

the White House was back last August saying they needed another \$26 billion right away or else 160,000 teachers would get pink slips and police and firefighters across the country would literally be off the job. What happened then? Well, the States got another bailout. The unemployment rate didn't budge. And now the President is riding around on a bus saying that if they don't get another one, teachers, police, and firefighters will lose their jobs again.

Does anybody notice a pattern? We have been doing this for nearly 3 years now—3 years. It doesn't work as advertised. Bailouts don't solve the problem. In fact, they perpetuate it. Yet all we get from the President and Democrats in Congress is do it again, do it again, or else.

We have been mired in a jobs crisis for 3 long years now, and all the Democrats ever want to do is throw more taxpayer money at it. It never works the way they claim it will. Yet they want to keep on doing it—with other people's money. Just throw another bailout together, slap the word "jobs" on the cover page, and dare people to vote against it. That is, apparently, the Democrats' governing philosophy—3 years into this jobs crisis. It would not be irresponsible to oppose an approach such as this; it would be irresponsible to consider it. It didn't work the first time. It didn't work the second time. The third time won't be a charm. That is why Republicans and a growing number of our Democratic friends want a different approach. There is a growing bipartisan opposition to trying the same failed policies again.

There is bipartisan opposition to raising taxes, especially at a time when 14 million Americans are out of work. If there is one thing we should agree on now, it is that we should be making it easier for businesses to hire, not harder. So the President should drop his obsession with raising taxes, and if he really wants to create jobs, maybe he should consider doing something different.

We have tried the bailout approach. We have tried more regulations, more debt, and more taxes. Why don't we try a new idea for a change, one that has bipartisan support, one that isn't a two-time proven failure? Let's try something that might actually work because the American people didn't send us here to kick our problems down the road. They certainly didn't send us here to repeat the same mistakes over and over and then stick them and their children with the tab. That might be how you maintain a sense of urgency—by failing to solve the problem the first two times around—but it is not how you solve a jobs crisis. The American people simply deserve better than this. They deserve better than the false promises they have been getting.

The President got everything he wanted from a Democratic Congress for 2 years—everything he wanted: a

health care law designed to take over one-sixth of the entire economy; a financial reform bill that punishes businesses that had nothing to do with the financial crisis; out-of-control regulations that are forcing otherwise healthy businesses to shut down, businesses such as Smart Papers in Hamilton, OH, a paper mill that said last week it is shutting down because of onerous new Federal regulations that make it too costly to do business; and a trillion-dollar stimulus that was supposed to solve the jobs crisis 2½ years ago.

For 2 years, when the President said: Pass this bill right away, Democrats did it. Here is what they got, despite all that: trillions in debt and more than 1½ million fewer jobs. And that is after the President got everything he wanted for 2 whole years. We don't need any more of that. We can't afford more of the same.

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 Jersey.

Mr. MENENDEZ addressed the Chair.

Mr. DURBIN. Will the Senator yield for a unanimous consent request?

Mr. MENENDEZ. Yes.

Mr. DURBIN. Madam President, I ask unanimous consent to speak following the remarks of the Senator from New Jersey.

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

#### JOBS-TEACHERS/FIRST RESPONDERS BACK TO WORK ACT

Mr. MENENDEZ. Madam President, I rise as the lead sponsor of the Teachers/First Responders Back to Work Act. I rise in favor of jobs, in favor of teachers, in favor of police officers and firefighters, keeping our communities safe, and the promise we made to first responders after September 11.

We have a choice. I listened to the distinguished Republican leader, but it is interesting how history can be viewed through different lenses. What I failed to hear were the challenges this President and this country inherited from 8 years of policies that led us, in 2008, to the verge not of the great recession we had been referring to but on

the verge of a new depression, where the Chairman of the Federal Reserve and the former Secretary of the Treasury, under President Bush, came before Members of Congress and said: We have a series of financial institutions on the verge of collapse, and if they collapse, it will create systemic risk to the entire country's economy, and every American will feel the consequences of that.

The result of that 8 years of largely unregulated process created excesses where large entities made decisions that ultimately became the collective responsibility of everybody in this country because a failure to have met those responsibilities would have meant a collapse of this country.

