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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

SENATE—Thursday, September 23, 2010

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN GILLIBRAND, a Senator from the State of New York.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Reverend Dr. Joel Hunter, senior pastor of Northland Church, Longwood, FL.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty God, we give You thanks for our democracy that gives each citizen a voice; for our freedom of religion that gives each citizen a choice; and for our goal of *e pluribus unum* that gives each citizen a responsibility of cooperation.

We ask that You would bridle our tongues toward constructive speech, that You would help all herein to live up to the stature and privilege of leadership, and that You would grant all herein wisdom and courage beyond their natural abilities and their party's limitations.

Bless each of our Senators for their efforts on behalf of us all, and make them servants of the people of the United States of America and of Your intentions for this great country.

In Your Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN GILLIBRAND 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 23, 2010.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 3827

Mr. REID. Madam President, it is my understanding that S. 3827 is at the desk and is due for a second reading.

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

The bill clerk read as follows:

A bill (S. 3827) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will proceed to a period of morning business until 10:30 this morning, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the second half.

At 10:30 a.m., the Senate will consider the motion to proceed to S.J. Res. 30, which is a joint resolution of disapproval regarding the National Mediation Board. Under the time agreement previously reached, there is 2 hours of debate equally divided, so the vote on the motion to proceed to the joint resolution is expected to occur around 12:30 p.m. today.

Upon disposition of the joint resolution of disapproval, the Senate will turn to the consideration of the motion to proceed to S. 3628, the DISCLOSE Act. A cloture vote on the motion to proceed will occur at 2:15 p.m.

RECOGNITION OF THE MINORITY LEADER

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

THE DISCLOSE ACT

Mr. McCONNELL. Madam President, we are now in day 2 of debate regarding the DISCLOSE Act—2 more days Senate Democrats have chosen to ignore the jobs of the American people in an effort to save their own job.

Americans are speaking out, but Democrats in Congress still aren't listening. At a time when Americans are clamoring for Democrats in Congress to do something about jobs and the economy, Democrats are not only turning a deaf ear, they are spending 2 full days here working to silence the voices of even more people with a bill that picks and chooses who has a right to political speech. This is precisely why Americans are speaking out loudly—loudly—about the excesses of this administration and this Congress. This is why Senate Republicans strongly support the efforts Republicans in the House will unveil later this morning in Virginia.

The proposals House Republicans will put forward today are clear proof that, unlike Democrats in Washington, Republicans have been listening intently to Americans over the past year and a half. Americans have been telling us

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

they want us to focus on jobs first, fight wasteful Washington spending, repeal and replace the health spending bill, and shrink an exploding deficit. They have been telling us they want a smaller, less costly, and more accountable government.

The House Republican plan is a clear and forceful response to these concerns, and, working together, House and Senate Republicans will continue to fight for the principles upon which it is based. Together, we will focus our efforts on making America more competitive, reducing the size and cost of government, keeping our Nation strong and secure, and reining in the massive health care costs and mandates imposed by the Democrats' health spending bill.

This is an appropriate statement to make on the sixth-month anniversary of the passage of the Democratic health spending bill, which—both in its contents and in the process used to enact it—so clearly undermined the principles House Republicans will discuss this morning.

Americans never wanted this massive government-driven intrusion into their health care, and virtually every day it seems we see that the concerns Americans had about this bill are being vindicated. Throughout the day, administration officials will tell people the things it wants Americans to believe about this bill. Based on the promises the administration made to pass it, Americans should be deeply skeptical.

They said: "If you like your plan, you will be able to keep it." Now we know that wasn't true. As the Associated Press recently put it: "This is a promise that is beyond the President's power to keep."

They said it wouldn't raise taxes—not by one penny. Yet even the administration's own lawyers now acknowledge that it does. One report, from the Joint Committee on Taxation, says that 40 million individuals and families will get hit with a tax hike as a result of this health care bill.

They said it would slow the growth of health care costs and that it was essential for that reason. Yet now the government itself says costs will go up as a result of the bill.

What about premiums? Well, the administration now says it knew all along that insurance premiums would go up as a result of this bill. Less than a year after the President said Democrats had agreed to "reforms" that would enable families to save on their premiums, the Secretary of Health and Human Services now says rates will increase substantially as a result of the bill—exactly the opposite of what was said during the debate.

