tax giveaway is counterproductive. In fact, it is outrageous that we continue to allow this to happen.

Fortunately, even though my State has lost some jobs, we have some very

good job replacements as well. Last week I had the good pleasure and fortune of meeting with a man in Rogers, AR, named Bill Redman, the founder and CEO of a small toy company. This toy company has moved its operation from China to Rogers, AR, in the northwest corner of the State, because the economics of manufacturing now favor "Made in the U.S.A." That is very positive.

We are seeing this with companies all over the country, and we would see even more of it if we passed the Bring Jobs Home Act.

A study shows that the \$18.55-an-hour average wage created by this toy company I was talking about—created by his company in Arkansas—will pump \$3 million back into the local economy. So if he pays his people \$18.55, the stimulative effect of that is \$3 million into the local economy. It also shows that each job he creates will support four other jobs that provide services to what he is doing. These may be truck-drivers, they may be people who print the boxes or the labels or make the containers or whatever it is, but for every job he creates, there are four other jobs that are created. So there is a huge multiplier effect in bringing jobs home to America.

If we see that in Rogers, AR, we know we see that in the other 50 States of the Union. So if we want to keep America as a nation of makers—and that is in our DNA as a nation. We make things in this country. We have always done it. We have always done it better than anybody else in the world. If we want to keep America a nation of makers, we need more companies like Redman & Associates in Arkansas, but this will only happen if we tip the scale in the right direction, and that is what this Bring Jobs Home Act is all about.

The policy that we make here in the Senate or that we don't make here in the Senate has a huge bearing on what the future of the Nation will look like. So let's do the right thing. Let's end this tax giveaway for the companies that ship their jobs overseas to places such as Mexico and China and many other countries. Let's instead provide meaningful tax incentives for those jobs to come back home, to create these good-paying middle-class jobs right here in the good old U.S.A.

From my standpoint, this is good commonsense policy, it is good commonsense economics, and I hope my colleagues will join me as well as many others of us here in this Chamber in supporting this Bring Jobs Home Act.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

## HEALTH CARE

Mr. BLUNT. Madam President, I wish to speak for a few minutes and start by talking about these court cases yesterday that create more complications particularly for the President's health care plan.

The idea that the law is specific, which is what the Washington, DC, Federal Court of Appeals said—the law specifically says, in the case they dealt with, that people can only get the taxpayer subsidy if they work through the State exchanges. There is no question that the law, in dealing with this issue, in clear language makes that case, and the judges agreed that was the case made.

What happened was that not only did many States decide not to set up the exchanges because of the expense involved and the problems involved and the complications of the law, but even the States that did set up the exchanges couldn't get them to work. I don't know that any State spent more money than Oregon did—certainly they spent a lot of money—and in the first 6 months did not sign up anybody—nobody. Not a single person was able to sign up through the exchange they set up.

Massachusetts—a State which actually had experience with its own law and which I would have thought would have been the easiest possible exchange to set up—also admitted they failed. Massachusetts has to go through the Federal exchange.

I think 36 States have either not set up the exchange or tried to and failed. So in 36 States the only option people have to get insurance in an exchange as an individual—many of their policies were previously canceled because of the law—is to go to the Federal exchange. Now, through a ruling in the DC court, they say you can go to the Federal exchange. We should understand this.

I have been on record saying I think people should try their best to have insurance. If the insurance people need is what the Federal Government prescribes people should have—and that is insurance people can afford—obviously the exchange can be a place to get it, and it is a place to get insurance whether it is subsidized or not. But many people will find that those new higher rates at the exchange, without taxpayer assistance, just don't work for them.

The law was poorly written. It was poorly structured. It was crammed down the throats of the minority in both the House and in the Senate and, in my view, the health care providers and people who want insurance in this country, in the way it was passed.

There are many lessons to be learned from the Affordable Care Act, and one is never pass a piece of legislation this way because the Richmond court said yesterday that there are other places in the law—even though they surely said it was clear where the law refers to subsidizing people to get insurance

through the exchange, and they surely knew that was clear, they said there are other places in the law that indicate maybe that is not the way it was.

