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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, we look to You this day for help. Without Your help our Senators can see the ideal but cannot reach it; they can know the right but cannot do it; they can seek the truth but cannot fully find it; they can recognize their duty but cannot perform it. Empowered by Your might, help them to reach beyond guessing to knowing and beyond doubting to certainty regarding Your purposes.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 1, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

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

### SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in morning business until 11 a.m. Following that morning business, the Senate will resume consideration of the Defense Department authorization bill. This will be postcloture debate. We expect to complete action on the Defense bill today. We will give everyone as much notice as we can when we have votes coming.

Additionally, yesterday I filed cloture on a motion to proceed to S. 1917, a middle-class tax cut. If no agreement is reached, this vote will be tomorrow morning.

### MEASURES PLACED ON THE CALENDAR—S.J. RES. 30, S.J. RES. 31, S.J. RES. 32, S. 1930, S. 1931, S. 1932 EN BLOC

Mr. REID. Mr. President, there are six measures at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the measures by title for the second time en bloc.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 30) extending the cooling-off period under section 10 of the Railway Labor Act with respect to the dispute referred to in Executive Order No. 13586 of October 6, 2011.

A joint resolution (S.J. Res. 31) applying certain conditions to the dispute referred to in Executive Order 13586 of October 6, 2011, between the enumerated freight rail carriers, common carriers by rail in interstate commerce, and certain of their employees represented by labor organizations that have not agreed to extend the cooling-off period under section 10 of the Railway Labor Act beyond 12:01 a.m. on December 6, 2011.

A joint resolution (S.J. Res. 32) to provide for the resolution of the outstanding issues in the current railway labor-management dispute.

A bill (S. 1930) to prohibit earmarks.

A bill (S. 1931) to provide civilian payroll tax relief, to reduce the Federal budget deficit, and for other purposes.

A bill (S. 1932) to require the Secretary of State to act on a permit for the Keystone XL Pipeline.

Mr. REID. I object to any further proceedings in regard to these matters.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measures will be placed on the calendar.

### PAYROLL TAX CUTS

Mr. REID. Mr. President, yesterday on the Senate floor my friend the Republican leader said he supports an extension of the payroll tax cut that had been enacted last year. There has been an extreme change of heart here. On the Sunday shows the assistant leader, my friend, the junior Senator from Arizona, said Sunday: Not a chance they would work to extend this payroll tax cut. Then, as late as Tuesday, my friend the Republican leader said it would not "do a thing to help the economy." Obviously there has been a change of heart since then by the leaders of the Senate Republicans.

But I noted yesterday that my friend was very careful to say only that he supports existing cuts, not that he supports our plan to cut taxes for 160 million workers in every business in the country.

Last night I found out why. I was disappointed to see the Republicans' alternate proposal was actually a backdoor route to protect the very rich while shortchanging the middle class and small businesses. Should we be surprised at this? That is what has been going on this past year. Our proposal would provide relief for American families and extend existing tax cuts to benefit businesses. The Republican proposal rejects this new tax relief and

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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doesn't provide a penny of additional tax cuts for working families and it does nothing for small businesses—the job creators the Republicans claim to care so much about.

They seem to think our plan to put \$1,500 back into the pocket of every American, with rare exception, and give small businesses the boost they need to hire new employees goes too far. They are willing to fight for ever deeper tax cuts for the wealthy, but when it comes to the middle class, Republicans here in the Senate—not Republicans generally, but Republicans here in the Senate—believe the status quo is good enough for struggling families. The Republican plan goes directly against the budget agreement we reached in the summer, the so-called Budget Deficit Reduction Act, where we raised the debt ceiling and those things we worked on. It took 3 months. Their plan goes directly against that plan that we made, which is now the law of this country. While Democrats have been working tirelessly to create new jobs, the Republican plan goes in precisely the opposite direction. Instead of creating jobs, it would cost jobs. The report is out today that during the month of October there were 206,000 private sector jobs created. Under their plan, the Republicans' plan, many more middle-class families around the country would lose their jobs. That includes Americans dedicated to public service, hard-working people committed to keeping our streets safe—for example, an FBI agent, Drug Enforcement officer, food safety workers, highway construction workers. They want to devastate those folks. That is how they want to pay for this tax cut. It is not anything that is going to help the economy. It hurts the economy.

They are going after jobs that we need so desperately. Do the Republicans believe—I guess so, because that is what their legislation is all about—that the way to revive the economy is to lay off more FBI agents or fire more Border Patrol officers? These cuts will not revive the economy, they will only slow it down and cost more jobs. But, remember, the role of the Republicans here in the Senate is to defeat Barack Obama. It doesn't matter what it does to middle-class families, obviously.