And in what may turn out to be the most thoroughly discredited pledge about this bill, the President and other Democratic leaders assured their colleagues that Americans would come to

like the health spending bill once it passed—they would come to like it. As for that claim, well, I think Politico put it best this morning:

Rarely have so many strategists been so wrong about something so big.

Rarely—rarely—have so many strategists been so wrong about something so big.

So Democrats were eager to listen to the strategists and the administration officials who told them what this bill would do and how it would be received, when what they should have been doing is listening to the American people, who never liked this bill—never liked it—and who knew it wouldn't deliver on the promises Democrats made. So this is no anniversary Democrats should be celebrating.

Americans have had it. The American people have had it. They have had it with Democrats focusing on their own pet issues at the exclusion of America's top priorities, and they are tired of being told that if only the Democrats pass their agenda these priorities will somehow be met. Well, the results are in. The results are in. The Democratic agenda has been a failure for the economy and for jobs. It is time to move on. It is time to start listening instead of dictating. Americans are speaking out. It is time Democrats in Congress start listening.

Madam President, I suggest the absence of a quorum.

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

Mr. MCCONNELL. Madam President, I withhold the suggestion.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

THE GUEST CHAPLAIN

Mr. NELSON of Florida. Madam President, in the midst of all the strife and partisanship and ideological rigidity that makes it so difficult these days for us to bring about consensus in the world's most deliberative body, there is the occasion at the first of each of these meetings in the Senate that we do come together—when the chaplain mounts the rostrum, prays for the Senate and for the Nation, and then we all join together in the Pledge.

I think it is worthy noting the way that the great master of the Senate, Senator Robert Byrd, taught all of us freshmen 10 years ago to mount the rostrum and to call the Senate together. As the Presiding Officer calls the Senate to order, he or she then announces the chaplain for the day and descends from the rostrum as the chaplain comes to the rostrum to offer the prayer. It is a recognition of the Deity, it is an expression of humility, it is a little symbolic act, but it is important.

I think it is important to note that in July, when the entire Senate filed through that center door under that

arch inscribed with "In God We Trust," we all stood silently at our seats as our Chaplain, Admiral Black, gave a prayer over the flag-draped coffin of our departed colleague, Senator Byrd. Each of us stood silently in reverence and recognition not only of a fallen colleague but in recognition of a supreme Deity. And so it is that that tradition continues. And it continues with my friend, the Reverend Dr. Joe Hunter from Florida, who has shared with us his message this morning in the opening of the Senate with a prayer.

The prayer started in the early days of the Continental Congress. It was in 1774, in that Congress, that a chaplain was called to open those sessions. Under the new government that came about as a result of the Articles of Confederation—which had not worked to keep a new spirited nation together because it didn't have a central government—they met together in that steamy room in Philadelphia to hammer out the Constitution, and the Constitutional Convention prayer was offered during those deliberations.

As a matter of fact, it was Benjamin Franklin who made the comment—when the delegates wondered whether this Nation could stand, a Nation that was seeking freedom, a Nation that was seeking democracy—Benjamin Franklin said something to the effect that if the Supreme Being knows even when a sparrow falls, will that Supreme Being not be involved in the affairs of a young and struggling nation?

In the beginning of that Nation under a constitutional government, in lower Manhattan, the chaplain of the nearby church was proclaimed the Chaplain of the Senate. When the government moved to Philadelphia, the second Chaplain of the Senate was appointed. When the government moved to this present location on the banks of the Potomac, the third Chaplain of the Senate was appointed. In that long succession of Chaplains, we are so pleased to have as our Chaplain now, after so many distinguished ones, Admiral Barry Black, whom we all love and appreciate.

So today continues a tradition with great selectivity of certain ministers being invited to come and pray for the Nation. Joel Hunter is the pastor of one of those mega-churches. It is a big church north of Orlando. But it is a church that has about five churches all spread out, with an incredible outreach to the community. Joel Hunter is a man who has reached out and ministered to Presidents, and Joel Hunter is a man who has done so much good for our community and our State and our country. He has suffered tragedy with the loss of a granddaughter just recently. Yet out of that suffering, all the more his compassion comes forth.

Indeed, we are very privileged to have Dr. Joel Hunter as our Chaplain for the day.