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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 7, 2010, at 12:30 p.m.

## Senate

SATURDAY, DECEMBER 4, 2010

The Senate met at 8:15 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

### PRAYER

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

Let us pray.

Eternal Lord God, source of all our joys and all our abundance, as we convene for this rare Saturday session, we acknowledge that no problem is too difficult for You. Lord, we bring You our needs and difficulties, asking You to take over the things that are more than we can handle.

Give the Members of this body the patience to live bravely with life's challenges, knowing that You are the author and finisher of their faith. Use our lawmakers this day to bring healing where there is pain, hope where there is despair, and peace where there is conflict. May they serve You with pure, exemplary lives and thereby give those whom they lead an ideal to follow.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 4, 2010.

To the Senate:

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

DANIEL K. INOUE,  
President pro tempore.

Mr. BEGICH 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 any leader remarks, the Senate will resume consideration of the House message to H.R. 4853, which is the legislative vehicle for the tax cut extensions. Under a time agreement, there is up to 2 hours of debate equally divided prior to a rollcall vote on the motion to invoke cloture on the motion to concur with the Baucus amendment. If cloture is not invoked on the Baucus amendment, the Senate will proceed to a cloture vote on the Schumer amendment. Senators should expect the first cloture vote to occur at 10:30 this morning. Senator SCHUMER will control the

time on his amendment. Senator BAUCUS will control the time on his amendment. They will each have 30 minutes.

### MEASURE PLACED ON THE CALENDAR—S. 4006

Mr. REID. Mr. President, S. 4006 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4006) to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

Mr. REID. I object to any further proceeding with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

### TAX CUTS

Mr. REID. Mr. President, there is a recurring gag in the comic strip "Peanuts" with which we are all familiar. Charlie Brown is getting ready to kick a field goal. Lucy is holding the ball while Charlie runs up to the ball. At the last second, Lucy pulls the ball away. Charlie Brown flies into the air, comes crashing back down, and falls flat on his back. We have all seen this time and time again. But what makes this gag funny is the same thing that made it famous. It wasn't so much that Lucy was tricking Charlie Brown; it was that it kept happening over and over. Charlie Brown kept being tricked.

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



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It is obvious by now that our Republican friends have drawn their political strategy from this cartoon. We have all heard Republicans weep for the deficit they say they fear. Democrats agree that we need to do something about the deficit. We have said: How about cutting the deficit by admitting we can't afford a tax break for millionaires and billionaires, a tax break that would add, under the legislation offered by my Republican colleague, Senator MCCONNELL, \$4 trillion to the debt, as this is a tax cut many admit they don't need. When was the last time we heard an investor ask for less money? What did the Republicans do? They pulled away the football and said: Rather than reduce the deficit, we would really rather give an unnecessary, unwanted, unaffordable handout to the richest of the rich.

Then they went a step further. They pretend the real victims here are small businesses, conveniently bending the rules so that multimillion-dollar Wall Street firms, companies such as PricewaterhouseCoopers and enormous conglomerates such as the Tribune Company, count as small businesses. It is a sham. In fact, the way Republicans count, President Obama himself, who has made a lot of money on his books, and most movie stars and professional athletes count as small businesses. If that is the way they count, perhaps that explains why Republican economic policies nearly led us into a depression. It is why this time around perhaps we should not count on their ideas to help us recover.

This week, every Republican sent me a letter saying they would not let legislators legislate, that they wouldn't let the Senate operate until we addressed the tax cuts. So Democrats called their bluff. We said: OK, let's talk about tax cuts. Let's vote. The other body had already passed a middle-class tax cut, and we can do the same. The majority in the Senate, like the majority of the country, believes the middle class deserves this tax cut. The minority in the Senate believes, against all evidence to the contrary, that millionaires and billionaires and big CEOs who ship jobs overseas deserve this giveaway. We disagree, but that is why the Founders created this body—to debate and settle those disagreements. So we said: Let's vote. And what did the Republicans do again? Just like Lucy, they pulled the football away and said: No deal. They then sat on the ball while we watched the clock count down. That is why we are here on a Saturday morning when we could have resolved this days ago.

In that same letter, Republicans claimed their top priority is putting people back to work. It is a priority with which Democrats agree. The difference is we really mean it. My State of Nevada has the highest unemployment rate in the country. I know my most important job is to create jobs. So Democrats again gave them the chance to walk the walk. We tried to

pass a bill that would extend unemployment insurance for so many Americans who lost their jobs in the recession and are still trying hard to find work.

Economists tell us that unemployment insurance is one of the best ways to energize the economy and create jobs. We know that for every dollar of unemployment insurance that goes out, at least \$1.61 comes back into the economy. It is a good investment. The Council of Economic Advisers said this week that failing to extend this lifeline would cost the country 600,000 more jobs.

What did Republicans do? Once again, they did their best Lucy impression, pulling away the football and saying: I object. They stepped up and did the same thing they have done over and over. They stopped us from creating jobs. Like the football Charlie Brown can't kick, the money that would immediately go back into the economy remains out of reach for those who would spend it the fastest.

Finally, the Senator from Arizona, his party's nominee for President last election, has given a dizzying defense of don't ask, don't tell—an obsolete, embarrassing, and discriminatory policy that weakens our military and offends our values. First, Senator MCCAIN said he seriously would consider repealing it if the military leadership thought we should. When the military leadership said it should be repealed, he pulled away the football. Then Senator MCCAIN said he would need to see a study from the Pentagon. When the Pentagon produced a study saying repeal would have no negative impact, he pulled away the football again. And for his latest trick, he said yesterday that he opposed repealing don't ask, don't tell, a proposal that would be a great stride forward for both equality and military readiness, because of the economy. I repeat: The senior Senator from Arizona said he couldn't support repealing don't ask, don't tell because of the economy. I have no idea what he is talking about, and no one else does either.

Yesterday, we also heard the Republican leader say:

Americans don't want to see meaningless theatrics in Congress. They want us to do something about the economy.

He is right. The theatrics need to end. The time to do something about our economy needs to begin now, and what better way to demonstrate that than by doing what the American people and economists of every political position know is the right thing to do—protect the middle class from higher taxes and reject a \$4 trillion bailout for billionaires.

Our economy is not a cartoon. The jobs of hard-working Americans are not political footballs. Instead of taking their ball and going home when they don't get their way, it is time Republicans realize we are not here to embarrass one another. We are here to get things done. We are here to help

our economy grow again. It is time Republicans recognize that, like Charlie Brown and Lucy, we are on the same team.

Mr. President, we are 2 minutes or so from the 2 hours for the time on the tax cut debate. We have a couple of amendments. Unless there is objection, we should go ahead and start that.

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

Mr. REID. This will provide an extra 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak under the time allotted to Senator BAUCUS on the first amendment.

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

Mr. REID. I think there is a consent in effect that Senator BAUCUS would control a half hour and Senator SCHUMER would control a half hour of the time. If not, I ask unanimous consent that that be so.

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

#### RESERVATION OF LEADER TIME

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

#### FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 4583, which the clerk will report.

The legislation clerk read as follows:

Motion to concur in the House amendment to the Senate amendment with an amendment to H.R. 4583, an act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 4727 (to the House amendment to the Senate amendment), to change the enactment date.

Reid amendment No. 4728 (to amendment No. 4727), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Finance, with instructions, Reid amendment No. 4729, to provide for a study.

Reid amendment No. 4730 ((the instructions) amendment No. 4729), of a perfecting nature.

Reid amendment No. 4731 (to amendment No. 4730), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, it has been my honor to serve on President Obama's deficit commission, a commission chaired by former White House