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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

MONDAY, DECEMBER 20, 2010

The Senate met at 10 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

### PRAYER

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

Let us pray.

Merciful God, look on our lawmakers with kindness and teach them to do Your will. Show them how to live for Your honor and to be instruments of Your peace. Rescue them from the traps that keep us from national prosperity for You are our shelter and

strength. Keep them from fear, even if the Earth is shaken and mountains fall into the ocean depths. Stay with us, mighty God, ruling our hearts, our Nation, and our world.

We pray in Your sovereign 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.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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 MARK L. PRYOR 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, December 20, 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 L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. PRYOR 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, the Senate will proceed to executive session and resume consideration of the New START treaty. We have two amendments now pending to the treaty—the Thune amendment regarding delivery vehicles and the Inhofe amendment regarding inspections. We hope to vote in relation to the Thune amendment between 12 and 1 p.m. today and dispose of the Inhofe amendment later this afternoon.

At 1:30, the Senate will recess and reconvene at 2 p.m. in closed session in the Old Senate Chamber. Following the closed session, the Senate will reconvene in open session in the Senate Chamber. We are going to be out of session for that one-half hour period of time to allow the final sweeps to be completed.

As a reminder, last night cloture was filed on the continuing resolution and the START treaty. The cloture vote on the continuing resolution will occur at a time to be determined tomorrow morning. We need to act as quickly as possible; the current CR expires tomorrow at midnight. The filing deadline for first-degree amendments to the START treaty is 1 p.m. today. Senators will be notified if any votes are scheduled today.

Mr. President, I would also say that, to my friends on the other side of the aisle, we could advance these votes not necessarily on the START treaty, but we certainly could on the CR and get

that out of the way later today. We have two issues we are going to have to vote on. One is the START treaty, we have to complete work on that, and we have to complete work on the 9/11 bill for the emergency workers who have been devastated with illnesses as a result of all the toxins they inhaled during the time they were working there. Some are really ill. So I hope we can get that done quickly.

I am working with the Republican leader on nominations. We have made a little progress on that. I hope to do better. I look forward to cooperation to finish this work. Last year, we were here at this time up until Christmas Eve. I hope we don't have to do that this year. It certainly wouldn't be to the liking of everyone here. We don't need to be. I hope everyone will cooperate and let us move forward.

## RECOGNITION OF THE MINORITY LEADER

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

## START TREATY

Mr. MCCONNELL. Mr. President, over the weekend, I indicated that I would be voting against the START treaty. This morning, I would like to explain my decision in a little more detail. And I will begin with the most obvious objection.

First and foremost, a decision of this magnitude should not be decided under the pressure of a deadline. The American people don't want us to squeeze our most important work into the final days of a session. They want us to take the time we need to make informed, responsible decisions. The Senate can do better than to have the consideration of a treaty interrupted by a series of controversial political items.

So leaving aside for a moment any substantive concerns, and we have many, this is reason enough to delay a vote. No Senator should be forced to make decisions like this so we can tick off another item on someone's political check list before the end of the year.

Yet looking back over the past 2 years, it becomes apparent why the administration would attempt to rush this treaty. And it is in this context that we discover another important reason to oppose it. I am referring, of course, to the administration's pattern of rushing to a policy judgment, and then subsequently studying the problem that the policy decision was intended to address, a pattern that again and again created more problems and complications than we started out with.

First there was the Executive Order to close Guantanamo Bay without any plan for dealing with the detainee population there. As we now know, the administration had no plan for returning terrorists who were held at Guantanamo to Yemen, and it is still grap-

pling with questions of how best to prosecute Khalid Sheikh Mohammed.

Next was the President's rush to remove the intelligence community from interrogating captured terrorists, without any consideration as to how to deal with them, whether they were captured on the battlefield or at an airport in Detroit. This became all the more concerning when the President announced his surge strategy in Afghanistan, which predictably led to more prisoners. And even in announcing the strategy itself, the President decided to set a date for withdrawal without any sense at the time of what the state of the conflict would be in July 2011.

Then there was the administration's approach on don't ask, don't tell. The President announced his determination to repeal this policy during his campaign, before the military had the time to study whether this change in policy was in the best interest of combat readiness, before senior enlisted staff and noncommissioned officers of the military had testified, and before those who are currently serving had told us whether, in their expert opinion, the policy should be repealed. Moreover, when the Commandant of the Marine Corps suggested the change would harm unit cohesion, he was ignored.

The administration has taken the same cart-before-the-horse approach on the treaty before us. In this case, the President came to office with a long-term plan to reduce the Nation's arsenal of nuclear weapons and their role in our national security policy. The plan envisioned a quick agreement to replace the START treaty that was allowed to expire, with no bridging agreement for arms inspections, followed by efforts to strengthen international commitments to the Non-Proliferation Treaty, reconsideration of the Comprehensive Test Ban Treaty, and further reductions in nuclear arms over time. And he spoke of ultimately reducing nuclear weapons to "global zero."

In other words, the New START treaty was just a first step, and it needed to be done quickly. Leave aside for a moment the fact that the New START treaty does nothing to significantly reduce the Russian Federation's stockpile of strategic arms, ignores the thousands of tactical weapons in the Russian arsenal, and contains an important concession linking missile defense to the strategic arms. We had to rush this treaty, according to the logic of the administration, because it had become an important component in the effort to "reset" the bilateral relationship with the Russian Federation. It was brought up for debate prematurely because it was the first step in a predetermined arms control agenda. The Senate's constitutional role of advice and consent became an inconvenient impediment.

The debate over the McCain amendment to strike the language in the preamble of the treaty was instructive. The language in the preamble concerning missile defense is harmful to