

[Rollcall Vote No. 173 Ex.]

YEAS—94

Akaka	Graham	Murkowski
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Barrasso	Harkin	Nelson (FL)
Baucus	Hatch	Paul
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inhofe	Reid
Blunt	Inouye	Risch
Boozman	Isakson	Roberts
Boxer	Johanns	Rockefeller
Brown (MA)	Johnson (SD)	Rubio
Brown (OH)	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Toomey
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Udall (NM)
Corker	Manchin	Vitter
Cornyn	McCain	Warner
Crapo	McCaskill	Webb
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

NAYS—2

DeMint Lee

NOT VOTING—4

Burr Kirk  
Chambliss Sanders

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED Continued

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

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 motion to proceed to Calendar No. 341, S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Kent Conrad, Tom Harkin, Richard Blumenthal, Jeff Bingaman, Carl Levin, Al Franken, Daniel K. Inouye, Richard J. Durbin, Benjamin L. Cardin, Max Baucus, Charles E. Schumer, Jeff Merkley, Patty Murray, John D. Rockefeller IV, John F. Kerry.

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. 2237, a bill to provide temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), and the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 80, nays 14, as follows:

[Rollcall Vote No. 174 Leg.]

YEAS—80

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Roberts
Brown (MA)	Johnson (SD)	Rubio
Brown (OH)	Kerry	Sanders
Burr	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Carper	Kyl	Snowe
Casey	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Toomey
Collins	Lieberman	Toomey
Conrad	Lugar	Udall (CO)
Coons	McCaskill	Udall (NM)
Corker	McConnell	Warner
Durbin	Menendez	Webb
Enzi	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NAYS—14

Ayotte	Inhofe	Risch
Cornyn	Johanns	Sessions
Crapo	Johnson (WI)	Shelby
DeMint	Manchin	Wicker
Graham	McCain	

NOT VOTING—6

Cardin	Kirk	Rockefeller
Chambliss	Lee	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 80, the nays are 14. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today we begin debate on a bill called the Small Business Jobs and Tax Relief Act. There are some positive elements to this legislation, but I remain amazed that the Democratic majority has decided to pursue this bill to support small businesses when looming tax increases threaten to crush these very same small businesses.

Rather than address the expiration of the 2001 and 2003 tax relief, which is denying certainty to small businesses and holding back hiring and economic development, we are discussing this legislation. The President and his allies who are pursuing this legislation are patting themselves on the back for supporting small businesses, but puffing their chest as the saviors of America's job creators while doing nothing to address the coming fiscal cliff is like a person asking for the keys to the city after throwing a water balloon at a house fire.

Our small businesses and our economy face an existential threat with the coming tax hikes. Not only have Senate Democrats done nothing to bring some certainty to this situation, but President Obama actively undermined these businesses with his White House campaign event yesterday, during which he expressed his commitment to raising taxes on these small businesses.

So as we debate this bill, we need to keep that backdrop in mind. As the President proposes with this bill to give with one hand to small businesses, with the other hand he is prepared to sock those same people in the jaw. Small businesses are just one facet of our economy that will be hit with the largest tax increase in history if Congress and the President fail to act before January 1, 2013. But given that small businesses are the engine of job creation in our economy, the impact of these tax increases will reach far and wide, undermining economic growth and hampering innovation and job creation. Taxpayers are on the edge of a fiscal cliff. Yet instead of leading them to safety, the President's campaign is telling us to march forward.

The consequences will crush American taxpayers. In February, the Washington Post referred to this \$4.5 trillion tax hike as "taxmageddon." Federal Reserve Chairman Ben Bernanke described it as a "massive fiscal cliff" when testifying before Congress. If