

is going on? And the answer is, I am afraid, that my Republican colleagues have moved so far to the right that they have lost contact with the needs of working families.

As I said earlier, this legislation is not just about dealing with the pandemic and healthcare. It is not just dealing with the severe economic downturn that we are facing. It is not just dealing with the disruption of education in America and so much more. It is not just dealing with the worst moment in the modern history of this country. This amendment, this legislation, has everything to do with restoring the confidence of the American people in democracy and in their government. And if we can't respond to the pain of working families today, we don't deserve to be here.

Senator GRAHAM said it is going to be a long night. Bring it on. We are ready. But at the end of the day, we are going to do what the American people want, what the American people need. We are going to pass the American Rescue Plan.

Mr. WYDEN. Mr. President, later today the Senate will vote on an amendment put forward by Senator CARPER and myself dealing with an extension of enhanced unemployment benefits.

Some Members of the Senate wanted to hold the enhanced weekly benefit at \$300 per week. My preference would have been to set it at \$400 per week on the longest extension possible and then later tie benefits to economic conditions on the ground with automatic triggers. With the amendment coming later today, I believe Members have reached a solution that accomplishes two key goals.

First, it is a longer extension of benefits than the House bill that avoids creating a new August cliff. It would extend the weekly benefit at \$300 per week into early October, including pandemic benefits for gig workers and the self-employed. I have said time and again that having an expiration in the middle of August, when Senators are home, would be a prescription for trouble, and this option avoids the potential of benefits expiring for millions of Americans with no way to extend them.

Second, it would prevent a tax surprise for millions of Americans who received unemployment benefits in 2020. The first \$10,200 of the unemployment benefits they received last year would be exempt from income tax. People who already filed their taxes and found out that they owed tax on their unemployment income would be able to file an amended return to get back the difference.

This will wipe out taxes owed on last year's unemployment income for most people who received it, saving them potentially thousands of dollars. That is a big economic benefit for the people hardest hit by the COVID crash, and jobless Americans will also have the certainty of enhanced benefits running

into October. My understanding is, the Republican side will offer an amendment that will not prevent this tax surprise.

I am going to keep working on automatic triggers. In my view, that is the best way to manage this program going forward. But as for this debate, I urge all my colleagues to support this amendment.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from South Carolina.

Mr. GRAHAM. The Republicans yield back their time.

The PRESIDING OFFICER. Time is yielded back.

Mr. SANDERS. I yield back my time as well.

The PRESIDING OFFICER. All time is yielded back.

The Senator from South Carolina.

#### POINT OF ORDER

Mr. GRAHAM. Mr. President, the budgetary effects of the pending amendment, 972, offered by Senator SANDERS, are merely incidental to the nonbudgetary effects of the amendment. Accordingly, the amendment is extraneous. Therefore, I raise a point of order against this measure pursuant to section 313(b)1(D) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Vermont.

#### MOTION TO WAIVE

Mr. SANDERS. Mr. President, in accordance with section 904 of the Congressional Budget Act of 1974 and the waiver provisions of all applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 972, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

(Mr. PADILLA assumed the Chair.)

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. BLUMENTHAL assumed the Chair.)

(Mr. KELLY assumed the Chair.)

(Mrs. SHAHEEN assumed the Chair.)

(Ms. CANTWELL assumed the Chair.)

(Mr. WHITEHOUSE assumed the Chair.)

(Ms. HIRONO assumed the Chair.)

(Mr. MANCHIN assumed the Chair.)

(Mrs. MURRAY assumed the Chair.)

(Mr. BENNET assumed the Chair.)

(Ms. ROSEN assumed the Chair.)

(Ms. KLOBUCHAR assumed the Chair.)

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—42

Baldwin	Brown	Cortez Masto
Bennet	Cantwell	Duckworth
Blumenthal	Cardin	Durbin
Booker	Casey	Feinstein

Gillibrand	Menendez	Schatz
Heinrich	Merkley	Schumer
Hickenlooper	Murphy	Smith
Hirono	Murray	Stabenow
Kaine	Ossoff	Van Hollen
Kelly	Padilla	Warner
Klobuchar	Peters	Warnock
Leahy	Reed	Warren
Lujan	Rosen	Whitehouse
Markey	Sanders	Wyden

NAYS—58

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hassan	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Carper	Johnson	Shaheen
Cassidy	Kennedy	Shelby
Collins	King	Sinema
Coons	Lankford	Sullivan
Cornyn	Lee	Tester
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Portman	

The PRESIDING OFFICER (Mr. DURBIN). On this vote, the yeas are 42, the nays are 58.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion to waive all applicable budgetary discipline with respect to the Senator from Vermont's amendment No. 972 is rejected.

The point of order is sustained and the amendment falls.

The amendment (No. 972) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, the agreement that has been reached will allow us to move forward with the American Rescue Plan, and voting will resume shortly.

Senate Democrats are completely united in our belief about how important this entire bill is for our fellow Americans; for getting the vaccine to our people; for reopening our schools; for keeping American workers, families, and businesses afloat; and for putting our country on the road to a strong recovery.

Now that this agreement has been reached, we are going to power through the rest of the process and get this bill done. Make no mistake, we are going to continue working until we get the job done.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, parliamentary inquiry: At what time did the previous vote on the Senator's amendment begin?

The PRESIDING OFFICER. The vote began at 11:03 a.m.

Mr. MCCONNELL. How much total time elapsed during the floor vote on the Senator's amendment?

The PRESIDING OFFICER. Eleven hours and 50 minutes.

Mr. MCCONNELL. Well, my goodness, this has been quite a start, quite a start to this fast-track process. They were in a big hurry. We started voting