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No. 159

## 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

MONDAY, DECEMBER 6, 2010

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

### PRAYER

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

Let us pray.

Eternal Lord God, the giver of every good and perfect gift, bring the hearts and minds of our lawmakers into harmony with Your will so they can be assured that their lives are fulfilling Your high purposes. Lord, give them the incentives they need, the trust that is essential, and the joy that is possible as they face the duties and opportunities that lie before them. Give our Senators such grace that they will be faithful in their tasks this day and every day. Increase their hunger and thirst for righteousness and feed them with the bread of Heaven.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 6, 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 R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. WARNER 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, if any, there will be a period of morning business, with Senators permitted to speak for up to 10 minutes each. There will be no rollcall votes during today's session.

Senators are encouraged to be on the floor at 10 a.m. tomorrow for a mandatory live quorum to commence the impeachment trial for Judge G. Thomas Porteous.

### AMBITIOUS AGENDA

Mr. REID. Mr. President, as far as lameduck sessions of the Senate go, our agenda is rather ambitious, and the session itself is relatively long. It did

not have to be this way. We have tried many times this Congress to tackle each of the priorities on our agenda. Each time we have tried, the minority has tried to shut down the Senate. Republicans ground the Senate to a halt and forced endless hours of inactivity. That is why we were here voting on Sunday—on Saturday; I am sorry. Thank goodness it was not on Sunday. That is why we will still be here another few weeks.

We have a long to-do list. But these priorities are not mere leftovers. They are critical to our economy and our national security, to our families and our country's future, and we will resolve them before we adjourn.

We have to give first responders—our communities' firefighters, police officers, and emergency medical personnel—the same job protections that other workers enjoy.

We need to give seniors and disabled veterans some relief, which will also benefit our economy as a whole. The cost-of-living adjustment for Social Security recipients is a question of both fairness and economics.

We will again fight for the DREAM Act. When it passes, millions of children who grew up as Americans will be able to get the education they need to contribute to our economy. Many who have volunteered to defend our country will no longer have to fear being deported.

We will give the heroes of 9/11 long overdue help. Thousands of first responders who rushed to Ground Zero on 9/11 got terribly sick from the toxins that were present. Everyone should agree they should not have to wait any

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



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longer than they already have for the health care and compensation they deserve.

We will protect middle-class families from a tax hike.

We will ratify the bipartisan START treaty to make America safer.

We have to confirm the enormous backlog of qualified nominees to the bench and other important positions. For example, there are more than 30 judicial nominees ready to come to a vote. Most were voted out of the Judiciary Committee without a single vote against them. They have been waiting for a long time to fill these important seats and serve their country. It is time we let them.

We are also going to repeal the discriminatory don't ask, don't tell rule. We are going to match our policy with our principles and finally say that in America everyone who steps up to serve our country should be welcomed.

Republicans know they do not have the votes to take this repeal out of the Defense authorization bill, so they are holding up the whole bill. But when they refuse to debate it, they also hold up a well-deserved raise for our troops, better health care for our troops and their families, equipment such as MRAP vehicles that keep our troops safe, and other critical wartime efforts in Afghanistan and counterterrorism efforts around the world.

Obstruction has consequences. None of the issues on this long list is new. Neither is the minority's effort to keep the Senate from working and keeping Senators from doing our jobs.

It is time to roll up our sleeves—not dig in our heels. My hope for the final weeks of this year is that Republicans finally will realize we all have much more to gain by working together than working against each other.

Mr. President, would the Chair announce morning business.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

#### FISCAL RESPONSIBILITY

Mr. WARNER. Mr. President, just 3 days ago, a bipartisan majority of the

members of the National Commission on Fiscal Responsibility and Reform endorsed a package of proposals to reposition our Nation on a more responsible fiscal course.

I wish to commend my good friend, the Senator from Illinois, who was a member of that Commission and took what I thought was an extraordinarily courageous vote on a package of proposals. Honestly, I know he didn't agree with every one of them, but he did understand how serious this issue is. I thank him and all my other colleagues from both sides of the aisle, along with the economists and policymakers and others who invested the time and effort and courageously grappled with these difficult choices.

