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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, December 21, 2010, at 10 a.m.

Senate

SUNDAY, DECEMBER 19, 2010

The Senate met at 12 noon and was called to order by the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado.

PRAYER

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

Let us pray.

For unto us a Child is born. Unto us a Son is given, and the government shall be upon His shoulders. And His name shall be called Wonderful, Counselor, the Mighty God, the Everlasting Father, the Prince of Peace.

King of kings, we thank You for this season that reminds us of Your love for our world. We confess that we sometimes rush into Your presence, breath-

less with our needs. Calm our spirits. Turn our thoughts to Your majesty. Help the Members of this body today to see Your purposes more clearly. Give them a passionate commitment to keep Your law, until justice rolls down like waters and righteousness like a mighty stream. We pray in Your merciful Name. Amen.

NOTICE

If the 111th Congress, 2d Session, adjourns sine die on or before December 23, 2010, a final issue of the *Congressional Record* for the 111th Congress, 2d Session, will be published on Wednesday, December 29, 2010, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 29. The final issue will be dated Wednesday, December 29, 2010, and will be delivered on Thursday, December 30, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

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Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerk.house.gov/forms>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

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



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PLEDGE OF ALLEGIANCE

The Honorable MICHAEL F. BENNET 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 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BENNET 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, I am meeting and having a conversation with the Republican leader to see if we can come to an agreement on the CR. There are a few issues but nothing we shouldn't be able to work through.

Following any leader remarks, the Senate will resume executive session to resume consideration of the New START treaty. There will be 3 hours of debate with respect to the Risch amendment. The time will be divided as follows: 1 hour under the control of Senator KERRY or his designee, and 2 hours under the control of Senator RISCH or his designee. There will be no amendments in order to this amendment.

At approximately 3 p.m. today the Senate will proceed to a series of up to three rollcall votes. The Risch amendment will be voted on, that is amendment No. 4839; the confirmation of a circuit court judge for the Second District, Raymond J. Lohier, Jr.; and confirmation of a district court judge in Mississippi, Carlton Reeves.

RESERVATION OF LEADER TIME

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

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

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

Mr. KERRY. Mr. President, I ask unanimous consent that we divide the time appropriately among the 3 hours. I would use perhaps 10 minutes at this moment in time.

EXECUTIVE SESSION

TREATY WITH RUSSIA ON MEASURES FOR FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following treaty, which the clerk will report.

The legislative clerk read as follows:

Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive arms.

Pending:

Risch amendment No. 4839, to amend the preamble to the treaty to acknowledge the interrelationship between nonstrategic and strategic offensive arms.

Mr. KERRY. Mr. President, I ask that the time be divided as follows: I ask unanimous consent that I be permitted to proceed for 10 minutes and then reserve the remainder of our time; the Senator from Idaho will control the time of the Republicans. They will proceed to use up all but 10 minutes of their time. I will come back and respond, at which point they would have 10 minutes held at the back end.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. RISCH. That is agreeable, Mr. President.

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

Mr. KERRY. Mr. President, let me begin very quickly. First of all, I wish to thank the Senator from Idaho for his amendment. I appreciate the thought he has put into the consideration of this treaty and his role on the Foreign Relations Committee and the work he has done over the 4 days, and now the fifth day of consideration of this treaty on the floor of the Senate.

The amendment the Senator proposes to put into the treaty is an amendment to the preamble. So we have the same problem we had yesterday. I would just say that up front. But that said, we have great agreement with the substance of what he is trying to put forward in terms of the need to deal with tactical nuclear weapons. We will say more about that afterwards.

If the Senator would be willing, I think we can find a way to incorporate into the resolution of ratification a genuine, meaningful, adequate statement with respect to this linkage be-

tween tactical nuclear weapons and overall strategic understanding. I would like to do that, but I know the Senator wants to proceed with this amendment first. I just want him to have that understanding, that we are prepared to say something important, and I think substantive, about tactical nuclear weapons.

I wish to use a couple of minutes, if I may, to respond to a couple of comments made this morning by the minority leader on one of the morning television shows.

First of all, obviously, I regret he will not support the treaty itself. We had an understanding that was probably going to be the case. It is not a surprise. But I find it disappointing, given the entire Republican foreign policy, national security, experienced statesmen group who are sort of emeritus for our Nation today—including former Secretary of State Larry Eagleburger, former Secretary of State Colin Powell, and former Secretary of State Jim Baker, as well as the list of all of the former Secretaries of State from the Republican side, including former Secretary of State Condoleezza Rice—all support this treaty.

The military supports this treaty. The leader of the Strategic Command, current, and the past former seven, support this treaty. The national intelligence community supports this treaty.

So I hope that in these waning days of this session, as we approach this holiday season which is so focused on the concept of renewal and hope and peace, that we could find the ability in the Senate to embrace in a bipartisan way the security interests of our country.

Particularly with regard to the notion about more time on this treaty, we are now on the fifth day of debate on this treaty. Let's debate today. Even if we had the cloture filing tonight or something, we would still have 2 days more of debate before that ripens and a vote on it, after which we then have 30 hours of debate providing it will pass.

So we are looking at the prospect of having more days of debate on this treaty, a simple building block on top of the START I treaty. We are looking at having more days of debate on this treaty than the START I, START II, and Moscow Treaty all put together.

So I think the Senate, which is appropriate, has time to focus on this treaty. I thought we had a good debate yesterday. The President said:

Regardless of Russia's actions, as long as I am President and as long as the Congress provides the necessary funding, the United States will continue to develop and deploy effective missile defenses to protect the United States.

So I hope our colleagues will give credence to the Secretary of Defense, the Secretary of State, the military, the President of the United States, and to the budget. The chairman of the Appropriations Committee informed me yesterday they have fully funded the