Now, there are those in the Senate who are advocating we go back to those very policies. They talk about stopping each and every regulation. Those regulations ultimately—the lack of it and the lack of enforcement of it is what gave us the excesses we had.

Additionally, we had the two wars abroad, which are totally unpaid for, and fiscal responsibility went out the window there. Tax cuts were totally unpaid for, and fiscal responsibility went out the window there.

The culmination of all of that brought us to January of 2009, when the new President took office and had already inherited millions of jobs that had been lost prior to then. Around 7.5 percent unemployment was the starting point already. In the first quarter of 2009, before he could even do anything—he took the oath of office in late January, swore in a cabinet in February, and sent a plan up in March—another 2 million jobs were lost.

I find it interesting how we forget all of that, at least as a starting point.

We have had 19 months of private sector growth—a little over 2 million jobs. That is good news. But where we have been shedding many jobs is in the very essence of those in the public sector who teach our children, who prepare for the next generation and the competitive future of America, and who protect our communities—police officers, who protect us from crime, and firefighters, who respond when there is an emergency in our communities.

With the Teachers and First Responders Back to Work Act, we can fulfill our duty to educate our children and keep our communities safe or we can gamble our future on the political games we have seen here that disinvest in the future of our children and the safety of our communities.

Almost 300,000 education jobs are on the chopping block this year in this country. At a time when other countries in the world are increasing their educational workforce, we are in the process of decreasing it. New Jersey, my home State, is facing a \$10.5 billion shortfall in its 2012 budget. That means more cuts in State and local spending for education, and that hurts our children.

The Teachers and First Responders Back to Work Act creates 400,000 education jobs because an investment in our teachers is an investment in our children and in our collective future. We are talking about \$30 billion to States and local communities to retain, to hire, to rehire the teachers who have already been separated, to educate tomorrow's entrepreneurs.

In my State of New Jersey, this bill would provide an additional \$831 million in funds to support an additional 9,300 education jobs that largely have been lost. New Jersey alone has lost over 6,000 teachers since 2008, slowing our economic recovery and creating a huge knowledge gap in our schools. What does that gap translate into in terms of lost knowledge? What does it mean to a promising young scientist who needs some guidance or a struggling student who needs a little extra help?

I know about the power of a teacher. I know it through my own personal life. I have had several great teachers along the way, but one made a huge difference in my life. I remember her name—Gail Harper, my speech teacher in high school.

You know, I know some of my colleagues won't believe this, but I was among the most introverted persons at that time in my life. I didn't even want to take the speech course, but I was told by my guidance counselors that it was a must. I was a good student, an honor student, but I didn't want to take the speech course because I didn't want to do extemporaneous speaking, read assignments, or get up in front of the class, any of that. I was forced to take it. I would prepare my work, but I would not deliver it.

Finally, Gail Harper, the teacher, said to me—she kept me after class, and she said: Robert, I don't know why you prepare yourself—your preparation is great, but if you don't deliver this year, you will fail. My mother, who had fled a country to come to freedom, was convinced that I would be the first in my family to go to college. She told me that failure is not an option. When I heard Gail Harper talk about failure, I knew that was not an option. She worked with me to nurture my abilities so that I could break out of that self-imposed shell and really transform my life. In some respects, that I am here today speaking on the Senate floor is because of Gail Harper. I fully understand how teachers can make a huge difference in the life of a young person.

We need to reinvest in teachers and education, in New Jersey's kids and in America's future. We need to get those 6,000 New Jersey teachers back in the classrooms and hire thousands more in every school in every State in America.

Then I turn to the police and firefighters, and I remember living in the New Jersey-New York region on September 11 a little over a decade ago. On that fateful day, it was not the Federal Government that responded to the

tragedies and the horror of the World Trade Center; it was local police, local firefighters, local emergency management who were the first responders, who risked their lives and gave their lives on that fateful day.

We made a promise to every community that we would keep communities safe in America in a post-September 11 world, that we would give cops and firefighters what they needed to do their jobs.