On Friday, 11 of the 18 members of the Commission voted to support a tough, bipartisan prescription for fiscal health. I regret that the 11 "yes" votes fell short of the 14 votes required to forward this plan to Congress for our consideration.

In the hours leading up to Friday's vote, I was proud to work with 13 of my Senate colleagues, including the Presiding Officer, to draft a joint letter to the White House and to the bipartisan congressional leadership.

This letter, signed by 14 Senators and distributed before the Commission's final vote on Friday, requested that the panel's recommendation come to Congress for our consideration regardless of the outcome of the Commission's final vote.

Mr. President, I ask unanimous consent to have a copy of this joint letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, December 3, 2010.

President BARACK OBAMA,

The White House,

Washington, DC.

Speaker NANCY PELOSI,

Office of the Speaker,

Washington, DC.

Majority Leader HARRY REID,

Washington, DC.

Minority Leader JOHN BOEHNER,

Washington, DC.

Minority Leader MITCH MCCONNELL,

Washington, DC.

Our growing national debt poses a dire threat to this nation's future. Ever since the economic downturn, Americans have had to make tough choices about how to make ends meet. Now it's time for leaders in Washington to do the same.

The report issued Wednesday by the National Commission on Fiscal Responsibility and Reform is a courageous first step in tackling our national debt. The report shows in stark terms that solving the debt problem will require difficult choices. There is no easy way out, and Washington must lead the way. The strong bipartisan support its recommendations have already received demonstrates we can, and must, come together to solve this impending fiscal crisis. Every day that we fail to act the choices become more difficult.

We believe that now is the time to act. The situations in Ireland and Greece demonstrate that rising debt levels, left unchecked, can quickly and unpredictably force a country to

take drastic austerity measures. If we don't choose to act now, we will be forced to act later with fewer and more painful options available to us.

While there are plenty of provisions in the Commission plan we do not support, our nation would be far better off with a comprehensive deficit reduction plan than without one. The report shows that we can stabilize our debt over the long term, while fostering our economic recovery now, improving our country's global competitiveness, and maintaining our commitment to protect the most vulnerable in our society. Specifically, we commend the Commission's efforts to:

Protect our economic recovery by gradually phasing in deficit reduction and still allowing for critical investments;

Fundamentally reform and simplify the tax code in a way that lowers rates for all taxpayers, increases progressivity, and improves the ability of businesses to compete in the global marketplace;

Ensure that Social Security will be there to support seniors for at least 75 more years, while adding a new minimum benefit and further support for our oldest seniors and long-term disabled;

Preserve and better target tax benefits that support home ownership and charitable giving; and,

Further control the costs of health care.

Prompt action is needed to bring the country's deficit into balance and stabilize our debt over the long term. Regardless of whether the Commission's report receives the support of at least 14 of its 18 members, we urge legislative action to address these problems. The American people deserve—and demand—that we pull together to avert this looming crisis. Your leadership on this issue will be crucial to our success.

Sincerely,

Mark R. Warner, Claire McCaskill, Mark Begich, Thomas R. Carper, Jon Tester, Jeanne Shaheen, Joseph I. Lieberman, Mark Udall, Michael F. Bennet, Dianne Feinstein, Mary L. Landrieu, Amy Klobuchar, Kay R. Hagan, Evan Bayh.

Mr. WARNER. Mr. President, I have a reason for coming to the floor and drawing attention to our letter and this issue again.

The seriousness of our Nation's fiscal challenges—the compelling need to address these issues in a responsible and bipartisan way—did not suddenly dissipate or magically disappear over the course of the weekend that just ended.

In fact, since the Commission's final meeting ended on Friday afternoon, the national debt—the running tally of what the U.S. Government owes—has increased by an estimated \$15 billion. Our total national debt is a staggering \$13.8 trillion. I will repeat that. Our national debt is approaching \$14 trillion.

Every day you can listen to a lot of talk from people in this town about deficit reduction. But as I said, when the Commission first unveiled its proposals 1 week ago, while I would have made some different choices, we were being presented with a unique opportunity to finally get real about the deficits and debt.

Actually, when the Commission came out, I was a little more blunt than that. I said that after all the campaign rhetoric about deficit reduction, the time had come to put up or shut up. I believe this Commission earned credibility by describing our fiscal challenges in stark and honest terms. They