Why is that? Why wasn't that debated on the floor of the Senate and on the floor of the House? It wasn't debated because one side decided they were going to do this exactly the way they wanted to do it and they were going to do it by themselves. There was that brief moment where there were 60 Democrats in the Senate. They passed the current law that I fully believe nobody expected would be the health care law.

The way we used to pass laws in the Congress, through the entire constitutional history of the country, was that the Senate would pass a bill, the House would pass a bill, and then we would go to conference and figure out, No. 1, how the two bills came together and, No. 2, what didn't make as much sense—when we had time to step back and look at it—as it seemed to make in the heat of the floor debate.

That didn't happen with this law. Why didn't it happen with this law? Because by the time the Senate passed the bill and it was time for the House to deal with it, there were suddenly 59 Senators on the Democratic side in the majority of the Senate. We remember the Scott Brown election in Massachusetts. Everybody was surprised except maybe Scott Brown, but he was elected, so there were no longer 60 votes in the Senate, which is what it takes to do whatever the majority wants to do.

So apparently the message to the House of Representatives, controlled by the Democrats and Speaker PELOSI, was the only way we are going to pass a health care bill that goes anywhere near this floor is to pass the bill the Senate passed. There will be no conference. There will be no cleaning up this piece of legislation. There will be no discussion as to what we can do to actually make this work. We are going to pass this bill.

Not a single Republican in the Senate voted for it, and not a single Republican in the House would vote for it.

What is the unintended consequence of that? How do we go back and clean up the bill? People decided, if they participated in that process, that their momentary power was so important they were not going to involve anybody else's ideas in a way that would get a single vote from the other side.

One of the great lessons to learn is if we are going to mess with everybody's health care and we are going to impact 16 or 18 percent of the entire economy, they better have buy-in from more than just one group of Americans who represent one political party or one point of view.

So now we have this confusion that will go on until I assume the Supreme Court determines the difference in these two Federal courts of appeal decisions, but it will be months before that happens. We will see if taxpayers subsidize others getting their insur-

ance. We will see what happens to people who got a subsidy if the subsidy turns out to be one that was inappropriately given. And we will see how we move forward.

Then there is also this discussion going on—some of which we had on the floor last week—about religious freedom as it relates to that law. There is a so-called accommodation for religious groups who don't believe they should have to pay for certain things. The Little Sisters of the Poor—who, by the way, were listed on one advocacy group for the law as it was being applied—the Little Sisters of the Poor were listed as one of the 100 dirty employers in America because they worked with 100 church groups and others who tried to take this idea to court that people could be forced to do things that violate their faith principles. If we have come to a point that the Little Sisters of the Poor are one of the evil employers in America, we better think about how we got to this point.

Actually, Justice Sotomayor gave, on her own—the Little Sisters of the Poor said: Not only do we not want to do that, we don't agree with the so-called accommodation that if we sign a paper saying we don't want to do this but our insurance company will—what did the Little Sisters of the Poor think was wrong with that? What could possibly be wrong with that? All they are asked to do is to sign a piece of paper that says they believe it is wrong but it is OK with them if somebody else pays for it. That is obviously not right. Justice Sotomayor, on her own, gave the relief the Little Sisters of the Poor asked for, but then only a few weeks later she is outraged when the rest of the Court gives the exact same relief to Wheaton College.

Wheaton College—a Christian college near Chicago and the President's home State—has a long-term commitment to their faith principles, and they basically said: We are just like the Little Sisters of the Poor. We don't believe this is right, and we don't want to sign a piece of paper that says we think it is wrong but it is OK with us if somebody else pays for it.

Then, in a story I just read today, there was the constant concern that the health care plan narrows one's ability to get health care because it restricts the network one can go to. In at least one State, half of the hospitals in the State don't participate in anything people could get access to through the Affordable Care Act as an individual or a family. So people have to drive by their old hospital, drive by their old doctor's office to get to a doctor or a hospital that may or may not see them. I think the hospital has to see you; I don't think the doctor does. But people have to drive by the old to get to the new.

We just had this big discussion. I had the great opportunity to speak at the national convention of the Veterans of Foreign Wars on Monday, and obviously, as did everybody else there, I

had on my mind what was happening with the Veterans' Administration. At the same time we are talking about how to give veterans more choices, we are talking about how to give everybody else fewer choices.