While targeting the middle class, Republicans propose to do nothing to cut back on excessive subsidies for many large corporations that benefit from government contracts. This is almost hard to comprehend. The Republicans started it, and it caught fire during the Republican control of the Presidency. There are more than 5 million government contractors. The Republicans propose to do nothing to cut back on excessive subsidies for many of these large corporations that benefit from government contracts. Employees at some of these taxpayer-supported corporations are being paid more than \$700,000 a year while many public servants struggle to make ends meet. The

Republicans want to whack these people who work to keep us safe in many different ways while they let these people go untouched.

The Republicans are uninterested in going after these high-income earners. As usual, the only real target of this Republican meat axe is the middle class. It is wrong. Americans believe, across the country, that the middle class is hurting. I have said—I will say it again—the only people in America who believe that the richest of the rich should not contribute a little bit to help our economy are the Senate Republicans. The Republicans outside this body do not feel that way. America's middle class has been hurting for a long time. They are the people who are struggling. They are the ones who need help, not these multimillionaires, and not large, profitable government contractors.

The Republican proposal is unacceptable. It will not pass the Senate. We can do better and we must do better.

Would the Chair announce the business of the day?

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#### RESERVATION OF LEADER TIME

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

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#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now be in a period of morning business until 11 a.m., 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, the majority controlling the first half and the Republicans controlling the final half.

The Senator from Washington is recognized.

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#### MIDDLE-CLASS TAX CUT

Mrs. MURRAY. Mr. President, I come to the floor this morning to urge my colleagues to support the middle-class tax cut bill that would extend and expand the payroll tax relief for our families and small business owners. This legislation is straightforward. It should not be controversial. At a time when so many of our hard-working middle-class families continue to struggle in this very tough economy, this bill would cut their Social Security payroll tax in half, from 6.2 percent to 3.1 percent. That means a tax cut for 160 million workers in this country today.

In my home State of Washington it represents a tax cut of around \$1,700 for a family earning the median income next year. This bill would put money into the pockets of small business owners and encourage them to hire workers by cutting the employer's side of the payroll tax in half as well and eliminating it altogether for firms that

are making new hires. In Washington State, 150,000 small business owners would receive a tax cut under this plan and they would have thousands of dollars more in their pockets to spend in their communities and get workers back on the job.

This is a big deal. Economists from across the ideological spectrum have said payroll tax cuts create jobs and boost the economy. They have said it could be devastating to allow them to go up in this weak economy.

In the past, Republicans have agreed and have strongly supported payroll tax cuts as an effective way to boost the economy and create jobs, so this should be easy. It should be something both parties can get behind and quickly pass, but unfortunately it seems politics are getting in the way. I am disappointed that many of the same Republicans who spent the last few months fighting tooth and nail to prevent tax increases on the richest Americans and biggest corporations are now hesitating to give average working families a break. In fact, it was this very issue that prevented the Joint Select Committee on Deficit Reduction to come to a deal.

On the Democratic side we put forward serious compromises on the table to get to a balanced and bipartisan deal, but our Republican counterparts refused to allow the wealthiest Americans to pay a single penny more in taxes and insisted that the middle class and seniors and most vulnerable Americans bear the burden of this crisis alone. It was not fair then; it is not fair now. This bill is fully paid for by asking millionaires, who earn more than \$1 million a year, to pay a little bit more, a small step toward a fair share. It is not drastic. It does not close the loopholes and shelters that Republicans have been fighting hard to maintain. It does not touch the Bush tax cuts for the rich they have been protecting. It doesn't end the tax breaks for the oil and gas industry that they would not allow us to close. It simply adds a 3.25-percent tax on incomes over \$1 million a year. That means if someone earns \$1.2 million in a single year they only owe an additional 3.25 percent on that last \$200,000.

At a time when so many families are struggling, we think this is a fair thing to ask the wealthiest Americans, who survived so well, to continue to give working families a break.

This vote sets up a simple choice. Do you vote to extend tax cuts for middle-class families and small businesses that have been struggling in this economy or do you vote to protect the wealthiest Americans from paying 1 penny more toward their fair share? I know where I stand. I feel very strongly that we owe it to middle-class families across this country to extend this tax cut. I think it would be a whole lot easier if our Republican colleagues were as focused on tax cuts for the middle class as they are for tax cuts for the wealthiest Americans and corporations.