Every Member of Congress wanted to take a picture with a police officer or a firefighter. We called them heroes. Now, Republicans want to zero out the COPS Program that puts police officers on the beat. They want to break our promises after September 11, and I think it is time to make good on it with the \$5 billion our legislation provides so communities can hire and keep cops and firefighters on the job. They are our first line of defense. We learned that after September 11.

I don't care where one is on the political spectrum or what one believes the role of government is, we can all agree public safety and the security of our communities is government's most fundamental responsibility. We don't need police and firefighters just in the big cities—although they face some of the major challenges—we need them in every town and community.

Over 2,700 communities applied for help to fund 9,000 officers in the last round for a total of \$2 billion. But because of the opposition of those on the Republican side to keeping our promise to first responders, only \$243 million was available, enough for only 238 of 2,700 communities that applied. That is 9 percent, and it was capped at 25 officers, no matter how big the city or how great the need.

In New Jersey, more than 150 communities applied for funding to keep cops on the job. Only 12 of those 150 were funded. Those 12 communities were only able to hire approximately 78 cops over the course of the next 3 years. Right now, in New Jersey, there are 705 police officers who lost their jobs and can't find law enforcement work, 705 fewer sworn officers on the street, and there are 4,000 fewer officers in New Jersey than there were on December 31, 2009. Public safety is government's No. 1 responsibility, and it is time to deliver on that promise, after September 11, to our communities and our first responders. This legislation includes \$5 billion to help first responders stay on the job, close the public safety gap, and keep our communities safe.

Let me conclude by saying, according to a CNN poll released just yesterday afternoon, 75 percent of Americans support providing funding to State and local governments to hire teachers and first responders, including 63 percent of Republicans.

We have a choice. With this legislation, we can fulfill our duty to educate our kids and keep our communities safe or we can gamble our future on po-

litical games that don't invest in our children, our economy, and the safety of our communities. I think the choice is clear. I choose educating our kids. I choose protecting our communities. I choose investing in our future and we do this all and pay for it at the same time.

This is the beginning of a fight, and we will be back again and again to force our friends on the other side to make the choice again and again about whose side they are on. I think the choices are pretty clear. The American people have spoken. It is time to get our teachers and our first responders back to work.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank my colleague from New Jersey for this amendment. It is an amendment that is critically important to New Jersey, to Alaska, and to the State of Illinois because the Menendez-Casey amendment in my State means that 14,500 teachers, firefighters, and policemen will stay on the job.

If the Menendez amendment—which is part of President Obama's jobs package—does not pass, these people will be out of work. There will be more kids in the classroom, talented teachers will be laid off, there will be fewer cops on the beat in small towns and large, and firefighters will have to cut back in terms of their ranks and we need their protection. We can't let that happen. Senator MENENDEZ has an amendment which deals with this responsibly. It pays for it. It doesn't add to the deficit, and that is where the objection comes in from the Republican side of the aisle because he pays for it by asking those making over \$1 million a year to pay about one-half of 1 percent more in taxes, and the Republicans say: No way. We cannot ask the wealthiest people in America to pay one penny more.

To me, it is hard to explain why we would want to deny our children a quality education, lay off teachers, make our streets a little less safe with fewer police, and run the risk of fewer firefighters because we don't want to ask people making over \$1 million a year to pay one-half of 1 percent more on their taxes. People who are making over \$20,000 a week, we are asking them to pay one-half of 1 percent to save the jobs of teachers, firefighters, and police. It is interesting to me, because when President Bush offered his jobs bill years ago, with payroll tax cuts and cuts for businesses, these same Senators who are criticizing President Obama's version of the bill were voting for it and it wasn't paid for. It was added directly to the deficit. These deficit hawks were willing to vote for this with President Bush's name on it but now oppose it with President Obama's name on it. Is there a message there? I think there is a clear message.

There are two things which drive the Republican caucus when it comes to this debate. First, protect those making over \$1 million a year at any cost.

Let America languish in this recession, with 14 million people unemployed, rather than ask the wealthiest, most comfortable people in America, to pay just a little bit more in taxes.