This is a great quote: Networks help to contain costs. Well, of course they do. If a person can't get to see the doctor or it is inconvenient to go to the hospital, of course it contains costs.

Then we have the bill on the floor this week about economic opportunity, economic advancement. One of the great attacks on economic opportunity has been the attack on the 40-hour workweek. What happened to the 40-hour workweek for many people working in this country? The Federal Government, for the first time ever, said employers have to provide insurance and this is what it has to look like. Whether you can afford it as an employer or not, whether your employees want to take it or not, you have to provide insurance. This is what it is supposed to look like for everybody who works 30 hours or more.

Actions have consequences. No matter what the administration might think about EPA rules on water, EPA rules on the utility bill, HHS rules on health care, actions have consequences, and a lot of people who used to work 40 hours now may be working 50 hours, but they are doing it at two different jobs, neither of which has benefits. The 40-hour job that in more cases than not had benefits that both the employer and the employee thought were good—and 85 percent of everybody who got health insurance at work thought it was good, thought it met their needs—85 percent. Most people had insurance at work, but now many people go to work without insurance, while the only people at the place they go to work who get insurance are the managers and the longtime employees or the people who work more than 30 hours.

The chances to advance if you are in a part-time job are a lot less than the chances to advance if you are in a full-time job. I suggest if we were really trying to get people to work here this week, instead of making political points, we would be talking about the 40-hour workweek, we would be talking about the advanced manufacturing bill the Senator from Ohio Mr. BROWN and I have that others are very interested in—and it is bipartisan interest—we would be talking about the BRIDGE Act that allows more infrastructure building that Senator WARNER and I have—another bipartisan piece of legislation—we would be talking about the Build America Act that helps State and local governments with infrastructure by allowing companies—the very companies, apparently, that are being talked about this week in a piece of legislation everybody knows cannot pass that has no bipartisan support—we would be talking about companies that would be allowed to bring profits they have made overseas—they pay taxes on it overseas—that they would

be allowed to bring those profits here in a way that would encourage State and local governments to expand their infrastructure and maintain their infrastructure, making their sewer system, their water system, their road and bridge system all work better.

The unintended consequences of not thinking through what is the constitutional responsibility of the House and the Senate are significant. We need to understand the impact of what we do and the impact of what we fail to do. Failing to have a health care system that meets people's needs, failing to have a 40-hour workweek where we figure out how to encourage rather than discourage—failing to get people into that first job is a failure that lasts for a long time. If you do not advance in your twenties at work as you should, when you get to be 30, somebody else in a better economy in their twenties is likely to pass you because the opportunity you had was disrupted by circumstances that the government could not control or in many cases today circumstances the government could control and actually works in a way that makes those circumstances worse, not better.

I would like to see us do the kinds of things that get people to work, talk about the kind of legislation that is bipartisan, that could pass both Houses of Congress. There are plenty of them out there. I continue to hope we figure out how to get to it.

I yield the floor.

If nobody is prepared to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. STABENOW. Madam President, in a few minutes we are going to have the opportunity to make it clear to the American people that we get it, that we understand, that we need to be bringing jobs home to America, that it is not acceptable we have lost 2.4 million manufacturing jobs. In fact, as we see more companies coming back to the United States, we need to reward them. We need to say: We are open for business. Come on back. And we are going to make sure we have a Tax Code that supports those decisions.

The Bring Jobs Home Act, which Senator WALSH is leading—and I want to commend him. I know he has talked to me about how important it is to his State of Montana. It certainly is to my State of Michigan as well. We have this opportunity, through Senator WALSH's Bring Jobs Home Act, to show that we are going to begin the process of making our tax system work for American workers, American businesses, and communities.

So we have a vote in a few minutes on whether to proceed to this bill. It is

not the final vote. The question is, is this an important enough topic that we would actually proceed to the bill? That is the question. Because there has been objection to just proceeding, as we know, we have to get 60 votes, a supermajority, to proceed. I would hope this is something we would see 100 people—everybody in the U.S. Senate—agree that, yes, we should be debating this issue of how we bring jobs home to America. I cannot imagine a more critical issue for everyone whom we represent.

