

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1637 TO AMENDMENT NO. 1636

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1637 to amendment No. 1636.

Mr. REID. Mr. President, I ask unanimous consent that further reading be waived.

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

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

EXECUTIVE SESSION

NOMINATION OF JESSE M. FURMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 366.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read the nomination of Jesse M. Furman, of New York, to be United States District Judge for the Southern District of New York.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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 nomination of Jesse M. Furman, of New York, to be United States District Judge for the Southern District of New York:

Harry Reid, Patrick J. Leahy, Robert P. Casey Jr., Richard J. Durbin, Richard Blumenthal, Jeff Bingaman, Christopher A. Coons, Sheldon Whitehouse, Al Franken, Herb Kohl, Dianne Feinstein, Tom Udall, Mark Begich, Kent Conrad, Amy Klobuchar, Charles E. Schumer, Kirsten E. Gillibrand, Joseph I. Lieberman.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a pe-

riod of morning business, with Senators allowed to speak for up to 10 minutes each, until 6:15 this evening.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, has the Chair announced that we are resuming legislative session?

The PRESIDING OFFICER. The Senate will now resume legislative session.

SURFACE TRANSPORTATION ACT

Mr. REID. Mr. President, I was going to ask a number of consent requests which I thought were important to present to the Senate, important issues that have not been resolved. I decided not to do that.

We have made some progress in working toward an end of the issues that are preventing us from moving forward on this bill. I hope we can continue to do that in the next 24 hours. There is certainly enough importance in this legislation to do just that. We are talking about more than 2 million jobs with this legislation, so I hope my friends, the Republicans, will figure out a way to help us move forward on this legislation.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to follow on to the comments made by the majority leader about the importance of the bill we are trying desperately to move forward here today and we tried to move forward yesterday. We had a good vote when we came back here on Monday night. Eighty-five of us said, Let's go do this highway bill. This is a key and important matter for the country.

In the 1950s, it was President Dwight Eisenhower, a Republican President, who said, We need an interstate highway system. We cannot move people, we cannot move commerce, we cannot be a great power. We have a great military, but we don't have a good road system. He moved forward not only with that but with the very first aid to schools at that time; because before he made the point that we needed to have a Federal program to help our schools, it was strictly a State matter. So we owe President Eisenhower a lot. And I will tell you, the way we are acting around here, if he were watching, he would be shocked. The first amendment to a highway bill is birth control. The second amendment the Republicans want after birth control is to talk about Egypt. It goes on and on, controversial drilling off our coast, and all of this list they came up with.

It is very clear we have a bipartisan bill. It will make sure that we build our roads, we fix our roads, we fix our freeways, we make sure our bridges are safe. Right now, we have a horrible situation with tens of thousands of bridges that are unsafe. Do we need to have another tragedy before we pass this highway bill?

Every committee has done its work, including the Finance Committee, to come up with the funds to fill the Highway Trust Fund so we can keep going at current levels plus inflation, and we have leveraged one program called TIFIA which leverages 30 times. So by putting \$1 billion into the TIFIA Program—and you know about it because you are a proud member of the EPW Committee—by putting \$1 billion into the TIFIA Program, it means \$30 billion out there, because the States and the localities will apply for this funding, they will match this funding, the private sector will match it, and we will create up to 1 million more jobs in addition to the 1.8 million we are protecting with the rest of the programs.

We are talking about a real shot in the arm to our economy. I am proud that Senator INHOFE—who is the mirror opposite of me in most issues. We do not agree on most issues. We do agree on this, the need to have a class-A infrastructure. We agree on that. We think it is critical. Yet here we sit, minute after minute, hour after hour, day after day, because Republican Senators do not want us to move forward on this bill. You have to ask why. Why? We are willing to take these amendments. We are willing to work on several of them. We cannot do 100 unrelated amendments. Come to us with a list that makes sense. But do not tell the people in your State you are working to get a highway bill done because I am here to put in the RECORD that the fact is, you are not helping. You are hurting us. You are hurting the hundreds of thousands of construction workers who need these good-paying jobs. You are hurting the tens of thousands of businesses that need to get back to work making the cement, laying the pavement, fixing the bridges, building the houses.

It is very distressing. When I go home and people say: What is happening, well, they have to have a vote on birth control. It is hard to find the words except to say: What are you thinking when we have a bill that is so important?

My Republican friends stand here, minute after minute and hour after hour—they are not here now—all day criticizing President Obama, who has turned this economy around—no thanks to them. When he took over, 800,000 jobs a month—bleeding. There was a contraction in economic growth. It was way down in the final quarter of the Bush years. There were huge deficits he inherited from Bush. He's turned it around. He said we need to save the auto industry, and we did. A lot of our friends on the other side said: Oh, don't do it. They were wrong. The President was right. We are recovering. Month after month we are adding jobs, after loss after loss of jobs. We have turned it around.

But I will tell you that this bill is, as the chamber of commerce and the AFL-CIO agree, the No. 1 jobs bill we can do. There is not much we do