Secondly, they consistently oppose proposals to deal with this jobs crisis if they are offered by the President of the United States. Senator MCCONNELL said it earlier. It has been quoted over and over and over that his highest priority as the Republican leader in the Senate was to make sure President Obama was a one-term President.

If we are driven only by that kind of motive, I assume it will make for good political headlines, but it ties our hands in getting things done. You see, in the Senate, it takes 60 votes to do anything significant and, unfortunately, 53 on this side of the aisle need the help of 7 on the other side and they haven't been forthcoming. Last week, we offered the President's jobs bill and said to the Republicans: At least let's proceed to the bill and offer amendments. We couldn't get a single Republican Senator to vote with us, not one. We had 51 votes for it—two Democrats did not vote for it—but we had no Republican support, none.

So what is the Republican jobs bill? What would they do to turn this economy around and move us forward? Sadly, they have nothing to offer, nothing. Protect the incomes of the wealthiest people in America and say no to everything President Obama suggests. That is not a recipe for moving America forward.

I like to listen to their arguments about cutting redtape to create jobs. I think to myself, do we have to eliminate the standards in this country for clean air and clean water in order to have a thriving economy? If we went the Republican way of eliminating these protections for America's families and children, would this be a better nation? I think not. Basic protections when it comes to air pollution, for example, mean an awful lot to a lot of Americans.

I make it a point of going to classrooms and asking the kids in the classroom a question: How many of you in this classroom know someone who has asthma? I just asked that question in Mount Sterling, IL, a rural community, one that you wouldn't believe would be dealing with air pollution problems or pulmonary issues. More than half the class raised their hand: Yes, they all knew someone—at least half of them knew someone who was dealing with asthma.

Every year, asthma is responsible for 9 million visits to health care professionals and more than 4,000 deaths in America. It is one of the leading causes of school absenteeism, accounts for 14 million missed school days annually. The average family spends between 5.5 percent and 14 percent of its total income on treating an asthmatic child.

So when the Republicans want to come forward and waive air pollution standards, eliminate the protections

we are trying to put in place, they are endangering the health of people and children across America. That is the reality. To argue that the only way to build the American economy is by destroying public health standards to protect families and children is not the right answer. We have to find a balanced approach, one that takes into account the reality of science and the reality of business but certainly protects defenseless Americans from the kinds of changes which some Republicans are suggesting.

Is this what it comes down to? Is this the only way to move the American economy forward, to say we may have to compromise the purity of our drinking water when it comes to mercury and arsenic in order to have the economy create jobs? What a terrible choice that is, and it is a real choice. Take a look at the amendment offered by a Republican Senator on cement kilns. Cement kilns generate toxic chemicals that end up in air pollution and eventually are deposited on Earth, many times in bodies of water such as the Great Lakes. What do mercury and arsenic do to the aquatic life in the Great Lakes and to the people who live around those Great Lakes? They compromise the safety of those great bodies of water.

There are some who say: It goes into the air; It surely isn't going to hurt you. Yet the statistics show the opposite. Poor air quality in the most polluted U.S. cities can shorten the lives of residents up to 2 years, on average. The American Cancer Society found that the risk of early death is over 15 percent greater in areas with increased smog pollution. Nearly two-thirds of those suffering from asthma live in an area where at least one Federal air quality standard is not being met. We can't ignore this public health reality. We have an obligation to the families who live in these cities, whether it is Chicago or Springfield or any city across America, to make certain we don't compromise basic air quality standards. That, frankly, is the only proposal we hear from the Republicans to create jobs. They want to protect the incomes of the wealthiest people in America and lessen the standards we use to protect innocent families from air pollution and deterioration of water quality.

Before I got up to speak, the Chair showed me a headline from the Wall Street Journal. It is a headline we need to remind the Republicans of when they get into this debate about jobs. Do you remember how many times they mocked the President of the United States because he stepped up and said: I will not allow the American automobile industry to die. I am going to step in, he said, and help General Motors and Chrysler through a very difficult time. Do you recall what we heard from the other side of the aisle? It is the wrong thing to do. Let General Motors go bankrupt, the Republicans said. Even former Governor Romney

said the automobile bailout was a bad decision. Here is Governor Romney, from a family who had a lot to do with the automobile industry and ought to have known a little better about it.