This bill is very simple. First of all, if you are packing up and leaving this country, you should not be able to write off the cost. The worker who helps pack the equipment that is going to be going overseas should not be paying the bill through the Tax Code. The community that sees the factory empty once the business leaves should not be paying through the Tax Code for the costs of the move. So this bill says no more writeoffs if you are leaving the country.

On the other hand, if you want to bring jobs home, you can write off those costs that our Tax Code will allow you to take as a business expense and—because we think it is so important—we will add another 20-percent tax credit on top of it.

So, very simply, if you want to come home, we are all in. We want to support you doing that. We congratulate those businesses that are making the right business decision right now—for a lot of good reasons: low energy costs, a high-skilled workforce. There are a lot of reasons why folks are coming home. But if you want to leave, you are on your own. That is what the bill is all about. I hope everyone will vote to proceed to the Bring Jobs Home Act.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. WALSH. Madam President, I rise today regarding an issue that is crucial to our country's economic future. In recent decades we have seen too many multinational corporations close factories in the United States while at the same time opening new plants in other countries, getting rid of American jobs and creating jobs overseas. It is wrong, and it strikes the heart of American competitiveness.

Too many big businesses are engaged in this harmful race to the bottom. They are moving their business operations out of America to countries with lower wages and fewer worker protections, and they are costing Americans jobs.

Businesses make decisions in order to make profits, which is usually good for jobs and growing our economy. But it is outrageous that American workers are forced to subsidize decisions that send American jobs overseas.

Under our current Tax Code, corporations can claim a deduction for expenses associated with closing operations in the United States and moving them overseas. This is a fundamentally

wrong policy that encourages multinational corporations to send jobs abroad.

I believe that leveling the playing field for American workers should be a nonpartisan issue. That is why I have sponsored the Bring Jobs Home Act. I would like to thank my fellow sponsor, Senator STABENOW, for her tireless effort and work on behalf of American workers. I say to Senator STABENOW, you are respected around the country for your service and what you are doing.

The Bring Jobs Home Act is a straightforward bill. First, companies will no longer be able to claim a tax deduction for the costs of moving jobs overseas. This just makes sense. I imagine most Americans would be shocked to learn that multinational corporations are allowed to claim such a tax break. I am also sure that most small business owners, who cannot take advantage of this tax break, would also be outraged.

Taxpayers should not be asked to continue to foot the bill for the costs associated with shutting down factories in the United States in order to move jobs to countries such as China or Mexico.

Second, the Bring Jobs Home Act will create a new 20-percent tax credit for companies that bring jobs back to the United States.

It is time we set new priorities for American job creation. We should be doing everything we possibly can to encourage job growth and creation here in the United States.

In Montana, where I am from, Montanans believe in American workers and the power of American industry and innovation. We believe that American workers are essential to America's economy. But they need and deserve a level playing field.

Since the financial crisis of 2007 and 2008, many of our constituents have been trapped in a vicious cycle of instability and uncertainty that comes with long-term unemployment. We want to see more job opportunities for Americans. It is our responsibility as leaders to bring our jobs back home. So today I urge my colleagues to stand with American workers and vote for this bill.

There are companies out there right now that are considering bringing business activities back to the United States. We must do everything we possibly can to help those companies create jobs and grow our American economy right here at home.

In Montana people take pride in producing quality products here at home. I recently toured a company in Manhattan, MT—Blackhawk—that manufactures top-of-the-line outdoor gear and sporting goods for sportsmen and women, military, and law enforcement. It is an example of American ingenuity, putting Montanans to work on American soil.

It is time for Congress to show true leadership and put partisan politics

aside. So today I call on my colleagues to join me in supporting bringing American jobs back to America.

With that, I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to calendar No. 453, S. 2569, a bill to provide an incentive for businesses to bring jobs back to America.

Harry Reid, John E. Walsh, Debbie Stabenow, Amy Klobuchar, Patty Murray, Bernard Sanders, Tom Harkin, Richard J. Durbin, Tom Udall, Robert P. Casey, Jr., Christopher Murphy, Tammy Baldwin, Jon Tester, Mark Begich, Sheldon Whitehouse, Carl Levin, Christopher A. Coons.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2569, a bill to provide an incentive for businesses to bring jobs back to America, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 93, nays 7, as follows:

[Rollcall Vote No. 240 Leg.]

#### YEAS—93

Alexander	Flake	Murkowski
Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Grassley	Nelson
Begich	Hagan	Portman
Bennet	Harkin	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Booker	Heitkamp	Risch
Boozman	Heller	Rockefeller
Boxer	Hirono	Rubio
Brown	Hoeven	Sanders
Burr	Isakson	Schatz
Cantwell	Johanns	Schumer
Cardin	Johnson (SD)	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Kirk	Shelby
Coats	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Levin	Toomey
Corker	Manchin	Udall (CO)
Cornyn	Markey	Udall (NM)
Crapo	McCain	Vitter
Cruz	McCaskill	Walsh
Donnelly	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Fischer	Moran	Wyden

#### NAYS—7

Coburn	Johnson (WI)	Roberts
Graham	Lee	
Inhofe	Paul	

The PRESIDING OFFICER. On this vote the yeas are 93, the nays are 7. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

#### CLARK NOMINATION

Mr. CARPER. Madam President, I urge my colleagues to vote to confirm Julia Clark to a second term as general counsel of the Federal Labor Relations Authority.

The Federal Labor Relations Authority oversees the program in place at the Federal Government to maintain fair and efficient labor-management relations at agencies across the government. The general counsel fulfills key responsibilities in these efforts, including investigating and prosecuting allegations of unfair labor practices.

Ms. Clark has served in this position for almost five years, and has fulfilled her responsibilities effectively and with distinction.

However, her term expires on August 7—just 15 days from today. If the Senate allows her term to lapse without reconfirming her, the position will become vacant and, by law, no one else can fulfill the functions of her office. Our inaction will cause a backlog of complaints and appeals to form.

This has happened before, and Ms. Clark spent much of her first year as general counsel clearing a backlog that developed because of a previous vacancy.

Ms. Clark is highly qualified, and we must fulfill our constitutional duty and confirm Ms. Clark today in order to allow her to continue doing her job.

#### EXECUTIVE SESSION

#### NOMINATION OF JULIA AKINS CLARK TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY

#### NOMINATION OF ANDREW H. SCHAPIRO TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CZECH REPUBLIC

#### NOMINATION OF MADELYN R. CREEDON TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read as follows:

Nominations of Julia Akins Clark, of Maryland, to be General Counsel of the Federal Labor Relations Authority, Andrew H. Schapiro, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic, and Madelyn R. Creedon, of Indiana, to be Principal Deputy Administrator, National Nuclear Security Administration.

#### VOTE ON CLARK NOMINATION

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the vote on the Clark nomination.

Who yields time?

The Senator from Delaware.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to yield back all time.

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

The question is, Will the Senate advise and consent to the nomination of Julia Akins Clark to be General Counsel of the Federal Labor Relations Authority?

The nomination was confirmed.

#### VOTE ON SCHAPIRO NOMINATION

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the vote on the Schapiro nomination.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to yield back all time.

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

The question is, Will the Senate advise and consent to the nomination of Andrew H. Schapiro, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic?

The nomination was confirmed.

#### VOTE ON CREEDON NOMINATION

The PRESIDING OFFICER. There will now be 2 minutes of debate prior to the vote on the Creedon nomination.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to yield back all time.

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

The question is, Will the Senate advise and consent on the nomination of Madelyn R. Creedon, of Indiana, to be Principal Deputy Administrator, National Nuclear Security Administration?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

#### BRING JOBS HOME ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I am pleased that today we were able to put aside the partisan politics and vote for what was right for the American people. I hope my colleagues will also vote for the final bill. We must protect American jobs and eliminate tax loopholes for corporations that move jobs overseas. Creating and supporting well-paying American jobs should be our top priority.

The debate about jobs in America and New Mexico is not about politics; it is about people. This past weekend I visited with some New Mexicans who are facing a very real and personal