The President of the United States said: It wasn't my ambition to step in and intervene and help major automobile companies, but I am going to do it because hundreds of thousands of jobs are at stake. The reality is, the President's decision was the right decision. It was the right decision not just for Michigan—and Illinois, I might add—but for the Nation. General Motors and Chrysler have now restructured. They have a leaner workforce, a stronger inventory, and better products. The report from the Wall Street Journal, which you showed me, shows that the profitability of automobile companies when you look across the board is now tipping in favor of American companies for American workers.

There was also that story there that said, for the first time in a long time, we are importing jobs from Asia and Mexico in the automobile industry back to the United States of America.

Some Republican Senators can come to the floor and say President Obama got it all wrong. Come on down to the Ford works, south of Chicago, and take a look at those workers filing in every single day to go to work.

Then go over to Belvedere, IL, to the Chrysler facility, and see 1,200 people going to work with good-paying jobs. They are there because this President stepped up and said we are not going to let these jobs go away. Many on the Republican side argued this was heretical and wrong. Explain that to the families who have these good-paying jobs, right here in America, with good benefits.

When I hear my Republican colleagues and friends come to the floor and criticize what President Obama has done in this economy, they had better stop and explain their early position opposing the President's efforts to make sure the automobile industry in America survives and thrives. Two hundred thousand workers today went to work for General Motors in America. If the Republicans had their way, GM would have gone bankrupt. Whether it would have survived bankruptcy no one knows. The President said we cannot run that risk. He kept the company in business, restructured, and now it is profitable again. That is a fact.

I will say this too. When I hear the Republican leader come to the floor and argue that the President should speak for all Americans, I ask the Republican leader to take a look at the response of the American people to the President's jobs package. When the President says we should cut the payroll tax for working families who are struggling paycheck to paycheck so they have money to get by, overwhelmingly the people support it. When the President says we should help small businesses hire the unemployed, particularly veterans, overwhelmingly the

American people support it. When the President says we should make sure that teachers and policemen and firefighters do not lose their jobs in this tough economy, overwhelmingly the American people support it. When the President says millionaires should pay a little bit more in their taxes to make sure the American recovery is underway, overwhelmingly the American people support that, too.

In fact, 56 percent of Republicans, when asked, say that is a reasonable way to pay for a jobs program. Unfortunately, none of those 56 percent serve with the Republicans in the Senate who happen to believe their No. 1 task and goal is to protect the incomes of the wealthiest people in America.

We can do better. We need to make sure we move forward on a bipartisan basis to create jobs. This President inherited a very weak economy. Under President Bush we had more than doubled the national debt. When President Bush took office, our national debt was \$5 trillion. When he left office, it was over \$10 trillion, two wars he didn't pay for, programs he didn't pay for, and tax cuts for wealthy people in the midst of a war—something no President had ever done. President Obama inherited that, and it has been a tough road, he will tell you, to get this economy back on track. Now he has a plan and the Republicans offer nothing. They vote against the President—whatever he wants they are opposing—and they vote against common sense, which says helping working families, helping small businesses, helping our veterans find jobs, and paying for it so it doesn't add to our deficit is a sensible approach to getting America back on the right track.

I urge my colleagues on the other side of the aisle, put the campaigning aside for a moment. Take a look at what it takes to create jobs and bring your best ideas to the table. Let's sit down and put together a bipartisan bill. We will have the President's proposals as a starting point. Bring your ideas too. Let's do something for this country on a bipartisan basis. I think that is why we were elected.

I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Arizona.

Mr. McCAIN. Mr. President, as always I listened with interest to my friend and colleague from Illinois. I did not come to the floor with my colleagues to discuss that particular issue, but it is interesting, the justification for the bailout of General Motors and Chrysler, when the fact is there are thousands of small businesses and companies all over America that had to go into bankruptcy but did not get the bailout that was favorable to the trade unions. Why couldn't General Motors have gone into bankruptcy the way every other company and corporation has had to do in these hard economic times, restructured, and then gone back into business again?

Instead, this administration and my friend from Illinois seemed to favor the

trade unions who obviously got very favorable treatment rather than the normal bankruptcy procedures. Unlike the treatment the favored trade unions and automobile corporations were able to get, thousands of small businesses and companies all over America were unable to get the benefit of their largesse.

#### PRESIDENTIAL BUS TOUR

Mr. McCAIN. Mr. President, I came to the floor this morning with my colleagues to discuss the National Defense Authorization bill. Before I do, I wish to mention there has been a lot of talk dominating certainly part of the talk radio and television about the bus tour the President is on. A lot of it is centered around the bus. I am not going to discuss that anymore except to say that in 2008 when I ran for President I didn't need a bus to be paid for and billed by the government and the taxpayers of the United States. I understand that now there has been another bus purchased for who ever the Republican nominees are. How do you justify that? The Republican nominee may not want a bus.

The fact is, after having said that, the most important point here is that the President is now, on the taxpayers' money, campaigning for 3 days in North Carolina. It says in today's Washington Post "On N.C. Bus Tour, Obama In Full Campaign Mode." I say I have seen other Presidents, both Republican and Democrat, who have hedged and come right up to the edge, and sometimes crossed over it, charging the taxpayers for what has been clearly campaign activities. But never do I believe any of us have seen the kind of activity the President is engaged in, and all of it being charged to the taxpayers of America. That is wrong. That is the wrong thing to do.

According to recent reports, the President's campaign has raised record amounts of money already. The campaign should be paying for this North Carolina trip of his. I do not begrudge him beating up on us and criticizing us and making all kinds of allegations about not understanding his stimulus 2 package, which we understand very well is more of the same. But at least his campaign should be paying for this kind of campaigning.

Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues from Georgia, Senator CHAMBLISS; from New Hampshire, Senator AYOTTE; and the distinguished Republican leader, Senator MCCONNELL, for purposes of a colloquy.

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

#### DEFENSE AUTHORIZATION

Mr. McCAIN. Mr. President, today we come to the floor to talk about the importance of the Defense authorization bill. For 50 years the Congress of the United States has enacted a Defense authorization bill, enacted it into law

and had it signed by the President of the United States. There have been times when this legislation has been very contentious—days during the Vietnam war, days during Operation Desert Storm, Operation Iraqi Freedom, Bosnia, Kosovo. All of those times the Defense authorization bill has been a vehicle for debate and votes on the floor of the Senate concerning transcendent issues of national security.

For 50 years we have cared for the men and women who have served and provided them with the equipment, the pay, the benefits those men and women of this country deserve after hundreds of hours of deliberation, thousands of hours of written testimony and testimony before the committee—the full committee and subcommittees such as that under the chairmanship of the Senator from the State of Georgia.

Because of a part of the legislation, the majority leader has decided that we will not take this bill to the floor of the Senate. That is a betrayal of the men and women who are serving this Nation.

I understand there are differences on the issue of detainee treatment. I understand it is an emotional issue. But should it be a reason for the Senate not to carry out its 50-year tradition to debate and discuss and amend and vote and then come out with a package that provides for the needs, the training, the equipment, the benefits of the men and women who are serving?

I quote from a letter from the distinguished majority leader to Senator LEVIN and to me, "However, as you know, I do not intend to bring this bill to the floor until concerns regarding the bill's detainee provisions are resolved."

Is that the way the Senate works, that we do not bring bills to the floor unless objectionable matters that are disagreed with by one side or the other are not resolved? I always believed the way these issues are resolved is through debates, through amendment, through votes, through allowing the American people also to see and hear our deliberations, our discussions, and our debate.

Obviously the fiscal year has expired so this bill is obviously long overdue. Now we are in a position where apparently the majority leader wants to take up the President's jobs bill in parts, one by one, in complete disregard of the needs and requirements of the men and women who are serving our national security.

Part of that bill also is the portion from the Intelligence Committee. By the way, I note the presence of the Senator from South Carolina, who knows more about detainees than any Member of this body without question. He continuously travels to Iraq and Afghanistan, he has visited the prisons. He understands the issues better than anyone. I would be willing to ask him how he feels about the detainee provisions, after the Senator from Georgia makes